

## **Committee Report**

**Item No: 2**

**Reference: 4592/16**

**Case Officer: Sian Bunbury**

**Ward:** Worlingworth.

**Ward Member/s:** Cllr Matthew Hicks.

---

### **Description of Development**

Change of Use of land and buildings as a wedding and events venue with erection of marquees, camping area and car park.

### **Location**

Tannington Hall, The Green, Tannington IP13 7NH,

**Parish:** Tannington

**Site Area:** 2.1ha

**Conservation Area:** No

**Listed Building:** Affects Setting of Grade II\*

**Received:** 11/11/2016

**Expiry Date:** 27/01/2017

---

**Application Type:** FUL - Full Planning Application

**Development Type:** Change of Use

**Environmental Impact Assessment:** Environmental Assessment Not Required

**Applicant:** Mr J Harvey

**Agent:** Evolution Town Planning LLP

---

## **DOCUMENTS SUBMITTED FOR CONSIDERATION**

The application, plans and documents submitted by the Applicant can be viewed online at [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk). Alternatively a copy is available to view at the Mid Suffolk and Babergh District Council Offices.

---

## **PART ONE – REASON FOR REFERENCE TO COMMITTEE**

---

The application is referred to committee for the following reason/s:

The Corporate Manager – Growth and Sustainable Planning considers the application to be of a controversial nature having regard to the planning reasoning expressed by the Parish Council and / or the extent and planning substance of comments received from third parties and / or the location, scale and / or nature of the application.

---

## **PART TWO – APPLICATION BACKGROUND**

---

### **History**

None relevant.

### **All Policies Identified As Relevant**

The proposal has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. Highlighted local and national policies are listed below. Detailed assessment of policies in relation to the recommendation and issues highlighted in this case will be carried out within the assessment:

### **Summary of Policies**

CS05 - Mid Suffolk's Environment  
FC01 - Presumption In Favour Of Sustainable Development  
FC01\_1 - Mid Suffolk Approach To Delivering Sustainable Development  
NPPF - National Planning Policy Framework  
E10 - New Industrial and commercial development in the countryside  
New Industrial and commercial development in the countryside  
E11 - Re-use and adaption of agricultural and other rural buildings  
GP01 - Design and layout of development  
H16 - Protecting existing residential amenity  
HB01 - Protection of historic buildings  
CL17 - Principles for farm diversification  
RT16 - Tourism facilities and visitor attractions  
RT18 - Touring Caravan and Camping Sites  
T10 - Highway Considerations in Development  
CS01 - Settlement Hierarchy  
CS02 - Development in the Countryside & Countryside Villages

### **List of other relevant legislation**

- Human Rights Act 1998
- Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990
- Natural Environment and Rural Communities (NERC) Act 2006 (any rural site)
- The Conservation of Habitats and Species Regulations 2010
- Localism Act
- Consideration has been given to the provisions of Section 17 of the Crime and Disorder Act, 1998, in the assessment of this application but the proposal does not raise any significant issues.

### **Details of Previous Committee / Resolutions and any member site visit**

None

## **Details of any Pre Application Advice**

None

## **Consultations and Representations**

During the course of the application Consultation and Representations from third parties have been received. These are summarised below.

### **A: Summary of Consultations**

#### **Historic England**

Historic England - Tannington Hall is grade 11\* listed and work is proposed to convert a later barn to a function room with an associated events marquee on the rear lawn of the Hall, from where an important view of the building can be had. An existing track would be the principle access with a large area of parking nearby.

The exterior changes to the barn appear to be minimal and providing the marquee is only present for defined periods, rather than being a permanent building it would not have an unduly harmful impact.

Have considered the proposal in terms of NPPF policy and do not consider the function room and marquee (if on a temporary basis) to be harmful but recommend the Council request further details of proposed car park, including illustrations of the proposed car park site, views to and from the Hall and information on the development of the historic landscape setting of the Hall in which it would sit.

On the basis of the further information received do not wish to offer comments. Seek views of MSDC conservation and archaeological advisors as relevant.

#### **Heritage Team**

No objection.

The proposal would cause no harm to a designated heritage asset because the scheme does not propose any internal or external alterations to the C20th building for the change of use, and thus there will be no harm caused by the proposal on the setting of the grade 11\* Tannington Hall or grade 11 barn to the north. The proposal to erect a marquee to the n.w of the Hall for seasonal use will not harm the setting of the Hall, due to the temporary nature of the proposal.

