
Appeal Decision

Inquiry held from 21 - 24 February 2017

Site visit made on 21 February 2017

by P N Jarratt BA DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 20 March 2017

Appeal Ref: APP/C3620/C/16/3151572

Fetcham Park House, Lower Road, Fetcham, Surrey, KT22 9HD

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
 - The appeal is made by The Wilky Group Ltd against an enforcement notice issued by Mole Valley District Council.
 - The enforcement notice, numbered 2016/058/ENF, was issued on 6 April 2016.
 - The breach of planning control as alleged in the notice is without planning permission, the change of use part of the Property, including the grounds, to use comprising the conducting of civil marriage ceremonies, weddings, wedding receptions and other private functions.
 - The requirements of the notice are to cease the use of the property, including the grounds, for the conducting of civil marriage ceremonies, weddings, wedding receptions and other private functions.
 - The period for compliance with the requirements is three months.
 - The appeal is proceeding on the grounds set out in section 174(2) (a), (d) and (f) of the Town and Country Planning Act 1990 as amended.
 - **Summary of Decision: Notice corrected and amended, notice quashed and planning permission granted.**
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Preliminary Matters

1. The Council considers that the wording of the allegation should be revised to better reflect the breach and be worded "Change of use of part of the property from use as serviced offices within Class B1A to a mixed use of serviced offices and a use comprising the conduct of civil marriage ceremonies, weddings, wedding receptions and other functions of a similar, social, charitable, community oriented or celebratory nature not connected to the lawful use of the land". This would reflect the Council's view that events such as business meetings, product launches, seminars and marketing events, etc, fall within the ambit of ancillary uses to the lawful use, even if those events were not held by the occupiers of the serviced offices.
 2. Such a correction would be acceptable to the appellants as they would otherwise be concerned that ancillary uses could fall within the broad term 'other functions'. Both parties agree that no injustice would arise as a consequence of such a change.
 3. I agree that the revised wording would overcome difficulties that could arise through using the term 'other functions'. I have the power to correct the notice where no injustice would arise but in so doing I intend to delete the
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words 'of part' as they serve no purpose in view of the mixed use allegation which applies to the whole of the planning unit, notwithstanding the appellants' reference to the word 'part' referring to the ground floor and grounds of Fetcham Park House (FPH). In any event at the site inspection I was shown a first floor room used for the bride's preparation. I therefore intend to correct the notice by deleting the allegation and replacing it with "Change of use of the property from use as serviced offices within Class B1A to a mixed use of serviced offices and a use comprising the conduct of civil marriage ceremonies, weddings, wedding receptions and other functions of a similar, social, charitable, community oriented or celebratory nature not connected to the lawful use of the land". It will also be necessary to vary the requirements of the notice to reflect the wording of the allegation.

4. In the light of the revised wording, the appellants withdrew the appeal on ground (d). An appeal on ground (g) had also been made originally but this was withdrawn before the inquiry in view of the appellant's decision not to take further bookings for wedding events.
5. A Statement of Common Ground (SoCG) dealing with noise matters (Document 8) and a SoCG dealing with more broadly based matters (Document 11), were not submitted until after the start of the inquiry.
6. The inquiry lasted 4 days and, at the request of the parties, closing submissions were made in writing following the closing of the inquiry in order to avoid the need to adjourn to another date.
7. The evidence of Mr A Pooley, Ms V White, Mr P Mitchell, Mr P Fairweather, Rev A Smith and Dr A Prowse was taken on oath prior to the withdrawal of the ground (d) appeal.
8. A signed s106 Unilateral Undertaking was submitted by the appellant following the close of the inquiry.

The appeal site

9. The appeal site consists of a substantial three storey Grade II* listed building constructed as an estate House in 1705 and set in landscaped grounds of 1.7 hectares. The appeal site is within the Feltham Conservation Area and within an established residential area.
10. The premises have been used as serviced offices for some time and various functions and events have been hosted without complaint until the more recent additional use of the premises for wedding events.
11. The site is bounded by Lower Road, Badingham Drive, Dell Close and St Mary's Close. The main vehicular access is on Badingham Drive close to its junction with Lower Road. There is a separate access to St Mary's Close but this is limited in its use. St Mary's Church adjoins the appeal site at its south west corner. The grounds are formally laid out to the south and east of the House, incorporating terraces, water features and fountains. The majority of car parking is north of the house. The perimeter of the site is characterised with walls, dwarf walls and railings and by established planting although the shrubberies do not obscure views of the house or grounds from certain vantage points, such as on Dell Close.

