

**Application Number:** WNS/2021/0349/FUL

**Location:** Thorpe Barn, Thenford Road, Thorpe Mandeville, Northamptonshire, OX17 2FG

**Proposal:** Change of use of Agricultural Building to Wedding Venue. External alterations to close open bays and external alterations

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**Applicant:** Mr Paul Ormond

**Agent:** Mr Duncan Chadwick

**Case Officer:** Samuel Dix

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**Ward:** Silverstone

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**Reason for Referral:** Called-in by Cllr Alison Eastwood

**Committee Date:** 09/09/21

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## **EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION**

**RECOMMENDATION:** GRANT PERMISSION SUBJECT TO CONDITIONS

### **Proposal**

The proposed development is the change of use of an existing building (formerly in agricultural use) to a wedding venue. This includes various external alterations to the building as well as the partial change of use of the adjoining field to allow parking.

### **Consultations**

The following consultees have raised **no objections** to the application:

- Environmental Health (Health Protection)
- Building Control
- Economic Development

The following consultees have **commented** on the application:

- Environmental Health (Environmental Protection)
- Northants Police
- Thorpe Mandeville Parish Council
- Local Highway Authority

2 letters of objection have been received and 1 letter of support has been received.

### **Conclusion**

The application has been assessed against the relevant policies in the NPPF, the adopted

Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

The key issues arising from the application details are:

- Principle of development;
- Character and appearance;
- Highway safety;
- Residential amenity.

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions.

**Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.**

## **MAIN REPORT**

### **1. APPLICATION SITE AND LOCALITY**

- 1.1 The application site comprises an existing agricultural building and part of the field to its immediate north. Other buildings adjacent to the site have been converted to holiday-let accommodation and a field to the north-east of the application site is also used for 'glamping' with various caravans and tents being situated in it.
- 1.2 The site is located on a narrow lane that has the appearance of a private farm track (being unsigned and poorly surfaced) but is in fact an adopted highway known as Thenford Road. The road runs between Banbury Lane to the north and Welsh Lane (the B4525) to the south, with Thorpe Mandeville itself around 350m to the north-east.
- 1.3 The building itself has an unremarkable appearance being a partially open-sided steel-portal structure built at some point in the post-war period. Repairs have been carried out to the building recently, including a concrete slab floor and blockwork to certain elevations, with the building retaining a functional utilitarian appearance. In total it measures approximately 14m by 10m with a total height of just over 6m.

### **2. CONSTRAINTS**

- 2.1. The application site is in open countryside and also a Special Landscape Area. It is also within 2km of 1no. Local Wildlife Site (Thorpe Mandeville Cutting).

### **3. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 3.1. The substantive aspect of the development is the change of use of the building and part of the surrounding land to a wedding venue, which is a *sui generis* use. In order to facilitate the change of use, various external works to the building will be necessary, including the installation of doors and the construction of a new roof/walls. It is also proposed to use part of the nearby field for parking, which would also entail a partial change of use of this part of the land.
- 3.2. The applicant has indicated that the intention would be to hold wedding receptions or similar celebrations in the building on a permanent basis throughout the summer months

i.e. the building will not revert to agriculture over winter nor at any other point in the future. The exact frequency of events will depend on demand but the committee should be aware that the applicant is resistant to restrictions on the number of events per year and similarly does not wish to have a temporary permission, as this would affect their funding for the project.

- 3.3. The development will effectively tie in with the holiday let and glamping offer that already run from the wider site, with the expectation that some wedding guests will stay on site before or after their event.

#### 4. RELEVANT PLANNING HISTORY

- 4.1. The following planning history is considered relevant to the current proposal:

Application Ref.	Proposal	Decision
S/2020/0160/NMA	Non-material amendment to S/2019/1861/FUL (Change of use of agricultural building to two holiday lets) add and alter windows.	Approval
S/2019/1861/FUL	Change of use of agricultural building to two holiday lets	Approval

- 4.2. The above planning history pertains to the buildings to the immediate north of the application site. They would be unaffected by the proposed development.

