

Louise Hancock

From: Sarah Ward [REDACTED]
Sent: 03 May 2023 12:36
To: Louise Hancock
Cc: Lucy Woodall
Subject: Fw: Re Sedgwell House Farm application 23/00625/FUL
Attachments: Sedgwell.noise.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Louise,

I would like to forward further information for the Licencing Panel to consider,

I will be sending you my documents also regarding attendance.

Many thanks

Sarah Ward

From: Peter Jones <Peter.Jones@northyorks.gov.uk>
Sent: 25 April 2023 14:57
To: Sarah Ward [REDACTED]
Cc: GEN - Planning Emails <planning.ham@northyorks.gov.uk>
Subject: FW: Re Sedgwell House Farm application 23/00625/FUL

Good afternoon and thank you for your email.

I will ask the Technical Support Team to add this to your representation.

Many thanks

Peter

From: Sarah Ward [REDACTED]
Sent: 25 April 2023 14:50
To: Peter Jones <Peter.Jones@hambleton.gov.uk>
Cc: Peter Crass [REDACTED]
Subject: Re Sedgwell House Farm application 23/00625/FUL

Dear Peter,

I would like to add some supplementary comments re the above application on the grounds that the development proposal does not adequately protect immediate amenity and affects privacy and security, causes noise, disturbance and pollution.

Since the Pods were sited next to my boundary in 2018, I have experienced noise and disturbance from guests, littering and light pollution (obviously the site was shut down

during the Covid pandemic); It has nonetheless still impacted upon my amenity.

Whilst the accommodation is sometimes used as a base to explore the local area, and to enjoy the USP of peace and tranquillity (with a no noise policy after 10pm) it is not adhered to by all holiday makers, and not enforced by the applicants, I have already had 2 noise disturbances this season, and have now had to open a separate case with Environmental Health.

(Please refer to my email 24.04.23 to Janice Johnston, evidencing my requests to the applicant to ask the guests to stop causing a disturbance, and the eventual response received the following day)

Since the wedding events began, the noise levels have spiralled along with the attitudes and behaviour of the guests, who are clearly wanting to enjoy themselves. I have been subjected to noise from the arrival of guests on a Friday, throughout the weekend and until the early hours of Sunday morning, with outbursts of screaming, shouting and singing, even group chatter is audible.

This is hardly surprising as my property is only 126 metres away from the nearest glamping pod. It is open plan and was designed to connect the indoor and outdoor spaces with a large glazing aspect, so my doors are continually open during the summer months as temperatures easily exceed 30*c when closed. This is a hugely significant distance for any occurring noise and disturbance, within such an open and quiet rural setting.

I also work from home over part of the week (including some weekends and evenings) and require a level of concentration which just cannot not be achieved with the constant disturbances, it has caused me to make ridiculous mistakes, and takes me twice the amount of time to complete. It interferes with daily activities, and has resulted in major sleep disruptions, relaxation is now an unrealistic concept in my own home/garden?!!

There is literally no escape, I have even had leave the house on some occasions, I really cannot describe how overwhelming it is, and would suggest to anyone who thinks this is an exaggeration, please- feel free to come and live in my home for several months and see how you feel then.

Even if the venue is insulated to the highest specification, guests cannot be expected to remain silent, they are there to celebrate and enjoy, and that doesn't stop just because the music does? people bring their own alcohol and continue to consume it afterwards. Guests congregate together, the party continues and so does the noise, if the venue was sited away from residential occupants, then it wouldn't be an issue, but clearly the proximity is more akin to it taking place in your garden. Whilst Environmental health have made visits during the event, and at its tail end, no one has been present at 2/3 and 4 o'clock in the morning when the only thing i can hear is voices, laughter, shouting and music and the continual barking of my dog thinking there are people outside.

I have made numerous complaints to the owners, to Environmental Health and eventually to the Police regarding noise disturbances and anti-social behaviour. (i have included some of this correspondence, which details the disturbances, flags up times and references the effects upon my amenity. (And can also provide you with a copy of my noise diary from last year which was collated for Environmental health.)

Having commissioned our own noise report from Blue Tree Acoustics, Richard Watson (a

specialist in his field, unlike NJD who are not accredited to the either body suggested by local council) has noted that numerous issues he has raised have not been corrected and despite his comments the latest version of the NJD report remains unchanged.

