

8. FULL APPLICATION – USE OF LAND AND BUILDINGS FOR THE HOSTING OF WEDDINGS/FUNCTIONS (8 PER ANNUM) AND THE INSTALLATION OF TWO ACOUSTIC SCREENS TO PAVILION BUILDING AND EXTERNAL STEPS AT BROOKFIELD MANOR, HATHERSAGE (NP/DDD/0615/0601, P.5565, 423149 / 382957, 22/12/2015/AM)

APPLICANT: SIR HUGH SYKES

Site and Surroundings

Brookfield Manor is located in open countryside approximately 1.3km to the north of Hathersage. The property is a Grade II listed dwelling constructed c1825, incorporating the remains of an earlier house and extended in 1870 and set within associated parkland extending to approximately 138 acres (56 ha).

The property was formerly a training / conference centre but has been converted to a dwelling and offices following the grant of planning permission in 2004 and subsequently extended and altered. A bedroom block within the curtilage of the property has been converted to a pavilion.

The application site is within the Valley farmlands with villages landscape character type as identified by the Authority's Landscape Character Assessment. The land around the estate land is characterised as the slopes and valleys with woodland landscape character type. Part of the site (on either side of Hood Brook which runs through the estate) is within Flood Zones 2 and 3.

Access to the site is via the private drive which runs northwards from Main Road within Hathersage. There is also a secondary access to the north along a track which joins Birley Lane. A public footpath runs through and along the eastern edge of the application site behind the car park adjacent to the pavilion building.

The nearest neighbouring properties are the two dwellings Cow Close Farm (located 106m to the east of the pavilion building measured at the nearest point), Bronte Cottage approximately 240m to the north, North Lees camp site approximately 330m to the north west and Cattis Side approximately 430m to the north west.

Proposal

This application seeks planning permission for the use of land and buildings at Brookfield Manor for the hosting of up to eight weddings / functions per year.

The submitted plans and supporting information propose to hold the weddings / functions within the existing pavilion building and a marquee which would be erected on the lawn adjacent to the pavilion. It is proposed that all music would end by midnight and all guests will depart the property by 00:30.

The amended noise management protocol proposes that all amplified music (including live bands) would be played through a 'Zone Array' sound system within the pavilion which would electronically limit an agreed noise level and that new acoustic screens would be installed at each side of the terrace. No acoustic music would be played after 6pm or dusk (whichever is earlier). Disposal of refuse and removal of the marquees would take place during working hours following the event. The noise management protocol proposes that noise levels will be checked at regular intervals at an agreed location on the boundary of the wedding venue site.

The amended arrival and departure protocol proposes that only disabled guests or guests with small children will be allowed to park within the car park adjacent to the pavilion. These guests will be allowed to leave by car no later than 22:00. The remaining guests arriving by car would

park on the land either side of the access drive to the south of the property (described as the 'curtilage car park' in the application). Guests leaving by coach or taxi will be collected in the courtyard by the fountain and all guests will leave by no later than 00:30.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions / modifications.

- 1. Temporary three year planning permission.**
- 2. Development to be carried out in complete accordance with specified approved plans and the submitted noise and arrival and departure protocols subject to the following conditions or modifications.**
- 3. Use to be limited to weddings or functions ancillary to Brookfield Manor and for no other purposes. The existing dwelling and the buildings and land subject to this application shall be maintained as a single planning unit.**

The owner shall maintain a register of wedding / function bookings (including the planned date, start time and estimated number of guests) for each calendar year which shall be made available for inspection by the Authority on request.

- 4. The use hereby approved to host weddings or functions shall not take place on more than eight occasions in any one calendar year. No more than one wedding shall take place in any seven day period.**
- 5. The rating level of the noise emitted from the site shall not exceed the existing background noise level [determined to be 32dB(A)LA90] by more than 5 dB(A) at any time. The noise levels shall be determined at the closest point immediately adjacent to the nearest dwelling house at Cow Close Farm, Hathersage which exists at the date of this planning permission.**
- 6. Amplified music (including from any pre-recorded or live performance) shall only be played through the 'Zone Array' system within appendix B of the submitted noise management protocol dated 8th October 2015.**
- 7. No amplified music shall be played outside of the pavilion building at any time.**
- 8. No amplified music shall be played after 00:00 (midnight the day following the start of the wedding or function).**
- 9. No acoustic music shall be played after 18:00 hours.**
- 10. The hours of operation for any wedding / function (including the departure of all guests) shall be limited to between the hours of 08:00 - 00:30 the following day. All staff shall leave by no later than 01:00 the following day.**
- 11. The hours of operation for setting up before / clearing up after any wedding / function (including clearing up and disposing of any waste following an event) shall be limited to between the hours of 08:00 - 20:00 hours Monday – Friday; 10:00 – 17:00 on Saturday, Sundays; and at no time on Bank Holidays.**

