

SUMMARY INFORMATION FOR PLANNING AND REGULATORY COMMITTEE MEMBERS: 10.11.20

Application P194408/F – Removal of Conditions 4 and variation of Condition 16 regarding planning permission granted to Crumplebury, WR6 5SG (original application P163902/F) on 3rd August 2017.

This summary provides an overview of objections to Application P194408/F and recommends refusal on the following grounds:

- The necessity for Condition 4 and Condition 16 has not diminished. Herefordshire Council Planning Officers imposed conditions in 2017 to protect residential amenity and public safety. These considerations should still be of primary concern to Planners.
- Herefordshire Council's Highways Department have objected twice to the application on the grounds of '*an unacceptable impact to highway safety.*'
- There has been a constant and serious disregard for planning conditions and/or the need for planning permission throughout the development process.
- The potential loss of business to local holiday lets and hospitality accommodation based on a USP of peace and tranquillity will outweigh any economic benefits to the area from weddings at the Crumplebury venue.
- The location is in an acoustically sensitive, dark skies environment on the edge of a natural amphitheatre in a beautiful, unspoilt area of Herefordshire. All sound travels up and across the valley.
- The building is not adequately sound-proofed, even though the Applicant had made assurances that there would be '*no noise*'.
- The original application of 2016/7 upon which planning permission was based does not reflect the current scale of operation at the site, or that weddings/parties were intended. The removal of Condition 4 will intensify use still further.
- The local Parish Council, who have extensive local knowledge of the area, have unanimously objected twice to the application with evidenced reasons based on planning law.
- The basis for this application is demonstrably invalid both factually and in terms of planning law.
- Light pollution and other issues endanger local wildlife.

This summary has been sent to all Planning Committee members. As both the original and current applications are discussed, they have been distinguished by dates: the original application P163902/F (2016/7) and the current application P194408/F (2020). Direct quotations from documents are in italics.

This application has a complex history and serious implications. To cover the issues, this document is necessarily comprehensive and lengthy. I would like to thank you on behalf of local objecting residents for taking the time to read and consider it.

1. HISTORY

In 2013 the Applicant set up a restaurant in an agricultural outbuilding on his family estate and obtained retrospective change of use Planning Permission.

In December 2016, the Applicant (application P163902/F) applied for permission to build a new facility to expand the restaurant operation. This application did not accurately reflect the current use of the venue, the prospective numbers of guests or the actual quality of the building.

- The development was **represented as a modest scaling up** of the existing restaurant operation as well as *'in exceptional circumstances'* 12 larger events per annum with 160 guests per event.
- The application stated that *'no noise would emanate from the site'* and the new facility would be *'unlikely to result in any increase in [...] light pollution'*.
- No attempt was made to seek D2 planning permission and there **was no reference to 'weddings' within the application at any point.**
- **There was no reference to 'weddings'** in the Applicant's presentation to the Parish Council.
- Local residents were largely supportive. The Parish Council supported the application.
- Highways initially objected but were given assurances by the Applicant (covered in section 3.1) and eventually gave conditional approval.

The Planning Permission granted on 3rd August 2017 included 22 conditions.

- **Condition 4** stated that: *'The premises shall be used for restaurant, guest accommodation and a conference centre and for no other purpose.'* [...] *Reason: The local planning authority wish to control the specific use of the land/premises, in the interest of local amenity and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.'*
- **Condition 16** stated that: *'No amplified or other music shall be played in the premises outside the following times 12.00hrs to 23.00 hrs. Reason: In order to protect the amenity of occupiers of nearby properties and to comply with Policy SD1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.'*

These conditions were imposed by Herefordshire Council (HC) after full investigation into all the implications of the venue's operation **as outlined by the Applicants in the relatively modest 2016/7 application.**

The conditions therefore reflect the content of that 2017 application and discussions. **Stricter conditions or even refusal would have been a possibility if wedding/party use and the true projected number of guests had been transparent.** The Applicant has stated that he discussed weddings anecdotally with Planning officers at the time. If so, the conditions imposed appear to reflect HC Planning's concern for the residential amenity of local people based on this discussion.