Tannington Hall is a large grade 2\* late C16th timber framed moated hall. To the north of the Hall is a grade 11 listed C16th barn, with a C20th stable extension off the barn to the south. The Historic England list description notes that this stable extension is not of special interest. It is this building which is the subject of the proposal.

As the stable is annexed to the late C16th building it may be that alterations to the fabric may require an application for LBC.

#### **Tannington Parish Council**

Tannington Parish Meeting - no response.

#### **Environmental Health - Noise/Odour/Light/Smoke**

Originally concerned that Noise Assessment Report gave insufficient information. Would recommend refusal.

Notes receipt of further Noise Assessment which concludes that the venue is set in a quiet rural location but that disturbance from music noise is unlikely provided mitigation measures are carried out. These relate to investigating ceiling construction and reviewing noise break out from windows in east facade.

EHO also recommends conditions relating to noise level measurement, fitting of a sound limiting device, no fireworks other than 5 November and midnight on New Years Eve, and no Chinese lanterns.

Recommends the number of events be limited to 30 per year, amplified music should stop at 23.30 and permission be temporary for 2 years.

### **Suffolk Police - Design Out Crime Officers**

Comments regarding Secured by Design status, and recommends security measures relating to each element of the scheme, such as the car park, camp site, main venue, kitchens, management office.

### **Brundish Parish Council**

Brundish PC - In general the proposal to hold private weddings with a restricted number of guests on a restricted number of days, with noise levels managed so as not to generate an unreasonable nuisance to the neighbouring Parishes and neighbouring properties such as The Woodlands (grade 1 and within 470m of the proposed venue) is acceptable.

However overriding concern is the potential for noise pollution and late night noise to affect those in close vicinity (the majority of the Parish of Brundish).

No objection for the proposed wedding and events venue but raise a number of concerns and comments in relation to planning policies, particularly HB1, GP1, CS5 and H16.

The submitted Noise Assessment is theoretical and excludes noise associated with human activity. Concern over uncontrolled events and noise carrying long distances over the flat landscape.

Clarity over the type of events proposed, the location of the music and the duration of performances/broadcasts should be obtained.

Concern over the location of the camp site and prominence to near neighbours. An upper limit should be imposed on the number of pitches, as well as the location, noise levels and duration of use. An alternative location should be sought, which would have a lesser impact. Sanitary facilities are required.

Seeks restriction on firework displays, which could be a source of noise pollution to residents and livestock and a fire risk.

There should be a restriction on the number of days per year when live or potentially noisy events may be held. Suggest a cap on the number of events in the Spring/Summer/Autumn, with no events being held on Sundays, or at least no live music on Sundays.

Events should be managed by permanent staff.

An effective noise assessment should be carried out as a pre-planning condition to allow suitable restriction.

A suitable outcome could be achieved.

AMENDED COMMENTS - Brundish Parish Council comments on additional Noise Assessment:

The new report confirms the Parish Council's view that there would be an unrestricted level of noise from the camp site and no possibility of physical measures to control it.

"Good management" would offer no legal environmental protection to The Woodlands and the wider community.

It is not clear where the management team and site manager will be based/stay overnight.

Venue operators need to demonstrate how they would monitor noise levels and the procedure to control excess noise on the camp site.

In the absence of meaningful controls an alternative site should be found.

The specific controls and measures in the report, together with other planning conditions should be included if permission is granted.

### **Monk Soham Parish Council**

No objections to this application or proposals.

### **Wilby Parish Council**

Wilby P.C. - Object and recommended refusal.

---

Originally the application lacked sufficient detail on type of events and management arrangements. Noise calculations were understated and risk of significant noise pollution would have a material effect on nearest dwellings including those in Wilby, as sound carries. Recent village survey indicated advantage of living in Wilby being the peace and quiet.

The camp site, distant from car parking did not provide for disabled access or management.

Later comments following revised noise assessment - No actual measurements are provided. Other 'events' haven't been defined, nor any undertaking about the number and nature of weddings and other events.

Biggest cause for concern arises from potential noise and disturbance from the camp site which is not included in the definition of the venue.

Have the applicants considered re-siting the camp site. ?

For the above reasons recommend refusal.

If Councillors are minded to approve an initial time limit should be considered to monitor the concerns of those affected.