12. The hours of operation for erecting and dismantling any marquee shall be limited to between the hours of 09:00 – 17:00 hours Monday – Friday; 10:00 – 16:00 on Saturday, Sundays; and at no time on Bank Holidays.
13. No marquee shall be erected other than in complete accordance with the specified approved plans.
14. All marquees shall be fully dismantled and removed from the site within three days of the end of an event unless the next scheduled event is within seven days from the preceding event.
15. The total number of guests (not including staff) shall not exceed 130 at any time.
16. No wedding or function shall take place until the acoustic screens shown on the specified approved plan have been installed. The acoustic screens shall thereafter be maintained throughout the lifetime of the development hereby approved.
17. No planning permission is granted for the air cooling units shown on the specified approved plan which shall be omitted from the scheme.
18. No vehicles shall be parked other than in accordance with the submitted amended plans showing the proposed pavilion and curtilage car parks. No more than 16 vehicles shall be parked on the pavilion car park after 20:00.
19. No weddings / functions shall take place until a scheme of signage to identify the pavilion car park, curtilage car park and the proposed pick-up point has been erected in accordance with a detailed scheme which shall have first been submitted to and approved in writing by the National Park Authority. The signage shall be then be erected in accordance with the approved scheme and maintained throughout the lifetime of the development.
20. No weddings / functions shall take place until a scheme of lighting has been carried out in accordance with a detailed scheme which shall have first been submitted to and approved in writing by the National Park Authority. The lighting scheme shall be then be carried out in accordance with the approved scheme and maintained throughout the lifetime of the development.
21. There shall be no firework, airborne lantern or similar displays associated with the use hereby approved carried out on site or on land within the applicant's control.

Key Issues

- Whether the proposed development is acceptable in principle.
- The impact of the proposed development upon the setting of Brookfield Manor and the character, appearance and amenity of the area and neighbouring properties.

Relevant Planning History

2004: NP/DDD/0604/0649: Planning permission granted conditionally for the conversion / restoration of training / conference centre to dwelling and offices.

2007: NP/DDD/0507/0465: Planning application for conversion of bedroom block to pavilion finally disposed of by the Authority.

2014: NP/DDD/1214/1224: Lawful development certificate refused for an existing use – use of land and buildings for weddings and functions business.

The Authority determined that having considered the evidence supplied by the Applicant, evidence from third parties and its own records, the Authority is not satisfied that the Applicant has shown, on the balance of probabilities, that the land has been used for the purposes outlined in the application for a continuous period of ten years prior to the date of the application.

2014: NP/DDD/0115/0060: Use of land and buildings for the hosting of weddings / functions (10 per annum). Application withdrawn prior to determination.

Enforcement file 14/0517: Relating to alleged use of pavilion and grounds for weddings.

Consultations

Highway Authority – No objections.

District Council – No response to date.

Parish Council - The applicants are major financial supporters of events and projects in the village in which Hathersage Parish Council has an interest, such that HPC as a whole felt unable to give a disinterested response to the planning application.

Environmental Health Officer – Make the following comments.

The setting for the weddings is in a particularly tranquil location with the National Park and other properties sit close to the location for the weddings and therefore we have expressed concerns regarding this application due to noise, following the receipt of complaints and also, having investigated and witnessed problems that have arisen. Problems we have found have included noise issues arising from the following:

- Noise from music
- Noise from guests
- Noise from vehicles
- Noise from set up / clean-up

We have been in negotiation with Brookfield Manor and they have put forward proposals to minimise the problems identified. This is now enclosed within a noise management plan and an arrival and departure policy. We are satisfied that much thought has gone into the changes planned, and this represents a much improved arrangement, however, we are yet to see if these changes will work in practice. On this basis we are recommending a 3 year temporary permission, however, if as a result of the improvements there are no further problems we would at that point be happy to support a full permission, and indeed would support a review after the first year subject to an adequate number of weddings being held to base a decision on.