In 2018, building and marketing of the venue commenced. The heavy marketing of the complex from the start as a wedding and party venue (Hereford Times, social media, wedding directories etc) **has never reflected the terms of the original application or the existing planning permission. It is a drastic shift.** Over 40 weddings are booked in for 2021 already.

In November 2019, the venue opened, and the first wedding was held on 23rd November. Three Christmas parties were held in December. The extreme noise disturbance (and light pollution) caused numerous objections to be made to Environmental Health (covered in section 3.2.1). The music at the wedding also overran far beyond the legal cut-off time.

At this point, HC Planning Enforcement investigated these infringements of planning permission. The Applicant then applied in the current application P194408/F to have Condition 4 removed as the holding of weddings and music-centred parties was clearly against existing planning permission, and continuing to hold weddings would constitute a breach. He also applied to have the music cut-off time moved to midnight. **In short, to make unlawful activity lawful.**

The application was due to come before Committee in May 2020 but was withdrawn after the Planning Officer's recommendation was factually and legally challenged by residents after taking

Specialist Legal Counsel (letters available on the P194408/F application site under 'Correspondence'). Since then, the two previously objecting bodies were asked to reconsult (Highways and Whitbourne Parish Council) and have issued strengthened objections. Consultees who did not object were not asked to reconsult and Whitbourne Parish Council have flagged this in their second objection. **Residents are confused as to why only the objecting bodies were asked to reconsult.**

Throughout this period, weddings have still been heavily marketed, and bookings/deposits taken for 2021, 2022 and possibly beyond. Outside of Covid restrictions, weddings have also been held.

2. THE BASIS OF THIS APPLICATION AND IMPLICATIONS OF THE REMOVAL OF CONDITION 4

This application is for the removal of one condition and the variation of another. **It is important to remember throughout that the operational scale of this venue as revealed in practice is vastly greater to that implied in the original application.**

The Applicant argues that as the original application description refers to 'events facilities', the implication is that all 'events' are allowed by default. The residents' Specialist Legal Counsel has advised: *'It is an established principle of planning law that planning conditions take precedence over the description of development when interpreting a planning permission. Any suggestion of a conflict between the two (which in this case is not accepted in any event) does not mean the condition is unreasonable. The reasonableness of the condition must be assessed, inter alia, on the basis of it being imposed for planning reasons, and being directly related to the proposal.'*

The planning reasons for its imposition are clearly stated within the original representations, including the original planning officer's decision and delegated report, HC Highways' comments and others. **Throughout, in 2016/17, these officers were concerned with protecting residential amenity and public safety.**

Furthermore, the Applicant is arguing that weddings, parties and conferences are all 'events' and therefore interchangeable in character. This argument has been demolished many times in residents' objections. It has no merit whatsoever in 'real life' terms.

Apart from drastic differences in hours of operation etc., at conferences, people are in professional mode, and there is, in general, a 'corporate brake' on behaviour. Too much rowdiness, drunkenness, fights etc could impact on a career, and people will normally retire earlier and behave in a more controlled manner. At weddings and parties, there is no such brake, and the celebrations could go on all night (only the amplified music has an official cut-off time). Behaviour is more likely to be disinhibited and rural venues are even more vulnerable to this lack of boundaries as guests do not perceive there to be neighbours.

The Applicant has argued that only part of the venue facilities can be used if weddings are not allowed. **This is directly contradicted by all the Applicant's marketing** which shows all spaces being used for both weddings and conference events.

If Condition 4 is removed, the use of the venue, and the extent to which it is used, will be **entirely unregulated**, with no chance of other regulatory conditions to be applied. **The original application was never assessed as a D2 planning class wedding/party venue. All assessments were based on a more modest use.**

3. SUMMARY OF OBJECTIONS AND AREAS OF CONCERN

3.1 HIGHWAYS

In 2016, HC Highways refused the initial application P163902/F. They were concerned about intensification, sub-standard visibility at both ends of the access, a particularly dangerous junction with the 'Parish Road' and the A44, and the gate at the end of the Parish Road.

The Applicant then assured Highways that the gate would be removed, that the intensification was modest (1920 extra guests p.a. specified as a maximum), and that a hedge would be removed. **The Applicant did not then, and does not now, own the land on which the gate and hedge is situated. The landowner has not and will not give permission for either the gate (needed for stock farming operation) or the hedgerow to be removed.** On the basis of the Applicant's assurances, conditional approval was given by HC Highways to the original application in 2017.

In January 2020 HC Highways objected to the current application P194408/F on the grounds of intensification of traffic (the true **potential guest numbers** at the venue – **around 75,000 pa** based on advertised availability and capacity – now being known), sub-standard visibility and unsuitable single-track roads.

In September 2020, having been asked to reconsult, **Highways issued a longer, strengthened objection.** Specifically: removal of Condition 4 would allow for unconstrained use of the site and no ability to oppose conditions; that the gate is in situ and will not be removed; that the potential intensification of use is vastly greater than the original application specified.

HC Highways' view is that:

'The original application stated that the gate on Norton Lane at the junction with the A44 would be removed but the gate remains in-situ and it is not within the control of the applicant, therefore it will remain. This could further exacerbate the highway safety issue that potentially exists at this junction due to poor visibility to the north for vehicles exiting Norton Lane onto the A44 and both poor visibility and poor geometry for eastbound vehicles turning left into Norton Lane and vehicles turning right out of Norton Lane.'

'The unconstrained use of the site would increase the number of vehicles using the Norton Lane/A44 junction. This would give rise to an increase in the number of conflicts that may occur (e.g. a conflict could occur every time a vehicle turns out of Norton Lane onto the A44) which in turn increases the risk to highway safety that the junction poses.'

*'The LHA consider there to be **an unacceptable impact on highway safety** as a result of the potential intensification of use of the Norton Lane/A44 junction.'*

Policies RA6 of the Core Strategy, MT1 of the Core Strategy and Paragraph 109 of the NPPF are cited as underlining this decision.

Furthermore, in 2017, 3 important Highways conditions were applied to the original planning permission. One was pre-build (8) and one was pre-use (21). Only one of these conditions (20) has been discharged. The others were **refused** by HC Highways on application for discharge in April 2020.

Additionally, in the latest objection from HC Highways (September 2020) it was stated that, given the vast increase in numbers from the 2016/17 application to the current, the conditions applied then are not now adequate : *'The conditions applied to the original planning consent and the level of highway improvements required were commensurate with the level of trips generated by the uses applied for and detailed within the application. Additional use of the site would require **the level of highway improvements to be reassessed which this application does not allow for.**'*

Local people avoid the Parish Lane/A44 junction and are aware of the dangers. Large numbers of wedding guests, possibly arriving in the dark, following Sat-Navs and/or each other are likely to try to turn left off the A44, resulting in becoming jammed in the hedge. Turning right off the A44 would result in queuing traffic on a fast A road with poor visibility. This is a popular route for motorcycles. If the gate were closed, the opportunity for conflicts would be even greater. The Applicant has advised people coming from the Bromyard direction on the A44 to turn in the Wheatsheaf public house car park, but this is private property (not owned by the Applicant) and currently for sale for development/reopening.

A fatality is highly likely to occur at this junction. If so, it is the opinion of the Residents' Counsel and legally-qualified residents that there could be serious legal repercussions for Herefordshire Council should the Highways' objection be overridden and this removal of Condition 4 approved.

3.2 NOISE

3.2.1 MUSIC

The venue held its first wedding on 23rd November 2019 and three Christmas parties (in December) and another wedding since (Saturday February 29th).

Until this point, residents had expected the venue to be sound-proofed, and had made no complaint about the long months of construction noise, thinking that the opening of the venue would improve matters.

