

Item No. 8

SCHEDULE A

APPLICATION NUMBER	CB/11/00235/FULL
LOCATION	The Grove, Barton Road, Pulloxhill, Bedford, MK45 5HR
PROPOSAL	Full: Erection of marquee for Weddings and Corporate Events
PARISH	Pulloxhill
WARD	Westoning, Flitton & Greenfield
WARD COUNCILLORS	Cllr Jamieson
CASE OFFICER	Vicki Davies
DATE REGISTERED	28 January 2011
EXPIRY DATE	25 March 2011
APPLICANT	Mr Nazir
AGENT	ATK Designs
REASON FOR COMMITTEE TO DETERMINE	Public Interest
RECOMMENDED DECISION	Full Application - Refused

Site Location:

The application site is located to the rear of The Grove Public House, previously known as Speed the Plough, on the western side of the A6. The site is within the Parish of Pulloxhill but is only 650 metres from the northern edge of Barton-le-Clay. The application site consists of an area of unused land to the rear of the pub.

The site is outside any settlement envelope and therefore is in the open countryside for the purposes of planning. The site is outside of the Green Belt however the land on the opposite side of Barton Road is within the Green Belt.

The Application:

The application seeks consent for the erection of a marquee for weddings and corporate events. The application sets out that the marquee would only be erected between April and October each year. The marquee would also be taken down when there is a gap between events. The marquee would measure 12m by 18m and would be 5.5 metres at its highest point. The pub would be used to provide catering for the marquee as well as additional space. The application sets out that the pub would be closed to the public when the marquee was being used for events. The proposal includes an additional 17 car parking spaces adjacent to the marquee.

RELEVANT POLICIES:

National Policies (PPM & PPS)

PPS1: Delivering Sustainable Development

PPS4: Planning for Sustainable Economic Growth

PPS7: Sustainable Development in Rural Areas

PPG13: Transport
PPG24: Planning and Noise

Regional Spatial Strategy East of England Plan (May 2008)

ENV7: Quality in the Built Environment

Bedford shire Structure Plan 2011

No relevant policies

Central Bedford shire Council (North) Core Strategy and Development Management Policies

CS11: Rural Economy and Tourism
CS14: High Quality Development
DM3: High Quality Development
DM4: Development within and beyond Settlement Envelopes

Supplementary Planning Guidance

Design in Central Bedford shire: A Guide for Development

Planning History

CB/09/06223/FULL	Erection of 2m high earth bank (part retrospective). Approved 2/12/09
CB/09/00936/FULL	Change of Use of land to overspill car parking for The Grove Public House and formation of 2m high earth bank (part retrospective) Refused 27/8/09
MB/07/02083/FULL	Two storey and single storey extensions and internal alterations to provide public house with restaurant facilities, childrens play areas, formation of additional car parking and alterations to vehicular access. Approved 17/4/08

Representations: (Parish & Neighbours)

Pulloxhill P C	<p>No objections in principle to this application. However, the Council does have a number of concerns that it would wish addressed and possible conditions to be attached to the development.</p> <ol style="list-style-type: none">1. That there should be no additional access from Barton Road to the site. These premises already cause a danger to traffic by loading and unloading close to the junction, and further access would only make this problem worse.2. That there should be more planting and landscaping around the site to hide the erection from general view.3. That the permission should be explicitly for temporary erection and clearly specify the periods and durations for which erection is allowed.
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4. It is noted that there is no request for additional outside lighting as part of the application, although late night use may occur.
Any such application or installation should take effects on traffic into account.
5. It is not clear how 17 new parking spaces will accommodate 200 additional clients. Any permission should consider parking restrictions and the dangers of parking on either Barton Road or the A6, both of which are only subject to national speed restrictions and carry fast moving traffic.

Barton P C

Objection on the following grounds.