It has been agreed that amplified music will now be played in the pavilion building at future weddings and the noise from amplified music is to continue to be controlled by the zone array noise control system which will be set up in the pavilion building. Acoustic music is not to be controlled except for the proposal to play until 6pm or dusk whichever is the latest.

The Environmental Health Officer therefore recommends that:

- 3 year temporary permission is granted.
- Pre-notification of events with date, time, number of guests and format of the wedding.

- No disposal of bottles or clean up at night after the event
- Use of zone array system at all times
- Arrival and departure procedure met at all times
- Times for music cut off as follows:
 - Acoustic music to cease by 6pm or dusk whichever is the sooner
 - Music in Pavilion to cease by 12 midnight (with side doors closed)
 - Guests departed by 12:30am
- The noise management plan implemented subject to any revisions agreed with the Authority.

Environment Agency – From reviewing the submitted documents the Pavilion and Marquee proposals are situated outside of flood zones 2 & 3 and therefore we have no comments to make regarding this. The other part of the application relates to the change of use for the Caretakers Flat which is situated within flood Zone 3. According to the planning statement the proposed use for this is for wedding services, and not overnight accommodation, therefore standing advice for change of use to less vulnerable development would be applicable for this.

PDNPA Landscape – Raise no objection and make the following comment.

Brookfield Manor is a grade 2 listed building in a parkland setting and is located within the Derwent Valley / Valley Farmland with Villages Landscape Character Area (LCA). Relevant landscape guidelines for this LCA include the protection of historic parkland landscapes and the management of the built environment to enhance landscape character. Due to the temporary nature of the proposal it is not considered that the historic integrity of the landscape is unduly affected and the proposed development does not exert an urbanising influence within the valley.

Temporary minor visual effects would be experienced by users of the footpath which runs north-south along the eastern boundary of the site, but generally landscape and visual effects are contained by the surrounding topography and land cover. Whilst the marquee itself is considered an incongruous feature in the landscape, given its temporary nature and the likely limited visual effects, potential impacts are considered to be insignificant.

PDNPA Built Environment – No objection in respect of impact upon the listed building.

Representations

A total of twenty four 24 letters of representation have been received to date. Of these 14 letters object to the proposed development, 5 letters support the application while 5 make general comments. The reasons for objection or support and the comments are summarised below. The letters are available to read in full on the Authority's website.

Objection

- Errors in the application and lack of or insufficient supporting information.
- Noise pollution generated from the proposed development will have and has previously had a significant harmful impact upon the residential amenity of the occupants of Cow Close Farm.

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- Significant noise has been experienced at Cow Close Farm from weddings held this year. Music is not the only source of noise with noise from guests talking, singing and shouting, contractors setting up and down and disturbance from traffic and transport.
 - The proposed mitigation will not be sufficient to contain noise generated by weddings.
 - The proposed noise protocol will not be adhered to or enforceable in the long term.
 - Guests cannot be relied upon to be quiet when leaving an event especially when guests are in high spirits following a wedding.
 - Proposed development will have a harmful impact upon the scenic beauty of the landscape of the national park.
 - Proposed development will result in noise which will have a harmful impact upon the tranquillity of this part of the National Park which is a key valued characteristic of this area which is well visited and enjoyed by the public for this reason.
 - Proposed development will result in light pollution which will harm the valued characteristics of the National Park.
 - The erection of marquees will be incongruous and will create a precedent for marquees to be erected at other hotels or pubs.
 - Doubtful if marquee will be removed promptly as previously marquees have been left on the land for significant periods of time.
 - Object to the use of Birley Lane as an exit route as this is a designated quiet lane, is single track and the proposed development will increase noise, pollution and risk of accidents on this route.
 - Light from headlights of vehicles leaving along the access drive will harm the residential amenity of the residential properties along Baulk Lane.
 - Proposed development does not comply with Core Strategy policies RT1 or E2.
 - The site is not in a sustainable location and therefore is contrary to E2 A.
 - The application has not demonstrated that weddings will play any part in sustaining and enhancing the listed building or the wider estate and therefore the proposal is contrary to E2 B.
 - The applicant's desire to make money from weddings to pay for the upkeep of a private home is not a valid reason to grant planning permission.
 - The site is in an isolated location and therefore the proposal is contrary to E2 C.
 - There is now lawful use for weddings on the site which is made clear in the Authority's decision on the lawful development certificate application. Therefore this application should not be judged against the previous unauthorised use.
 - Other potential alternatives such as clay pigeon shooting and quad biking are irrelevant as these uses do not have planning permission and are not a credible alternative to the proposal.