If the applicants cannot successfully manage the noise on site from glampers, I sincerely hope you will consider the effects of our amenity before granting them permission to hold weddings and events mid-week and weekends.

Sarah Ward

OFFICIAL

Any opinions or statements expressed in this email are those of the author of the email, and do not necessarily reflect those of North Yorkshire Council.

This email (and any files transmitted with it) is confidential, may contain privileged information and is intended for the addressee only. If you are not the intended recipient, please be aware that any disclosure, copying or distribution is prohibited and may be unlawful – you must not disclose the information to anyone, but must instead notify the sender at the above address and then destroy all copies.

Incoming and outgoing email messages, IT systems and applications are routinely monitored for compliance with the law, relevant policies and to ensure the integrity and effective operation of our ICT network and digital estate. In line with this, the content of this email and any attachments have been checked for the presence of viruses, but we advise that you take your own steps to ensure that they are actually virus-free.

If you receive an automated response stating that the recipient is away from the office and you wish to request information under the Freedom of Information Act, the Data Protection Act or the Environmental Information Regulations, please resend your email to the Council's Information Governance Team(infogov@northyorks.gov.uk) who will process your request.

For information about how we process data, please see our Privacy Notice at www.northyorks.gov.uk/privacynotice.

OFFICIAL

Ref 22/00690/FUL Sedgefield House, Ainderby Steeple, Northallerton, DL7 9JY

Sarah Ward 

Wed 29/06/2022 13:06

To: clair.weber@hambelton.gov.uk <clair.weber@hambelton.gov.uk>

Cc: Helen Ledger <Helen.Ledger@hambelton.gov.uk>

Good Afternoon Clair,

Having noted your response to the above application, i wondered if it is possible to take into account the level of noise that may be generated after the event?

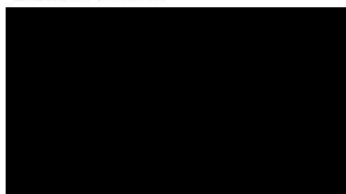
I live in the next property and our field is adjacent to the camping pods. We have had some noise issues in the past despite the strict no noise policy after 10 pm.

Given that the pods are exclusive to guests at the wedding events, (https://cocoweddingvenues.co.uk/coco_listing/sedgewell-barn/) surely it will be difficult stopping them from carrying on the celebrations once the event has finished?.

I am hugely concerned about the continuation of music, shouting and laughter after hours, as it has previously affected my sleep when windows are open, and at times caused my dog to bark continually throughout the night.

Yours Faithfully

Sarah Ward



Ref 115669

Sarah Ward [REDACTED]

Mon 18/07/2022 18:31

To: Janice.Johnston@hambleton.gov.uk <Janice.Johnston@hambleton.gov.uk>

 1 attachments (194 KB)

NN.F.1.Noise_diary_form_2_Editable..pdf;

Dear Ms Johnston,

Further to your letter received 06.07.22,
Please find enclosed PDF of my noise diary
covering the past 4 weeks of events held at
Sedgefield House Farm.
I will supply the following 2 weeks as requested,
but felt it a matter of urgency that the diaries were
available for review.

I have found the past few weekends extremely difficult,
given the level of disruption we are experiencing from
the events.

The noise levels due to the increased volume of traffic
from the services associated with the event, people
attending, taxis etc is continuous throughout the day
from 9 am until after midnight when people are leaving.
As my property is very close to the lane, with windows
open in the heat the noise is unavoidable. I have also
overheard several arguments (some with excessive language)
over rights of way as the lane is single track and someone is
always forced to reverse when meeting from opposite directions.

The noise levels coming from the event throughout the day
seems to vary in intensity, i have heard loud voices, shouting,
cheering and music.
This has affected the work i do from home due to my inability
to concentrate. I have found it difficult to complete simple tasks
and found myself making silly mistakes.
A large proportion of my time is spent outdoors as i have had horses
for the past 20 years, Whilst i am currently without, the nature of
sudden cheering and shouting would make riding dangerous especially
with young horses due to their disposition.

Overall, i have found the evenings of an event the most difficult, the
music has been so loud and clear on a couple of occasions i have
literally been able to write down the playlists.
It is hugely unfair that given the time of year i am unable to sit and
relax in the garden, unable to escape the music indoors as it has been too
hot to close the windows and unable to sleep because of continued music
voices shouting and laughter after 11pm.

