The Planning Inspectorate

Appeal Decision

Site visit made on 12 January 2021

by John Felgate BA(Hons) MA MRTPI

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

Decision date: 8 March 2021

Appeal Ref: APP/K3605/W/20/3259700
Land at Apps Court Farm, Hurst Road, Walton-on-Thames KT12 2EG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Apps Court Farm Limited against the decision of Elmbridge Borough Council.
- The application Ref 2018/1582, dated 22 May 2018, was refused by notice dated 14 May 2020.
- The development proposed is "use of land for 'events site' ".

Decision

1. The appeal is allowed and planning permission is granted for use of land as an events site, at Apps Court Farm, Hurst Road, Walton-on-Thames KT12 2EG, in accordance with the terms of the application Ref 2018/1582, dated 22 May 2018, subject to the conditions set out in the attached schedule.

Application for costs

2. An application for costs has been made by the appellants against the Council. That application is the subject of a separate Costs Decision.

Preliminary matters

3. In the various documents submitted in support of the application and appeal, the nature of the proposed use is expanded upon by reference to examples of the types of outdoor events which are envisaged. These include live music, festivals, fiestas, circuses, community shows, dog shows, firework displays, car clubs, motorcycle and caravan rallies, and boot sales. Both the appellants and the Council appear to have treated this list as illustrative rather than exhaustive. I have adopted the same approach.

4. The appellants' submissions at the appeal stage include revised versions of the Proposed Master Site Plan (P15-024 – 2001 – Revision G) and the Proposed Events Area 1 plan (P15-024 – 3102 - Revision F). The amendments incorporated within these plans are relatively minor, and do not materially alter the nature of the appeal proposal itself. The revised plans have not been objected to by any party, and I am satisfied that no-one's interests will be prejudiced. I have included the revised plans in my consideration of the appeal.

5. The appellants' appeal submissions also include an Event Noise Assessment, a Lighting Strategy and an Air Quality Assessment, which were not previously before the Council. However, Council has since made a full response on all of these matters, and I am again satisfied that no significant prejudice will be caused by accepting these documents at this stage.

6. The Council's Refusal Reason (RR) No 3 related to flood risk. In the light of subsequent further information, the Council has now agreed that this issue is capable of being dealt with by conditions.

7. My site visit on 12 January 2021 was carried out on an unaccompanied basis because of the restrictions then in force relating to the Covid-19 pandemic. I was nevertheless able to traverse the whole of the site itself, and also to view surrounding areas including the partially-completed Walton Park development, and the existing residential areas to the north of the River Thames. I am satisfied that I saw everything necessary to be able to make my decision.

Background

8. It is not in dispute that some types of events similar to those envisaged in the appeal proposal have been taking place at the site for a number of years. As far as I can tell, it is agreed that those events have taken place as permitted development, under the relevant provisions for temporary uses of land[1].

9. In addition, the appeal parties have referred to various planning permissions (temporary or permanent) and lawful development certificates that have been granted, for specific uses and developments on parts of the appeal site, including leisure fishing, park-and-ride, archery, recreational camping and caravanning, caravan storage, quad biking and the erection of two wind turbines. The information before me regarding these permissions is in summary form only.

Main issues

10. In the light of the above, and all the evidence and submissions before me, the main issues in the appeal are now:

    - whether the proposed use would constitute 'inappropriate development' in terms of Green Belt policy;
    - the effects of the use on nearby residential occupiers, in terms of noise;
    - the effects on nearby occupiers in terms of external lighting;
    - and the effects on the surrounding area with regard to air quality.

11. In the event that the proposed use would constitute inappropriate development, it will be necessary to consider whether the harm to the Green Belt by reason of inappropriateness, and any other harms, are clearly outweighed by other considerations, so as to amount to the very special circumstances that are needed to justify such development in the Green Belt.

[1] Part 4 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015

Reasons for decision

Green Belt

12. It is agreed between the parties that the appeal site lies within an area of Green Belt, as defined in the Elmbridge Development Management Plan (the DMP), adopted in April 2015. Policy DM17 of the DMP requires that inappropriate development in the Green Belt is not permitted except where very special circumstances are demonstrated. The meaning of 'inappropriate development' is further explained in the National Planning Policy Framework (NPPF), where paragraph 146 sets out various types of development which are not inappropriate, provided that they preserve openness and do not conflict with the purposes of including land in the Green Belt. One of these specified types is the making of a material change in the use of land.