Support

- Noise from the events is inaudible and nowhere near as objectionable as other more intrusive noises within Hathersage.
- The site is well away from other properties and therefore noise and traffic will not have any effect on neighbours.

General comment

- Question if sufficient information has been submitted to support the application.
- Object to any proposal to create a diversion out of the site along Birley Lane, Coggers Lane and Jagers Lane.
- Raise concern over potential nuisance from light pollution and noise from vehicle movements, car alarms and doors slamming.
- Any approval could cause 'creep' encouraging illegal raves or other similar events in the local area.
- Any planning permission will run with the land and any new owner or operator may be less considerate.
- An approval for 'functions' is very open to different types of events.
- Question whether or not the proposal complies with Core Strategy policy E2.
- Request that any permission is held in abeyance in the event that any substantive complaint is made.
- Concern in regard to the impact of the development upon North Lees Campsite which is marketed as a tranquil and peaceful site where there is an expectation that any noise at all after 22:00 is unacceptable.
- Noise affecting North Lees Campsite could result in fewer return customers and harm the economic viability of the campsite. There is evidence that the numbers of visitors to the campsite fell between 2013 and 2014 when noise from weddings held at Brookfield Manor were a significant issue.
- No significant noise from weddings heard from North Lees Campsite in 2015.

Main Policies

National Planning Policy Framework

The National Planning Policy Framework (the Framework) was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. The Government's intention is that the document should be considered to be a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and saved policies in the Peak District National Park Local Plan 2001.

Paragraph 28 of the Framework says that local planning authorities should support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings and should promote the development and diversification of agricultural and other land-based rural businesses.

Paragraph 109 says that the planning system should contribute to the natural and local environment by (amongst other things) preventing new development from contributing to unacceptable levels of noise pollution. Paragraph 123 says that planning decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development, mitigate adverse impacts on health and quality of life including through the use of planning conditions and identify and protect areas of tranquility which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

Paragraph 115 says that great weight should be given to conserving landscape and scenic beauty in National Parks which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage should also be given great weight in National Parks.

Taken together, paragraphs 132 – 134 say that great weight should be given to the conservation of a designated heritage asset. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to a grade II listed building should be exceptional and where a development proposal will lead to less than substantial harm this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Development Plan

Relevant Core Strategy policies: GSP1, GSP3, DS1, L1, L3, RT2 and E2

Relevant Local Plan policies: LC4, LC6, LC21, LT11 and LT18

Policy E2: Businesses in the countryside is particularly relevant for this proposal and says:

Proposals for business development in the countryside outside the Natural Zone and the named settlements in policy DS1, must take account of the following principles:

- A. Businesses should be located in existing traditional buildings of historic or vernacular merit in smaller settlements, on farmsteads, and in groups of buildings in sustainable locations. However where no suitable traditional building exists, the reuse of modern buildings may be acceptable provided that there is no scope for further enhancement through a more appropriate replacement building.
- B. On farmsteads, or groups of estate buildings, small scale business development will be permitted provided that it supports an existing agricultural or other primary business responsible for estate or land management. The primary business must retain ownership and control of the site and building, to ensure that income will be returned to appropriate management of the landscape.
- C. Business use in an isolated existing or new building in the open countryside will not be permitted.

- D. Proposals to accommodate growth and intensification of existing businesses will be considered carefully in terms of their impact on the appearance and character of landscapes.
- E. Ancillary retail operations must be small scale and principally offering for sale goods which are produced at the premises (see also policy HC5).

Beyond this policy and policies RT1, RT2 and RT3, there is no scope for setting up new businesses in the countryside.