#### 5. RELEVANT PLANNING POLICY AND GUIDANCE

##### Statutory Duty

- 5.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

##### Development Plan

- 5.2. The Development Plan comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15<sup>th</sup> December 2014 and which provides the strategic planning policy framework for the District to 2029, the adopted South Northamptonshire Local Plan (Part 2) and adopted Neighbourhood Plans. The relevant planning policies of the statutory Development Plan are set out below:

##### West Northamptonshire Joint Core Strategy Local Plan (Part 1) (LPP1)

- 5.3. The relevant policies of the LPP1 are:

- SA – Presumption in Favour of Sustainable Development
- S1 – Distribution of Development
- S10 – Sustainable Development Principles
- R2 – Rural Economy

##### South Northamptonshire Local Plan (Part 2) (LPP2)

5.4. The relevant policies of the LPP2 are:

- SS1 – The Settlement Hierarchy
- SS2 – General Development and Design Principles
- EMP4 – The Visitor Economy
- EMP6 – Farm Diversification
- NE2 – Special Landscape Areas

### **Material Considerations**

5.5. Below is a list of the relevant Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Supplementary Planning Guidance (including the District Design Guide)

## **6. RESPONSE TO CONSULTATION**

Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

<b>Consultee Name</b>	<b>Position</b>	<b>Comment</b>
Northants Police	Comment	Applicant should provide details of security.
Environmental Health (Health Protection)	No objections	Applicant should be made aware of duties under the asbestos regulations.
Economic Development	No objections	Note enhancement to existing visitor destination and positive economic impact.
Thorpe Mandeville Parish Council	Comment	No objection in principle but request conditions to minimise possibility of noise pollution.
Local Highway Authority	Comment	Request detail on splays, crossover and parking specification, as well as trip rates.
Environmental Health (Environmental Protection)	Comment	Further details of noise management should be provided or secured by condition.
Building control	No objections	

## **7. RESPONSE TO PUBLICITY**

Below is a summary of the third party and neighbour responses received at the time of writing this report.

7.1. There have been three objections and letters of support raising the following comments:

- Potential disturbance from noise
- Positive reuse of building and local investment.

## **8. APPRAISAL**

### Principle of Development

- 8.1. The proposed development directly accords with the relevant Development Plan policies for commercial development in the rural area. Specifically, Policy R2 of the Joint Core Strategy explains that the re-use of rural buildings, farm diversification, and small-scale tourism proposals are all acceptable. Each of these will directly apply to the proposed development.
- 8.2. Policy EMP4 of the Part 2 Local Plan concerns the visitor economy and says outside settlement confines proposals will be acceptable where the proposed location is essential to the business, does not adversely affect the vitality/viability of nearby settlements, and complements existing local provision. Again, the proposal satisfies each of these criteria as wedding venues are best-located away from settlements so as to minimise disturbance (assessed separately below) and, in this instance, the proposed development clearly complements existing provision with the holiday lets nearby and other facilities such as the pub in Thorpe Mandeville and local guesthouses likely to benefit from increased patronage as a result of weddings taking place at the site.
- 8.3. Policy EMP6 of the Part 2 Local Plan builds on Policy R2 of the JCS and provides further criteria for farm diversification. These include not prejudicing the viable operation of the existing use (there is no evidence the wider farmstead will be adversely affected by the proposal given the building is redundant), the character scale and type of proposal is compatible with the location and landscape setting (assessed separately below), existing buildings are reused (directly applicable in this instance), and any new buildings are in scale with the surrounding and well-related to existing buildings (not relevant to this application).
- 8.4. In summary the principle of changing the use of the site to a wedding venue is acceptable.

### Character and appearance

- 8.5. The existing site comprises a building of unremarkable functional appearance set within open fields. The proposed alterations to the building include the completion of concrete block-work walling and a replacement corrugated metal roof. It is also proposed to insert aluminium/steel windows/doors including those in a folding arrangement enabling the building to be opened up to the south and east. Full details of the materials to be used are proposed to be secured by condition.
- 8.6. The site is located in open countryside and also a Special Landscape Area, wherein Policy NE2 requires particular attention to be paid to preserving the characteristics of the wider landscape and the form of development.
- 8.7. The building already exists and therefore there is not considered to be any significant visual harm from the proposed development over and above the existing situation. The gathering of cars and people on event days would, theoretically, have a visual impact in its own right although this will be transitory and clearly associated with individual events rather than a permanent outcome of the development itself.
- 8.8. Therefore the proposed development is considered to have an acceptable impact on the character and appearance of the area, including the Special Landscape Area, subject to conditions requiring further details of the materials and lighting associated with the proposed conversion of the building.