12. I conducted an accompanied site inspection on 21 February and viewed the house internally, the grounds and the surrounding streets. The fountains were operating at their highest setting during my visit. At the request of the occupiers of Nos 1 and 3 Dell Close, I also viewed the appeal site from within their properties.

Relevant planning history

13. Planning permissions were granted in 1972 for the change of use from a school to offices and in 1973 for a car park and access drive. Subsequent permissions were granted for extensions, additional parking and lighting. In 1980, permission was granted for two ornamental ponds and other landscaping.
14. A retrospective application was refused in March 2016 (MO/15/0304) for the use of the premises for the purpose of civil marriage ceremonies, weddings, wedding receptions and other private functions in conjunction with the permitted use as offices. The stated reason for refusal related to the proposal being considered significantly harmful to the amenities of the neighbouring residential properties by reason of noise and general disturbance contrary to policy ENV22 of the Mole Valley Local Plan.
15. An application for a Lawful Development Certificate (LDC) was made in November 2016 for a mixed use of the ground floor of the building, gardens and parking for private functions and social events unrelated to the use of the building as serviced offices. This was refused in January 2017 (Document 2).

The appeal on ground (a)

Main Issues

16. I consider that the main issues are, firstly, whether the development would be harmful to the living conditions of the occupiers of neighbouring dwellings by way of noise and disturbance; and, secondly, the effect of the development on the special architectural and historic character of the listed building and its setting, and on the character or appearance of the conservation area.
17. The main parties accept that the principle of the use is not an issue but it is more a question of scale and frequency of the use of the appeal property for events. It is also acknowledged that permission could be granted with conditions that would ensure that the mixed use would not give rise to significant adverse noise impacts.

Living Conditions

18. Wedding events and celebrations have been in operation for a few years prior to the submission of the planning application. The appellant states that there was a total lack of objections or complaints during 2013, 2014 and up to May 2015 when the planning application was submitted. An average of about 20 wedding events per annum took place between 2014 and 2016.
19. Mr Mitchelson and Mr Bolton who live in Dell Close submitted statutory declarations and gave evidence based on their experience of events at FPH, their noise logs and their communications with the Council and with Mrs Caudery of FPH. Their concerns and those of other third parties in written submissions, relate to noise and disturbance of guests arriving and departing the premises; suppliers removing equipment; people using the grounds of the

- house including boisterous behaviour such as shouting and singing; live music in the grounds; noise from the fountains; and noise from within the house. District Councillors Brooks and Seed supported the residents' objections explaining that the main concerns related to the use of the grounds.
20. Some 41 representations and a petition signed by some 73 people were submitted objecting to the planning application largely due to excessive noise and disturbance from weddings and other events. However, Dr Prowse, a resident of Badingham Drive, stated in evidence that whilst he signed the petition he did so for the Council to manage the use and the noise. He speculated that there would be very little support for a petition if it was re-run. He has not found the noise from functions to be disturbing and the church clock was always audible above any noise from FPH.
 21. Although there was considerable objection to the planning application and only 2 letters in support, some 8 letters of objection and 67 letters in support have been submitted in connection with this appeal from a variety of sources including local residents, suppliers to the venue, people who have used the venue for weddings or other functions, and from former students of an earlier use of the property as a college.
 22. Event operating conditions have been in place during the 'trial period' broadly from 2013 to 2016. Mr Watson, Licence Consultant on behalf of the appellants, prepared a formal Event Management Plan (EMP) following observations at an event in June 2015 and this incorporated established good practices and addressed concerns by residents. He measured the effectiveness of the EMP in December 2016 at a wedding reception of 120 guests. No music breakout or other noise was observed in the surrounding streets. Sound monitors are in place within the Great Hall of FPH where discos take place and other measures ensure that doors and windows remain shut, amongst other measures.
 23. The parties accept that the measures to control noise within the house are generally effective and that the main issue is that of the noise of guests using the terraces and grounds. The EMP prohibits amplified music in the garden, limits the type of instrument played, prescribes the numbers of musicians and their location, prohibits garden music after 7pm and prohibits fireworks. There are allocated smoking areas to the rear and side of the house and exit controls are in place for guests and taxis.
 24. Notwithstanding these controls, boisterous behaviour by guests can and do take place and such behaviour clearly disturbs certain residents to a point that they consider it to be intrusive and adverse. Indeed, despite the appellants' claims, they do not accept that the venue has operated satisfactorily during the 'trial period' without causing noise and disturbance.
 25. The fact that Mr Bolton observed disturbance arising from certain events through the railings on the perimeter of FPH does not diminish the experience that the disturbance had on him personally.
 26. The appellants consider that the Council's case on adverse impacts on residential amenity is lacking in substance and should be treated with caution. They are dismissive of both the local resident's concerns and those of the Council's expert witnesses, Mr Phillips on planning matters and Mr Turner on noise, for relying on their assessment of impacts based on written observations