Policy RT1: Recreation, environmental education and interpretation says:

Proposals for recreation, environmental education and interpretation must conform to the following principles:

- A. The National Park Authority will support facilities which enable recreation, environmental education and interpretation, which encourage understanding and enjoyment of the National Park, and are appropriate to the National Park's valued characteristics. Opportunities for access by sustainable means will be encouraged.
- B. New provision must justify its location in relation to environmental capacity, scale and intensity of use or activity, and be informed by the Landscape Strategy. Where appropriate, development should be focused in or on the edge of settlements. In the open countryside, clear demonstration of need for such a location will be necessary.
- C. Wherever possible, development must reuse existing traditional buildings of historic or vernacular merit, and should enhance any appropriate existing facilities. Where this is not possible, the construction of new buildings may be acceptable.
- D. Development must not on its own, or cumulatively with other development and uses, prejudice or disadvantage peoples' enjoyment of other existing and appropriate recreation, environmental education or interpretation activities, including the informal quiet enjoyment of the National Park.

L1 says that all development must conserve and enhance valued landscape character as identified in the Landscape Strategy and Action Plan and other valued characteristics. L3 and LC6 together say that all development must conserve and where appropriate enhance or reveal the significance of heritage assets and their settings. Other than in exceptional circumstances development will not be permitted where it is likely to cause harm to the significance of any cultural heritage asset or its setting.

LC4 and GSP3 together say that all development must respect, conserve and enhance all valued characteristics of the site and buildings that are subject to the development, paying particular attention to (amongst other things): impact on the character and setting of buildings, landscaping, form and intensity of proposed use, impact upon living conditions of communities, impact upon access and traffic levels and use of sustainable modes of transport. LC4 says specifically that attention will be paid to impact upon the amenity, privacy and security of neighboring properties.

LC21 says that development that presents a risk of pollution or disturbance (which includes from noise) that could adversely affect the amenity or valued characteristics of the area or existing recreation activities or established businesses shall not be permitted unless adequate measures to control emissions within acceptable limits are put in place.

LT11 and LT18 say that require adequate parking and safe access as a pre-requisite for development within the National Park.

Relevant policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and the Framework with regard to the issues that are raised because both documents seek to promote sustainable economic and recreation development which conserves the valued characteristics of the National Park.

Assessment

Principle

Brookfield Manor is a Grade II listed dwelling constructed c1825, incorporating the remains of an earlier house and extended in 1870 and set within associated parkland extending to approximately 138 acres (56 ha). The red-edged application site incorporates the whole estate which is located to the north of Hathersage which is a named settlement for the purposes of the Authority's development strategy (DS1).

The most relevant policy in this case is considered to be Core Strategy policy E2 which is broadly in accordance with the Framework because it supports the sustainable growth and expansion of all types of business and enterprise in rural areas and promotes the development and diversification of agricultural and other land-based rural businesses.

Given the proximity of the estate and Brookfield Manor itself to the edge of Hathersage and the fact that the access to the property emerges in the centre of Hathersage it is considered that the estate is in a sustainable location. In principle therefore the proposals would utilise the existing buildings on the site and their curtilage for a relatively small scale business enterprise in accordance with E2 A.

The proposed development would also be consistent with E2 B because while it has not been demonstrated that the proposal is required to secure the future of Brookfield Manor or the wider estate it is reasonable to conclude that the proposed business would support the management of the listed building and the surrounding estate land to some degree.

It is therefore considered that the proposed mixed use of the estate to hold up to eight weddings / functions per year is acceptable in principle. The acceptability of the development in principle, however, does not override the conservation purposes of the National Park, the need to ensure that development conserves the significance of Brookfield Manor and its setting or normal planning considerations such as any potential impact upon the amenity of neighbouring properties or highway safety.

Having had regard to the issues raised in representations it is considered that the main issue therefore is whether the impact of the proposed development is acceptable or can be made acceptable through the imposition of planning conditions.

Noise impact and tranquillity

A number of concerns have been raised in representations in regard to the potential impact of noise generated by hosting weddings and other functions upon the tranquillity of the local area and upon the residential amenity of nearby neighbouring properties.

Brookfield Manor is located in open countryside some 1.3km to the north of Hathersage and consequently noise levels at the site are generally quiet especially during the evening and at

night time. The Environmental Health Officer reports that the background noise level recorded during monitoring exercises undertaken by the District Council in 2013 was 32dB (A) which is typical for a quiet rural area.

The tranquillity of the site and the surrounding landscape which includes open moorland leading up to Stanage Edge to the north east is therefore particularly important and is one of the key valued characteristics of the area which members of the public visit this part of our National Park to enjoy.

