



**REPORT of
DIRECTOR OF SERVICE DELIVERY**

to
**SOUTH EASTERN AREA PLANNING COMMITTEE
13 OCTOBER 2021**

Application Number	20/01191/FUL
Location	Hall Farm, Hall Road, Southminster, Essex, CM0 7EH
Proposal	Change of use of Southminster Hall to a mixed use providing a wedding ceremony room and residential use and the change of use of Southminster Hall grounds to provide a wedding venue to include siting of a marquee and WC facilities and ancillary parking and conversion of outbuilding to ancillary bridal suite.
Applicant	Mr & Mrs Cooper
Agent	Kate Jennings – Whirledge & Nott
Target Decision Date	16.09.2021
Case Officer	Kathryn Mathews
Parish	SOUTHMINSTER
Reason for Referral to the Committee / Council	Major Application

1. **RECOMMENDATION**

APPROVE subject to the conditions (as detailed in Section 8 of this report).

2. **SITE MAP**

Please see below.

Hall Farm, Hall Road, Southminster
20/01191/FUL



Copyright
For reference purposes only.
No further copies may be made.
This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright.
Unauthorized reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
Maldon District Council 100018588 2014


MALDON DISTRICT COUNCIL

www.maldon.gov.uk

Scale:	1:1,250
Organisation:	Maldon District Council
Department:	Department
Comments:	SE Area Committee
Date:	26/09/2021
MSA Number:	100018588

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 The application site is located within the rural area to the south of Hall Road and to the east of the settlement of Southminster. The site currently accommodates a residential dwelling and associated land. It is stated that the site extends to 1.7ha. To the north of the site, on the opposite side of Hall Road, is Pandole Wood and open countryside. To the east is land and buildings also owned by the applicant. To the west is Goldsands Road and to the south are existing buildings in commercial use including Wibblers Brewery, Taproom and Kitchen (which has an outdoor seating area) along with open countryside.
- 3.1.2 Southminster railway station is just over 200m to the west of the site with the centre of Southminster beyond. The nearest bus stop is approximately 800m to the west of the site on the High Street and there is understood to be a bus service between Burnham-on-Crouch and Chelmsford running between 7am to 8.30pm Monday to Saturday and 9am and 9pm on Sundays.
- 3.1.3 There are residential properties along Goldsands Road. It is stated that The Lodge and Southminster Hall Farm are located beyond the adjacent buildings associated with Southminster Hall Farm and there are further residential properties at a distance of 180m from the application site at their closest point. Beyond Goldsands Road is Hillside Nursery and Hall Road Industrial Estate opposite which there are further residential properties.
- 3.1.4 The existing vehicular access to the site from Hall Road would be retained and used to access the development proposed.
- 3.1.5 The existing floorspace to be converted is stated as being a total 159sq.m. which would consist of 47sq.m. to be used as a ceremony room and 112sq.m. to be used as a 'bridal suite'. A ground floor room in the south-western corner of the dwelling would be used as the ceremony room. Part of an existing outbuilding which abuts the eastern boundary of the site would be converted into accommodation described as a 'bridal suite' for overnight accommodation which would consist of two en-suite bedrooms, a lounge/dressing room and a kitchen. To accommodate the 'bridal suite', there would be changes to the existing fenestration pattern of the building including two additional windows on the southern flank elevation to serve the lounge/dressing room and bi-fold doors inserted into the rear/western elevation.
- 3.1.6 The marquee proposed would be located 19m to the north of the existing dwelling on what is described as a paddock and 16.5m from the northern boundary of the site at its closest point. The marquee would measure 30m x 12m and 4.58m in height to be enclosed with white coloured canvas and a ridged roof.
- 3.1.7 Toilet facilities would be provided in the form of 'self contained mobile WC facilities' to be located between the marquee proposed and the existing dwelling. The mobile toilets would measure 3.2m in height, 3m in length and 2.3m in width.
- 3.1.8 An area (around 3450sq.m.) to the western side of the application site (described as an existing paddock) is identified for parking which would be at a distance of around 60m from Goldsands Road. The area is not proposed to be hard surfaced and no parking layout has been included but there would be a one-way taxi lane around the periphery of the car park and it is stated that parking would be provided for 75 vehicles.

