

**a) DOV/16/0564 – Part change of use of dwelling to hold 25 wedding events a year - The Winding House, Singledge Lane, Coldred, Dover**

The reason for this report: The number of contrary views

**b) Summary of Recommendation**

Planning permission be granted.

**c) Planning Policy and Guidance**

Dover District Core Strategy

- Policy DM1 states that development will not be permitted outside of the urban boundaries and rural settlement confines unless specifically justified by other development plan policies, or it functionally requires such a location, or it is ancillary to existing development or uses.
- Policy DM4 allows for the re-use or conversion of structurally sound, permanent buildings outside of the settlement confines for commercial uses. The building must be of a suitable character and scale for the use proposed, contribute to local character and be acceptable in other planning respects.
- Policy DM11 states that development that would generate travel outside of the urban boundaries and rural settlement confines will not be permitted unless justified by development plan policies.
- Policy DM13 states that provision for parking should be a design-led approach based upon the characteristics of the area, the nature of the development and design objectives.
- Policy DM15 sets out criteria whereby development which would result in the loss of, or adversely affect the character or appearance of the countryside will be permitted, provided measures are incorporated to reduce, as far as practicable, harmful effects on countryside character.

National Planning Policy Framework (NPPF) 2012

- The NPPF has 12 core principles which amongst other things always seek to secure high quality design and a good standard of amenity for all existing and future occupants. The following policies are also considered to be applicable:
- Section 3 – Supporting a prosperous rural economy. Paragraph 28 states that planning should support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings.
- Section 4 – Promoting sustainable transport. Paragraph 32 requires planning to ensure that safe and suitable access to a site can be achieved for all people. Paragraph 34 requires decisions to ensure that

developments that generate significant movements are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. However, this needs to take into account policies elsewhere in the NPPF, particularly in rural areas.

- Section 11 – Conserving and enhancing the natural environment. Paragraph 123 requires planning decisions to avoid noise from giving rise to significant adverse impact on health and quality of life as a result of new development and identify and protect areas of tranquillity which have remained relatively undisturbed by noise and prized for their amenity value for this reason.

d) **Relevant Planning History**

DOV/13/00910 – Part change of use of a dwelling to hold weddings – Withdrawn January 2014.

DOV/14/00067 – Part change of use of dwelling to hold 25 wedding day events. Approved 29 July 2014 for a period up to 30 September 2014.

DOV/16/0292 – Part change of use of dwelling to hold 25 wedding day events subject to the removal of condition 1 of planning permission DOV/14/00067 (temporary consent) (application under Section 73).

e) **Consultee and Third Party Responses**

Parish Council

Resolved to support the application.

KCC Highways and Transportation:

“I refer to the above planning application and note that although only one wedding has taken place, the traffic management measures previously agreed appear to have been implemented and worked satisfactorily for that event. These and the other conditions imposed on the temporary consent can presumably be applied if permanent permission were given, and could be monitored accordingly as necessary. I am not aware of any highway issues/complaints arising from the wedding that took place.” Require that conditions relating to the number of events, submission of a Scheme of Operations, CCTV to monitor access and parking be placed on consent.

Environmental Health

Raise no objections subject to conditions relating to hours of operation, number of events in a year and the use of a noise limiter in accordance with recommendations of an acoustic consultant to be submitted.

Kent Public Rights of Way Officer

The ER99 Public Right Of Way passes adjacent to the proposed site. The application is for a change of use to hold 25 wedding events per year, there is unlikely to be a significant impact on the path and therefore I raise no objection to the application.