- Traffic to and from the site - concern that people will ignore the no right turn into Barton Road travelling from the north, the junction is already hazardous, queuing traffic on Barton Road, highway safety issues
- Site Parking - insufficient level of parking on the site would lead to on-street parking causing hazards and traffic flow problems
- Noise - events would lead to disturbance for residents of Barton by reason of music and additional traffic leaving the venue
- Existing Venues in the Area - Barton already has three halls which could accommodate corporate events and weddings, plus licensed premises. Wrest Park, Silsoe is nearby and has up-market facilities.
- Green Belt and Rural Location - the site is immediately adjacent to the Green Belt and it is considered that a large marquee would be detrimental to the Green Belt and wider rural location.

The Parish Council expand on the above points in detail and suggest conditions if the Council is minded to approve restricting the consent to 2 years, the number of people which can be accommodated in the marquee, visibility splays, access between car park and forecourt should be stopped up, grass area should remain as such, no wedding ceremonies or religious ceremonies should be permitted, the use should be limited to 2 events per week between April and October, hours of use should be limited to 10.00-23.00 and licensing arrangements should be clarified.

Neighbours

One petition has been received against the application containing 462 signatures objecting to the building of an Islamic wedding facility/mosque at the Grove public house. A further petition against the proposal has been received containing 99 signatures objecting to the proposal on the grounds of highway safety.

One petition has been received in favour of the application containing 117 signatures.

58 individual letters of objection have been received and 3 letters making comments on the application.

The objections received are on the following basis:

Highways & Parking

- the junction is already dangerous and additional traffic would make it worse
- there have been a number of accidents at the Barton Road/A6 junction
- concern that parking would be insufficient
- events would cause traffic congestion
- traffic passing through Barton would increase
- insufficient parking within the site would lead to on-street parking
- queuing traffic on A6 due to the car wash
- people driving hired super cars in a dangerous manner

Pollution

- noise from functions would impact on residents
- sleep disturbance due to noise
- health impacts of noise
- impact of noise of wildlife
- noise level in the area is already only just bearable
- litter

Other Issues

- the venue does not have a license to sell alcohol
- the venue does not have a license to host weddings
- there are already venues within Barton which would be suitable
- the venue would not serve the people of Barton
- no need for an additional venue
- previous planning permissions have been refused on the site
- impact on the Green Belt
- impact on the countryside
- loss of wildlife habitat
- precedent for future development
- Barton already has to put up with enough and there are two additional gypsy sites proposed
- lack of public consultation

A number of objections also raised the issue that people believe that the marquee will be used as a mosque or could be used as a mosque in the future.

Consultations/Publicity responses

Tree and Landscape Officer An important landscape feature consisting of a native hedgerow runs along the eastern boundary of the application site which should be safeguarded. The marquee and associated pathways appear to be close to the hedgerow which would encroach on the hedgerow and reduce its effectiveness as a screen. The officer is also concerned about soil bunds constructed along the hedgerow and the potential loss of trees. The officer

Public Protection	concludes that an objection should be made to the application on the basis that the hedgerow should be maintained in an undisturbed state with sufficient space allowed for remediation works and planting.
	No objection - the applicant will need to apply for a public entertainment licence before any events are held in the venue
Highways Development Control	The officer has assessed the proposal very carefully and there are some issues regarding not only the proposal but also the site. Some of these issues can be addressed with the inclusion of a condition if planning permission is to be issued, some need to be addressed by other means. In no particular order:
	<ul style="list-style-type: none"> • The submitted red line plan does not correspond with the submitted layout plan (drawing no. atk/11/NN/tp1). • The applicant has stated that the access taken from the A6 will be closed/not used. The adjacent garage has a right of way across this access and as such closure at the highway/site boundary will not be possible. However the access can be closed mid-way into the site, where the extent of the right of way ceases. This closure would have to be a permanent fixture (a painted no entry sign will not be acceptable as existing) for which details would need to be submitted and approved by the Local Planning Authority. • The applicant states there are 41 existing parking spaces, although this amount is not indicated on the submitted plan. A correct plan will be required showing the existing 41 spaces, the proposed 17 parking spaces and an overflow (grasscrete) parking area. This can be dealt with by a condition. • Parking and turning should be provided within the site for a stretched vehicle. This area should be kept free of all obstruction at all times. A drawing showing the tracking diagram of this type of vehicle, using the turning area should be submitted and approved by the Local Planning Authority. This can be dealt with by a condition. • The site should have, under a previous planning permission, cycle parking provision. This can be dealt with by enforcement action. • The location of the refuse collection point differs from that agreed in a previous permission. The original location allowed the refuse vehicle to enter the site, make the collection and leave the site in forward gear. The 'new' location means the refuse vehicle has to stop in the highway to make the collection, which is not acceptable close to the junction and considering provision was made originally for the refuse vehicle within the site.