Last weekend (09.07.22) i was subjected to the loud voices shouting

and swearing by a group of people from the event passing up and down the lane outside my property, my mother who is approaching 90 was so disgusted by the language she had to go back inside the house. Eventually i phoned the Police, who were unable to attend but logged my case- NYP09072022-0645.

This weekend the noise coming from the glamping pods was so loud after the event had finished i was unable to sleep until i was forced to shut my windows at 2.00am Sunday morning.

I had a guest staying over who also experienced the whole event disruption 1st hand and was so shocked that this is being allowed given the policies and laws around noise pollution and anti social behaviour. It was also disappointing that the lack of sleep we both experienced ruined our plans for the next day as we both felt far too tired to commit.

Having suffered from depression i am very aware that the past few weeks have triggered numerous negative emotions which have left me feeling angry, upset and extremely anxious. The anticipation of an event is beginning to take over my thoughts during the week, i have found myself worrying that i will not be able to complete my work, or carry out the basic tasks i would normally do

I feel that the levels of noise and disruption are impacting upon my emotional well being, and the ability to enjoy spending time in my own home is being affected by these events.

Regards

Sarah Ward

Sent from my iPhone

Janice Johnston

Environmental Health Officer

Environmental Health

Hambleton District Council

Email: Janice.Johnston@hambleton.gov.uk

Web: www.hambleton.gov.uk

How do you rate your email response from Hambleton District Council?

Feedback survey - click below to begin



Your calls may be recorded for training and quality purposes. The call recording policy is available at www.hambleton.gov.uk

On 5 Aug 2022, at 01:54, Sarah Ward [REDACTED] wrote:

Good Morning Janice,

I have just reported my 3rd incident to North Yorks Police coming from Sedgewell House Farm within the space of 2 months.

On this occasion i was sleeping, and awoken by screaming coming from the Wig Wams adjacent to my property.

On hearing it was a female voice, i shouted to ask what was going on. I heard nothing after this, but complete silence.

I am worried that this was domestic abuse, rather than anti-social behaviour, and have logged it as such .

The incident took place around 00.30 am this morning, i am still unable to sleep, worried about what could be happening, but like most people, have to be at work in a few hours?!!!

I am hugely disappointed that i have emailed you on several occasions and am still awaiting a response.

Sarah Ward

From: sarah ward [REDACTED]

Sent: 05 August 2022 01:09

To: Sarah Ward [REDACTED]

Subject:

Get [Outlook for Android](#)

Re: 115669

Sarah Ward [REDACTED]

Fri 05/08/2022 13:27

To: Janice Johnston <Janice.Johnston@hambleton.gov.uk>

Good Morning Janice,

Thank you for your response, i am hugely relieved that the noise diaries you have heard from my neighbour warrant further investigations, as i am sure my recordings will also clarify this.

Unfortunately, as my property is the closest to the Wig Wam Pods, i seem to bear the brunt of all associated event noise, especially late into the early hours once the event has finished. The late-night traffic and after party noise, has become the most significant issue for me as it is physically affecting my sleep and overall, wellbeing.

Whilst I have been subjected to late night disturbances on numerous occasions from rowdy guests staying at Sedgewell farm, they were a lot less frequent prior to the events, and there was a no noise policy after 10pm in place. Given that this is now impossible to implement, and the fact that i am being subjected to noise, not dissimilar to the screams from last night, i am wondering why this would not be classed as a noise nuisance?

I look forward to hearing from you regarding a home visit.

Kind Regards

Sarah Ward

From: Janice Johnston <Janice.Johnston@hambleton.gov.uk>

Sent: 05 August 2022 09:47

To: Sarah Ward [REDACTED]

Subject: Re: 115669

Good morning Sarah

Apologies for the delay in responding. The incident you describe last night is not something that could realistically be investigated as a noise nuisance, but I will log it against your complaint.

With regard to events at Sedgewell barn, I have discussed the ongoing issues with the licence applicant and discussed measures that can be put in place to manage the issue of noise disturbance.


I have listened to some of the noise app recordings undertaken by another complainant but for some reason have only just received yours, which I intend to listen to as soon as possible. There is enough evidence to warrant further investigation by Environmental Health.