Public Representation: Five letters of support have been received and six letters of objection have been received. The letters of support outline:

- The effect of traffic on a wedding attended was negligible
- Owners were specific about travel arrangements
- Historic building has been renovated and its continued use would help to preserve it
- Will provide employment
- Local economy and businesses have benefitted from the renovation and would continue to benefit from it
- Measures put in place on wedding day events safeguard the living conditions of neighbouring property occupiers
- The venue is stunning and is suitable for this type of use
- The use would be occasional and therefore the impacts would be negligible

The letters of objection outline the following:

- Temporary consent was previously granted to allow the impacts of the change of use to be assessed. Only one wedding event has taken place in this time period which is not adequate to assess the impacts.
- The no right turn sign is not of a Department of Transport standard and is unenforceable.
- No sign was shown at the exit during the wedding event which was held.
- Vehicles would have to travel through the village of Coldred. The road here has become more busy with a serious accident happening in September 2014. The traffic data submitted by the applicant predates this.
- 25 events a year means a wedding every Saturday which would result in frequent disturbance
- The lane is on a national cycling route and frequently used by cyclists as well as pedestrians and for horse riding. An increase in traffic would prove dangerous
- Parking provision is inadequate.
- Turning space inadequate.
- Proposed figures of vehicle movements fails to take into account staff/service providers.
- There is only one passing place between Church Road/Singledge Lane junction and the Winding House
- There is no street lighting along Singledge Lane
- No swept path analysis
- Lack of need or viability for a wedding venue in this location

## **1. The Site and the Proposal**

- 1.1 The application site is located on Singledge Lane, a single track lane to the west of Whitfield and to the east of Coldred. The Winding House is a large, detached property currently in residential use. It is served by two vehicle accesses directly off Singledge Lane. The property is located in a hollow with a raised grass bank around three sides.
- 1.2 The nearest neighbouring residential property is to the north-west of the site at Guildford House. The dwelling on this site is 120m away from The Winding House and there is a distance in excess of 40m between the boundaries of the two sites.
- 1.3 The previously approved application (reference DOV/14/00067) gave permission for the use of the site for up to 25 wedding day events on Fridays and Saturdays for a

temporary period until 30 September 2016 to allow for the position to be reviewed at the end of this period. This permission was also granted subject to a number of conditions which restricted the use to 25 days in any year, traffic management, details of surfacing, use of a noise limiter and restricting the use of part of the garden for residential use only. To date one wedding event has been hosted on site.

- 1.4 Within the current application planning permission is sought for the part change of use of the dwelling to hold weddings on up to 25 occasions during the year on any day between the hours of 11am and midnight. The proposed capacity would be for 110 adult guests seated for a lunch, with an additional 60 guests joining at the evening function.
- 1.5 No external alterations are proposed to the building however grasscrete has been used to surface the parking area, as agreed within the previously approved application and remains in place and the venue could accommodate up to 170 guests. The ground floor, upper ground floor and first floor would be used as the wedding venue while the mezzanine, second and third floor levels would be used as a private dwelling.
- 1.6 On event days, guests would enter the property via a bridge link from the garden. The indoor swimming pool on the upper ground floor would be covered with a temporary dance floor and additional toilet facilities would be provided in this area. The balcony and sitting/drawing room on the first-floor would also be used by wedding guests.
- 1.7 The property is served by two accesses from Singledge Lane. One would be maintained for the residential use of the property. Contractors and visitors would also be use to use this access point and facilities (shown as A on the drawings which will be displayed at your meeting). Within the previously approved application this was achieved through a set of measures including signage within the site and instructions sent to visitors prior to them visiting the site.
- 1.8 The second access (shown as B) would be used by guests to access a proposed car parking area to the south west of the property that would provide parking for a maximum of 30 vehicles. To comply with a condition of the previously approved application signage was placed on site and instructions sent to guests. A gravel drive is proposed from the road access to this area with a grasscrete surface either side of the access, as shown on the submitted plan. Guests will then enter the property from the rear pedestrian access.

## 2. **Main issues**

2.1 The main issues in the consideration of this application are:

- The principle of development
- The sustainability of the development
- Impact on the surrounding area and countryside
- Impact upon the amenities of neighbouring property occupiers
- Transport

## 2.2 **Assessment**

**The principle of the development**

2.3 National Planning Policy Framework (NPPF) sets out that there are three

dimensions to sustainable development: economic, social and environmental. At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development which means that for decision taking this means approving development proposals that accord with the development plan without delay; and where it is absent, silent or relevant policies are out-of-date, granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF.