### Highway safety

- 8.9. The site is accessed via Thenford Road, which is a narrow and poorly surfaced road that runs for around 450m between Banbury Lane to its north and Welsh Lane (B4525) to its south. The junctions with both roads are unsigned and they do in fact meet at a more formalised junction around 600m to the west. Thenford Road is therefore a 'cut through' that nevertheless has the appearance of a private farm track, particularly as the only properties it serves directly are the application site and its attendant land/house. It was nevertheless confirmed during previous applications at the site that the road is in fact adopted public highway.
- 8.10. Due to the nature and location of the development, it will be almost entirely reliant on private motor vehicles for access. These are intended to be parked in an area of the field to the north of the main building, with guests walking a short distance south across the field to the venue. The field benefits from an existing gate onto Thenford Road and will be left to grass.
- 8.11. The Local Highway Authority have requested various information during the course of the application, some of which has been provided (e.g. accident data for the vicinity of the site; no recorded incidents in the last five years) and some of which may be secured in due course by condition (visibility splays, crossover specification). As such, the principal highway matters that the committee needs to determine are firstly whether the site is an appropriate location in highway terms for a wedding venue, bearing in mind the condition of Thenford Road, and secondly whether it is appropriate to park vehicles on an unsurfaced field.
- 8.12. Turning first to the condition of Thenford Road, it should be noted that despite appearances the carriageway is adopted highway maintained at public expense. Therefore it is considered unreasonable to expect the applicant to fund either passing places or upgrades to its surface when they are not responsible for its wider upkeep. The applicant already uses the road to access their glamping, holiday let and personal dwelling, which are the only sources of traffic on the road other than motorists seeking to cut through to either Banbury Lane or Welsh Lane, avoiding the junction 600m to the west. Nevertheless, it is clearly less than ideal for a wedding venue that would be expected to generate around 50-60 vehicles per event to be accessed from a road like Thenford Road.
- 8.13. Paragraph 111 of the NPPF indicates that permission should only be withheld on these grounds where the highway safety impacts are unacceptable or the cumulative impacts are 'severe'. In this respect, Officers consider that the impacts of the proposal could be considered to meet these thresholds. However, if a condition was attached that effectively restricted access to be taken from the north only (i.e. via Thenford Road's junction with Banbury Lane as opposed to Welsh Lane), this would adequately mitigate the highway impacts of the development, as the northern end of the road is less narrow and benefits from better visibility than the southern end. The site itself is located towards the northern end of Thenford Road so such a condition would be reasonable and not onerous to comply with. Subject to this condition the site is considered a broadly suitable location for a wedding venue in highway terms.
- 8.14. Turning to the matter of parking on grass, this is again clearly a less than ideal arrangement. Nevertheless, the applicant points out that grass-parking is common for many facilities that operate in summer months, and that the installation of a hard surface or gravel within the field intended to be used for parking would be both costly and have a permanent visual impact. It should be further noted that any area of land (albeit not any land within the curtilage of a building) could be temporarily used as a wedding venue or

for other events for up to 28 days per year, i.e. for at least every weekend over the summer months. In that scenario no specific arrangement would need to be made for parking, which would most likely take place on grass. This is given moderate weight by Officers due to the fact the proposed development will be used more intensively than 28 days and, as it involves the use of a building, the relevant permitted development rights (Class B of Part 4 of the General Permitted Development Order) would not actually apply in this instance anyway.

- 8.15. The potential harm to parking on grass would principally be the potential for vehicles to bring mud onto the highway or, in a worst-case scenario, being unable to park at all if extended periods of rain make it difficult to enter and exit the unsurfaced field in anything other than in a 4x4 vehicle. The applicant has not provided any intended mitigation for this eventuality although the specification of the crossover itself could be conditioned to be hard surfaced.
- 8.16. Overall the principle of parking on grass is considered acceptable subject to a condition requiring further details of how this would be managed in the event of bad weather (e.g. through temporary surfacing or alternative arrangements). The introduction of mud onto the highway is itself an offence and therefore this matter could be enforced through other legal recourse if necessary. However, a condition is still considered necessary, as the highway safety implications of not being able to use the intended parking area are considered by Officers to be unacceptable, as the development is entirely reliant on vehicular access. Without the certainty that the parking area will remain safe and accessible, the development is likely to result in unsafe parking on the highway and general conflict between drivers and users of the venue.