- 3.1.9 The use proposed would employ one full-time and two part-time employees. Hours of opening are proposed as 11:00 to 23:59 Monday to Sundays (including Bank Holidays).
- 3.1.10 As part of the application, it is stated that the venue would cater for parties ranging from 10 up to a maximum of 200 people. The ceremony room could accommodate a maximum of 50 people, but the marquee could accommodate up to 200 people for receptions. There would be approximately 40 events per year with the majority of the events expected to take place on a Saturday. It is understood that the venue would be available for parties and other social gatherings, not just weddings.
- 3.1.11 The application is accompanied by a 'Design and Access Statement incorporating Planning Statement' as part of which it is stated that the use proposed would support the renovation of this Victorian property. It is also stated that the nearest 'competition' is High House Farm in Asheldham and Creeksea Manor in Burnham-on-Crouch.
- 3.1.12 A Noise Impact Assessment (February 2021) has also been submitted and, following the receipt of comments from the Specialist – Environmental Health, a Noise Impact Assessment Addendum (May 2020) has also been provided.

3.2 Conclusion

- 3.2.1 The proposal would result in economic benefits for the local area and the District and no objections are raised to the principle of the development. The development would not cause material harm to the character and appearance of the rural area as a result of the marquee and parking area proposed. Furthermore, the proposal would not have a harmful impact on this locally listed building or its setting and, subject to the imposition of conditions, would not have a materially adverse impact on the amenity of local residents. No objections are raised in relation to highways safety, access and parking.
- 3.2.2 Therefore, it is recommended below that planning permission is granted for the development proposed.

4. MAIN RELEVANT POLICIES

Members' attention is drawn to the list of background papers attached to the agenda.

4.1 National Planning Policy Framework 2021 including paragraphs:

- 7 Sustainable development
- 8 Three objectives of sustainable development
- 10-12 Presumption in favour of sustainable development
- 38 Decision-making
- 47-50 Determining applications
- 55-58 Planning conditions and obligations
- 81-85 Building a strong, competitive economy
- 92-103 Promoting healthy and safe communities
- 104-109 Promoting sustainable transport
- 119-123 Making effective use of land
- 124-125 Achieving appropriate densities
- 126-135 Achieving well-designed places

- 152-173 Meeting the challenge of climate change, flooding and coastal change
- 174-188 Conserving and enhancing the natural environment
- 189-208 Conserving and enhancing the historic environment

4.2 Maldon District Local Development Plan 2014 – 2029 approved by the Secretary of State:

- S1 Sustainable Development
- S7 Prosperous Rural Economy
- S8 Settlement Boundaries and the Countryside
- D1 Design Quality and Built Environment
- D2 Climate Change & Environmental Impact of New Development
- D3 Conservation and Heritage Assets
- E1 Employment
- E5 Tourism
- T1 Sustainable Transport
- T2 Accessibility

4.3 Relevant Planning Guidance / Documents:

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)
- Maldon District Design Guide (MDDG) SPD
- Maldon District Vehicle Parking Standards (VPS) SPD

5. MAIN CONSIDERATIONS

5.1 The main issues which would require consideration as part of the determination of this application are the principle of the development, any impact on the character and appearance of the area, any impact on local residents and highway safety/ access/ parking.

5.2 Principle of Development

5.2.1 Policy S8 of the Local Development Plan (LDP) defines the settlements of the Maldon District within which development is to be generally directed. The policy goes on to state that the countryside will be protected for its landscape, natural resources and ecological value as well as its intrinsic character and beauty. Outside of the defined settlement boundaries, the Garden Suburbs and the Strategic Allocations, planning permission for development will only be granted where the intrinsic character and beauty of the countryside is not adversely impacted upon and provided that the development falls within one of thirteen specific, defined categories (Policy S8: a-m). This list of acceptable development includes criteria (b) 'Employment generating proposals (in accordance with Policy E1)' and e) The re-use of a redundant or disused building that would lead to an enhancement to the immediate setting (in accordance with Policies E4 and D3); and h) Rural diversification, recreation and tourism (including equestrian and related activities) proposals (in accordance with Policies E4 and E5). Policy E4 relates to 'agricultural and rural diversification' and so is not relevant to the consideration of the proposal. Policy E5 relates to tourism and is, therefore, of some relevance to this case.