However, the first four events generated **several noise complaints to Environmental Health** even though the weather was appalling with 38mph winds on one occasion. The fifth took place on the weekend of Storm Jorge with winds of over 50mph.

- Music could be heard indoors with windows closed.
- Music could be heard above a normal television volume and even when a resident was wearing headphones to block it out.
- Every lyric and band announcement was clearly audible and reported to EH as a 'playlist'.
- Children were woken up – or couldn't get to sleep. Adult residents could not sleep.

At that time of year residents were not in their gardens, had windows closed (often double-glazed). Despite the time of year and weather, the noise was intrusive to an alarming degree. **Residents have described it as 'devastating' and 'life-changing'.**

On still summer, this venue will affect even more residents, further afield.

The application of 2017 promised that: *'The proposed facilities buildings will benefit from modern sound proofing and insulation to ensure that **no noise** would emanate from the site.'* **This has proved to be the reverse of the actual situation.**

The **building design is fatally flawed in terms of sound-proofing:**

- Full length glazed windows, one double-storey
- Roofing cladding that only blocks 25 decibels*
- Wall cladding that only blocks 41 decibels*
- No air conditioning so that windows and doors will have to be opened
- Speakers direct sound down to a hard floor – the sound then bounces back
- The entire building is angled away from the Applicant's own land and estate residences so that the 'open' glazed ends point towards the opposite side of the valley and local residents. The Applicant himself described this as a 'giant speaker'.

(*information from the manufacturers – the roofing manufacturer believes it is not possible to soundproof one of their buildings as they are not designed for this purpose.)

As an attempt to improve noise leakage, the Applicant installed a removable curtain across the glazed end of the Great Hall, but **this will not address the problems of wall/ceiling/open window leakage**. Even inside, rain/wind is clearly audible. In the summer, doors/windows will be open, and the curtain potentially not drawn or even erected.

The venue sits in a natural amphitheatre. The nearest residence is some 200 metres: not the 'vast distance' as stated in the 2017 application. **All sound carries clearly across the valley** – even normal speech or a radio played at normal volume.

No professionally monitored noise tests were done prior to the opening of the venue or to this application. The Noise Impact Assessment 'tests' included in the documentation were performed informally by the Applicants in the first instance, and further tests in March 2020 did not comply with the testing requirements originally specified by the Environmental Health Officer, and were not conducted by a member of the Institute of Acoustics, as specified. However, the EHO chose to disregard her own requirements. In the view of the residents, the EHO has approached this application from a statutory nuisance perspective, rather than from the perspective of planning law/guidelines with its concentration on residential amenity and this response should be questioned.

The residents commissioned two noise assessment reports from a qualified member of the Institute of Acoustics. This report stated clearly that: ***"The issued noise impact assessment report cannot be considered a professional report, contains no information about the measurement equipment used, is lacking in technical detail, contains no measurement data of any kind, provides no objective assessment, and is not seen to be suitable to support a planning application of this nature."***

"Based on the lightweight metal construction, it is deemed highly unlikely that loud events, such as a live band or professional disco, would be inaudible at the nearby receptors. It is deemed highly likely that these events would cause noise nuisance."

The reports can be found in full on the Application site in the representations by Mr and Mrs J Hutchings (24th June 2020) and Mrs L Kershaw (24th March 2020).

3.2.2 NOISE OF GUESTS AND EXTERNAL CELEBRATIONS

Discussion with the Applicant around noise emissions has centred on the acoustic curtain, but the curtain will have no effect on external noise from guests, staff, traffic etc.

The 2016/7 application stated that: *'Crumplebury staff will ensure that all customers leave the site swiftly and quietly at the end of all events.'*

However, this has not proved to be the case. There has already been one loud, aggressive argument between departing party guests which intruded on the sleep and peace of a local resident.

When hot inside, guests have already been coming outside, propping doors open etc. It will be impossible for staff to police this. This has been the experience in the winter in cold, inclement weather – summer will cause even greater problems, and guests will congregate outside. There is no air-conditioning in the building.

Staff obviously stay after guests depart – there has been noise reported about staff conversations, noisy bottle bins etc. and there has been considerable traffic chaos with taxis/cars trying to arrive and depart at the same time on a single track road.

3.3 PLANNING BALANCE AND LOCAL ECONOMY

In 2016/7 the main argument for this development was that it would increase local jobs and bring tourist revenue into the area.

The Applicant's Agent stated in September 2020 that *'the business presently employs 22 staff from the local area'*. This is not broken down into roles or substantiated. Two residents have been informed separately by Crumplebury staff that the jobs total around 10 with occasional casual extras. The original application said that 18 staff would be required *'in exceptional circumstances.'* Both the previous and newly-appointed General Managers were recruited from other parts of the UK.

It is important to remember that **most, if not all, of the permanent jobs are not dependent on the removal of Condition 4**. The Applicant's restaurant requires permanent catering and waiting staff and the accommodation block requires housekeeping staff.

Any benefit from employment at Crumplebury will be far outweighed by the devastation the noise and disruption at Crumplebury will bring to other local businesses that are **wholly dependent on the USP of the area: beauty, tranquillity and dark skies**.

These businesses bring longer-term holiday-makers in for a week, or weekend, who are known to use other local hospitality businesses and shops, and who bring substantial income into the area. They include an award-winning glamping-pod business with solid 5* reviews, all based around the peaceful area and views: *'Redhill holidays [...] gives you peace, tranquillity, beauty ..'* (Tripadvisor review, August 2020). The National Trust advertises its neighbouring Old Linceter property as: *'delightfully secluded and peaceful, with only the bleat and baa of the sheep and singing of the birds breaking the silence.'*

There have already been verbal comments from guests at holiday lets about the noise of the weddings and parties at the end of 2019. It is the residents' argument that the potential loss of custom to these businesses by bad reviews based on the noise and light emanating from the Crumplebury development will be a far greater loss to the local economy than any benefit brought by Crumplebury weddings should Condition 4 be lifted.

The wedding guests are 'self-contained', eat the Applicant's food (much of which is sourced from the Applicant's estate) and leave. There is little benefit to the wider local economy.

If Condition 4 is not removed, the Applicant can still run the restaurant and accommodation block unimpeded, but noisy weddings and parties will be prevented from destroying other valuable

businesses. The Applicant argues that weddings are needed for essential revenue to enable his operation to thrive. **If this is the case, then wedding use should have been transparently applied for in the first place.** Due diligence in market research would have revealed this at the outset. **This is a matter of commercial competence, not planning.**

It should be stressed that local residents and WPC have always supported the restaurant and accommodation block.

The Applicant has cited Covid 19 as a reason for planning to be granted. Obviously, Covid has had a devastating effect on hospitality businesses – including those also adversely affected by the Crumplebury development – but Covid is a temporary situation. Any decision to remove Condition 4 will mean **permanent** significant loss of amenity to local residents, and dangers to public travelling on the highways.

3.4 SIGNIFICANT OBJECTIONS

3.4.1 WHITBOURNE PARISH COUNCIL (WPC)

In **March 2020, WPC unanimously objected to this application** following a meeting attended by over 30 members of the public. Fully aware of the impact of the unconstrained operation of this venue on *‘what is a beautiful and tranquil valley and where noise travels large distances’* their concerns centred around noise, light pollution, the dangerous Highways situation and knowledge of numerous breaches of planning permission and conditions.

On **7th October 2020**, having been asked by Planning to reconsult, WPC held another public meeting and **made additional, strengthened comments to the original objection by unanimous vote.**

This focused on: the inadequacy of noise testing and of the Applicant’s noise report; environmental nuisance from both amplified music in an inadequate building and external noise from guests and increased light pollution; Highways safety; Conservation (the venue is near a Grade 2* property); the *‘specious’* argument of conferences and weddings being one and the same; local economy (the USP of this area is its peace and tranquillity and other tourist businesses will be harmed).

