

36/19/0006

MRS J PINE

**Change of use from barn to licensed wedding ceremony venue/meeting room with formation of access and track at The Malt Barn, Meare Green Farm, Meare Green, Stoke St Gregory**

Location: THE MALT BARN, MEARE GREEN FARM, MEARE GREEN, STOKE  
ST GREGORY TAUNTON, TA3 6HT

Grid Reference: 333428.126616 Full Planning Permission

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## **Recommendation**

**Recommended decision: Conditional Approval**

### **Recommended Conditions (if applicable)**

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

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

(A3) DrNo P\_01 Rev 2 General Arrangement & Visibility Splays  
(A3) DrNo 1001-SK-103 Existing Floor Plan & Section  
(A3) DrNo 1001-SK-104 Existing Elevations  
(A3) DrNo 1001-SK-107 Location Plan  
(A3) DrNo 1001-SK-108 Block Plan  
(A4) Dr No P\_02 P1 Existing and Proposed access elevations

Reason: For the avoidance of doubt and in the interests of proper planning.

3. There shall be no obstruction to visibility greater than 600 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 79 metres either side of the access. Such visibility shall be fully provided before the development hereby permitted is commenced and shall thereafter be maintained at all times.

Reason: In the interest of highway safety.

4. Before the development hereby permitted is first brought into use :

(1) a properly consolidated and surfaced access shall be constructed (not loose stone or gravel), details of which, to include any gates and position of connection with the existing private consolidated area/road or car park shall have been submitted to and approved in writing by the Local Planning Authority. The access shall be constructed in accordance with the agreed design and shall be maintained in the agreed form thereafter at all times.

(2) Details of the proposed overflow car park shall have been submitted to and approved in writing by the Local Planning Authority. The car park shall be constructed in accordance with the agreed design and shall be maintained in the agreed form thereafter at all times.

(3) Details of the proposed new hedge shown on drawing P\_02 P1 shall have been submitted to and approved in writing by the Local Planning Authority. The hedge shall be planted in accordance with the agreed details and shall be maintained in the agreed form thereafter at all times.

Reason: In the interests of highway safety.

5. Any entrance gates erected shall be hung to open inwards. Vehicular access gates shall be set back a minimum distance of 6 metres from the carriageway edge and shall thereafter be maintained in that condition at all times.

Reason: In the interests of highway safety.

6. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such provision shall be installed before use and thereafter maintained at all times.

Reason: In the interests of highway safety.

7. The area allocated for parking and turning on the submitted plan, drawing number 1001-SK-108 shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety.

8. The premises shall be used for licensed wedding ceremonies and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To prevent changes to unacceptable uses.

## Notes to Applicant

1. In accordance with paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and has negotiated amendments to the application to enable the grant of planning permission.
2. The applicant may be required to secure an appropriate legal agreement/licence for any works within or adjacent to the public highway required as part of this development, and they are advised to contact Somerset County Council to make the necessary arrangements well in advance of such works starting.

## Proposal

Change of use from barn to licensed wedding ceremony venue with formation of new access track. No external changes to the elevations are proposed. The proposal provides 2 areas of parking, one which currently exists providing 22 laid out spaces (but the area has capacity to accommodate more) and an overflow proposed car park providing 6 spaces. This area is currently not laid out as parking but is a grassed area accessed from the private drive within the farm. A new private access track is proposed to be constructed on land owned by the applicant, from the existing internal access road/informal car park, constructed as a porous plastic paving grid system, which then exits onto Meare Green road.

## Site Description

Meare Green farm is a 420 cow dairy farm located to the west of the classified road, Meare Green. It is accessed from Frog Lane. The application site is a vacant single-storey traditional stone (blue lias) building positioned to the north of an existing vehicle access road within the working farm. The internal space measures 9.5 m x 6 m. It is a double height space but doesn't have a first floor. The main opening is located on the western elevation which opens out onto a courtyard of buildings. A public right of way runs outside the building and through the farm. There are converted buildings opposite the site which are in residential use. There is an existing car park to the north of the building which is laid out for 22 spaces but could accommodate more as the area is larger. A proposed overflow car park, positioned adjacent to the new proposed access track indicates 6 further spaces. This is currently a grassed area and used on an informal basis for the parking of cars.

## Relevant Planning History

Planning application for change of use of barn to licensed wedding ceremony venue was withdrawn on 16.4.2019

## Consultation Responses

*STOKE ST GREGORY PARISH COUNCIL* - We oppose this application because we believe that if it became a popular venue for large parties it could have a seriously negative effect on the surrounding residential area, in terms of both noise and traffic.

*SCC - TRANSPORT DEVELOPMENT GROUP* -

The proposal is for the change of use of a consented residential building into a licensed wedding ceremony venue/meeting room with the formation of an access track at the above address.

For clarity, in terms of traffic impact the Highway Authority do not object to the proposal.