- 5.2.2 Policy S7 states that the Council will actively seek to support and facilitate sustainable economic development within villages through the retention of employment designations and supporting rural diversification, tourism and leisure proposals.
- 5.2.3 Policy E5 states that the Council will support developments which contribute positively to the growth of local tourism in a sustainable manner and realise opportunities that arise from the District's landscape, heritage and built environment. The Policy goes on to state that development for new tourist attractions, facilities and accommodation will be supported across the District where it can be demonstrated that:
- 1) *There is an identified need for the provision proposed;*
 - 2) *Where possible, there are good connections with other tourist destinations, the green infrastructure network and local services, preferably by walking, cycling or other sustainable modes of transport;*
 - 3) *There will not be any significant detrimental impact on the character, appearance of the area and the quality of life of local people; and*
 - 4) *Any adverse impact on the natural and historic environment should be avoided wherever possible. Where an adverse impact is unavoidable, the proposal should clearly indicate how the adverse impacts will be effectively mitigated to the satisfaction of the Council and relevant statutory agencies. Where a development is deemed relevant to internationally designated sites, the Council will need to be satisfied that a project level HRA has been undertaken and that no potential significant adverse impact has been identified.*
- 5.2.4 In relation to criterion 2, the accessibility of the site is discussed in section 5.5 below and the requirements of criterion 3 are discussed in sections 5.3 and 5.4 below. The impact of the development on the historic environment (criterion 4) is discussed in section 5.3 below but the proposal, as a result of its location, would not have an adverse impact on the natural environment. Criterion 1 requires that there is an identified need for the provision proposed. It is stated as part of the application that the nearest 'competition' is High House Farm in Asheldham and Creeksea Manor in Burnham-on-Crouch, but the applicant has been asked for further information in relation to the need for the use proposed.
- 5.2.5 With respect to Policy E1 of the LDP, the use proposed would result in benefits including the employment of staff and business for associated companies such as catering, transport, events, entertainment etc. Whilst it cannot be ensured that all employment will come from the local area, it is reasonable to consider that some local businesses will be used.
- 5.2.6 Based on the above, subject to the applicant being able to demonstrate a need for the use proposed, no objection to the principle of the use of the site for hosting weddings is raised, subject to an assessment of the proposal against all other material planning considerations, as set out below. However, given the temporary nature of the marquee and toilets proposed, it would not be appropriate for a permanent planning permission to be granted.

5.3 Design and Impact on the Character of the Area

- 5.3.1 The planning system promotes high quality development through good inclusive design and layout, and the creation of safe, sustainable, liveable and mixed communities. Good design should be indivisible from good planning. Recognised principles of good design seek to create a high-quality built environment for all types of development.

5.3.2 It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF. The NPPF states that:

“The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.

“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents”.

5.3.3 This principle has been reflected to the approved LDP. The basis of policy D1 of the approved LDP seeks to ensure that all development will respect and enhance the character and local context and make a positive contribution in terms of:-

- Architectural style, use of materials, detailed design features and construction methods. Innovative design and construction solutions will be considered where appropriate;
- Height, size, scale, form, massing and proportion;
- Landscape setting, townscape setting and skylines;
- Layout, orientation, and density;
- Historic environment particularly in relation to designated and non-designated heritage assets;
- Natural environment particularly in relation to designated and non-designated sites of biodiversity / geodiversity value; and
- Energy and resource efficiency.

5.3.4 Similar support for high quality design and the appropriate layout, scale and detailing of development is found within the MDDG (2017).

5.3.5 The application site lies outside of any defined development boundary. According to policies S1 and S8 of the LDP, the countryside will be protected for its landscape, natural resources and ecological value as well as its intrinsic character and beauty. The policies stipulate that outside of the defined settlement boundaries, the Garden Suburbs and the Strategic Allocations, planning permission for development will only be granted where the intrinsic character and beauty of the countryside is not adversely impacted upon and provided the development is for proposals that are in compliance with policies within the LDP, neighbourhood plans and other local planning guidance.

5.3.6 Policy D3 of the LDP states that the Council will give great weight to a heritage asset's conservation and that any harm or loss will require clear and convincing justification. Development that affects a heritage asset will be required to *'preserve or enhance its special character, appearance, setting ... and any features and fabric of architectural or historic interest'*. LDP Policies S1 and D1 are also relevant to the assessment of the impact of the proposal on this locally listed building.

5.3.7 The Specialist – Heritage and Conservation has not raised any objections to the proposal based on the temporary nature of the facilities proposed. Therefore, it is not considered that the proposal would have an adverse impact on this locally listed building or its setting. No financial evidence has been provided to demonstrate the claim made that the proposal would help support the renovation of the property and it has not been shown that there would be any public benefit in these renovations.

Therefore, it is considered that this matter cannot be afforded any weight in the determination of the application.