The full objection is available to view near the top of ‘Representations’ on the P194408/F application site.

3.4.2 RESIDENTS

32 separate residents have put their name to objections. This is a scattered community, and the amount of names represents the strength of local feeling and knowledge. The representations on the P194408/F application site cover individual concerns and although numerous, are in general evidenced and reasoned.

3.4.3 CPRE

The Campaign for the Protection of Rural England officer visited the area to view/listen to the impact of noise etc. from the perspective of local properties: *‘The Applicant is operating this venue as a wedding party and dance hall without the appropriate planning consents and the **resultant light and sound pollution is already severely impacting the residential homes and wildlife in the extreme.** Policy SD1 of the Core Strategy is explicit in that it requires to safeguard residential amenity for existing residents.’*

3.4.4 NATIONAL TRUST

The National Trust own land bordering the Applicant’s estate and have seven long-term tenanted properties and holiday lets which are likely to be affected by the removal of this condition. They

therefore commented from both a landlord perspective, and more general perspective. Citing the Planning Practice Guidance (paragraph 006): *'The National Trust considers that **this area meets the criteria which Planning Practice Guidance suggests as being relevant in considering whether it is justified to protect an area for its tranquillity**: "For an area to justify being protected for its tranquillity, it is likely to be relatively undisturbed by noise from human sources that undermine the intrinsic character of the area. It may, for example, provide a sense of peace and quiet or a positive soundscape where natural sounds such as birdsong or flowing water are more prominent than background noise, e.g. from transport."* (Paragraph: 008 Reference ID: 30-008-20190722)'

3.5 BREACHES OF PLANNING AND NON-DISCHARGE OF CONDITIONS TO DATE

This is a significant concern to residents and is an important consideration for Councillors. **Since the beginning of the development, planning boundaries have been continually pushed or ignored.** Based on this experience, residents fear that any removal of planning conditions will create a completely unregulated development and will set a very dangerous precedent for other developers to imitate. Residents do not feel that a 'do it anyway and try to get retrospective after a backlash' approach is acceptable in any way when all other local people abide by the rules.

- The restaurant was set up in 2013 with no attempt to gain planning permission before opening.
- Planning permission was not granted for weddings and parties, but these events have already been held, are still being held and have been marketed from the start of the build.
- Planning permission was granted for amplified music to be played until 23:00. The wedding of 23rd November played music until 24:00 (breach of Condition 16)
- Planning permission was granted for one car park but two have been built (the latter is the subject of retrospective application P200500/F)
- Planning permission was not sought or granted for an access road to the second car park, but one has been built (retrospective application P200500/F)
- Planning permission was not sought or granted for work on a timber-framed barn, but work has already started (retrospective P200500/F)
- Planning permission was granted for one biomass boiler but two were installed. The second has now been granted PP retrospectively.
- Delivery and service vehicles regularly access the site before 8:00 am (breach of Condition 15)
- A historic hedgerow has been removed to build a ha-ha without permission.
- Two essential Highways conditions have never been discharged. One was pre-build, the other pre-use. The venue was constructed and has been operating regardless of this consequent disregard of Highway safety.

In the view of the residents' legal Counsel, the non-discharge of the Highway conditions deems the build not to have been commenced, and therefore **the original planning permission has potentially expired as three years have passed.** This representation can be seen on the P194408/F application site, submitted by Mr C Garvie on 6th October. We understand that this legal point has been under consideration by HC legal department.

3.6 LIGHT POLLUTION AND ECOLOGY

In 2017, the HC ecology report specified that, for approval: *'No external lighting should illuminate any of the enhancements or boundary features beyond any existing illumination levels and all lighting on the development should support the Dark Skies initiative.'*

The 2017 application's Planning Support Document stated: *'Low level lighting will be LED.'*

The reality is that there is **an extremely high level of illumination at this venue**, not only when it is in operation, but some lights are left on continually – and some shine into residents' bedrooms. Apart from external lighting, the two huge glass gable ends are intrusive when the indoor lights are on. The development has **destroyed the dark sky environment of the valley** and the **extensive local bat population will now be disturbed** in their foraging grounds. There is also a large owl population and two unusual moths on Badley Wood Common, which adjoins the Crumplebury site.

In 2017 the HC Ecologist was concerned about the impact of foul-water run-off from the waste system and vehicle movements. These concerns were then based on an anticipated 12 larger events a year, not the far larger amount now evident. This foul water seeps down to the watercourses and will end up in the Teme.

3.7 ASSESSMENT OF P194408/F UNDER THE PRINCIPLES OF THE NPPF 2019.

Residents are seeing (and hearing) their environment devastated for no other reason than the economic gain of a commercial company (Crumplebury Ltd). This is a radical change, and as such, should be subject to the 'Agent of Change' principle as laid down in the National Planning Policy Framework of 2019. This principle states in paragraph 180:

Planning policies and decisions should also ensure that new development is appropriate for its location taking into account [...] the potential sensitivity of the site or the wider area.

The Crumplebury Development has adhered to none of the NPPF principles. As this 2020 application P194408/F comes after the new framework, **these new rules should apply before any planning variation is granted.**

4. VARIATION OF CONDITION 16

The comments above in respect of noise and light pollution show that any extension of the music cut-off time will increase the destruction of residential amenity. Apart from the noise of the music itself, after the music stops, guests begin to depart, and all the external noises increase. Thus, any increase in cut-off time will impact on external noise nuisance. This venue, unlike some rural venues, has an aural impact on local residents due to proximity, topography and inadequate building.

IN CONCLUSION

If this application is supported Councillors will be endorsing:

- **Ratification of a use for which planning permission was not transparently sought in 2017.** If D2 planning class weddings and parties were intended, **this should have been clear at the time and not only revealed by subsequent marketing material.**
- **An application refused by Highways on the grounds of danger to the travelling public.**
- **A commercial operation that has already breached existing planning several times and has shown to disrespect and disregard the planning process.**
- **An inadequately sound-proofed venue**, built and launched without professional noise testing, and where operations to date have resulted in enormous distress for residents and many complaints to Environmental Health and Planning Enforcement.
- The despoliation of a lovely part of Herefordshire by a venue which is responsible for **immense light pollution** and damage to the previous dark skies environment, as well as damaging local nocturnal wildlife habitat.
- A venue that is **actively damaging other businesses in the area.**
- A venue that is **actively damaging the peace and well-being of local residents.**
- **A development that runs counter to the National Planning Policy Framework 2019** and should be examined in the light of these new rules.

Document prepared by Elizabeth Kershaw on behalf of local objecting residents.
30th October 2020

Photographs follow.

SITE VISIT

The scattered dwellings on the slopes of the hill opposite Crumplebury, and within Badley Wood Common are vulnerable to the acoustics and topography of the area, but the extent of these households and their vulnerability is not immediately obvious from the perspective from the site itself – or in daytime conditions.

Residents would be grateful if Councillors could view the site from the perspective of the households suffering the nuisance – or could please take this into consideration, along with the conditions of darkness and silence which would be the ‘normal’ night environment.

Photograph showing the large glazed windows that now dominate the valley.



Photograph showing the venue, lit up, in the context of a previously completely dark valley.



Photographs (below) showing clear marketing as a wedding venue after planning permission excluding weddings had been granted. The initial build publicity (in 2018) and current Instagram page badged as 'wedding venue'.

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herefordtimes.com

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MENU

NEWS

2nd November 2018

New wedding venue under construction

By Rebecca Miles | [@rebeccamiles_HT](#)



Joe and Keeley Evans with builder Graham Smith



5 comments

A NEW £2.5million wedding venue is being built in the east of the county.

Husband and wife duo Joe and Keeley Evans own the Green Cow Kitchens restaurant in Whitbourne and are behind the development to build a new luxury events venue.

The venue called Crumplebury will be complete by October next year.



17:59



crumplebury



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