The access to the proposal site sits off the classified Meare Green Road. The posted speed limit on the classified road is 40mph. The applicant has proposed visibility splay dimensions of 2.4 metres x 79 metres in both directions, which in this instance is compliant with Manual For Streets 2 (MfS 2) and is considered as the minimum acceptable 'Y' visibility distance for the nature of this application.

Detail within the application highlights the proposed access would be used solely for the wedding guests and associated parties. However, the application also proposes to use the consented building for meetings, workshops etc but does not clarify whether associated parties for such activities will have the capacity to also be served by the private access proposed. It is advised that this is made available such associates given the limited visibility from Frog Lane onto Meare Green Road. However, it is noted that the location of the proposed access does sit in close proximity to Frog Lane to the west, Huntham Lane to the south east and an existing access on the opposite side of the highway. Whilst Frog Lane and Huntham Lane are considered as lightly trafficked rural roads, the Highway Authority are mindful of the multiplicity of junctions and access points (including the access proposed for this application). Whilst it would be difficult to sustain an objection in this instance, should future vehicular intensification occur at the application site it would only increase the potential for vehicular conflict. The applicant may wish to consider the extent of their land ownership along Meare Green Lane and the practicality of an alternative access point which may help alleviate this.

The dimensions of the proposed access onto the classified highway would appear acceptable in this instance, although the applicant may also wish to consider a passing area within the internal access track.

Turning to the internal layout, it is unclear where the private access track will connect with the existing private consolidated area/road. Drawing No: 1001-SK-108 and P\_01 P2 appear to contradict one another. Should the private access track enter the consolidated area of the site as proposed on Drawing No: P\_01 P2, whilst anticipated vehicle speeds and movements coming from Frog Lane into the site are likely to be low, a splay of 2m x 12m to the south would be preferred. In this instance, the 'y' distance as measured from up to 1 metre out from the highway verge on Frog Lane would be acceptable in this instance.

If the LPA are minded approving the planning proposal, it is recommended that the following conditions are attached.

- There shall be no obstruction to visibility greater than 600 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 79 metres either side of the access. Such visibility shall be fully provided before the development hereby permitted is commenced and shall thereafter be maintained at all times.

- Before the development hereby permitted is first brought into use, a properly consolidated and surfaced access shall be constructed (not loose stone or gravel) details of which shall have been submitted to and approved in writing by the Local Planning Authority. The access shall be constructed in accordance with the agreed design and shall be maintained in the agreed form thereafter at all times.

- Any entrance gates erected shall be hung to open inwards. Vehicular access gates shall be set back a minimum distance of 6 metres from the carriageway edge and shall thereafter be maintained in that condition at all times.

- Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such provision shall be installed before use and thereafter maintained at all times.

- The area allocated for parking and turning on the submitted plan, drawing number 1001-SK-108 shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted

The applicant may be required to secure an appropriate legal agreement/licence for any works within or adjacent to the public highway required as part of this development, and they are advised to contact Somerset County Council to make the necessary arrangements well in advance of such works starting.

*ECONOMIC DEVELOPMENT* - No response

*ENVIRONMENTAL HEALTH LICENSING* - No response

*ENVIRONMENTAL HEALTH - FOOD SAFETY* - No response

*ENVIRONMENTAL HEALTH - NOISE & POLLUTION* - No response

## **Representations Received**

8 letters of support/no objection received stating the following:

- NFU Support for rural farmers and enables them to remain viable through diversified enterprises
- Farm diversification plays a huge part in enhancement of rural community
- Funding available from the Rural Development Programme for England
- Will help deliver another profitable and viable farming enterprise
- Positive revenue for local businesses eg B&B, holiday lettings.
- Lovely idea: unique and intimate space for people to get married.
- Would have loved to have my wedding ceremony conducted in a rural community.
- No objection providing adheres to reasonable licensing hours and provides adequate access.

11 letters of objection on the following grounds

- Increased traffic on already overused road which is used by heavy vehicles.
- Unacceptable noise/light pollution from inevitable wedding receptions which

would be held.

- Mission Creep: What is asked for and what takes place after will change. If granted nothing to stop marquees being erected to hold wedding parties.
- No consideration for neighbours of current farming enterprise: mud on road with no notification.
- Lack of information regarding business plan
- Nuisance to neighbours
- Health & safety concerns: access to car park and public footpath pass in front of marriage venue which is not safe.
- Introduces another exit point onto already busy road. Users of the venue will use the existing tarmac road which has poor visibility.
- Insufficient parking, some of which doesn't exist. Rental units already use some of the existing parking.
- Loss of hedgerow.
- Venue too close to the busy working farm.