- of third parties. In fact the appellant's expert witnesses were similarly criticised for only having observed a limited number of events.
27. Setting the party's criticisms aside, I consider that the experience of noise and disturbance of the residents of Dell Close and other local residents is genuinely held and that this should not be disregarded as being contrived and exaggerated. Nor does the absence of complaints before the planning application necessarily mean that there was no noise or disturbance. Such disturbances arising from bagpipes, the use of a drone, shouting from a photographer, shouting by guests, the communal singing of "I will survive" and other disruption has taken place and has been the source of nuisance, particularly it seems in the second part of 2015. However, this needs to be balanced against other views expressed by the many who currently support FPH and wish to see the development of a mixed use for the premises.
 28. Additionally, Mr Fairweather, a former Chairman of the Fetcham Residents Association (to be distinguished from the Fetcham Park Association) in evidence at the inquiry stated that the management of FPH has taken complaints seriously and made adjustments to their operational procedures and that the business contributes to the local economy. Also, Rev Smith, Rector of St Mary's, spoke of the benefits of the church's relationship with FPH in terms of business, charity and community connections.
 29. Mr Saunders for the appellant and Mr Turner for the Council provided a useful assessment of the situation and submitted a SoCG on noise (Document 8) in which technical noise assessments are largely agreed.
 30. Mr Saunders produced evidence regarding external music noise to Dell Close properties and voice levels at 1 Dell Close (Document 13). This demonstrated that with the fountains turned on, a person shouting on the terrace would be heard in neighbouring properties and if more were shouting at the same time the noise would be materially greater. Mr Saunders also produced Document 16 which indicated environmental noise time history recorded on Dell Close from Friday 16 to Monday 19 August 2013, which included a wedding on the Saturday. This showed that there were no discernible differences in the highest recorded 5 minute levels whether or not the wedding was taking place. These highest noise levels could result from traffic, aircraft, shouting or the church clock.
 31. However both acoustic experts agree that it is the qualitative aspect of an assessment that is important rather than reference to absolute noise levels and this requires a subjective judgement to be made. The time of day, the number of events and the frequency and pattern of occurrence are also relevant
 32. The Planning Practice Guidance (PPG) at section 30 advises on how potential noise impacts can be managed and relates it to paragraph 123 of the Framework which states that noise giving rise to significant adverse impacts on health and quality of life should be avoided.
 33. The table at PPG paragraph 30-005 summarises the noise exposure hierarchy, based on the likely average response. With an unrestrained number of events the perception of noise would be noticeable and disruptive to the receptor causing a material change in behaviour and/or attitude and this would be regarded as a significant observed adverse effect that should be avoided. However, on the basis of past events at FPH, it appears that the perception of

the noise is one that is noticeable and intrusive where noise can be heard which causes small changes in behaviour and/or attitude and which affects the acoustic character of the area such that there is a perceived change in the quality of life. This represents an observed adverse effect which should be mitigated and reduced to a minimum.