13. The appeal proposal seeks permission for a use of land only, and a permission granted in these terms would therefore not authorise any operational development. For some events, performance stages or other temporary structures would be required, and some of these could potentially be substantial. In other cases there would also be a need for stalls, kiosks and the like. However the temporary and transient nature of these items would be readily apparent, and their removal when not in use could be secured by condition. And during the time that they were present, it seems unlikely that they would occupy more than a small proportion of the site's overall area. Consequently, to my mind, the presence of temporary structures during events would not materially detract from the site's intrinsically open character.

14. I note the Council's concern that events could follow on one after the other, so that a succession of different temporary structures might eventually give the impression of a permanent presence on the site. In my view however, this seems unlikely given that most outdoor events are necessarily confined to the main summer season. But in any case, for the reasons that I have already outlined, I do not consider that the presence of such structures, in the numbers or sizes reasonably likely to be associated with the current proposal, would have a significant adverse effect on the site's openness.

15. There is no suggestion that the proposed development would conflict with any of the Green Belt purposes set out at NPPF paragraph 134. The use as an events site would not involve any urbanisation or encroachment on the countryside. As a former mineral workings and landfill site, surrounded by urban-related land uses, the appeal site has little if any rural character. It is unlikely that the proposed use could take place in the urban area itself.

16. I therefore conclude that the proposed development would preserve the Green Belt's openness and purposes. It follows, having regard to NPPF paragraph 146, that the proposal would not be inappropriate development in terms of Green Belt policy. As such, there would be no conflict either with the NPPF or with Policy DM17.

17. As a consequence of this finding, it is not necessary for me consider whether very special circumstances exist.

Noise

18. Music from large festivals and live music events held on the site, would be audible from some nearby residential properties. Without any restriction over the number and frequency of such events, and the sound levels generated, I agree that the impact on the nearest occupiers, in terms of noise intrusion, would potentially be unacceptable. However, both of these aspects of the proposed use are capable of being controlled and managed, either through planning conditions or through the powers that the Council is able to exercise as Licensing Authority.

19. Firstly with regard to the matter of noise levels, events involving music or other public entertainment for audiences of 500 or more persons, and all events at which alcohol is sold, would require a licence under the Licensing Act 2003. In deciding whether to grant such a licence, the Licensing Authority would have a duty to consider the Act's statutory objectives, one of which is the prevention of public nuisance. To that effect, the Authority would have the power to impose conditions on any such licence, including conditions to control and limit noise emissions.

20. Paragraph 183 of the National Planning Policy Framework (the NPPF) makes it clear that where noise or other emissions are subject to separate regulatory regimes, planning decisions should focus on whether the proposed development is an acceptable use of land, rather than on detailed control of the processes involved. The same paragraph also states that it should be assumed that such other regimes will operate effectively. In the present case there is no doubt in my mind that the Licensing system under the 2003 Act is an example of the kind of separate control regime which paragraph 183 refers to. I appreciate that preventing nuisance is not necessarily the same as protecting amenity, but nevertheless, it is clear that the control of noise emissions from public events is one of the Licensing regime's purposes. It follows in my view that, in so far as licensable events are concerned, the detailed control of noise from the use now proposed at the appeal site is principally a matter for the Licensing system, rather than for this appeal decision.

21. Smaller music-related events, and those not involving music at all, would fall outside the ambit of the Licensing regime. However, the sound levels needed for a smaller audience would be lower than at large events. There is no evidence that non-music related events would cause any significant noise. With careful attention to event management, including site layout and any necessary mitigation measures, together with controls over the timing of events, I see no reason why any of these types of events could not be held without causing unacceptable noise beyond the site boundaries. These controls could be adequately secured by planning conditions.

22. Secondly, regarding the number of events held, this is also controllable by means of a planning condition. I note the Council's reservations over how to determine the most appropriate parameters. However, it is common ground that an unrestricted permission would have the potential to cause unacceptable impacts, so it follows that a limit of some kind is necessary. The condition proposed by the appellants would restrict large or medium-sized music events to a total of 6 event days per year in each of these size categories, with a maximum of up to 17 further days for smaller music events. This would mean that, even if all these were concentrated within the four main summer months, more than 75% of the days in that period would remain free from any music

events, and over 90% would be free from the two larger categories. To my mind, these limits seem to strike a reasonable balance, and I have therefore adopted them in the condition that I intend to impose.

23. In coming to this view, I have taken account of the appellants' Event Noise Assessment (the ENA), and the predicted Music Noise Levels (MNLs) contained therein. In some cases, these MNLs would exceed the thresholds recommended in the Noise Council's *'Code of Practice on Environmental Noise Control at Concerts'*. However, the ENA is necessarily based on a range of assumptions. As far as I am aware, nothing would prevent either the Licensing or Planning Authorities from adopting different assumptions, or from setting MNL targets which departed from those in the ENA. With regard to the Code of Practice, whilst the Code is a widely recognised document, it has no formal status other than as guidance; a departure therefore does not necessarily indicate that the impact would be unacceptable. None of this evidence causes me to doubt that, in dealing with any future Licensing applications or the discharge of planning conditions, the relevant Authorities would be able to control music noise to an appropriate level and ensure a reasonable level of protection for surrounding occupiers.