- 5.3.8 The site does benefit from existing trees and other vegetation along the northern boundary of the site which would help to screen the marquee from view from Hall Road. The proposed toilets would be located between the marquee and the existing dwelling and, along with their limited size, would not cause significant harm to the character and appearance of the area. In addition, these elements of the proposal would be temporary in nature. The changes proposed to the exterior of the existing buildings at the site would be minor and the buildings would still have the appearance of a single residential property. Therefore, this element of the proposal would not have an adverse impact on the character or appearance of the site or its surroundings. The proposed parking area would be of a significant size and be located in a more open part of the site to the west of the existing dwelling. However, existing boundary hedging would reduce the visual intrusion of this element of the proposal into the surrounding area, the parking area would not be hard surfaced, and its use would only be intermittent i.e. when functions were being held at the site (around 40 times a year). A post and rail fence is proposed to separate the parking area proposed from the rest of the paddock but no other means of enclosure is proposed as part of the development. Based on this, it is not considered that the harm this element of the proposal would cause to the character and appearance of the site and the surrounding rural area would be significant enough to justify a refusal of planning permission in this case. If planning permission were to be granted, it is recommended that a condition be imposed to ensure that the existing trees and other vegetation is retained. Additional screen planting would reduce the visual impact of the proposal on its surroundings, but this would not be a reasonable requirement in this case as it is recommended that only a temporary planning permission is granted.
- 5.3.9 The conclusion of this assessment is that the proposal would comply with Policies S1, S8, D1 and D3 of the LDP, subject to only a temporary planning permission being granted.

5.4 Impact on Residential Amenity

- 5.4.1 The basis of Policy D1 of the approved LDP seeks to ensure that development will protect the amenity of its surrounding areas taking into account privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight. This is supported by section C07 of the MDDG (2017).
- 5.4.2 One of the requirements of Policy D2 of the approved LDP is that all forms of possible pollution including air, land, water, odour, noise and light are minimised and that any detrimental impacts and potential risks to the human and natural environment are adequately addressed by appropriate avoidance, alleviation and mitigation measures.
- 5.4.3 As a result of the separation distance between the development proposed and the existing residential properties within the vicinity of the site, it is not considered that the proposal would cause harm to the amenity of the occupiers of any existing residential property by reason of a loss of privacy, overlooking, loss of outlook, loss of light, an adverse visual impact or loss of daylight or sunlight. Due to the nature of the use proposed, an adverse impact as a result of smell and general pollution would also not be caused. However, as a result of the nature and scale of the use proposed, the development does have the potential to cause harm to local residents as a result of the noise generated by the use proposed. This would principally be noise from activities within the marquee where facilities for dancing and amplified sound would be provided as well as from the arrival/departure of guests particularly

as the hours of use proposed are 11am to 12am seven days a week which include unsociable times of the day.

5.4.4 The application has been accompanied by a Noise Impact Assessment (February 2021) which indicates that amplified music noise emanating from the proposed marquee has the potential to exceed the assessment criterion at dwellings towards the northern end of Goldsands Road and at the eastern periphery of Southminster village. The Assessment provides the following information:-

- *There would be no plant associated with the use proposed.*
- *There would be no amplified sound outside the marquee.*
- *Amplified live or recorded music where used would usually be played between around 19:30/20:00 to 00:00. Background music may be played with the occasional use of a microphone for speeches between 13:00 to 19:30/20:00.*

5.4.5 The Assessment also recommends the following noise mitigation measures:

- *Specific orientation of the speakers associated with any amplified live or recorded music.*
- *Use of a noise limiter and staff to periodically conduct noise measurements during an event.*
- *Provision of a 'complaints' mobile telephone number for local residents and recording of complaints.*
- *Within the marquee, the performance area to be sited at the north-east end, at the north-west elevation of the marquee, with the associated loudspeakers directed south-east towards the Southminster Marshes.*
- *Hard items of refuse (such as empty bottles etc.) should be placed, rather than dropped, in the bins and prior to 23:00; the recycling storage area should be appropriately located.*

5.4.6 Following the receipt of comments from the Specialist – Environmental Health, a Noise Impact Assessment Addendum (May 2020) has been provided which included the following additional information:

- *Music would not be played beyond 23:30*
- *At its closest point, parking would be 145m from 20 Hall Road if parking is limited to the eastern part of field/paddock as proposed (a post and rail fence would section off the area) (although the western part of this field/paddock is already used for overflow parking by the adjacent Brewery).*

5.4.7 The following further mitigation is also proposed:

- *Signage will be installed at strategic points throughout the site, including at the car park exit and along on-site pedestrian pathways, which advise that 'When in the car park and leaving the venue please respect our neighbours by keeping noise to a minimum'.*
- *Signage and/or information that directs the first arriving guests to park right up to the east boundary of the car park then those arriving subsequently to park close by and 'outwards' to concentrate parking on the east side of the car park.*
- *There would be a signed and cordoned-off one-way taxi lane around the periphery of the car park with a dedicated taxi stop at the east boundary of the paddock to mitigate noise from guests waiting to board and/or boarding a taxi and if taxis wait with their engine running.*
- *Directions to the venue would advise guests of the above parking arrangements and remind them to be 'thoughtful of neighbours'.*