34. PPG paragraph 30-008 refers to four broad areas of mitigating the adverse effects of noise, one of which is the use of planning conditions and obligations to restrict activities. Considerable discussion took place at the inquiry on the detail of such conditions.
35. Reference was made by the appellants to Warren House, a listed building in Kingston-upon-Thames, which had been subject to enforcement action in relation to the making of a material change of use from a training and conference centre to a use also involving marriage celebrations. Messrs Horne and Saunders were also involved in the appeal against that notice which was the subject of an inquiry¹ and explained how the use at Warren House was found to be acceptable subject to conditions. Permission was granted subject to a limited period in order to assess its impact on residential amenities and in 2007 it was granted an unlimited permission by the local planning authority.
36. I conclude on this issue that the unrestricted use alleged in the enforcement notice would be harmful to the living conditions of the occupiers of neighbouring dwellings by way of noise and disturbance. However, it is accepted by the main parties that the principle of the use is not an issue but it is more a question of the number and regularity of events, and the timing and use of the grounds. Whilst I note that there are differences between the parties on the detailed nature of potential conditions, I am satisfied that conditions could be imposed to ensure that the mixed use would accord with policy and not give rise to significant adverse noise impacts. Consequently the mixed use would accord with Policy ENV22 of the Mole Valley Local Plan 2000 which seeks to avoid development that would significantly harm the amenities of the occupiers of neighbouring properties. It would also accord with paragraph 123 of the National Planning Policy Framework (the Framework).

Heritage assets

37. The listed building and its grounds are maintained to a very high standard enabling the quality of the building and its setting to be fully appreciated. This is part of its attraction as a wedding venue and its popularity at heritage open days. Mr Pooley of the Leatherhead and District Society expressed the importance of FPH being accessible to members of the public. Mrs White endorsed this view and pointed out that some 600 people attended the Heritage Weekend in September 2016.
38. The appellant has not advanced an enabling development rationale as part of the appeal submissions, although a single reference was made to this in the planning statement accompanying the refused planning application. Paragraph 131 of the Framework supports the maintenance and preservation of heritage assets and putting them in viable uses which are consistent with their conservation. Paragraph 132 advises that the greater the importance of the heritage asset, the greater the weight that should be given to its conservation.

¹ APP/Z5630/C/03/1115933

39. At the inquiry, Mr Hughes, consultant accountant to the appellants, gave evidence that the office use is not viable for the purposes of the owner and for the maintenance of the listed building, and that about 40 wedding events would be necessary to break even in the proposed business model. I note that there are relatively complex ownership arrangements and a SIPP is in place for the benefit of Mr and Mrs Young who own the Wilky Group and rents out FPH to Fetcham Park Ltd, which is a subsidiary of the Wilky Group. Due to the way the ownership is set up the rent paid has a significant effect on profitability. However, in the opinion of the Council, the rent (currently £225,000 pa) is no more than a notional charge that should be disallowed in the assessment of profit and loss.
40. Notwithstanding this, I am satisfied that it is probable that a mixed use would generate more income than an office use alone and that this would enable the maintenance of the house to continue based on the costed maintenance plan set out in Mr Garrand's evidence. There could also be other uses of the property that could generate sufficient income to maintain the listed building but it is unnecessary to consider these as the outcome of this appeal is not dependent upon a case based on enabling development.
41. The event use of FPH does not involve any physical changes to the listed building or to its grounds. The parties agree that the mixed use would preserve the special interest of the listed building and would not be harmful to its setting or to the character and appearance of the conservation area. I also reach the same conclusion on this issue.

Other considerations

42. The parties accept that the mixed use would support the social economic and environmental strands of sustainable development as set out in the Framework.

Conditions

43. Considerable time was spent at the inquiry on the extent to which conditions could be imposed which would mitigate the potential adverse effects of the use of the house and grounds for events. In imposing the conditions set out in the schedule attached as Annexe B to this decision, I have had regard to ensuring a proportionate balance between the commercial needs of the events business and the concerns of the neighbours in respect of the potential for noise and disturbance. I have also had regard to paragraph 206 of the Framework to ensure that the conditions are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.
44. The extent that an individual reacts to noise exposure varies from person to person and is affected by such factors as the character of the noise, the level and type of background noise and the number and pattern of events. In response to this, the conditions seek to limit the numbers of events, to control the level and containment of internal noise, the hours that the premises are open to guests, the extent of external music and the use of the grounds.
45. Wedding receptions are restricted to no more than 40 per year and limited to Saturdays, of which no more than 15 shall be held between May and September, with no more than three consecutive receptions. Although this is

greater than the number the Council considers appropriate, a temporary four year permission will allow a sufficient time period over which the activity can be monitored as a trial period. It also allows for the development of the business in the first year, a two year trial run and an application for a permanent permission in the fourth year. In the event that the conditions and the Event Management Plan (EMP) indicate that the adverse effects of the use have not been mitigated sufficiently, then this will enable the Council to consider the merits of any future application afresh. I do not regard the earlier use of the premises for weddings as a genuine trial period as the use was unauthorised at that time.