24. I note the Council's comments regarding the lack of information on background noise levels, or cumulative impacts, or the existing residential caravans close to the appeal site. But there is nothing in the evidence before me to suggest that any of these matters would materially alter the above conclusions. And in any event, in so far as they may be relevant, the necessary further information can be secured through the conditions that I have referred to. Likewise, any scope for additional events under permitted development can be precluded by condition. I have incorporated these additional matters into the conditions that I propose to impose.

25. I conclude that noise from the proposed use as an events site would be capable of being adequately controlled, by means of planning conditions, and by the use of Licensing powers, so that the impact on residential occupiers in the area could be kept within limits that would not be unacceptable. It follows that the appeal site is one where the proposed use would be acceptable in land use terms, in accordance with NPPF paragraph 183.

26. In this respect therefore I find no conflict with the relevant provisions in Policy DM5 of the Elmbridge Development Management Plan (the DMP), adopted in April 2015, which seeks amongst other things to protect residents from noise-generating developments. Whilst I note that RR2 also refers to Policy DM2, this appears to be primarily a design policy, which has no particular relevance to the present appeal.

Lighting

27. The Lighting Strategy report submitted by the appellants, initially dated August 2020, and updated with minor revisions in November 2020, presents an outline of the main types of lighting envisaged, and general design and layout parameters for each. In general terms, the report concludes that lighting installations for the types of events envisaged could be designed and oriented to minimise light spill towards sensitive receptors; and that whilst the event lighting would be visible from some properties, glare could be avoided, and the overall impact would therefore not be perceived as obtrusive.

28. The Council has subsequently identified some areas where details are considered to be lacking or unclear. However, it is not disputed that these further details could be required by condition. Based on the evidence available, I see no reason to doubt that, with the benefit of such a condition, an acceptable detailed Lighting Strategy could be secured, providing adequate protection for nearby residential properties.

29. I conclude that lighting from the proposed use would be capable of being adequately controlled by means of planning conditions, so that the impact on residential occupiers in the area would be acceptable. In this respect I again find no conflict with Policy DM5 of the DMP.

Air quality

30. The appeal site lies within a fairly short distance from the Hampton Court and Walton Air Quality Management Areas (AQMAs), both of which include sections of the A3050, and it is likely that most traffic associated with the site would pass through one or other of these. There is also a further AQMA at Molesey, and two more to the north of the River Thames. Vehicle emissions generated by the proposed use would have the potential to add to the existing concentrations of pollutants in all of these local areas. In addition, a number of ecologically sensitive sites are also present in the vicinity, including the Knight and Bessborough Reservoirs SSSI, and additional traffic could adversely affect air quality at these receptors. DMP Policy DM5 seeks to avoid introducing additional sources of air pollution in AQMAs, and to resist proposals which would have a significant adverse impact on such areas.

31. The appellants' Air Quality Assessment report seeks to assess the impact based on a comparison with the site's existing use, which includes events held under permitted development rights. I share some of the Council's misgivings over the way the assessment has been carried out. But there is clearly no dispute over the fact that events do currently take place at the site, including some quite large ones such as the Barrio Fiesta, which is said to attract over 20,000 people annually, and others such as the Shynefest and One Out festivals. I have no reason to doubt that, in the absence of the permission now sought, these and other established events would be likely to continue in much their present form. In principle therefore, it seems reasonable that the assessment of air quality impacts should take account of the traffic generated by the existing use.

32. The appellants suggest that the net increase over this existing usage would equate to 4 additional events per year. However, the basis for this calculation has not been explained, and I have therefore placed no reliance on that particular figure. But even so, it is clear that in the existing use, both the number of days on which events are held, and the numbers of persons attending, are significant. Under the permission now sought, the condition that I have referred to earlier would place a strict limit on the number of days on which music-related events could take place. From all the evidence available, I have no doubt that it is these musical events, and particularly the larger ones, that are likely to attract the largest volumes of traffic. Although the number of non-music events would be unrestricted, in most cases it seems likely that the attendances at these will be significantly smaller. Given this irregular type of pattern, the appellants' approach of averaging the effects over a 12-month period seems reasonable.

33. I also note that, out of the 16 local air quality monitoring stations identified by the appellants, only one had recorded NO_2 levels in excess of the relevant national air quality objective. Whilst a few other locations are quite close to that threshold, there is no evidence that the appeal proposal would push any of these above it. In the vicinity of the site itself, none of the existing levels of NO_2, PM_{10} or $PM_{2.5}$ appear to give rise to any current cause for concern.

