

North York Moors National Park Authority

District/Borough: Scarborough Borough Council
Parish: Egton

Application No. NYM/2019/0658/FL

Proposal: variation of condition 7 of planning approval NYM/2019/0299/FL to amend the maximum number of events and removal of reference to shooting activities

Location: Egton Manor, Egton Bridge

Decision Date: 14 November 2019

Extended to:

Consultations

Parish -

Highways - The LHA has concerns over the possibility of traffic attending two different events based at Egton Manor and travelling in opposite directions through the access point to the Barnard's Road track off Egton Lane. The previous application was conditioned to restrict the frequency of this occurring by stating only one event shall be held per day. Consequently the Local Highway Authority recommends that **Condition 7** remains but could be amended to read "for events based at Egton Manor"

Fire Officer – No objections/observations

Environmental Health Officer –

Forestry Commission – Offer Standing Advice with regard to Ancient Woodland

Environment Agency -

Advertisement Expiry – 31 October 2019

Director of Planning's Recommendation

Approval subject to the following condition(s):

- 1 Variation of Condition (insert)
The development hereby permitted shall be commenced before the 16 August 2022.
- 2 Strict Accordance With the Documentation Submitted or Minor Variations - Document No.s Specified
The development hereby permitted shall not be carried out other than in strict accordance with the following documents:

Document Description	Document No.	Date Received
Location Plan		18 July 2019
Existing Floor Plans & Elevations	D11473-02 Rev D	27 June 2019
Proposed Floor Plans & Elevations	D11473-03 Rev E	27 June 2019
Disabled Access Ramp Details		18 July 2019

or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.
- 3 Withdrawal of PD Part 2 Class A - Gates, Walls, Fences
Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2, Part 2, Class A (or any order revoking and re-enacting that Order), no gates, walls fences or other means of enclosure shall be erected without a further grant of planning permission being obtained from the Local Planning Authority.

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- 4 The marquee hereby approved shall be removed from site outside of the months of May to September and the site and use of the area shall be returned to its former condition.
- 5 External Lighting - Submit Details
No external lighting shall be installed in the development hereby permitted until details of lighting have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.
- 6 The garages shown on the existing plans shall be retained as garaging and storage associated with the proposed and existing uses.
- 7 The application hereby approved only grants permission for up to a maximum of 24 events per year, regardless of the minimum number of attendees and this shall not take place when any shoot related event is taking place at Egton Manor. Only one event shall be held per day and the maximum number of attendees to any event shall be 160.
- 8 All activity on site shall be managed in accordance with Section 10 "Operation of Events" of the Planning, Heritage, Design and Access Statement, Amended to include Floor Risk Assessment written by Compass Point and received on 28 May 2019 and the bullet points stated in Laura Heath's email rec'd at 07:46 on 4 July 2019.
For the avoidance of doubt in relation to noise issues these state that all events will finish no later than 12 midnight. All Music turned down at 11.45 and completely off at 12 midnight and there will be no live music after 10pm.
- 9 The application indicates that besides the relocation of the hexagonal tiles, repairing/reinstatement of the panelling and the insertion of a suspended timber floor there are to be no further wall treatments ie insulation, plasterboard proposed. For the avoidance of doubt if any additional works are found to be required then a further application will be required.
- 10 Any repointing or repairs to plasterwork around new door openings should be carried out in a like-for-like basis. For the avoidance of doubt the mortar or plaster specifications shall be submitted to the Authority for approval prior to any repairs being undertaken.
- 11 No work shall commence on site to clear or strip out the building to which this permission relates until a programme of building recording and analysis in accordance with a written scheme of investigation has been submitted to and approved in writing by the Local Planning Authority. The work shall not be carried out otherwise than in accordance with the approved scheme of investigation.