46. Although the Council argued for an 11pm end to the music, the evidence suggests that disturbance at the end of an event is not particularly significant and I do not consider that a later finishing time of midnight would be materially different, bearing in mind the controls in place in the EMP. I also note the business case put forward by the appellant for the midnight finish. Additionally, restricting the use of the gardens for games to 7pm, the reduction in the power setting of the fountains at 7pm and restricting the use of the grounds after 9pm, other than to a delineated evening garden area, appears to be the right balance bearing in mind the nature of wedding events and the interests of neighbouring residents. Whilst the Council argued for a 4.30pm restriction on the use of the grounds, I accept that would limit their use for late start weddings.

Planning obligation

47. The submitted Unilateral Undertaking is signed by SLA Property Company Ltd, the freehold owner of the appeal site, and Parallel Business Centres Ltd, leaseholder of the site, in which the owner covenants to carry out the use, or to procure that the operator carries out the use in compliance with the Event Management Plan² subject to any planning conditions. The operator of the site is Fetcham Park Ltd which does not have a title interest in the site although it is the intention of the appellant to transfer the leasehold interest from Parallel Business Centres Ltd to Fetcham Park Ltd at which time the latter would become bound by the undertaking as successor in title.
48. The planning obligation meets the tests set out in paragraph 204 of the Framework and requires the operator to carry out the use in compliance with the EMP. In brief, the EMP is in a level of detail and covers matters not appropriate as planning conditions. It identifies roles and responsibilities, entry controls, controls internally and externally whilst events are in progress, guests smoking areas, exit controls and complaint procedures. It also sets out terms and conditions for suppliers, terms and conditions for weddings and events and security matters.

Conclusions on the ground (a) appeal

49. Although an unrestricted use would lead to significant adverse noise impacts, this can be mitigated through the use of appropriate conditions and make the mixed use acceptable in policy terms. Whilst the Council would prefer more stringent conditions than those that I intend to impose, I attach considerable weight to the conservation of the asset which would be achieved by the level

² Attached as Appendix 25 of Mr D Homes evidence and dated 23 December 2016

and frequency of activity that the appellant considers is necessary to generate the level of income required to support the maintenance of the building.

50. For the reasons given above I conclude that the appeal should succeed on ground (a) and planning permission will be granted. The appeal on ground (f) does not therefore need to be considered.

Conclusion

51. It is clear from the representations, and from my inspection of the site, that the description of the development in the enforcement notice is incorrect in that as worded, the term 'other functions' lacks clarity. The appellant and the local planning authority agreed at the inquiry that it is open to me to correct the allegation in the notice. I am satisfied that no injustice will be caused by this and I will therefore correct the enforcement notice, in order to clarify the terms of the deemed application under section 177(5) of the 1990 Act as amended.
52. For the reasons given above I conclude that the appeal should succeed on ground (a) and I will grant planning permission in accordance with the application deemed to have been made under section 177(5) of the 1990 Act as amended, which will now relate to the corrected allegation.

Formal Decision

53. I direct that the enforcement notice:

be corrected by the deletion of the allegation at part 3 of the notice and the substitution of the words "Change of use of the property from use as serviced offices within Class B1A to a mixed use of serviced offices and a use comprising the conduct of civil marriage ceremonies, weddings, wedding receptions and other functions of a similar, social, charitable, community oriented or celebratory nature not connected to the lawful use of the land";

and varied by the deletion of the requirements at part 5 of the notice and the substitution of the words "To cease the use of the property, including the grounds, for civil marriage ceremonies, weddings, wedding receptions and other functions of a similar, social, charitable, community oriented or celebratory nature not connected to the lawful use of the land".

Subject to this correction and variation the appeal is allowed and the enforcement notice quashed. Planning permission is granted on the application deemed to have been made under section 177(5) of the 1990 Act as amended, for the development already carried out, namely the change of use of the property from use as serviced offices within Class B1A to a mixed use of serviced offices and a use comprising the conduct of civil marriage ceremonies, weddings, wedding receptions and other functions of a similar, social, charitable, community oriented or celebratory nature not connected to the lawful use of the land at Fetcham Park House, Lower Road, Fetcham, Surrey, KT22 9HD shown edged black on the plan attached as Annexe A and subject to the conditions attached as Annexe B to this decision.