There are also a number of nearby neighbouring residential properties, the nearest being Cow Close Farm. The nearest dwelling at Cow Close Farm is located 86m from the eastern boundary of the application site and 110m from the pavilion building (both measured at the closest point). North Lees Campsite is also located 267m to the north east of the application site boundary.

The Authority's policies seek to ensure that all development conserves all valued characteristics of the National Park which includes the tranquillity of its landscapes. Policies also say that development must not harm the amenity, privacy or security of any neighbouring property or land use or disadvantage peoples' enjoyment of other existing and appropriate recreation, environmental education or interpretation activities, including the informal quiet enjoyment of the National Park.

These policies are in accordance with the Framework which says that great weight must be given to the conservation of our National Parks and that the planning system should contribute to the natural and local environment by (amongst other things) preventing new development from contributing to unacceptable levels of noise pollution and significant adverse impacts on health and quality of life as a result of new development should be avoided and mitigated through the use of planning conditions.

It is therefore considered that any potential impact from noise upon the tranquillity of the local area and the amenity of neighbouring properties is fully considered and assessed as part of the determination of this application.

It is clear from information submitted with this application and with the previous application for a lawful development certificate in 2014 that a number of weddings and other functions have been held at Brookfield Manor without the benefit of planning permission. The Authority refused the application for the lawful development certificate in early 2015.

During the course of the previous planning application submitted in early 2015 which proposed up to ten weddings / functions the Environmental Health Officer advised that he considered that there was a noise nuisance generated by holding wedding events at Brookfield Manor during 2014. It is therefore clear that historically noise generated from events held at the application site have caused noise pollution and therefore there is clearly the potential for noise from the proposed development to give rise to harmful impacts.

The Environmental Health Officer also reports that three wedding events held on the application site in May and June 2015 were monitored by the District Council. On these occasions noise from amplified music was played through a 'Zone Array System' and were reported to be barely audible from Cow Close Farm but that noise levels from guests singing and shouting and from vehicle movements and refuse collection were excessive.

The current application has been revised further following discussions with the Environmental Health Officer. A revised noise management protocol has been submitted which includes the following measures:

- All amplified music (including live bands) will only be played through a 'Zone Array System' which will be permanently installed within the pavilion building. The Zone Array System is used to electronically control the noise levels from recorded or live music to a specific location. It is proposed that the noise levels on the dancefloor will be controlled to not exceed an agreed noise limit on the boundary of the premises.
- No acoustic drums will be allowed at any time.
- Live acoustic music will only be on the basis that music is played up to 6pm or dusk.
- New glazed doors to be installed at each side of the terrace at the Pavilion.
- Rear windows of the Pavilion to be sound-insulated.
- No empty bottles or refuse to be disposed of on the evening of the event. Marquees will be removed immediately after the wedding in working hours following the event.
- Live music ends by 23:00, recorded DJ music ends by 00:00 (midnight) and all guests depart by 00:30.
- No fireworks at any time.

In addition an amended arrival and departure protocol and plans have been submitted which proposes the following:

- No more than 16 parking spaces shall be made available for use by staff or guests on the car park adjacent to the pavilion building (the pavilion car park). All guests parked within the pavilion car park to depart no later than 22:00.
- All other guests to park on grass adjacent to the drive on the approach to the manor. Plastic membrane will be laid before events are held to protect the grass surface from damage from vehicles.
- Guests being collected by coaches or taxi will be picked up at the front of the Manor via the main driveway. Guests awaiting pick up will wait in the Coach House boardroom.

The Authority has consulted the Environmental Health Officer (EHO) on the revised proposals. The Environmental Health Officer is satisfied that the proposals represent an improved arrangement and while confident that the proposals would effectively mitigate noise levels such that there would not be any harmful impact the EHO advises that it will be necessary to monitor these proposals to ascertain whether they will work in practice.

The EHO therefore advises that if planning permission is granted that it is on the basis of a three year temporary permission to allow a trial run of the proposed mitigation. The EHO also recommends that various other conditions are imposed upon any permission including a noise restriction to be measured at the nearest noise sensitive property (in this case Cow Close) along with conditions to allow monitoring to be carried out and to control hours of operation, parking and other arrangements such disposal of waste and taking down the marquees.

Having visited the site and considered the views raised in representations and the views of the EHO it is considered that it is likely that noise generated from amplified music in the evenings can be satisfactorily mitigated by only allowing music to be played through the proposed Zonal Array System within the pavilion building as proposed. It is also considered likely that noise experienced from guests at and leaving the event and noise from vehicle movements can be effectively mitigated by moving the majority of the parking spaces to the proposed curtilage car

park and providing a pick up point for coaches and taxis at the front of the Manor.