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Informatives

1	<p>Development in Accordance with Listed Building consent Listed Building consent has also been granted for this development. You are advised to obtain sight of the notice of Listed Building consent and the approved plans and ensure that the development is carried out strictly in accordance with the approved plans and the terms and conditions of the Listed Building consent.</p>
2	<p>Bats All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 39(1) of the Conservation (Natural Habitats etc.) Regulations 1994. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted on 0300 060 3900 for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement and given information to contact Natural England or the Bat Conservation Trust national helpline on 0845 1300 228.</p>
3	<p>Birds Under Section 1 of the Wildlife and Countryside Act 1981 (as amended), wild birds are protected from being killed, injured or captured, while their nests and eggs are protected from being damaged, destroyed or taken. In addition, certain species such as the Barn Owl are included in Schedule 1 of the Act and are protected against disturbance while nesting and when they have dependent young. Offences against birds listed in Schedule 1 of the Wildlife and Countryside Act are subject to special penalties. An up-to-date list of the species in Schedule 1 is available from Natural England http://www.naturalengland.org.uk/ourwork/regulation/wildlife/species/speciallyprotectedbirds.aspx. Further information on wildlife legislation relating to birds can be found at www.rspb.org.uk/images/WBATL_tcm9-132998.pdf.</p> <p>If advice is needed please contact the National Park Authority's Conservation Department on 01439 772700 or conservation@northyorkmoors.org.uk.</p>

Reason(s) for Condition(s)

1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2. For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Core Policy A and NYM Development Policy 3, which seek to conserve and enhance the special qualities of the NYM National Park.
3. In order to enable the Local Planning Authority to retain control over future alterations to the property in the interests of safeguarding the existing form and character of the building in line with NYM Development Policy 3 and NYM Core Policy A, which seek to enhance and conserve the special qualities of the NYM National Park and secure high quality design for new development.
4. In order to enable the Local Planning Authority to retain control over the scale of activity at the site and ensure compliance with NYM Core Policy A which seek to conserve and enhance the special qualities of the NYM National Park.
5. In order to comply with the provisions of NYM Core Policy A which seeks to ensure that new development does not detract from the quality of life of local residents.

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6. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with NYM Development Policy 1.
7. In order to enable the Local Planning Authority to retain control over the scale of activity at the site and ensure compliance with NYM Core Policy A which seek to conserve and enhance the special qualities of the NYM National Park.
8. In order to ensure that the development is carried out in a manner which safeguards the existing fabric of the building and to comply with the provisions of NYM Development Policy 5.
9. In order to ensure that the development is carried out in a manner which safeguards the existing fabric of the building and to comply with the provisions of NYM Development Policy 5.
10. In order to ensure that the development is carried out in a manner which safeguards the existing fabric of the building and to comply with the provisions of NYM Development Policy 5.
11. In order to ensure that any features of historic and/or architectural interest are adequately recorded prior to development commencing on site and to comply with NYM Development Policy 5, which seeks to ensure that alterations to Listed Buildings do not have an unacceptable impact on the special historic or architectural interest of the building.



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**Background**

Permission was granted earlier this year under NYM2019/0299/FL for the change of use of the Manor House, its grounds and some of the outbuildings at Egton Manor to form a Corporate Events and Wedding Venue. The application was accompanied by a Listed Building Application and both include internal alterations, siting of a marquee and associated ancillary tents and temporary buildings.

No alterations were proposed to the Manor House itself, other than the use of the rooms for ceremonies. The outbuildings associated which the application which will host the main function room currently have a low level storage use or are used in association with shooting activity on the Estate. The building proposed to be converted is an attractive two storey building located directly to the north of Egton Manor itself, all of the buildings are Grade II Listed. The formal gardens still surround the property and the application also includes the siting of a marquee to the south of the site adjacent to the River Esk on the existing tennis courts. Parking for the proposed events would take place within the existing Estate wood yard which will not be in used whilst events are taking place and is accessed off the existing Toll Road. Any Additional Parking is proposed in "Dog Kennel Field" which is located further along the Toll Road, but still in walking distance of the Manor. The maximum number of guests proposed on site at any one time is 160.

Further to the North of the building proposed to be converted into the function room is a second set of outbuildings part of which is used for storage and the central section is holiday accommodation.

The works proposed under this application within the function room include internal alterations to form new doorways between rooms and the creation of a disabled toilet on the ground floor and male and female toilets on the first floor.

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The marquee is proposed to be sited from May until September and other temporary buildings ancillary to facilitate outdoor weddings/events may also periodically be sited at this end of the Manor grounds but only on a temporary basis immediately before and after an event is due to take place.

The Estate already runs a successful shoot business and has done so since 1979. Grouse shooting takes place from mid-August until the end of November and pheasant shooting from October to the end of January. The Estate regularly hosts shoot parties of up to 16 guests. Weddings have already taken place on the Estate although the plan is to increase the number and range of facilities available not only to wedding guests and bridal parties, but also for other uses which as yoga retreats, corporate events, health and well-being sessions, anniversaries and birthdays, by creating an indoor events space in the outbuilding.