5.4.8 As part of the submitted Noise Assessment, it is recommended that the following conditions are imposed if planning permission is granted:

- *Except for music that is incidental to wedding ceremonies and to other events within Southminster Hall, no amplified sound or music (live or recorded) shall take place on the site other than within the marquee.*
- *No amplified sound or music (live or recorded) shall take place within the marquee except between 11:00 and 23:30 hours.*
- *The noise level of amplified sound or music (live or recorded) emitted from the marquee and measured at the dwelling 20 Hall Road shall not exceed 23 dB LAeq, 15minutes between 11:00 and 23:30.*
- *The Zone Array sound system within the marquee shall be provided in accordance with the details given by the Noise Impact Assessment Addendum of 18th May 2021. The system shall be retained for all events.*
- *The electronic noise limiter shall be provided in accordance with the details given by the Noise Impact Assessment Addendum of 18th May 2021. All amplified sound or music (live or recorded) shall be channelled through this device to limit the sound level from within the marquee. The system shall be retained for all events.*
- *The car parking area shall be implemented in accordance with the details given by the Noise Impact Assessment Addendum of 18th May 2021.*
- *The Noise Management Plan measures shall be implemented in accordance with the details given by the Noise Impact Assessment Addendum of 18th May 2021.*

5.4.9 Having considered the details of the proposal along with the mitigation measures proposed, the Specialist – Environmental Health has raised no objection to the proposal, subject to the imposition of conditions, which could be imposed if planning permission were to be granted for the development. The conditions recommended by the Specialist are as follows:

- *No amplified sound or the playing of amplified music shall take place other than within the marquee.*
- *No public entertainment or public address system shall be used except between 11:00 hours and 23:30.*
- *The proposed Zone Array sound system shall be installed and maintained at all times.*
- *The electronic sound limiting/cut out device proposed shall be used.*
- *No fireworks or other pyrotechnics shall be used in connection with the use proposed.*
- *In a 15-minute period, the level of amplified sound emitted from the site shall not exceed 23dB as measured on the boundary of 20 Hall Road, Southminster.*
- *The car parking area for the venue shall be limited to that proposed.*
- *The mitigation measures identified shall be implemented and retained.*
- *The premises shall only be open to customers/visitors/guests between 11:00 hours and 00:00 hours.*
- *Details of all external illumination are to be approved.*

5.4.10 The proposed use would be at least 145m from 20 Hall Road which is anticipated to be the residential property most affected by noise generated by the use proposed. The parking area proposed would also be around 55m from Goldsands Road at its closest point. In addition, there would only be 40 events per year which would each be limited to being held between 11am to 12am. Furthermore, the granting of a temporary planning permission, as referred to above, would provide an opportunity to monitor the impact of the noise generated by the development.

- 5.4.11 Based on the above, including the imposition of the conditions recommended by the Specialist – Environmental Health, it is anticipated that the development proposed should not have a materially adverse impact on the amenity of the occupiers of any existing local residents, in compliance with Policies D1 and D2 of the LDP.
- 5.4.12 The submitted drawings indicate that sufficient private amenity space would be retained for the occupiers of the existing dwelling to comply with the minimum recommended in the SPD.

5.5 Access, Parking and Highway Safety

- 5.5.1 Policy T2 aims to create and maintain an accessible environment, requiring development proposal, inter alia, to sufficient parking facilities having regard to the Council's adopted parking standards. Similarly, policy D1 of the approved LDP seeks to include safe and secure vehicle and cycle parking having regard to the Council's adopted parking standards and maximise connectivity within the development and to the surrounding areas including the provision of high quality and safe pedestrian, cycle and, where appropriate, horse riding routes.
- 5.5.2 The Council's adopted VPS SPD contains the parking standards which are expressed as minimum standards. This takes into account Government guidance which encourages the reduction in the reliance on the car and promotes methods of sustainable transport. The NPPF also recognizes that sites within rural areas may not be well served by public transport and that it should be ensured proposals do not have an unacceptable impact on local roads.
- 5.5.3 In terms of accessibility, it is acknowledged that the majority of guests are unlikely to travel to the site by public transport. However, given the proximity of the site to Southminster railway station and bus stops on the High Street, there would be opportunities for guests to travel to and from the site by both train and bus. Furthermore, wedding events are often provided with arranged transport such as coaches which would reduce the number of guests travelling to and from the site by private car.
- 5.5.4 In terms of access, the existing means of access to the site from Hall Road along the northern boundary of the site would be used. Essex County Council Highways (ECC) have not raised objections to the proposal but have raised the following issues:

The current access appears to be approximately 4.5m in width, as the proposal will intensify the use of the access it is suggested that a wider access point such as 5.5m should be provided. It is also noted that the existing access road does not accommodate two-way vehicle traffic..... the applicant needs to provide more detail on how many vehicles are anticipated and if this will lead to any traffic waiting to access the site on carriageway.