I have the dates of the remaining events this year and have been liaising with my colleagues to find out availability for visits in person on the Saturday nights when events are on and then was going to arrange with you and the other person who has returned diary sheets to visit your homes to monitor. I just need to listen to your noise app recordings first.

I will be in touch shortly to make firm arrangements with you.

Kind regards

Janice Johnston



We've received your message. We'll forward it to the relevant team to look into. We will review your enquiry and contact you within the next two working days. Please note that depending on complexity, some requests may take longer to process.

For your records, your unique reference number is:

CDS-136547-22-1200-000

We've also emailed this to you.

For a copy of your submission, please use the download button below.

Tell us what you think of our online service

Feedback on your experience of using our online services genuinely helps us to make sure they work as well as possible.

If you have a couple of minutes, please complete a quick feedback survey.

Comments Re Environmental report for Sedgewell Barn 23/00625/FUL

Sarah Ward [REDACTED]

Tue 11/04/2023 10:35

To: Clair Weber <Clair.Weber@hambleton.gov.uk>

Good Morning Clair,

As you may remember, i am the resident situated next to the Glamping Pods re the above application.

I wrote to yourself and Janice Johnson a number of times last year with regard to Noise disturbances during the period events were taking place, I kept a diary and made numerous recordings and you did make a visit

to my property in August/September last year.

Whilst i had issues with the noise during the events, i did make it very clear that the worst impact i experienced was

from associated noise generated before and after, including noise from traffic and guests arriving and leaving the venue,

and from the wedding party guests staying in the on site accommodation from Friday through to Sunday.

Whilst i appreciate your responses to the new application for recommendations in terms of the venue insulation, the use of a noise limiter and detailed analysis of levels internally and externally, i am hugely concerned this does not include any of the associated noise issues above.

Given that the applicants were made aware of this last year and have only addressed the traffic noise issue in the new application, how will the these concerns be mitigated?

I am unsure if you are aware that the venue is now advertising availability for mid-week weddings?, i cannot begin to imagine the adverse impact upon my health and quality of life if this goes ahead. I was already experiencing issues of sleep deprivation every weekend, and saying i am extremely upset does not begin to convey the stress i am currently experiencing , the worry of how this will impact my life if i am unable to sleep throughout the week.

kind Regards

Sarah Ward

Louise Hancock

From: Sarah Ward [REDACTED]
Sent: 03 May 2023 12:38
To: Louise Hancock
Cc: Lucy Woodall
Subject: Fw: Noise From Sedgewell 22/04.23 re application 23/00625/ful - LAH/090523
Attachments: Screenshot_20230423-145317.png; Screenshot_20230423-142802.png; Screenshot_20230423-145209.png

Follow Up Flag: Follow up
Flag Status: Flagged

From: Sarah Ward [REDACTED]
Sent: 25 April 2023 14:51
To: Peter Jones <Peter.Jones@hambleton.gov.uk>
Cc: peter.crass@northyorks.gov.uk <peter.crass@northyorks.gov.uk>
Subject: Fw: Noise From Sedgewell 22/04.23

From: Sarah Ward
Sent: 24 April 2023 10:42
To: janice.johnston@hambleton.gov.uk <Janice.Johnston@hambleton.gov.uk>
Subject: Noise From Sedgewell 22/04.23

Good Morning Janice,

Further to our conversation on Friday, i had more disturbances this weekend. There was noise at various intervals throughout the day from children, and then again early evening throughout the night from loud voices, laughter, shouting and music.

I decided to message the Tweddle's to see if they would take action, and as you can see from the screenshots, i received no response until Sunday at 13.06, where i was informed that my messages (which were an hour apart) came whilst they were on site.

I shut my window just after 11.20 and put on my own music, so i am unsure as to what time they were actually on site, but it clearly wasn't when i sent my texts to them.

It wasn't a wedding event from what i could gather, more like a group of families holidaying together as i also noted a tent had been erected next to one of the pods. This is clearly why i am struggling to believe any of the statements in the Events Planning /management documents, as they don't even bother to uphold their glamping policies, otherwise this situation would have been dealt with much earlier in the evening, especially given the current situation with planning.

Kind Regards

Sarah Ward



Stuart T...



Yesterday • 22:20

Can you instruct your no noise policy please .

Your guests are disturbing me- please ask them to be quiet .

23:20 • SMS

13:06

Dear Sarah
Thank you for



Text





Stuart T...