The original application sought approval for a total of 50 events per year at the site which included both the 24 proposed weddings/events and the existing shooting activity. However since determination the applicant has realised that this would be considered to be too restrictive on the existing and unrestricted shooting activity. They therefore wish to have the condition varied to only mention the 24 proposed weddings/event which is the same level of proposed activity as proposed under the initial application.

The application states that the applicant has considered the issue of noise very carefully given the village location of the Manor and also the use of the Manor as a family home. The applicant wishes to maintain a good relationship with their neighbours and cause little disruption to the routine of their children and therefore has drawn up strict details of how the music systems to be used will operate. They propose that all events will finish no later than 12 midnight. Music turned down at 11.45 and completely off at 12 midnight and there will be no live music after 10pm. The Estate will be in charge of the control of any music and will specify their chosen DJ.

The building which is subject to the conversion is located within Flood Zone 1 and the marquee is located within Flood Zone 2 and 3. A Flood Risk Assessment has been submitted with the application.

The Authority has agreed that a Structural survey and Bat Scoping survey is not required for this application as no structural works are proposed to the building.

Main Issues

Policy Consideration

Core Policy G of the Local Development Framework seeks to ensure that the landscape, historic assets and cultural heritage of the National Park are conserved and enhanced, with particular protection being given to those elements which contribute to the character and setting of Conservation Areas and Listed Building.

Most buildings on the application site are Grade II Listed and therefore Development Policy 5 is relevant. Development Policy 5 of the Core Strategy and Development Policies Development only permits extensions or changes of use of a Listed Building, or the construction of any structure within its curtilage where such development will not have an unacceptable impact on the special historic or architectural interest, or the setting of the listed building.

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The full site is within the Egton Bridge Conservation Area and development within such areas is dealt with under Development Policy 4 which seeks to ensure that development within or immediately adjacent to a Conservation Area either preserves or enhances the character and appearance or setting of the area and that the scale, proportions, design and materials respect the existing architectural and historic context with particular reference to traditional buildings, street patterns, the relationship between buildings and spaces and views into and out of the area.

Development Policy 13 covers Rural Diversification and seeks to support proposals for the diversification of existing agricultural businesses where the scheme will make use of existing buildings and the proposed scheme is compatible with the existing farm activity and is of a scale and nature which will not harm the character and appearance of the locality, and where the existing access arrangements are appropriate for the proposed use. Similarly, Development Policy 14 seeks to ensure that new tourism development and the expansion or diversification of existing tourism businesses will be supported where the proposal will provide opportunities for visitors to increase their understanding, awareness and enjoyment of the special qualities of the National Park; where the development can be satisfactorily accessed from the road network (by classified roads) or by other sustainable modes of transport including public transport, walking, cycling or horse riding; where the development will not generate an increased level of activity; where it will make use of existing buildings and where proposals for new accommodation do not have an adverse impact on the character of the local area.

It was agreed that the requirements of Core Policy D are not required to be met as the existing building already has heating and lighting and there are no changes proposed to these systems.

The principle of the use of the site as a wedding/events centre has already been determined. This application is merely looking at the wording of the condition which limits the level of activity on site. There is no increase in the number of events that it is proposed to hold under this application merely a clarification of the wording to ensure that the existing shooting activity on the site is not restricted in any way.

The Highway Authority has raised concerns with regard to the use of the junction to the main road which may arise if cars were attending two different events, rather than all arriving and leaving at the same time. As a way to avoid this the proposed Condition restricting shooting activity operating from the Manor on days when events are taking place to avoid any conflict, but this would not stop shooting activities taking place elsewhere on the Estate so as not to adversely impact on an existing activity.

Consideration of the wider proposal

The principle of the use of the site as a wedding venue was considered to be acceptable under the previous application as has not changed, visually having a minimal impact on the Listed Setting, the wider village and Conservation Area and also having sufficient land associated with the proposal to accommodate car parking for the events.

Immerging Local Plan Policies

Strategic Policy J of the immerging Local Plan support tourism and recreational development which (among other criteria) is of a quality, scale and design which takes into account and reflects the sensitivity of the local landscape and does not lead to unacceptable harm in terms of noise and activity on the immediate neighbourhood.

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Pre-commencement Conditions

Condition(s) 10 and 11 are pre-commencement conditions and have been agreed in writing with the applicant/agent under the previous application.

Explanation of how the Authority has Worked Positively with the Applicant/Agent

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework