



**Report Reference Number:** 2019/0110/COU

**To:** Planning Committee  
**Date:** 23<sup>rd</sup> September 2020  
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**Lead Officer:** Ruth Hardingham (Planning Development Manager)

APPLICATION NUMBER:	2019/0110/COU	PARISH:	Ryther Cum Ossendyke Parish Council
APPLICANT:	Spinko Ltd	VALID DATE:	15th February 2019
		EXPIRY DATE:	12th April 2019
PROPOSAL:	Proposed change of use of land and buildings to that of a wedding venue including the creation of a total of 15 bedrooms for wedding guests, erection of 2 No lychgates, formation of a car park, demolition of some existing buildings, and formation of extension to accommodate 5 bedrooms, common room and kitchen to be constructed following the demolition of the pole barn		
LOCATION:	Far Farm Mill Lane Ryther Tadcaster North Yorkshire LS24 9EG		
RECOMMENDATION:	Approve subject to conditions		

## 1. Introduction

- 1.1. Members will recall the above application which was considered by the Planning Committee meeting of the 4<sup>th</sup> December 2019. Officers recommended approval subject to a completion of a Unilateral Undertaking and subject to conditions attached to any consent granted. The report to that meeting is included as Appendix 1.
- 1.2. Following this meeting, the applicants informed Officers that they were no longer able to enter into a legal agreement. Therefore, Officers have been working with Officers in the Environmental Health team and the Council's Planning Solicitor to resolve the outstanding issue of residential amenity.
- 1.3. In conclusion, Officers have agreed to replace Condition 5 requiring the two dwellings within the redline boundary not to be sold off separately to the Planning Unit (Wedding Venue) with a planning condition relating to noise levels. This is in order to resolve

issues relating to impacts on residential amenity and in order to remove the requirement for a Unilateral Undertaking.

1.4. This condition will now state the following:

*05. In relation to noise from amplified music, the LAeq (EN) shall not exceed LA90 (WEN), and the L10 (EN) shall not exceed L90 (WEN) in any 1/3 octave band between 40 and 160Hz. NB entertainment noise level (EN) and representative background noise level without the entertainment noise (WEN), both representative of 1m from the façade of the noise-sensitive premises*

*Reason:*

*In order to protect residential amenity of neighbouring dwellings and future occupiers of Royden House and Far Farm.*

1.5. Therefore, the recommendation has been updated to state, "This application is recommended to be APPROVED subject to the following conditions:"

## **2. Legal Issues**

### **2.1. Planning Acts**

This application has been determined in accordance with the relevant planning acts.

### **2.2. Human Rights Act 1998**

It is considered that a decision made in accordance with this recommendation would not result in any breach of convention rights.

### **2.3. Equality Act 2010**

This application has been determined with regard to the Council's duties and obligations under the Equality Act 2010. However it is considered that the recommendation made in this report is proportionate taking into account the conflicting matters of the public and private interest so that there is no violation of those rights.

### **2.4. Financial Issues**

Financial issues are not material to the determination of this application.

### **2.5. Conclusion**

As stated in the main body of the report.

### **2.6. Background Documents**

Planning Application file reference 2019/0110/COU and associated documents.

**Contact Officer:** Rebecca Leggott, Senior Planning Officer

## **Appendices:**

**Appendix 1 – Site Photos**

**Appendix 2 – December 2019 Planning Committee Report (2019/0110/COU)**