13:06







Dear Sarah.
Thank you for letting us know you were being disturbed last night. Apologies for our glamping guests who turned out to be quite boisterous. We were down on-site when your messages came telling them to turn their music off &



Text



←  Stuart T...   

night. Apologies for our glamping guests who turned out to be quite boisterous. We were down on-site when your messages came telling them to turn their music off & to quieten down to conversation level in line with our low noise policy. Best wishes, Stuart



Text





LAVINGHAM
PLANNING CONSULTANTS

18 Church View
Brompton
Northallerton
DL6 2QX

14th April 2023

Mr P Jones
North Yorkshire Council
Civic Centre
Rotary Way
Northallerton
DL6 2UU

Dear Mr Jones,

Full Planning Permission for the Proposed Change of Use of Agricultural and Amenity Building including Alterations to West Elevation to a Wedding Venue with Associated Parking Facilities and New Access at Sedgefield House, Ainderby Steeple, Northallerton, DL7 9JY – 23/00625/FUL

I am instructed by Michael Forster-Holmes of Holly Garth, Warlaby Lane, Lucy and Chris Woodall of Malvern, Warlaby Lane, Sarah and June Ward of Church View Nurseries and The Annex, Warlaby Lane, Richard and Sandra Helliwell of South Cottage, Warlaby Lane, and Jack and Margaret Longley, Woodstock, Warlaby Lane to provide representations to North Yorkshire Council in objection to the planning application 23/00625/FUL, for full planning permission for the proposed change of use of agricultural and amenity building including alterations to west elevation to a wedding venue with associated parking facilities and new access at Sedgefield House, Ainderby Steeple, Northallerton, DL7 9JY (“the Development”). This letter provides an assessment in respect of compliance with planning policy and legislative provisions and identifies there is a clear conflict arising from the development.



LAVINGHAM PLANNING CONSULTANTS

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The 'Development Plan' for the Hambleton Area of North Yorkshire Council is currently comprised of the following document:

- Hambleton Local Plan (February 2022)

The main areas where I consider there to be a serious conflict with planning policy relate to the failure of the proposals to conform to the requirements of the Local Plan given that distinct harm would be caused through:

- a loss of amenity to occupants of existing nearby property
- an adverse impact on highway safety
- an adverse impact on the visual amenity of the surrounding landscape

The National Planning Policy Framework (NPPF) was adopted in 2021 and weight must also be attached to this national planning policy. The NPPF applies a principle in favour of sustainable development, and sets out a series of policies in order that sustainable development is achieved. Support for development through the NPPF is however not unqualified as there are a number of specific paragraphs which indicate where development should be restricted, including paragraph 111 and 130 which relate to promoting sustainable transport and achieving well designed places. In these circumstances the Development is not deemed to be sustainable nor policy compliant.

The following assessment of the Hambleton Local Plan policies and National Planning Policy Framework will demonstrate the requirements which need to be met and the areas of the development proposals which conflict with these.

Hambleton Local Plan (2022)

Design

Policy E1 (Design) advises that all development should be high quality, integrating successfully with its surroundings in form and function, reinforcing local distinctiveness and help to create a strong sense



LAVINGHAM PLANNING CONSULTANTS

of place. All development should have regard to relevant national and local policies, advice or guidance that promotes high quality design, details the quality or character of the area or describes how the area should develop in the future, including, but not limited to, settlement character assessments, neighbourhood plan policies, conservation area appraisals and village design statements.

Neighbour Amenity

Policy E2 (Amenity) advises that all proposals will be expected to provide and maintain a high standard of amenity for users and occupiers, including both future occupants and users of the proposed development as well as existing occupants and users of neighbouring land and buildings, in particular those in residential use.

Visual Amenity

Policy E7 (Hambleton's Landscapes) seeks to protect and enhance the distinctive landscapes of the district. A proposal will be supported where it: a) takes into consideration the degree of openness and special characteristics of Hambleton's landscapes; b) conserves and, where possible, enhances any natural or historic landscape features that are identified as contributing to the character of the local area; c) conserves and, where possible, enhances rural areas which are notable for their remoteness, tranquillity or dark skies; d) takes account of areas that have been identified as being particularly sensitive to/or suitable for certain forms of development; e) protects the landscape setting of individual settlements and helps to maintain their distinct character and separate identity by preventing coalescence with other settlements; and f) is supported by an independent landscape assessment where the proposal is likely to have a detrimental impact on the landscape.