The applicant shows a parking area which appears to be an existing field on the proposed plans [if the applicant is proposing to use the] existing field gate by the main access point, the turning manoeuvre for eastbound traffic to the site will [not] be possible, therefore the field access plans should be revised.

- 5.5.5 The applicant's agent is in the process of addressing these issues and, given the nature of the issues raised, it is anticipated that this can be achieved. Subject to these issues being satisfactorily addressed, no objection is raised to the proposed

vehicular access to the site and the proposal would not have an adverse impact on the local road network.

5.5.6 With respect to on-site parking provision, a rectangular shaped area extending to around 2,900sq.m. has been identified for parking which is proposed to be on an informal basis as the area is not proposed to be hard surfaced. A waiting area for taxis has also been included. The applicant has been asked to demonstrate the number of parking spaces that could be accommodated within the area proposed but, if planning permission were to be granted, it would be necessary to impose a condition requiring details of how the parking area would be laid out to ensure the satisfactory functioning of this facility.

5.5.7 There is no parking standard specifically for wedding venues, but the following standards are relevant to the proposal:

Use Class D2 – Assembly & Leisure – Cinemas, concert halls, bingo halls, dance halls – 1 per 4 staff and 1 per 20 seats

Use Class C1 – Hotels – 1 per 4 staff plus 1 per 10 beds or 1 per 25sq.m. restaurant-entertainment areas whichever is the greater.

5.5.8 The proposal includes a bridal suite with two bedrooms and a marquee (which would accommodate up to 200 guests and would measure 360sq.m). Based on this and the information provided as part of the application, it is anticipated that the area identified for parking would be of sufficient size to accommodate an adequate level of parking. It would normally be expected that such a parking area was hard surfaced to ensure that it was useable in all weather conditions but, as only a temporary planning permission is being recommended, it would not be reasonable to require that the area is hard surfaced. No cycle parking storage is included in the proposal, but this could be required by condition, if planning permission were to be granted.

5.5.9 Sufficient space for at least three parking spaces for the occupiers of the existing dwelling would be retained.

5.5.10 Therefore, subject to the issues raised by ECC Highways being satisfactorily addressed, no objections to the proposal are raised in relation to highway safety, access or parking, in compliance with Policies T1, T2 and D1 of the LDP.

5.6 Other Material Considerations

5.6.1 In terms of drainage, the Specialist – Environmental Health has recommended that a condition is imposed requiring details of surface water and foul drainage (Policy D2). Such a condition could be imposed if planning permission were to be granted.

5.6.2 The Specialist – Environmental Health has also recommended that a condition is imposed requiring a Phase 1 survey in relation to contaminated land (Policy D2). Such a condition could be imposed if planning permission were to be granted.

6. ANY RELEVANT SITE HISTORY

- **01/00402/AGR** - Prior notification steel framed agricultural building. Prior approval not required.
- **13/00890/FUL** - Installation and operation of a two 250kW wind turbine with hub height of 40m on agricultural land at Southminster Hall. Refused 20.12.2013

- **16/01114/FUL** - Change of use of barn from agricultural to Use Class B8 (Storage and distribution). Approved 08.12.2016
- **94/00077/FUL** - Outdoor leisure/corporate entertainment off road pursuits and clay pigeon. Refused 09.03.1994
- **94/00401/FUL** - Outdoor pursuits leisure/corporate entertainment (go kart racing). Approved 01.08.1994

7. **CONSULTATIONS AND REPRESENTATIONS RECEIVED**

7.1 **Representations received from Parish / Town Councils**

Name of Parish / Town Council	Comment	Officer Response
Southminster Parish Council	No response	

7.2 **Statutory Consultees and Other Organisations**

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Essex County Council Highways (ECC)	No formal response.	Refer to section 5.5 of report.