- 2.4 The site is outside the urban boundaries. Policy DM1 of the Core Strategy states that development will not be permitted on land outside of the urban boundaries and rural settlement confines unless specifically justified by other development plan policies, or it functionally requires such a location, or it is ancillary development to existing development or uses. Policy DM11 requires that development that would generate travel will not be permitted outside the urban boundaries and rural settlement confines unless justified by development plan policies.
- 2.5 Policy DM4 states that permission will be given for the re-use or conversion of structurally sound, permanent buildings beyond the confines for commercial uses. The building must be of suitable character and scale for the use proposed, contribute to local character and be acceptable in other planning respects.
- 2.6 In considering the previous application reference DOV/14/00067 the principle of development was considered acceptable as the building is structurally sound and permanent building that is of suitable character and scale for use as a wedding venue. There have been no changes in any material considerations which since permission was granted in 2014. In addition although only one event has been held in the meantime it is considered that this has demonstrated that the measures put in place do work in controlling any effects of the development/use. Therefore the principle of the change of use remains to be considered acceptable. Notwithstanding this, the change of use must be acceptable in other planning respects and the proposal therefore falls to be considered against the policies of the NPPF as a result.

#### The sustainability of the use of the premises as a wedding venue

- 2.7 The NPPF is clear that planning policies and decision taking should support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through the conversion of existing buildings and well-designed new buildings.
- 2.8 The applicant has submitted a statement which outlines that “The Winding House has been restored at a great expense and the running costs of continued maintenance are onerous. By granting permanent part change of use it will allow us as stewards of a wonder piece of heritage, the ability to mitigate some of these costs by opening for very limited amount of days per year.”.
- 2.9 The Winding House is not listed however it is considered to be a non designated heritage asset. It is referenced in the Dover District Heritage Strategy as being associated with the failed Guilford Colliery. 10.60 of the strategy states that “Emphasis should be given to the conservation of the remaining assets of the coal field” and lists the reuse of the Winding House as a good example of reuse that have

helped to preserve historic buildings . Paragraph 135 of the NPPF outlines that the effect of a development upon a non designated heritage asset should be taken into account when determining an application. Furthermore paragraph 131 of the NPPF states that local planning authorities should take into account the desirability of sustaining and enhancing the significance of heritage assets and the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality. The proposed part change of use as a wedding venue could help to maintain the building for the future and to ensure its conservation and optimum viable use.

- 2.10 The applicant has stated that the continued use of the property as a wedding venue would generate local employment and help facilitate the increased use of existing commercial facilities in the surrounding area, which would help local businesses. It is expected that many of the wedding guests may opt to stay locally at nearby hotels and B & B facilities as well as use local taxis. It is considered that the proposals could contribute wider economic benefits to the District.
- 2.11 The applicant expects that catering and bar facilities for the proposed functions will be provided by local firms as will staff for waiting on tables, similarly florists and DJ's or musicians would be brought in. A typical example of spending on local businesses associated with a wedding at the venue is outlined with the application. The applicant has stated that a list of local businesses will be supplied to prospective clients to encourage local employment. It is argued that with an approximate use of 25 times per year would make a substantial contribution to local employment.
- 2.12 Whilst representations received with the application have questioned the information provided with the application, the figures stated in terms of income generation and jobs are only estimated. An approximate likely spend of £21,170 on facilities in the local economy with expected employment of around 26 people per event has been suggested. It would be reasonable to assume that the provision of an additional wedding facility in the area would generate income for those local businesses that would have goods and services specifically of interest for such a use.
- 2.13 The argument that the wedding venue would just be competing with other venues thereby transferring business from one place to another as opposed to new business creation is a reasonable one but nonetheless, the addition of further choice has the potential to encourage people to choose to have their wedding in the District, re-enforcing the goods and services provided by existing businesses in the area.
- 2.14 It is considered that there would be likely at least to be some benefit to the local economy from the provision of the facility in this location. In addition the proposal would be consistent with the objectives of the NPPF in terms of the need to support new business ventures through the conversion of existing buildings in rural areas. The proposal would meet the objectives of the economic dimension to sustainable development.
- 2.15 The NPPF requires that development that generates significant movements are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised, consistent with the policy objectives of DM11. Planning must play an environmental role by contributing to,