P N Jarratt

Inspector

APPEARANCES

FOR THE APPELLANT: James Pereira QC, instructed by D R Horne

He called

D R Horne Dip TP, MRTPI	Derek Horne and Associates
C Garrand BSc BArch GradDiplCons (AA) RIBA AABC IHBC	Christopher Garrand Consultancy
Mrs L Caudery D Hughes FCIMA	Director of Wilky Group Consultant management accountant, Wilky Group, Director of Homewatt Ltd
M Watson	Independent licensing consultant
A Saunders BScHons FIOA	Clarke Saunders Acoustics

FOR THE LOCAL PLANNING AUTHORITY: Tom Cosgrove QC, instructed by the Head of Planning

He called:

I T Phillips BA(Hons), MRTPI	Consultant Town Planner, Cunnane Town Planning LLP
S Turner MA, MSc, HonFIOA	Director, Stephen Turner Acoustics Ltd.
P Barker-Mills BA(Hons) DipTP MSc, MRTPI, IHBC	Historic Environment Officer, MVDC
T Bolton	Local resident
P Mitchelson	Local resident

INTERESTED PERSONS:

A Pooley, Fetcham resident and President of the Leatherhead and District Local History Society
Ms V White, resident of Little Bookham.
P Mitchell, member of local charity supporting homeless people
P Fairweather, former local resident and Chairman of the Fetcham Residents Association.
Rev A Smith, Rector of St Mary's Church
Dr A Prowse, Local resident
Cllr Lynne Brooks
Cllr Sarah Seed

DOCUMENTS:

- 1 LPA's opening
- 2 LDC Decision Letter 31 January 2017, Ref. MO/2016/1783CL,
(LPA)
- 3 LDC officers report, MO/2016/1783CL, (LPA)
- 4 Appellant's opening
- 5 Statement by Alan Pooley
- 6 Statement by Paul Fairweather
- 7 Appellant's response to Mr Mitchelson's and Mr Bolton's noise logs
- 8 SOCG on noise (joint)
- 9 Sandra Young email of 10 January 2017 to Peter Barker-Mills of
the Council
- 10 Report and unaudited financial statements to 31 March 2016
(appellant)
- 11 SOCG (joint)
- 12 Code of Practice on Environmental Noise Control at Concerts –
The Noise Council (appellant).
- 13 External music noise to Dell Close properties and voice levels at 1
Dell Close (appellant).
- 14 Draft conditions (appellant)
- 15 Draft conditions v1 (LPA)
- 16 Environmental noise time history 16 August – 19 August 2013
(appellant)
- 17 Draft conditions v3 (LPA)

Annex A: Plan

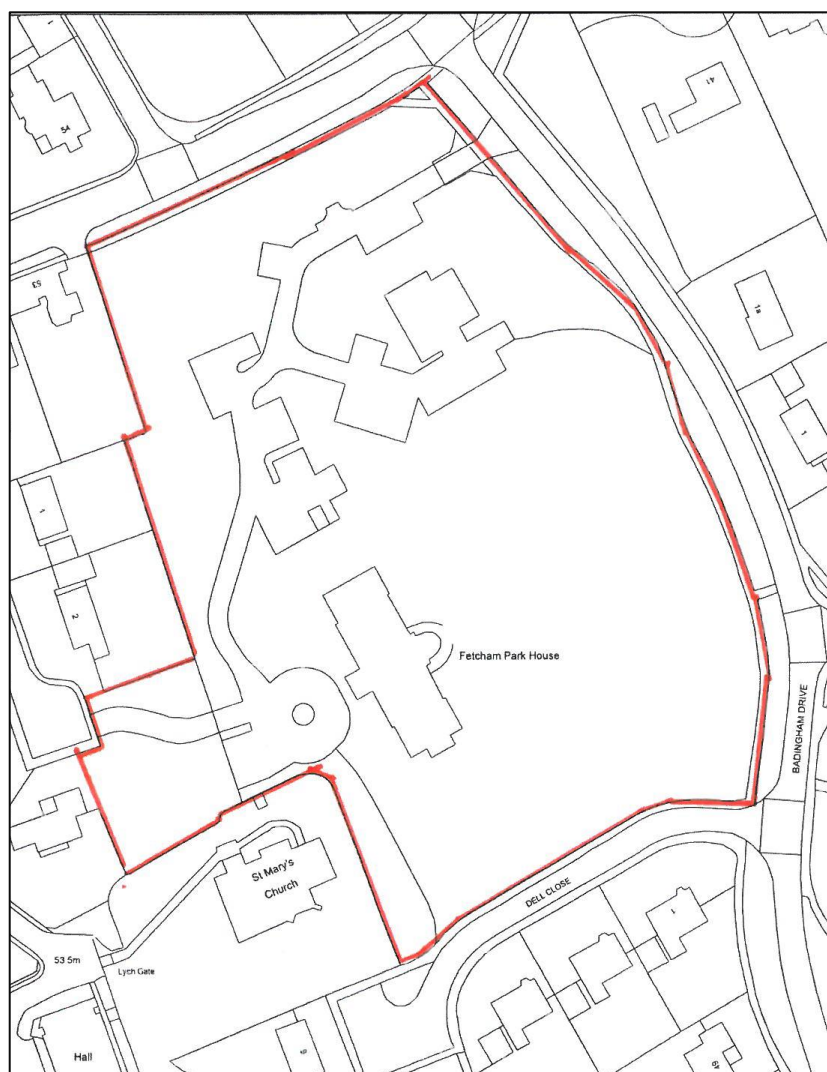
This is the plan referred to in my decision dated: 20 March 2017