7.3 **Internal Consultees**

Name of Internal Consultee	Comment	Officer Response
Specialist – Environmental Health	Initially raised a holding objection due to concerns in relation to the measurements of existing noise levels provided. Properties on Goldsands Road are shielded from the venue by farm buildings therefore 20 Hall Road is the property likely to experience the highest noise levels from entertainment at the venue. Potential for noise disturbance from the activities within the marquee and at the end of a function when people leave the venue. The latter is very difficult to quantify, but up to 200 people could be leaving the site at the same time, when background noise levels are likely to be at	Noted – refer to sections 5.4 and 5.6 of report. Following the receipt of an addendum to the noise assessment report, the Specialist – Environmental Health has withdrawn their holding objection, subject to the imposition of conditions which are recommended below.

Name of Internal Consultee	Comment	Officer Response
	<p>their quietest. Further information regarding how the departure of patrons will be managed effectively is required.</p> <p>There is an area of unknown infill in the vicinity of the proposed location of the marquee and the application also includes the conversion of the outbuilding into overnight accommodation. This service has no information about previous uses of the outbuilding so the applicant should provide a phase 1 risk assessment. Details of foul and surface water drainage schemes are also required. These matters could be covered by condition.</p>	
Specialist – Conservation and Heritage	<p>The property is on the List of Local Heritage Assets in Southminster and so is a 'non-designated heritage asset'. No physical alterations are proposed to the main farmhouse and the marquee would be sited a reasonable distance from the house, well screened by mature trees, and is temporary in nature. The toilet facilities would be discreetly placed. The proposal will result in no material harm to the setting or significance of locally listed building and so no objection is raised and no conditions recommended.</p>	Noted – refer to section 5.3 of report.
Tree Consultant	No response.	

7.4 Representations received from Interested Parties

7.4.1 No representations were received for this application.

8. **PROPOSED CONDITIONS**

1 The use hereby permitted shall be discontinued and the site restored to its current condition within two years of the date of this planning permission.

REASON: To provide an opportunity to assess the impact of the proposal and the temporary nature of the marquee and toilets proposed, in accordance with Policies S1, S8, D1, D2, T2 of the Maldon District Local Development Plan and the NPPF.

2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

- Site layout plan 15.09.2021
- Location plan 22.09.2021
- Proposed ceremony room floor plan
- Marquee images
- Details of mobile WCs
- Existing floor and roof plan – 03rev.E
- Existing sections – 04rev.E
- Existing elevations – 05rev.E
- Proposed floor plans – 06rev.E
- Proposed sections – 07rev.E
- Proposed elevations – 08rev.E

REASON: To ensure that the development is carried out in accordance with the details as approved.

3 Prior to the first use of the 'bridal suite' hereby permitted, details of the foul drainage scheme to serve this element of the development shall be submitted to and agreed in writing by the local planning authority. The agreed scheme shall be implemented prior to the first occupation of the 'bridal suite' and retained as approved thereafter.

REASON: To ensure that satisfactory means of drainage is provided in accordance with Policy D2 of the Maldon District Local Development Plan and the NPPF.

4 The existence of any contaminated ground or groundwater and/or hazardous soil gases found must be reported in writing immediately, a risk assessment of the site undertaken and a scheme to bring the site to a suitable condition submitted to and agreed in writing with the Local Planning Authority. A "suitable condition" means one in that represents an acceptable risk to human health, the water environment, property and ecosystems and scheduled ancient monuments and cannot be determined as contaminated land under Part 2A of the Environmental Protection Act 1990 now or in the future. The work will be undertaken by a competent person in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination (CLR 11), the Essex Contaminated Land Consortium's Land Contamination Technical Guidance For Applicants and Developers and current UK best-practice guidance and policy.

REASON: To prevent pollution in accordance with Policy D2 of the Maldon District Local Development Plan and the NPPF.

5 With the exception of music played in the ceremony room during a wedding ceremony no public entertainment or public address system whatsoever, including but not limited to amplified sound or the playing of amplified music, shall take place on site other than within the marquee.

REASON: To protect the amenity of the local residents in accordance with Policies D1 and D2 of the Maldon District Local Development Plan and the NPPF.

6 No public entertainment or public address system, including but not limited to amplified sound or the playing of amplified live or other music associated with the use hereby permitted, shall take place within the marquee except between 11:00 hours and 23:30 hours.