Highway Safety

Policy IC2 (Transport and Accessibility) advises that the Council will work with other authorities and transport providers to secure a safe and efficient transport system that supports a sustainable pattern of development that is accessible to all.

Agricultural Diversification

Policy EG7 requires that a proposal for a new agricultural use or farm diversification will be supported provided that:



LAVINGHAM PLANNING CONSULTANTS

- it is demonstrated that it is reasonably necessary for the purposes of agriculture within that unit and cannot be met by existing buildings within that unit or in the vicinity and the scale of the building is commensurate with its proposed use;
- the building is sited so that it is physically and functionally related with existing buildings associated with the farm unit unless there is a demonstrable need for a more isolated location;
- the building would be well integrated with its surroundings, being of appropriate location, scale, design and materials and with appropriate landscaping so as not to harm the character, appearance and amenity of the area; and
- the approach roads and access to the site have the capacity to cater for the type and levels of traffic likely to be generated by the development.

National Planning Policy Framework

Section 2: Achieving Sustainable Development

The NPPF defines sustainable development by way of economic, social and environmental roles (para.8). The Development would not support the environmental role in particular in that it would not protect the existing level of amenity enjoyed by the occupiers of nearby property nor would the proposed development protect the natural environment.

Section 9: Promoting Sustainable Transport

NPPF Paragraph 111 highlights that developments should only be refused on highways grounds where the impact is considered to be severe: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

Section 12 – Achieving Well Designed Places

Paragraph 130 (as relevant) requires that developments:

- a) 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;



LAVINGHAM PLANNING CONSULTANTS

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

Specific Areas of Concern

The Development fails to meet the criteria of policies E1, E2, E7, IC2 and EG7, and the National Planning Policy Framework Sections 2, 9 and 12 in a number of ways:

1. My Clients have identified a number of anomalies on the planning application form which require amendment prior to the procession of the application. These include:
 - Amendment to the date upon which the works started – my Clients consider that windows were inserted into the Celebration Barn during the summer of 2021 and therefore the commencement of works date should be updated to reflect this.
 - On page 5 of the Ecological Impact Assessment a summary is made of the ecological value of the land on which the proposed access track would be formed in addition to the land next to it. This assessment clearly establishes that the land nearby is of ecological value. As such the section of the application form referring to ‘Biodiversity and Geological Conservation’ needs updating to reference the importance of these nearby habitats.
 - Clarification is required as to where the waste and recyclate storage and collection will occur as this is an inherent part of the development and must be stored in an appropriate and accessible location.
 - The application was originally submitted with no reference to the hours of opening. The operational hours of the proposal are of the greatest significance and therefore



LAVINGHAM PLANNING CONSULTANTS

the application form should be updated to reflect what operational hours are proposed in the event management plan submitted in support of the scheme.

- My Clients confirm that the application site is visible from a public vantage point (public footpath and public highway) and therefore the application form in reference to a future site visit needs amending.
 - The application submission includes for Officers' consideration the materials associated with the proposed access track and therefore the application form requires updating to specify what materials the applicants propose to use in the construction of the track and access.
2. My Clients advise that the previous extension (application 21/02219/FUL) to the main dwellinghouse is used as a bridal suite, and not as part of the single planning unit as a residential property. As such, whilst noted as within the red lined boundary on the location plan, it also requires inclusion within this application title to reflect the change in its usage, and a re-consultation by the Council needs to be undertaken.
 3. As a point of clarity my Clients request the provision of architectural drawings of the agricultural barn which reflect its appearance prior to the works to it to facilitate its conversion to the 'Celebration Barn'.
 4. This application includes for Officers' consideration the new access track and its interface with the public highway of Warlaby Lane. Concurrently an application (23/00679/APN) is noted as being proposed as reasonably necessary for the purposes of agriculture. Given that this section of track is being included within this application as an integral part of this proposal for non-agricultural diversification, it cannot be concurrently claimed that it is reasonably necessary for the purposes of agriculture when application 23/00625/FUL confirms that its main role is to serve the non-agricultural uses proposed as part of 23/00625/FUL. As such application 23/00679/APN should fail on the grounds that the track is not reasonably



LAVINGHAM PLANNING CONSULTANTS

necessary for the purposes of agriculture and is not therefore eligible for this application route and the merits of the track should revert to being considered as part of application 23/00625/FUL.