#### Residential amenity

- 8.17. Policy SS2(1f) requires development to not unacceptably harm the amenity of neighbouring properties and the area through various means that include, *inter alia*, noise and vibration.
- 8.18. The application has generated concerns locally regarding the potential for noise disturbance in Thorpe Mandeville, the edge of which is around 350m to the north-east. It is understood that there have been instances of disturbances at the existing holiday let/glamping facility and it is acknowledged that that amplified music has the potential to carry to the village and other surrounding properties, despite the intervening distance, and that the majority of wedding receptions are indeed likely to feature amplified music.
- 8.19. In response to this, the applicant has indicated that they will not permit third-party sound-systems to be brought onto site and that users of the venue will be required to use speakers specifically bought for the building, which are pendant-style units that hang from the ceiling and project noise downwards as opposed to outwards. Noise spill will be further mitigated by the fact that the apertures to the building face south and eastwards, i.e. away from Thorpe Mandeville itself.
- 8.20. Environmental Health originally stated that there was insufficient information on the effectiveness of these measures to properly ascertain the noise impacts of the development, although it was noted that many similar venues operate through the local area without generating disturbance. Therefore there is no in-principle objection.
- 8.21. Subsequently, the applicant has commissioned a Noise Impact Assessment and Management Plan, prepared by ParkerJones Acoustics. This document seeks to properly model and quantify the effects of the proposed development in various scenarios, as well as providing management practices that will provide further mitigation.

The impact assessment considers music noise levels (MNLs) at four receptor sites, with one of these being dwellings on the south-western edge of Thorpe Mandeville village and three being isolated dwellings within a kilometre of the site. There are three scenarios considered by the assessment, each of which assume a noise level of 90dB in the middle of the dancefloor. These include all doors being open, only southern doors being open, and all doors being closed. Finally, the assessment also considers the same criteria at two other specific frequencies (63Hz and 125Hz).

- 8.22. The assessment therefore provides a total of 36 different outcomes across each receptor, scenario, and frequency. Based on criteria and standards set by the World Health Organisation and British Standards (BS:9233:2014), every one of these outcomes are within the relevant limits. The worst-case scenario is unsurprisingly when all doors are open, which would result in a predicted noise level of 30-31dB at each receptor, which is still beneath the expected standard of 35dB.
- 8.23. The noise management plan accompanying the assessment states practices that will be followed to ensure that any residual noise from the development will be minimised. In addition to this, the applicant has provided the specification of their intended speaker that confirms their sensitivity (i.e. volume) is 88.5dB; beneath the 90dB modelled in the Noise Impact Assessment. Both the speaker system and the measures in the noise management plan, including the management responsibilities, monitoring, and complaints process, can be secured by condition. It should also be noted that the applicant themselves lives in the dwelling closest to the venue and therefore it is reasonable to expect a higher degree of oversight than might be expected at a remote facility.
- 8.24. As outlined above, the modelled impact of the development is considered to be acceptable in each and every scenario. Therefore, subject to the conditions outlined above and others restricting the timing of amplified music (up until 11pm is suggested) as well restricting it to within the building itself, there is considered to be no reason to withhold permission on amenity grounds and the application complies with Policy SS2(1f).

## **9. FINANCIAL CONSIDERATIONS**

- 9.1. The proposed development is not liable for CIL as no retail or residential floorspace is proposed. Similarly there is no need or basis to seek other infrastructure contributions under a section 106 agreement.

## **10. PLANNING BALANCE AND CONCLUSION**

- 10.1. The proposed development is considered to comply with Policy R2 of the Joint Core Strategy as well as Policies SS2, EMP4, EMP6, and NE2 of the Part 2 Local Plan for South Northamptonshire. There are no material considerations indicating that permission should be refused contrary to the development plan, and therefore it is recommended permission is granted subject to conditions.

## **11. RECOMMENDATION / CONDITIONS AND REASONS**

**RECOMMENDATION – DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND ECONOMY TO GRANT PERMISSION, SUBJECT TO THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY)**

### **Time limit**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason : To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

### **Approved plans**

2. The development shall not be carried out otherwise than in complete accordance with the approved plans and details unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The approved plans and details are:

- Proposed Floor Plans (drawing ref: A-01 rev B)
- Proposed Elevations (drawing ref: A-02 rev A)

Both received 4th May 2021

- Proposed parking plan, received 19th July 2021
- Site Location Plan (drawing ref: SP5244SW), received 29th July 2021

Reason : To clarify the permission and for the avoidance of doubt.

### **Vision splays**

3. Prior to first use vision splays shall be provided at the proposed car park access to give clear visibility over a distance of at least 43 metres to the north and south along Thenford Road from a point at least 2m metres back from the centre line of the access, measured from and along the near edge of the carriageway. The vision splays shall be kept clear of all obstructions, levelled and maintained at a height not exceeding 0.6 metres above the adjacent carriageway level.