- REASON: To protect the amenity of the local residents in accordance with Policies D1 and D2 of the Maldon District Local Development Plan and the NPPF.
- 7 Prior to the first use of the site as a wedding venue the Zone Array sound system referred to in the report reference 12811220/NIAAdd dated 18th May 2020 by Integrated Acoustics Ltd shall be installed, used and maintained at all times that the venue is in use.
- REASON: To protect the amenity of the local residents in accordance with Policies D1 and D2 of the Maldon District Local Development Plan and the NPPF.
- 8 Prior to the first use of the site as a wedding venue the electronic sound limiting/cut out device referred to in the report reference 12811220/NIAAdd dated 18th May 2020 by Integrated Acoustics Ltd shall be installed and fitted so that all regulated entertainment, including live performances, is channelled through the device to regulate the maximum sound level from the amplified sound systems used in the marquee. The system shall be retained thereafter for use at all events in the marquee.
- REASON: To protect the amenity of the local residents in accordance with Policies D1 and D2 of the Maldon District Local Development Plan and the NPPF.
- 9 No fireworks or other pyrotechnics shall be set off at the site in connection with the use hereby permitted.
- REASON: To protect the amenity of the local residents in accordance with Policies D1 and D2 of the Maldon District Local Development Plan and the NPPF.
- 10 Over any 15-minute period, the level of amplified sound emitted from the site shall not exceed 23dB as measured on the boundary of 20 Hall Road, Southminster. The site shall not open as a wedding venue until a verification report has been submitted to and agreed in writing by the local planning authority that demonstrates that this noise level has been achieved.
- REASON: To protect the amenity of the local residents in accordance with Policies D1 and D2 of the Maldon District Local Development Plan and the NPPF.
- 11 The car parking area for the venue shall be as detailed in Appendix 3 - Amended car parking area associated with the proposed development - of the Noise Impact Addendum, ref 12811220/NIAAdd dated 18th May 2020.
- REASON: To protect the amenity of the local residents in accordance with Policies D1 and D2 of the Maldon District Local Development Plan and the NPPF.
- 12 The measures identified in the Noise Management Plan detailed in Section 6.32 of the Noise Impact Assessment ref 12811220f1 dated 19th February 2021 and on page 3 of the addendum ref 12811220/NIAAdd dated 18th May 2020 shall be implemented prior to the first use of the wedding venue and remain as detailed at all times that the venue is in use.
- REASON: To protect the amenity of the local residents in accordance with Policies D1 and D2 of the Maldon District Local Development Plan and the NPPF.
- 13 The premises shall only be open to customers/visitors/guests between 11:00 hours and 00:00 hours. No persons other than staff connected with the use or guests staying in the overnight accommodation hereby permitted shall be on site outside of these hours.
- REASON: To protect the amenity of the local residents in accordance with Policies D1 and D2 of the Maldon District Local Development Plan and the NPPF.
- 14 There shall be no external lighting installed at the site unless and until details including the luminance and spread of light and the design and specification of the light fittings have been submitted to and approved in writing by the local planning authority. All illumination within the site shall be installed in accordance with the approved details and retained as such thereafter.
- REASON: To protect the visual amenity of the rural area and the amenity of the local residents in accordance with Policies D1 and D2 of the Maldon District Local Development Plan and the NPPF.
- 15 The 'bridal suite' hereby permitted shall be only be used ancillary to the wedding venue use hereby permitted and for no other purpose.

- REASON: For the avoidance of doubt and to ensure that the accommodation proposed remains part of the wedding venue, in compliance with Policies S1, S8 and D1 of the Maldon District Local Development Plan and the NPPF.
- 16 There shall be no more than 40 events held each year.
- REASON: To protect the amenity of the local residents in accordance with Policies D1 and D2 of the Maldon District Local Development Plan and the NPPF.
- 17 Prior to the commencement of the use hereby permitted, storage for bicycles shall be provided in accordance with details which shall have been submitted to and approved in writing by the local planning authority. The storage shall be retained as approved for the length of the planning permission.
- REASON: To encourage the use of non-motorised means of transport, in accordance with Policy T2 of the Maldon District Local Development Plan and the NPPF.
- 18 Other than the post and rail fence proposed (which shall be a timber fence of no more than 1.5m in height) and notwithstanding the provisions of Article 3 of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking or re-enacting that Order) no gates, fence, wall or other means of enclosure shall be erected within the site without planning permission having been obtained from the local planning authority.
- REASON: To protect the character and appearance of the site and the surrounding rural area, in accordance with Policies S8 and D1 of the Maldon District Local Development Plan and the NPPF.
- 19 All existing trees and hedgerows shall be retained and shall be protected in accordance with the requirements of BS5837:2012 – Trees in Relation to Design, Demolition and Construction, in relation to the installation of the marquee and toilet facility hereby approved.
- REASON: To protect the character and appearance of the site and the surrounding rural area, in accordance with Policies S8 and D1 of the Maldon District Local Development Plan and the NPPF.

INFORMATIVES

- 1 The Applicant is advised to consult Environment Services on any requirements they may have regarding Food Safety and Health & Safety matters at the premises. New food business will need to register with Environment Services 28 days before it commences operation and comply with EC Regulation 852/2004.