**AMENDED COMMENTS - Wilby Parish Council - revised comments.**

The new Noise Assessment is based on current noise levels and estimates the noise likely to emanate from weddings and other events rather than actual on-site measurements.

"Other events" are still not defined, nor their frequency/nature of these and weddings. Introducing such a venue in a tranquil location is a very material consideration for the quality of life for local residents.

The biggest cause for concern is the potential for disturbance from the camp site.

The Acoustic Report only deals with the barn and marquee. The camp site is not included in the definition of the venue and does not consider the issue of noise emanating from the camp site.

How will the venue operator control the camp site if it does not form part of the venue.

### **SCC - Highways**

Recommend conditions relating to provision of visibility splays, passing bays, provision of manoeuvring and parking areas, and layout of vehicular access.

### **SCC - Fire & Rescue**

Comment regarding access and fire fighting facilities, and water supplies.

### **Worlingworth Parish Council**

No objection to proposed wedding and events venue and does not wish to discourage business in the area. Has received representations from residents with concerns and comments particularly relating to noise and potential disturbance late at night. In most weather conditions sound travels very long distances. Would like more clarity on types of proposed events, location of live music, duration of performance/broadcasts based on the results of a live noise assessment. Should be a limit on number of camping pitches, and suitable sanitary facilities. Potential for uncontrollable noise from camp site, and events should be managed by a permanently staffed team.

Firework displays have the potential to cause noise pollution, distress to livestock and fire risk.

The number of events should be restricted, with no events on Sundays, or at least no live music on Sundays. The application could be perfectly acceptable with an effective noise assessment being carried out, and clear regulation and definition of events.

---

## **B: Representations**

Objection has been raised on behalf of nearby residents at The Woodlands.

The objection is summarised below and can be viewed on line:

- The Woodlands is a Grade 1 listed building located under 400m to the north east of the site.
  - Whilst understanding that the applicant's wish to make efficient use of their buildings the intensity of the proposed use has potentially disturbing and adverse effects on amenity caused by noise arising from music related to the events and use of the camp site.
  - The first noise assessment was reviewed and considered that the results are flawed and should not be relied upon.
- Impacts will also be on occupants of the estate properties, notably Hall Cottages and the direct impact justifies refusal.
- The importance of the peace and tranquillity to the setting of The Woodlands as Grade 1 listed should be taken into account. Refers to Historic England Good Practice Guidance on this matter and comments that the submitted Heritage Assessment makes no mention of The Woodlands (note: the agent advises that the property is mentioned on the first page)
- Historic England Guidance on temporary structures points out that the cumulative impact of temporary structures at repeated events can be greater than structures for one-off events.
- The Local Plan Policies mentioned in the submitted Planning Statement require that any change of use should not have a detrimental impact on residential amenity (CL17 and CL18), or the character and amenity of the area (H16).
  - The Council has a statutory duty to have special regard to the desirability of preserving the setting of listed buildings.
  - The NPPF contains guidance and a core planning principle (para 17) is the conservation of heritage assets. Any harm should require clear and convincing justification (para 132). Substantial harm should be wholly exceptional, and less than substantial harm should be weighed against the public benefits of the proposal. The objectors own noise assessment concludes that the proposals would be likely to have a Significant Observable Adverse Effect from the proposed marquee and the barn if windows and doors are left open, and substantial negative effect on the amenity of The Woodlands.
  - This noise assessment considers the impact of noise from music and non-music disturbance from the camp site and fireworks.
  - Disputes the agent's statement that there would be fall-back options for change of use from agricultural building without the need for planning permission.
  - Refers to Core Strategy objectives (SO4) and policies FC1.1 and CS5 as well as Local Plan policy HB1 which seek to safeguard the character of the district, maintain and enhance the historic environment including the setting of listed buildings.
- Questions raised on details of the planning application:
- How has the figure of 100 attendees at events been arrived at ?
  - During the Summer it is not inconceivable that a marquee would be a regular requirement and become a permanent fixture for several months.
- What is the capacity of the camp site ?
- There will be no direct employees and the events will be serviced by established businesses.
- There is no mention of fireworks.

Following the submission of a Management Plan, including physical alterations to the building, and a revised Noise Assessment further comments were submitted.