5. There are a number of issues associated with the proposed new access and track connecting Sedgefield House to Warlaby Lane:
 - Whilst guests can be directed to use the proposed access and track from Warlaby Lane there will inevitably be many occasions (due to Satellite Navigation often favouring the shortest route possible) where vehicles will utilise Green Hills Lane at the point where it progresses southwards to Sedgefield House at the right angled point it progresses eastwards to become Warlaby Lane. The section of Green Hills Lane which progresses southwards is a public right of way and also a single track and any inevitable intensification of this route will harmfully affected the users enjoyment, and the upgrading of this section of track in relation to its surfacing and the provision of passing places is required to accommodate its intensification.
 - The Environment Agency's surface water flooding map wholly identifies that Warlaby Lane has a serious surface water drainage issue near to the location of the proposed access and on the intervening section of highway to the east which vehicles would be routed to avoid passing the residential properties back towards Ainderby Steeple to the west. With the increasingly extreme weather conditions it is highly likely that there will be regular instances when vehicles will have no choice but to enter and exit the site via Green Hills Lane instead of Warlaby Lane for this reason. Until a transport statement identifies what mitigation measures can be employed to address this surface water drainage issue the use of the development should not proceed.
 - The provision of the new access to Warlaby Lane with routing via Warlaby is unsustainably intensifying this narrow stretch of highway and no details are included within a transport statement in support of the application to identify what mitigation measures are proposed or indeed feasible along Warlaby Lane.



LAVINGHAM PLANNING CONSULTANTS

- The routing of users of the venue via Warlaby Lane is effectively relocating the intensified use of the highway to a differing location (Warlaby village) at the detriment to the residential amenity of occupants of the hamlet.
 - As a result, an assessment of the suitability of the access from Warlaby Lane onto the section of public highway linking the A684 to Newby Wiske must be undertaken.
 - The new access onto Warlaby Lane benefits from visibility splays of 2.4m x 47m and 2.4 x 48m. These splays fall considerably short of the 215m splays which are required on an unrestricted section of carriageway. As such it is submitted that the applicant provide a speed survey to evidence why the proposed splays are acceptable in preserving highway safety.
 - My Clients question the level of intensification which, in traffic terms, is proposed as part of this application and which were previously questions as part of 22/00690/FUL.
6. The dwellings of Malvern and Holly Garth, and indeed public viewpoints from Ainderby Steeple, in particular Manor Lane, enjoy a view of the agricultural landscape which would be affected by the provision of the overflow car park and access track. These aspects are elevated to the affected areas and therefore the introduction of landscaping, until its maturity, will offer limited mitigation to the change in the character of the landscape, nor the increased activity and vehicles which will be contained within it. Given that this is the case there will be distinct harm caused to visual amenity, in complete contravention of Policy E7. To quantify the level of harm my Clients suggest that a Landscape Visual Impact Assessment of the proposed development be submitted for the Local Planning Authority's consideration prior to the determination of the application.
7. By the applicants' own admission there has clearly been noise issues associated with Sedgfield Barn in the past, and the submitted Noise Impact Assessment provides a thorough overview of the noise outputs from the proposed use and what mitigation measures would



LAVINGHAM PLANNING CONSULTANTS

be required to prevent a localised loss of amenity. In addition, my Clients have raised further valid concerns in regard to the noise output of the activity associated with the development:

- Vehicles exiting the proposed access in a westerly direction during the night following an event will undoubtedly pass residential properties. The Council's attention is therefore drawn to requesting from the applicants a quantification as to what level of harm to amenity will be generated by these intensified vehicle movements on Green Hills Lane and Warlaby Lane.
- The Local Planning Authority's attention is also drawn to requesting from the applicants a quantification as to what noise output would result from the construction of the proposed access and track, and mitigation measures (such as a restriction on the hours of construction) which could be imposed via planning condition.
- The on-site glamping accommodation provides the likely possibility of an 'after-party' which has the potential to harm local residents' amenity through a noise impact. My Clients advise that this impact is already occurring at a detriment to their amenity. The Local Planning Authority's attention is drawn to assessing the most effective means of controlling this likely occurrence and if the imposition of any mitigation measures are likely to be realistic, taking into account that the nearest property is The Annexe of Church View Nurseries at only approximately 360m from the Celebration Barn, and approximately 130m from the nearest wedding accommodation (glamping pod).
- My Clients are concerned that the tranquil low level background noise context of the rural landscape will be harmfully affected notwithstanding the mitigation measures proposed and question whether the proposed use is, in the context of the nearby sensitive receptors of the residential properties, located in the most suitable location.
- Given the longstanding knowledge by the Council of the acoustic issues associated with Sedgfield Barn, and with the greatest respect to the detailed findings by NJD Environmental Associates, my Clients question how the Council's own noise monitoring compares to the data captured within the Noise Impact Assessment.