by P N Jarratt BA DipTP MRTPI

Land at: Fetcham Park House, Lower Road, Fetcham, Surrey, KT22 9HD

Reference: APP/C3620/C/16/3151572

Scale: Do not scale.



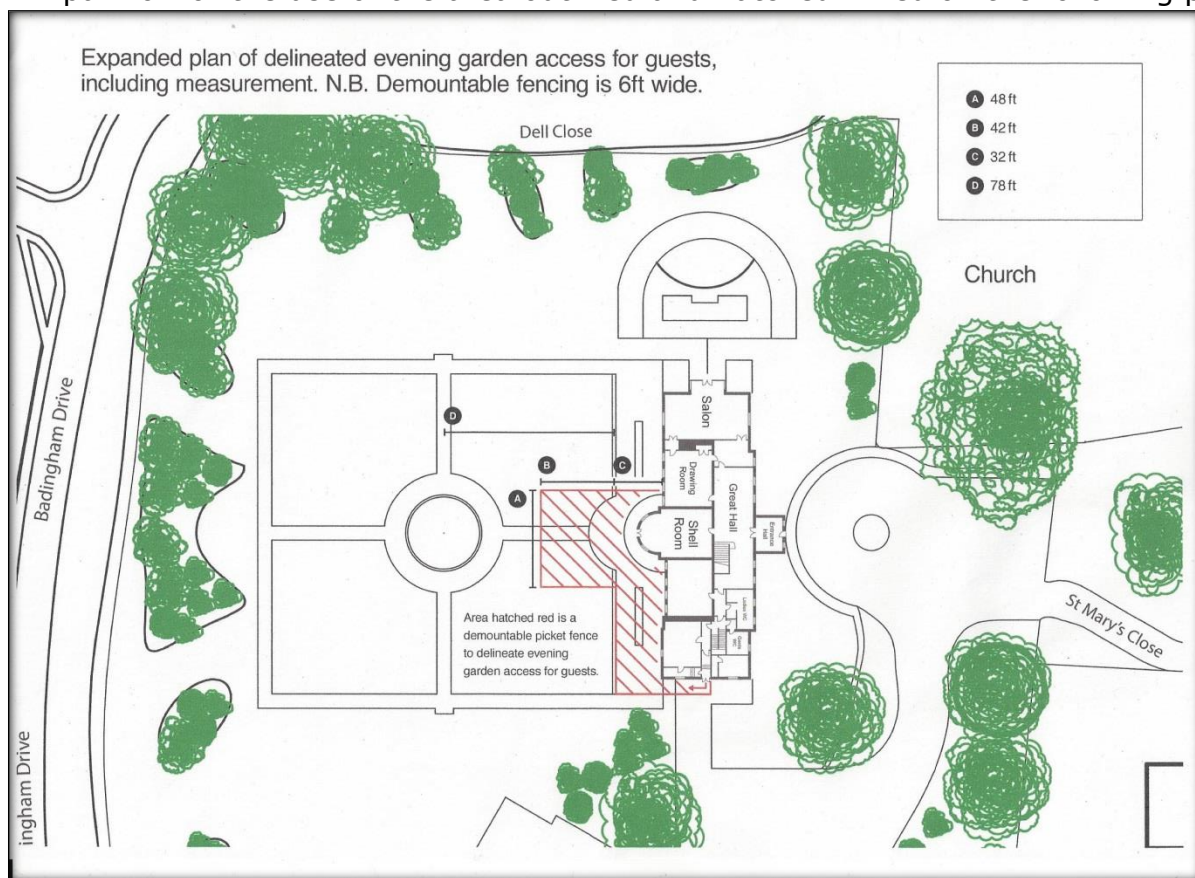
Annex B: Schedule of Conditions

Land at: Fetcham Park House, Lower Road, Fetcham, Surrey, KT22 9HD

Reference: APP/C3620/C/16/3151572

- 1) In these conditions the term 'celebratory event' shall mean any event such as a wedding, wedding reception, party, dinner/dance or ball where more than 50 guests are in attendance. A celebratory event does not include the opening of the house and grounds for an annual open day for heritage purposes where no such limit shall apply.
- 2) The playing of amplified music shall only be permitted in the Great Hall between 07.00 hours and midnight. No amplified sound or music is permitted elsewhere in the building or within the grounds.
- 3) The playing of amplified music shall be confined to the Great Hall and shall not exceed a sound level of 93dB LAeq,5min as measured within the room. A sound level meter shall be set up, properly maintained and calibrated every 3 months for that purpose by means of a hand-held calibrator and set to record the music over consecutive five minute periods while music is being played in the Great Hall. The data shall be collated in a format agreed in advance in writing by the local planning authority and sent to the local planning authority every 3 months.
- 4) When amplified sound or music is played within the Great Hall, all windows and doors in the room shall be closed and remain shut while the amplified sound or music is occurring.
- 5) The Shell Room doors shall remain locked from 21:00 hours except in an emergency.
- 6) Non-amplified music excluding wind, brass and percussion instruments may only be played outside the building on the Shell Room terrace and no more than four instruments shall be played at any one time.
- 7) Music shall not be played outdoors for more than a 90 minute duration at any celebratory event.
- 8) No garden games shall be played after 19.00 hours.
- 9) No marquees or other temporary facility or structure shall be erected within the grounds.