- Concern about the words "The applicants or representatives thereof" and the implication for controlling events as the understanding is that the applicants do not intend to manage the events.
  - The camp site should be included in the definition of the 'venue'.
  - Suggest additional controls with reference to music outside/in the marquee. There should be no amplified music in the camp site.
-

- Contact details should be given to properties including The Woodlands and other potentially affected properties.
- Will 'guest vehicles' include those using the camp site?
- Without air conditioning doors and windows are likely to be opened to increase air flow.
- The new noise assessment agrees that the use of the camp site can be neither quantitatively assessed nor readily mitigated against by using physical measures. The operation of the camp site is not addressed in the Management Principles or Plan. What will the capacity of the camp site be? Is it intended purely as an adjunct to weddings and events, and for temporary tents only ? If approved it should be subject to a condition restricting the use to that applied for.
- The camp site should be withdrawn from the proposal. However some of the most serious concerns could be mitigated if the camp site were to be located immediately to the west of the car park thus extending the distance away from Hall Cottages and The Woodlands by 250m, with some noise absorption by intervening buildings.

---

## **PART THREE – ASSESSMENT OF APPLICATION**

---

From an assessment of relevant planning policy and guidance, representations received, the planning designations and other material issues the main planning considerations considered relevant to this case are set out including the reason/s for the decision, any alternative options considered and rejected. Where a decision is taken under a specific express authorisation, the names of any Member of the Council or local government body who has declared a conflict of interest are recorded.

### **1. The Site and Surroundings**

1.1. The application site includes an existing driveway (temporarily blocked at time of site visit) to Tannington Long Road. This leads to an area of grass land which is proposed as a car park. The driveway runs in front of Tannington Hall, a grade 11\* listed building, crossing part of the moat to lead to a lawned area in front of a C20th brick and pantiled barn with attached stable cottage, and a tractor store in a further attached barn to the north.

1.2 Further north west is a grassed area which is proposed to serve as a camp site and which has a tall red brick wall on its southern boundary, a hedge to the west boundary and a row of poplar trees to the north boundary.

1.3 The application site forms a part of the larger Tannington Hall estate which includes the Hall, a row of four estate cottages (to the north east of the site) and four further residential properties to the south. Agricultural land in the estate ownership surrounds the site.

1.4 Further afield residential properties outside the estate ownership are located to the north east (The Woodlands) and south (Mill Cottage).

### **2. The Proposal**

2.1. The application is for the change of use of land and buildings as a wedding and events venue with the erection of marquees, camping area and car park, for up to 100 guests.

2.2. The agent has indicated that the 'events' are expected to include weddings, birthdays, other personal/seasonal celebrations and staff training or other business seminars. It is not the intention to operate large scale music festivals. The submitted Management Plan gives details of the operation of the venue and hours of operation.

2.3. Parking - the application indicates a proposed informal parking area to accommodate approximately 100 cars on a permeable gravel surface, and 7 separate disabled spaces on a grasscrete or similar surface. Visibility splays will be provided to the C class road, Tannington Long Road.

### **3. National Planning Policy Framework**

3.1. The National Planning Policy Framework (NPPF) contains the Government's planning policies for England and sets out how these are expected to be applied. Planning law continues to require that applications for planning permission are determined in accordance with the Development Plan unless material considerations indicate otherwise. The policies contained within the NPPF are a material consideration and should be taken into account for decision-making purposes.

3.2. The NPPF Section 3 seeks support for a prosperous rural economy and Section 12 seeks the conservation and enhancement of the historic environment, which involves taking account of the impact of a proposed development on the significance of a designated heritage asset.

### **4. Core Strategy**

4.1. Core Strategy policy CS2 relates to development in the countryside and identifies restricted categories of development which would include re-use and adaption of buildings for appropriate purposes. Policy CS5 states that all development will maintain and enhance the environment, including the historic environment.

### **5. Saved Policies in the Local Plans**

5.1. Policies in the Local Plan include support for farm diversification (CL17 and CL18) with change of use being permitted provided that there is no materially detrimental effect on nearby residential amenity, traffic generation, or the landscape/environment, and proposals should benefit the rural economy.

### **6. The Principle of Development**

6.1. The principle of the development as a form of farm diversification is supported by the NPPF, and Local Plan policies as identified above. The impact on residential amenity and the setting of nearby listed buildings should be considered in accordance with policies and guidance.