- The boundary fence along Barton Road is within the public highway and obscures visibility from the access. This can be dealt with by a condition.
- The blue line plan is incorrect and there are multiple encroachments into the highway, including part of the existing building. The area of highway where the building exists will be required to be 'stopped up' the remaining encroachments will be required to be removed under the provision of the Highways Act 1980. The encroachments include the sign at the junction, planters along the A6 and fencing and other objects along Barton Road.

As submitted the officer sets out that she can not accurately assess the proposal as the submitted plan is incorrect.

Archaeology

The proposed development lies in an area of surviving ridge and furrow earthworks, it is an archaeologically sensitive area and a locally identified heritage asset.

Ridge and furrow earthworks are the characteristic remains of medieval; open field agriculture in Bedfordshire. In this case the ridge and furrow belongs to the open fields of Pulloxhill. Such earthworks were once a common feature of the Bedfordshire landscape but agricultural practices since the 1940's have severely eroded the county's stock of this class of monument to the point that less than 4% of the original total survives.

Unfortunately, although ridge and furrow earthworks survive on the land immediately to the north, the earthworks have been destroyed by ground levelling within the application site. Therefore, the proposed development is unlikely to have a serious impact on archaeological remains or the significance of the heritage asset. Consequently, the officer has no objection to this application on archaeological grounds.

Highways Agency

Do not wish to comment

Environment Agency

Stated that their Standing Advice should be consulted

Minerals and Waste
Section

No response received

Determining Issues

The main considerations of the application are;

1. Principle of Development
2. Impact on the Character and Appearance of the Area
3. Impact on the Amenities of Surrounding Residents
4. Highways and Parking
5. Other Issues

Considerations

1. Principle of Development

The boundary of the Green Belt in this area is demarcated by Barton Road and the application site is therefore outside of the Green Belt.

The site is outside of any settlement envelope and is therefore for planning purposes in the open countryside. PPS4 sets out that the countryside should be protected for the benefit of all. The PPS continues stating that local planning authorities should ensure that the countryside is protected for the sake of its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, the wealth of its natural resources and to ensure it may be enjoyed by all. It also states that in rural areas, local planning authorities should strictly control economic development in open countryside away from existing settlements, or outside areas allocated for development in development plans.

The supporting text to Core Strategy DM4 sets out that, outside settlements where the countryside needs to be protected from inappropriate development, only particular types of new development will be permitted in accordance with national guidance.

A previous planning application to extend the car park for the public house was refused on the basis that it would extend into the countryside and would adversely effect the character of the area.

A marquee could be erected under permitted development rights for a period of 28 days in any one calendar year without the need for planning permission. The application seeks consent for the marquee to be erected for significantly longer than 28 days and includes additional car parking.

Overall it is considered that the proposal would be contrary to countryside policies set out in PPS4 and Core Strategy policy DM4. The development would extend beyond the existing developed area and into the countryside.

2. Impact on the Character and Appearance of the Area

Core Strategy policy DM3 sets out that new development should be appropriate in terms of scale and design to their setting and contribute positively to creating a sense of place and respect local distinctiveness.

The marquee would be fairly large but next to the existing public house and hand car wash would not be out of scale to the existing development. It is however considered that the proposal would have any adverse impact on the openness of the countryside contrary to policy DM3. The marquee would alter the appearance of a currently open area to the detriment of the character of the area. The application site is distinctive due to its openness and countryside character which would be lost, albeit for only part of a year.

The Tree and Landscape Officer considers that the application should be refused due to the potential impact it would have on the native hedgerow along the A6 and the adverse effect this would have on the appearance of the area. It is considered that further planting to strengthen and reinforce the hedgerow could be undertaken however the loss of the hedgerow would have a significant adverse impact on the area.

A previous planning application for car parking on the application site was refused on the basis that the proposed change of use of agricultural land to overspill staff parking would result in an unjustifiable over provision of parking and unacceptable loss of open countryside which should be protected for its own sake. The proposed change of use by nature of its location in the open countryside, would have an unacceptable impact on the character and appearance of this rural area where restrictive planning policies apply. It is not considered that the policy framework has changed since this decision was made and therefore the current application would be equally contrary to countryside policies.

Overall it is considered that the proposal would be contrary to Core Strategy policy DM3.

3. Impact on the Amenities of Surrounding Residents

The application proposes a marquee for weddings and corporate events. The site is located outside of any built up area. The closest residents would be over 500 metres away to the north. The closest dwellings in Barton would be over 650m away to the south.

Core Strategy policy DM3 states that the amenities of nearby residents should be respected. There are no residential properties close enough to be adversely effected by the marquee in terms of privacy, overlooking or overbearing. A large number of residents raised concerns that noise from events in the marquee would adversely effect their amenities, ability to sleep and their health.

The applicant has advised that no amplified music or other entertainment would take place in the marquee. All amplified music would be accommodated within the public house. It is considered on this basis that the amenities of the nearby residents would be protected from unreasonable levels of noise. This matter could be controlled by condition.

Some residents raised that issue of increased traffic through Barton causing unacceptable disturbance. The main roads through Barton are well trafficked although a large amount of traffic uses the A6 which bypasses the centre of Barton. It is not considered that the proposal would give rise to a significant noticeable increase in traffic at a level to disturb residents.

Some concern has been raised that external lighting connected with the proposal would have an adverse impact on residential amenity and the local wildlife. A condition could be added to any planning permission granted requiring details of external lighting to be submitted and approved before it is installed, this would ensure that there was no adverse effects.

Overall it is not considered that the proposal would have a significant adverse impact on the amenities of nearby residents and therefore accords with the relevant part of Core Strategy policy DM3.

4. Highways and Parking

The application sets out that the access to the marquee would be via the existing site access on Barton Road. The proposal includes the provision of 17 additional car parking spaces. The marquee would be able to accommodate

200 people seated. The pub would not be available for public use when a function is being held as the function would use the marquee, public house and grounds.

Significant concerns have been raised by residents that the level of parking to be provided would be insufficient for the proposed functions and that this would lead to on-street parking. The highways officer raises concern that the submitted plans do not reflect the current level of car parking which was consented by the 2007 application. The highways officer advises that there should be 41 existing parking spaces. The application proposes an additional 17 spaces and the highways officer sets out that an additional area of reinforced grass for overflow parking would be required. These issues could be dealt with by conditions on any planning permission granted. The parking shown in the planning application is not considered sufficient however the grassed area near the marquee could be used for overflow parking when necessary. The use of the grassed area would mean there would be a satisfactory level of parking within the site and no on-street parking should occur.

The highways officer also considers that parking provision for a stretched vehicle, such as a limousine, should be provided within the site. Turning space for such a vehicle would also be required. Both these issues can be dealt with by condition.

A large number of objectors have set out that the increased use of the junction of Barton Road with the A6 would be hazardous. Objectors consider that the junction is already dangerous and increasing the traffic using it would only make the situation worse. A number of responses also raise concern that due to the level of traffic on the A6 cars will have to wait to pull out of Barton Road which would lead to queuing traffic and congestion. The highways officer has advised that the additional traffic which would use the junction would not cause an unacceptable level of congestion or hazard. The junction as it stands has sufficient capacity to cope with additional traffic.