Reason : To ensure that adequate visibility is retained in the interest of road safety in accordance with Policy SS2 of the South Northamptonshire Local Plan and Government guidance in Section 12 of the National Planning Policy Framework.

### **Materials**

4. A schedule of materials and finishes to be used in the external walls and roof(s) of the building shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall thereafter be completed in accordance with the approved details.

Reason : To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policies SS2 and NE2 of the South Northamptonshire Local Plan Policy and Government guidance contained within the National Planning Policy Framework.

### **Parking**

5. Notwithstanding the approved drawings, details of the proposed parking provision for vehicles to be accommodated within the site (including details of the proposed surfacing and drainage of the provision to allow parking in wet conditions), shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The approved parking facilities shall be laid out and completed in accordance with the approved details before the first use. The car parking spaces shall be retained for the parking of vehicles at all times thereafter.

Reason : In the interests of highway safety, to ensure the provision of adequate off-street car parking and to comply with Policy SS2 of the South Northamptonshire Local Plan and Government guidance in Section 12 of the National Planning Policy Framework.

### **Lighting**

6. Further details of the external lighting including the design, luminescence, position, orientation and any screening of the lighting shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The lighting shall be installed and operated in accordance with the approved scheme at all times thereafter.

Reason : In order to safeguard the visual amenities of the area in accordance with Policy SS2 of the South Northamptonshire Local Plan and Government advice in The National Planning Policy Framework.

### **Security**

7. Prior to the first use of the development hereby permitted, a Crime Prevention and Security Statement shall be submitted to and approved in writing by the Local Planning Authority. The Statement shall include an assessment of the crime and security risks associated with the development. The development shall be carried out and the use operated thereafter in full accordance with the approved Statement.

Reason : To ensure the crime and security risks associated with the development are properly taken into account, and to ensure the mitigation measures are compatible with the rural character and appearance of area, in accordance with Policy SS2 of the South Northamptonshire Local Plan (Part 2).

### **Access**

8. Prior to first use of the development, details shall be submitted to and approved in writing by the Local Planning Authority of how guests will be encouraged to access the site from the north only. This shall include details of signage, promotional material, marshalling, and any other means of controlling access to the site.

Reason : Notwithstanding that Thenford Road is adopted highway, the proposed development is only acceptable in highway safety terms if accessed from the north. Therefore the proposed details are needed to ensure access from the south is minimised insofar as possible and to comply with Policy SS2 of the Part 2 Local Plan for South Northamptonshire and Paragraph 111 of the NPPF.

9. The car park access shall be paved with a hard bound surface (no gravel) for a distance of at least 5 metres from the highway boundary and shall be retained as such thereafter. The applicant's attention is also drawn to the licensing requirements specified in the informative below.

Reason : To ensure that an adequate and safe access is provided to the site in accordance with Policy SS2 of the South Northamptonshire Local Plan and Government guidance in Section 12 of the National Planning Policy Framework.

### **Amenity**

10. The development shall be carried out in accordance with Noise Impact Assessment and Management Plan prepared by ParkerJones Acoustics and received by the Local Planning Authority on 6th August 2021.

Reason : To ensure the creation of a satisfactory environment free from intrusive levels of noise in accordance with Policy SS2 of the South Northamptonshire Local Plan.

11. No sound amplification equipment shall be used at any time outside of the building. Inside the building sound amplification equipment shall be restricted to the Saros PD6T 2-way Pendant Speaker, as per details received by the Local Planning Authority on 13th July 2021. No sound amplification shall take place after 11pm.

Reason : To ensure the creation of a satisfactory environment free from intrusive levels of noise in accordance with Policy SS2 of the South Northamptonshire Local Plan.

12. No external light displays or laser equipment shall be used in association with the use hereby approved at any time.

Reason : To protect the amenities of nearby residents and to comply with Policy SS2 of the South Northamptonshire Local Plan.

### **INFORMATIVES**

1. Please note that the applicant will be required to obtain a Section 184 licence; from Northamptonshire Highways Regulations; on receipt of a planning Consent, in order to install the site access and the vehicle crossover of public highway land. Please note also that the works necessary to be undertaken within publicly maintained highway land; including the installation of the dropped kerbs, must be undertaken only by a Northamptonshire Highways Approved Contactor; who has the required and necessary public liability insurance in place.

2. The applicant is reminded that Regulation 4 of the Control of Asbestos Regulations 2012 states that those responsible (the duty holder) for non-domestic premises must ensure that a suitable and sufficient assessment is carried out as to whether asbestos is or is liable to be present in the premises.