### **7. Sustainability Assessment Of Proposal**

7.1. The NPPF identifies the achievement of sustainable development as a core purpose of the planning system, to be performed through the economic, social and environmental roles of planning. These entail the building of a strong, responsive and competitive economy, a strong, vibrant and healthy community whilst protecting and enhancing the natural, built and historic environment.

### **8. Site Access, Parking And Highway Safety Considerations**

8.1. SCC Highways find the proposal to be acceptable subject to the inclusion of conditions relating to access, passing places, visibility and parking provision.

### **9. Design And Layout**

9.1. Design details. The proposal does not involve material alterations to the barn. The Acoustic Report and Management Plan identify the need for small alterations and the need to investigate the ceiling construction and window in the east façade of the barn.



## **10. Landscape Impact**

10.1. The proposal does not have wide landscape impact as the change of use relates to an existing building and the marquee, camp site and car park are contained and screened within the site boundaries and are intermittent and temporary uses.

## **11. Environmental Impacts - Trees, Ecology And Land Contamination**

11.1. Environmental Health have been involved in assessing the noise impacts of the proposal, which they find acceptable, subject to mitigation and recommendations which are detailed elsewhere.

## **12. Heritage Issues [Including The Impact On The Character And Appearance Of The Conservation Area And On The Setting Of Neighbouring Listed Buildings]**

12.1. Comments have been received from Historic England and MSDC Heritage team. Heritage advise that there would be no harm to a designated heritage asset as no alterations to the layout or fabric of the building are proposed which would affect the setting of listed buildings. The temporary nature of the marquee and tents would not harm the setting of listed buildings. Objection received on behalf of the neighbouring property identifies the contribution which peace and tranquillity can play in the setting of listed buildings. This has also been taken into account in the section relating to residential amenity.

## **13. Impact On Residential Amenity**

13.1. Residential amenity impact details. The proposal is for the change of use an existing building and the erection of temporary structures, namely marquees and tents. Visually the site is contained by buildings and landscaping and does not have a material impact on residential amenity in this respect. The assessment of the impact has centred largely on the noise impact of the proposal as the NPPF states that the planning system should prevent adverse impacts from noise pollution, and the impact of a proposal on residential amenity is required by local policies. Noise Assessments have been submitted by both the applicants and the objector and the contents have been taken into account. Recommendations contained in those reports, together with adherence to the submitted management principles are considered to satisfactorily address the issue of residential amenity. In order to further assess the impact of the proposal it is recommended that the number of events should be limited to 30 per year, and for a temporary period of two years.

## **14. Biodiversity And Protected Species**

14.1. Biodiversity issues have been considered and are not of significance in this case.

---

## **PART FOUR – CONCLUSION**

---

## **15. Statement Required By Article 35 Of The Town And Country Planning (Development Management Procedure) Order 2015.**

15.1. When determining planning applications The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires Local Planning Authorities to explain how, in dealing with the application they have worked with the applicant to resolve any problems or issues arising.

15.2. In this case the planning authority has worked with the agent to resolve issues with the impact of the proposal, particularly with relation to noise impact.

## **16. Identification of any Legal Implications and/or Equality Implications (The Equalities Act 2012)**

16.1. There are no known legal implications derived from the determination of this application.

## **17. Planning Balance**

17.1. The proposal has been assessed in accordance with adopted development plan policies, guidance contained in the NPPF and all other material considerations. These policies seek to promote sustainable development through the economic, social and environmental roles of the planning system. The NPPF, adopted Mid Suffolk Local Plan and Core Strategy policies are supportive of the rural economy and the local natural and historic environment.

17.2 On balance there are no significant demonstrable adverse effects on the heritage assets, landscape, residential amenity or highway safety and those potential impacts can be appropriately controlled by condition.

## **RECOMMENDATION**

That the Corporate Manager - Growth & Sustainable Planning be authorised to grant permission and that such permission be subject to the conditions as set out below:

- Standard time limit
- To be in accordance with approved plans and documents
- Provision of visibility splays
- Layout and completion of passing places
- Provision of manoeuvring and parking area
- Layout of access
- Noise level measurement not to be exceeded
- Sound limiting device to be fitted
- No fireworks except for November 5th and midnight on New Years Eve
- No Chinese lanterns
- Limit to number of events to 30 per year
- Amplified music to stop at 23:30 hours
- Occupation of camp site only in association with event
- Temporary permission for two years