protecting and enhancing the natural environment including adapting climate change including moving to a low carbon economy.

- 2.16 Condition 4 of the previous application required a Scheme of Operations which includes traffic management measures which includes the use of minibuses from Britannia coaches and guests staying at the Ramada Hotel having free use of their minibuses and the use of CCTV to record vehicular movements to and from the site.
- 2.17 The applicant has submitted the data captured by CCTV and information regarding traffic movements for the wedding event which took place at the site. It identifies that there were a total of 126 guests comprising 80 day guests and 46 evening guests. Of these 54 were transported by the free to hire minibuses in 3 journeys, 17 guests were parked on site during the day and 4 in the evening. This made a total of 34 vehicle movements during the day and 27 in the evening. The use of minibuses to and from the site appears to have reduced the number of overall vehicle movements,
- 2.18 The measures put in place therefore appear to have been effective in controlling and reducing the number of vehicular movements used to get to and from the site. The use would be constrained to 25 times per year meaning that the vehicle movements generated by this use would potentially take place on approximately 7% of any of the days in a given year.
- 2.19 The policy requirements of the NPPF and the Core Strategy outline that a certain level of vehicle movements would be expected in association with new commercial development in rural areas. In this instance it is considered that there is limited environmental impact, if any and that there are positive economic and social benefits. Furthermore the granting of permanent permission could help to ensure the preservation of The Winding House as a non-designated heritage asset. The continued use is therefore considered overall to be a sustainable form of development and in accordance with CS policy NPPF aims and objectives and the Dover District Heritage Strategy.

#### Impact upon the character and appearance of the surrounding area and countryside

- 2.20 The physical alterations, including the provision of a gravel drive, "Grasscrete" to allow for parking and a smoking shelter at the lower ground-floor level to the rear of the property are in place and are not considered to have a detrimental impact upon the general appearance of the countryside.
- 2.21 The activities taking place would be mainly within the building albeit with the use of the lower ground-floor level terrace to the rear for guests to access. The hours of use would be likely to be taking place between 11 am and midnight up to 25 times per year on any day. It is considered that on balance this would be unlikely to have an undue impact upon the character of the countryside and would not unacceptably erode the tranquil nature of the location and the surroundings.

#### Impact upon neighbouring property occupiers' living conditions

- 2.22 The nearest neighbouring residential property is a distance of around 120 metres away with a distance of approximately 40 metres between the property boundaries. The previously approved application required a noise limiter to be in place so that any relayed sound shall be made through the limiter at all times. A condition was also placed on the previous consent to maintain the garden area to the north of the

building as residential garden, not to be used for wedding events, to further safeguard the living conditions of nearby property occupiers.

- 2.23 The Council's Environmental Health Officer has raised no concerns relating to the scheme and is not aware of any complaint arising from the event which has taken place at the site. The current application does not contain details of the noise limiter and as such it is considered necessary to request these details are submitted, as well as to limit hours of use, number of events, and retaining the northern part of the garden as private residential garden such measures are considered adequate to safeguard the living conditions of neighbouring occupants.

#### Transport

- 2.24 The NPPF requires that safe and suitable access is provided for new development with local service being accessible.

- 2.25 Concerns have been raised that the use would increase vehicular movements that the site is adjacent to a cycle route, and that the one wedding event which has taken place at the site is not an adequate basis to assess the impacts of the scheme.