## **Planning Policy Context**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for Taunton Deane comprises the Taunton Deane Core Strategy (2012), the Taunton Site Allocations and Development Management Plan (2016), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015), and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

CP8 - Environment,  
DM1 - General requirements,  
DM2 - Development in the countryside,  
CP6 - Transport and accessibility,  
A1 - Parking Requirements,  
ENV1 - Protection of trees, woodland, orchards and hedgerows,  
CP1 - Climate change,  
SD1 - Presumption in favour of sustainable development,  
SP4 - Realising the vision for rural areas,

This takes into account the recent adoption of the SADMP.

## **Local finance considerations**

N/A

### **New Homes Bonus**

N/A

## **Determining issues and considerations**

The application site is located in the open countryside beyond any defined settlement, where new development is strictly controlled. The main considerations in relation to this application are the principle of the development, landscape impact, amenity impacts and highways impacts.

### **Principle**

The National Planning Policy Framework offers support for economic growth in rural areas through the provision of sustainable new development proposals. It states that decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
- b) the development and diversification of agricultural and other land-based rural businesses

Policy DM2 relates to development in the countryside, and the conversion and reuse of existing buildings in the countryside, demanding that such development must be delivered sustainably promoting sustainable patterns of development and allowing for economic growth and diversification. A range of acceptable uses are specified together with associated criteria which must be met. Development Policy DM1 will be applied to all development proposals, providing a wide ranging set of criteria and consistent approach against which to assess planning applications. The proposed development would make use of the existing vacant building and would not prejudice its dairy operations. The proposal would appear to broadly accord with the requirements of policies DM1 and DM2. The proposal is for an economic use that would not prejudice nearby agricultural operations and would not harm the landscape character. Furthermore, the proposal would not require substantial alteration, reconstruction or extension of the existing building.

### **Landscape Impact**

The application site is not located within any national or local landscape designation. The proposed development would not require any alterations to the external appearance of the existing barn. The new access track would require removal of part of the front hedgerow, but a new hedgerow and gates are proposed. The appearance of the site would therefore, be largely unchanged by the development. It is considered that the proposed change of use of the existing building would not harm the landscape character of the site or its surroundings, in accordance with planning policy requirements.

### **Amenity Impacts**

A number of objections have raised the issue of noise and disturbance to neighbouring occupiers through potential reception events taking place after the ceremony. There are residential dwellings surrounding the dairy farm and residential buildings opposite the Malt Barn within the dairy farm. This application, however, is for the change of use of the building only to a wedding ceremony venue and does

not include the consideration of any issues relating to reception events. Planning permission would be required for the holding of events (such as wedding receptions in a marquee) within a field in excess of 28 days in any one year. Given the erection/dismantling of the marquee would take at least 2 days, no more than 9 receptions could be held in any one year without planning permission. Further it is likely that a liquor licence would be required in any event, regardless of the need for planning permission. As such the holding of a ceremony within the building, should not result in any noise disturbance, over and above what already exists within a working farm, to neighbouring residents.

## **Highways Issues**

The location of the site dictates that visitors would mostly be dependent on private transportation, and the application details two parking areas with space for 28 vehicles to serve the development within the site. Objections raised are centred on the amount of traffic that would be attracted to the site, the impact such traffic would have on the surrounding road network, the addition of an extra exit onto the road and insufficient parking provided.

The previous application for the change of use of the building was withdrawn due to concerns regarding poor visibility from Frog Lane exiting the site. The application now under consideration proposes a new private access within the front grassed area located east of Frog Lane but being able to provide acceptable visibility in both directions. The posted speed limit on the classified road is 40mph. The applicant has proposed visibility splay dimensions of 2.4 metres x 79 metres in both directions, which in this instance is compliant with Manual For Streets 2 (MfS 2). County Highways have not raised an objection to the proposal in relation to highway safety issues, subject to the conditions listed above. It is impossible to be entirely accurate on the number of guests that the venue would be able to accommodate. However given the overall size of the building, 50 would appear to be an approximate number. In terms of the amount of car parking, the areas shown on drawing 1001-SK-108, which provides 28 spaces are considered sufficient. Additionally whilst this is a working farm with other vehicles using these areas, the applicants would be able to control the allocation of parking for other users, as the farm has other hard standing areas suitable for car parking on site. In terms of use of the new access by wedding guests, it is likely that temporary signage would be erected on the day of the ceremony, to guide guests to the intended access.

Whilst the proposal would generate a material increase in traffic on the local highway network, given the anticipated times and frequency of vehicle movements, it is considered that the overall traffic impact on the local highway network would not be so severe as to warrant a refusal of planning permission.

## **Conclusion**

The proposed development would meet the requirements of the policy regarding conversion of existing buildings and would not harm the amenities of nearby residents or surrounding landscape character. The site access, visibility and the capacity of the local road network are considered sufficient to accommodate the volume of traffic associated with the proposed use of the site. Therefore it is recommended that permission is granted subject to the conditions listed.



In preparing this report the planning officer has considered fully the implications and requirements of the Human Rights Act 1998.

**Contact Officer: Jackie Lloyd**