The highways officer sets out that the application states that the access to the pub site from the A6 would be closed. In a previous application the closure of this access was required, markings have been painted on the hard surface stating no access, however this is not sufficient. The adjacent garage has a right of way across the access and as such closure at the highway/site boundary would not be possible. The access could however be closed mid-way into the site, where the extent of the right of way ceases. The closure would have to be a permanent fixture for which details would need to be submitted and approved. A number of objectors raised concern regarding the access off the A6 and the congestion with the hand car wash. The closure of the access off the A6 could be dealt with by condition. Issues surrounding the hand car wash are outside of the control of this application and will need to be considered by highways or planning enforcement as relevant.

Cycle parking should have been provided following a previous grant of consent but has not been. This issue could either be dealt with by a condition on any consent granted for this application or via enforcement action.

Refuse collection has previously taken place within the site however the application sets out that the refuse vehicle would stop on the road with the

proposed arrangement. This again is an issue which could be dealt with by attaching a condition to any planning permission granted.

The required visibility splays for the access onto Barton Road are not currently achievable as an existing boundary fence restricts views. This can be overcome by relocating the fence and can be controlled by condition.

There are wider issues which cause concern to the highways development control officer as a number of the structures and fences on the site along Barton Road and the A6 are within highway land. None of the application proposals fall within highway land and this is therefore an issue to be addressed outside of the planning application process.

The highways officer concludes that she is unable to make a proper assessment of the proposal as the location plan and site layout plan do not correspond. There does appear to be a small discrepancy between the plans but not so significant to cause a problem. If planning permission is granted a condition requiring a plan to be submitted showing the exact location of the marquee would be required before the development commenced. The marquee would be a temporary structure and could therefore be moved by a small amount if necessary.

Overall there do not appear to be any overriding highway issues which would warrant refusing planning permission. There would however be a high number of conditions which would need to be attached to any planning permission granted in order that the development could be considered acceptable.

5. Other Issues

The site is within an area of archaeological interest however the archaeologist is satisfied that any remains on the site have been destroyed by ground levelling. The proposed development is therefore unlikely to have a serious impact on archaeological remains or the significance of the heritage asset.

A number of objections have been received on the basis that the application is for a mosque or that the marquee will be turned into a mosque without the need for further consent. These concerns appear to have resulted from rumours circulating in the area. The applicant has written to the Authority, the local Parish Councils and police setting out that he has no intention of holding any kind of Islamic religious ceremonies in the marquee and certainly not for it to become a mosque. The applicant also suggests that a condition could be added to any planning permission granted stating that the marquee may only be used in conjunction with the use of the public house and not as a mosque or religious centre.

A number of letters received raise the issue that there are already a number of venues within Barton and other villages and there is therefore no need for the proposed marquee venue. Other people also suggest that the venue would not serve the people of Barton and should therefore be erected elsewhere. The applicant considers that there is sufficient need for the proposed venue and whether there is any need is not a relevant planning consideration in this situation.

Recommendation

That Planning Permission be refused subject to the following:

- 1 The proposed development would result in an unacceptable loss of open countryside which should be protected for its own sake. The proposed marquee and associated development by nature of its location in the open countryside, would have an unacceptable impact on the character and appearance of this rural area where restrictive planning policies apply; as such the proposal is contrary to Planning Policy Statement 4, and Core Strategy policies DM3 and DM4.

Reasons for Refusal

The proposal would not have any significant adverse impact on the amenities of nearby residents and would therefore comply with the relevant part of Core Strategy policy DM3. There are no highway safety or parking issues that cannot be resolved by conditions. The proposal complies in general terms with PPS1, PPG13 and PPG24. The proposed development would however result in an unacceptable loss of open countryside which should be protected for its own sake. The principle of the proposal is therefore unacceptable. The proposed marquee and associated development by nature of its location in the open countryside, would have an unacceptable impact on the character and appearance of this rural area where restrictive planning policies apply; as such the proposal is contrary to Planning Policy Statement 4, Planning Policy Statement 7 and Core Strategy policies DM3 and DM4.

Notes to Applicant

1. Please note that the unnumbered drawings submitted in connection with this application have been given unique numbers by the Local Planning Authority. The numbers can be sourced by examining the plans on the View a Planning Application pages of the Council's website www.centralbedfordshire.gov.uk.

DECISION

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