- 2.26 Space to park 30 cars has been laid out on site, surfaced in 'grasscrete' and a traffic management plan was required as part of the previously approved application which includes a number of measures as follows:

- Access B to be marshalled by a suitable person in high visibility clothing to ensure arriving vehicles turn right into the site and when departing turn left.
- Exit gate to contain a 'no right turn' sign and written requests that all guests follow this and are requested to leave quietly. This serves to direct drivers through Coldred rather than Whitfield using the shorter section of Singledge Lane.
- That the business maintains an electronic copy of all vehicles entering and leaving the site via CCTV which is made available for inspection.
- Temporary signage placed at Singledge Lane junction indicating venue.
- Directions to be placed in wedding invitations
- Provision of 1 or 2 minibuses from Britannia coaches to provide transport to guests from local pickup spots. Britannia to have instructions of route to venue.

- 2.27 As part of this application the applicant has submitted a DVD containing the CCTV footage of vehicular movements to and from the site from the wedding event which took place at the site and have broken down the number of movements to and from the site during the event. Of a total of 34 movements to and from the site during the day 2 arrived from Whitfield, and of the 27 vehicle movements during the evening 2 arrived from Whitfield.

- 2.28 Kent Highway Services have outlined that while only one wedding has taken place the agreed traffic measures appear to have been implemented and have worked satisfactorily for that event. They have stated that "These and the other conditions imposed on the temporary consent can presumably be applied if permanent permission were given, and could be monitored accordingly as necessary. I am not aware of any highway issues/complaints arising from the wedding that took place."



- 2.29 As outlined in the previous section, and this section, the applicant has provided evidence that the traffic management measures have been implemented. While these measures were not faultless, the vast majority of vehicles adhered to the requested route, and the measures appeared to successfully reduce the number of vehicle movements to and from the site. While only one event has taken place, it is considered that if the measures in place were effective for one evening they would also be effective for future wedding events. As such it is considered appropriate to condition details of traffic management measures to be submitted as part of this application, and can be conditioned accordingly. Any alleged breaches of planning control can be investigated accordingly.

### Conclusion

- 2.30 As considered within the previously approved application there would be economic and social benefits from the proposed development. It would promote expenditure within the local economy and contribute towards the social viability and functioning of the District. There would be little if any impact on the natural environment – indeed the continued use of the building would help safeguard its preservation for the long term.
- 2.31 Paragraph 14 of the National Planning Policy Guidance states that conditions limiting use to temporary period only will rarely be appropriate. Instances where they would be appropriate include where a trial run is needed in order to assess the effect of the development on the area. The NPPG continues to state that “it will rarely be justifiable to grant a second temporary permission – further permissions should normally be granted permanently or refused if there is clear justification for doing so. There is no presumption that a temporary grant of planning of planning permission should be granted permanently.”
- 2.32 While only one wedding event has taken place since permission was granted in 2014, the applicant appears to have demonstrated that the measures required as part of the Scheme of Operations and the noise limiter in particular were generally implemented successfully and have safeguarded impacts upon highway safety and the living conditions of neighbouring property occupiers. The applicant is proposing that these measures are continued and therefore if permission is granted these measures could be required by condition specific to the grant of any permanent permission.
- 2.33 The living conditions of neighbouring occupants, the rural character and appearance of the surrounding area or highway safety would not be harmed. The scheme brings overall benefits and it is considered that planning permission should be granted.

### Recommendation

I Planning Permission be GRANTED subject to conditions to include:-

- (i) Use to commence within 3 years , (ii) approved plans, (iii) number of days of use,(iv) hours of operation, (v) submission of scheme of operations (vi) details of proposed CCTV (vii) retention of parking area for wedding guest parking/vehicle turning (viii) submission of details of noise limiter (ix) no use of private garden area for wedding events activities.

II Powers to be delegated to the Head of Regeneration and Development to settle any necessary planning conditions, in line with the issues set out in the recommendation and as resolved by Planning Committee.

Case Officer

Cheryl Macer