LAVINGHAM PLANNING CONSULTANTS

- The Council's attention is drawn to the Noise Impact Assessment and specifically paragraph 11.4.2. My Clients understandably consider that this diagram and means of mitigation is premised on two individuals exiting the Celebration Barn and Rustic Barn, when the venue is proposed to accommodate 150 individuals so there is a high likelihood that door 1 and door 2 could be open simultaneously causing an acoustic breakout. My Clients request that the Council, and specifically Environmental Health comment on the effectiveness of the introduction of self-closing doors.
 - The Noise Impact Assessment at paragraph 9.2.5 confirms that the noise modelling assumes that the track is fully reflective. The construction detail for the surfacing of the access track confirms that the surface will be formed of crushed stone however the 'Proposed Farm Track Highways Junction' plan states that the track will be formed of gravel. My Clients' clearly question which surface is to be proposed and whether this really is a fully reflective surface and whether the noise modelling can be applied to this type of track surface or whether further modelling is required to quantify the noise output of vehicles utilising the track at tranquil times of the night, and any acoustic harm to adjacent sensitive receptors.
8. Policy E2, part (c) requires that there are no significant adverse impacts in terms of noise (particularly with regards to noise sensitive uses and noise designations(3)), including internal and external levels, timing, duration and character. One of my Clients operates an boarding cattery to the north of the site and questions how the acoustic compatibility with the operation of their business has been robustly appraised by the Environmental Health department of the Council.
9. My Clients understand the need for agricultural diversification, but only where the degree of agricultural diversification is fully justified by an independent appraisal of the need for this diversification. Paragraph 4.74 of the Local Plan details the Councils expectations of supporting information to justify agricultural diversification. In this instance no independent



LAVINGHAM PLANNING CONSULTANTS

comprehensive farm diversification plan is provided in support of the application and until such time as this is provided on behalf of the applicants the application cannot proceed.

10. Policy EG7 of the Hambleton Local Plan offers clear policy support for justified agricultural diversification, but only where the intensity of the justified diversification is compatible with the surrounding land uses. My Clients consider that in this instance the development would harm the character, appearance and amenity of the area, and that the approach roads and access to the site do not have the capacity to cater for the type and levels of traffic likely to be generated by the development. As such the proposal fails the policy requirements of EG7.
11. My Clients question the deliverability of the event management plan, specifically in relation to the low staff numbers controlling the large number of guests, and particularly when celebrating outdoors.
12. My Clients are very concerned about the enforcement of the low noise policy and would request sight of the proposed planning condition to control this to ensure that there is an effective means of addressing their concerns should they arise. In addition, whilst my Clients welcome the future proposal of noise monitoring, they question that the need for this noise monitoring would infer that the venue and its associated activity would continue to have a detrimental impact to the locality notwithstanding the proposed mitigation measures.

My Clients acknowledge that agricultural diversification is important in the rural economy, but in this instance, on the basis of the supporting information provided as part of this application, conclude that the development proposals are not justified in terms of the existing agricultural enterprise, would have a harmful impact on the amenity currently enjoyed by occupiers of nearby residential property, would introduce an adverse highway safety impact on the local highway network, and would harmfully erode the visual amenity of the surrounding landscape.



LAVINGHAM
PLANNING CONSULTANTS

The development is clearly not compliant with the Hambleton Local Plan Policies E1, E2, E7, IC2 and EG7, and the National Planning Policy Framework Sections 2, 9 and 12 and as a result the Officer recommendation of refusal to Members of the Planning Committee is requested.

Yours sincerely,

Andrew Cunningham MRTPI

Director

Lavingham Planning Consultants Ltd

cc. Cllr A Wilkinson, cllr.annabel.wilkinson@northyorks.gov.uk