Officers are confident that if the proposed mitigation is effective in reducing noise levels to no more than 5db (A) above existing background levels at the nearest neighbouring property (Cow Close Farm) that the proposed development would not harm the amenity of nearby properties, North Lees Campsite or opportunities for recreation or quiet enjoyment of the surrounding landscape.

If permission is granted it is considered necessary for it to be limited to a three year temporary permission. This is to allow a trial run of the proposed weddings / functions to assess the effect of the development on the local area. In these circumstances the use of such a planning condition is appropriate and in accordance with the National Planning Practice guidance. Subject to this condition and other conditions to effectively limit the proposed development (discussed later in this report) it is considered that noise pollution from the proposed development would be unlikely to harm the valued characteristics of the National Park or the amenity of neighbouring properties.

Other Impacts

Concerns have been raised in representations in regard to the potential impact of the proposed development upon the setting of the grade II listed building and upon the scenic beauty of the landscape.

The Authority is obliged to pay special regard to the desirability of preserving the building or its setting in the determination of this application. The proposal is for a change of use of the estate and does not include any works which affect the historic fabric of the listed building. The pavilion building is a modern structure converted partly from the previous accommodation block and therefore there are no concerns in regard to the proposed acoustic screens.

The pavilion and the lawn area adjacent where marquees would be sited and events held is set away from the main manor building and separated by existing mature planting. As such when inside the estate the pavilion and surrounding land is not viewed in the context of the historic hall other than when on close approach along the access drive. Similarly the area of land for the proposed curtilage car park is sited adjacent to the access drive away from manor building and also separated visually by mature tree planting.

Views into the land around the pavilion and proposed curtilage car park are limited to sections of the two public footpaths which extend to the south of Brookfield Manor and Cow Close Farm. Views from these vantage points would be limited by existing topography and planting but nevertheless views of the proposed marquees with glimpses of the Manor in the background would be visible at points along these paths.

Officers have consulted both the Authority's Conservation Officer and Landscape Officer. Both Officers raise no objections to the proposal on either listed building or landscape grounds because while temporary minor visual effects would be experienced by users of the footpaths, generally landscape and visual effects are contained by the surrounding topography and land cover. Whilst the marquee(s) would be incongruous feature in the landscape, given the temporary nature and the likely limited visual effects, potential impacts are considered to be insignificant.

Therefore having visited the site and surrounding view points and carefully considered the impact of the proposals and taking into account the views of the Authority's Conservation and Landscape specialists it is considered that the proposed development would not have a harmful impact either upon the setting of Brookfield Manor or the landscape character of the National Park.

Concern has also been raised in regard to the potential impact of light pollution from the proposed development especially from lighting installed around the marquee and pavilion building. The landscape around the site is particularly dark and this is a valued character of the National Park. It is therefore important that light from the proposed development does not have a harmful impact.

The submitted application indicates that a low level of lighting is used but this is disputed in representations. No detailed information has been submitted to show what lighting will be installed and maintained as part of the development. Appropriate use of low level lighting would allow the proposed development to operate while minimising light spillage from the site into the surrounding landscape. Therefore if permission is granted a condition would be recommended to ensure that a scheme of lighting is submitted and approved by the Authority.

The site of the pavilion, proposed marquees, pavilion and curtilage car parks are all outside of flood zones 2 and 3. The caretaker's flat which is proposed to be made available on the day of an event for the bridal party to get ready and the coach house boardroom where guests will await being picked up by taxi / coaches are within flood zone 3. Environment Agency advice is that as these uses are not residential they are considered to be less vulnerable to flooding so there are no issues in regard to risk from flooding compared to the existing lawful residential use. The proposed development does not otherwise propose any new buildings or hard standings which could affect the flow of water during a flood event or result in flooding issues downstream.

The Authority is not aware of any protected species or habitat that would be affected by the proposed development. The proposed development would not have any significant impact upon any nearby designated nature conservation site.

The proposed development would be served by ample parking space and subject to the amended details the development would be accessed along the main drive to the Manor and not along Birley Lane. There is adequate access visibility from the main drive onto the adjacent highway and therefore Officers agree with the Highway Authority that there are no objections on either highway safety grounds.