- 10) Fireworks/pyrotechnics/sky lanterns shall not be used anywhere in the grounds at any time.
- 11) The flying of drones from within the grounds shall not take place.
- 12) The maximum number of guests at any celebratory event involving dining, music or dancing shall not exceed 110 persons.
- 13) Any celebratory event shall terminate at midnight and all guests shall have left the premises by no later than 00.30 hours.
- 14) On days of celebratory events, the fountains in the grounds shall not exceed the lowest power setting after 19.00 hours and shall be turned off completely from midnight to 07.00 hours the following day.

- 15) The grounds shall not be used for any celebratory event between 21.00 hours and 07.00 hours the following day, apart for the purpose of accessing the car park or for the use of the area outlined and hatched in red on the following plan:



- 16) The terms and conditions set out in the Event Management Plan dated 23 December 2016³ shall be adhered to at all times except where otherwise provided for in these conditions.
- 17) There shall be no more than 40 wedding receptions per annum of which there shall be no more than 15 wedding receptions between 1st May and 30th September; wedding receptions shall only be held on Saturdays; and, there shall be no more than three consecutive wedding receptions.
- 18) There shall be no celebratory events held on a Sunday.
- 19) All confirmed bookings for wedding receptions including the date and start time of the reception shall be published on www.fetchempark.co.uk/weddings, or such other website as notified in advance to the local planning authority.
- 20) A residents' liaison meeting shall be established by Fetcham Park Limited (or any subsequent body promoting events) for representatives of the Fetcham Park Association, the Fetcham Residents Association and the local planning authority. Meetings shall be held at least four times in the first year in the evening and thereafter by agreement between the parties.
- 21) The use hereby permitted shall be for a limited period being the period of four years from the date of this decision and the use hereby permitted shall be discontinued thereafter.

³ Attached as Appendix 25 of Mr D Homes evidence