Concern has been raised in regard to the impact of vehicles leaving weddings / events along the access drive upon the residential properties on Baulk Lane. The nearest neighbouring property is approximately 100m from the drive on the far side of the Hood Brook. Given the intervening distance it is considered that while vehicle movements would be noticeable that the potential impact would not have any harmful impact upon the amenity of these properties.

Recommended conditions

As discussed above, if permission is granted Officers recommend that any permission is limited to a three year temporary permission. This is for a trial run of the development to be carried out to allow an assessment by the Authority as to whether the impacts of the proposed development and the proposed mitigation will adequately protect the tranquillity of the landscape and the amenity of neighbouring properties.

Given the close relationship of the proposed weddings / functions to the hall and to ensure that the development continues to support the wider estate in accordance with E2, it is also recommended that a condition be imposed to control the use and to require it to remain ancillary to Brookfield Manor and retained within a single planning unit.

Following detailed discussions with the Environmental Health Officer a condition to control the noise level where measured at a point adjacent to the nearest neighbouring property (Cow Close Farm) is recommended. The noise level is set so as not to exceed the existing background noise

level by more than 5 dB(A) at any time. This condition is considered to necessary to ensure that noise from the development does not harm the amenity, health or quality of life of the occupants of that property and also that noise further away is not an issue.

Conditions are recommended to require any amplified music to be played through the proposed zonal array system within the pavilion. A condition has been recommended to restrict acoustic music to no later than 18:00 or sunset (whichever is the sooner). The agent has requested that this be extended to 20:00. However this would be contrary to the submitted noise protocol carried out by the applicant's noise expert and it is considered that acoustic music played outside the pavilion would have the potential to cause greater impact in the early evening.

Conditions are recommended to restrict the number of events per year to a maximum of eight with no more than one wedding taking place per calendar week as these have the greatest potential to generate noise or other disturbance which would have a greater impact if carried out on 'back to back' events. Conditions in relation to hours of operation, setting up before and clearing up are also recommended. A condition to require all marquees to be fully removed within three days of the end of an event is recommended to ensure that marquees are not left up for extended periods of time which would result in a greater impact on the setting of the Manor and the landscape.

A condition to limit the maximum number of guests to 130 is recommended. The agent advises that events have been typically between 80 – 120 people but requests that a limit of 180 is imposed to allow for large events which would only be on an occasional basis. Officers are concerned that additional disturbance related to allowing up to 180 guests could have an adverse impact upon the local area and neighbouring properties bearing in mind that there is evidence of noise complaints in the recent past from events with a much smaller number of guests. Therefore it is considered necessary to limit the number of guests to 130 which would allow some flexibility which is reasonable given the nature of weddings and other functions.

Conditions are recommended to require the installation of the proposed acoustic screens, to prevent the installation of air cooling units in order to mitigate the potential for noise impacts, and to require details of the proposed lighting to be submitted and approved.

Finally conditions are recommended to control the location and number of parking on the site between the proposed pavilion and curtilage car park. No more than 16 vehicles are to be parked on the pavilion car park after 20:00 at any time to ensure that disturbance from vehicles and guests leaving the pavilion car park do not harm the amenity of the nearby neighbouring property. The remainder vehicles will be required to park on the curtilage car park. The grassland on the curtilage car park would be protected by a temporary wire mesh system during inclement weather. A scheme of signage is also required to ensure that guests are directed to the correct parking place.

Conclusion

Subject to the mitigation proposed in the amended application and the imposition of appropriate planning conditions it is considered that the development would be unlikely to harm the tranquillity of the National Park or the amenity of neighbouring properties. Having had regard to the views of the Environmental Health Officer it is considered necessary that any permission should be temporary to allow a trial run and assessment of the impacts of the development.

It is considered that the development would not have a harmful impact upon the setting of the grade II listed Manor or harm the scenic beauty of the surrounding landscape or any other valued characteristic of the National Park. The proposed development would not harm highway safety or the amenity of road users or the amenity of any other neighbouring property or land use.

Therefore having had regard to all other material considerations including the Framework and the National Planning Practice Guidance and having taken into account all matters raised in representations it is considered that subject to appropriate conditions that the development is in accordance with the development plan. Accordingly the proposal is recommended for approval subject to the conditions in this report.

Human Rights

Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

Nil