34. If planning permission were granted, some degree of mitigation could be achieved through planning conditions. Firstly, an Air Quality Management Plan could be required, based on an updated and more detailed air quality impact assessment, and including a requirement to identify and evaluate potential mitigation measures. Secondly improved management of vehicle access and car parking could be required, through an Event Site Management Plan, and thirdly the use of more sustainable transport modes could be encouraged and promoted through a Travel Plan. Given the deficiencies in the information currently submitted, there is some residual uncertainty as to the extent to which these measures would fully mitigate the potential impacts. But on the other hand, while events continue to be held under permitted development, as at present, there is very little scope for achieving any mitigation at all.

35. On balance, I conclude that the potential air quality impacts of the appeal proposal are likely to be capable of being satisfactorily mitigated by means of the conditions that I intend to impose. In this regard therefore, I find no conflict with the relevant provisions of Policy DM5.

Other matters

36. I note that a subsequent application at the appeal site is the subject of an objection by Natural England. However, that application is not before me. In relation to the application which is the subject of this appeal, Natural England's advice to the Council was evidently that its concerns could be overcome by means of conditions, to protect the nearby SSSI from excessive light spill and from the effects of fireworks. I have had regard to that advice in the conditions that I intend to impose.

37. An application has also been made for 39 new dwellings on part of the appeal site. But no decision has apparently been made on that application. Nor is there any suggestion that the Council expects to grant permission. In the circumstances, I can see no basis for giving any weight to this proposed development in the present appeal.

38. Part of the appeal site is subject to an easement relating to a high-pressure petroleum pipeline. However, the British Pipeline Agency has confirmed that safety procedures are in place. I note that the Agency was consulted on the application and did not object to the proposed development.

39. It is not disputed that the development would provide employment, generate additional spending for local businesses and suppliers, and provide leisure opportunities in close proximity to a large catchment population. I agree that these economic and social benefits add some weight in favour of the proposal.

Conditions

40. In considering the conditions proposed by the Council and the appellants, I have had regard to the tests in NPPF paragraph 55. Those that I consider should be imposed are set out in the attached Schedule.

41. A condition requiring adherence to the approved plans is necessary to ensure certainty.

42. A condition limiting the use of temporary structures, and a requirement for their subsequent removal, is needed to protect the openness of the Green Belt. However, there is no need to provide for restoration, as the permission that I shall grant does not permit any operational development.

43. Limits on the numbers of music-related event days, and on the hours during which they can take place, and an Event Noise Management Plan, are all necessary to mitigate the impact of noise on nearby occupiers. For the sake of clarity, I have amended the first of these, to make clear that permitted development rights for temporary uses will not be exercisable in addition to the numbers specified. I have also adopted the term Event Noise Management Plan in place of the Council's suggested terminology, to better reflect the post-decision nature of the assessment that will be needed, with an emphasis on mitigation and management.

44. A detailed Lighting Strategy is likewise needed to protect nearby occupiers from excessive or unnecessary lighting impacts. I have simplified this condition in the interests of avoiding over-prescription. In addition, I have also amended the condition to incorporate the additional controls over lighting and flares recommended by Natural England for the protection of wildlife at the Knight and Bessborough Reservoirs SSSI. For similar reasons relating to the SSSI, a further condition is also needed to control firework displays, again reflecting Natural England's advice. In this latter case I have inserted a requirement for a new plan to identify the position for the letting off of fireworks, as no such plan appears to be included in the details before me.

45. An Air Quality Management Plan is necessary, to mitigate and minimise the effects on air quality and public health. Again in this case I have adapted the terminology to better reflect the condition's purpose; I have also simplified its requirements, to focus more clearly on mitigation. In addition, a Travel Plan and an Event Site Management Plan are needed, both to further reinforce the above condition with regard to air quality, and also to limit the impacts of the proposed use on the transport network.

46. A Flood Management Plan is necessary, in order to ensure the safety of persons on the site in the event of flooding, reflecting the advice of the Environment Agency. Within that part of the site that is liable to flood, restrictions are also needed as to the types of structures to be used, to avoid exacerbating the risks to persons and premises elsewhere. In both of these cases, I have amended and combined the conditions suggested by the Council, to improve clarity and avoid unnecessary duplication.

47. A condition relating to the Health and Safety Executive's consultation zones around the Walton Oil Storage Terminal is needed, to protect public safety. I have amended the suggested condition for reasons of precision and enforceability.

48. A condition relating to contamination is needed, because the land has previously been used for mineral extraction and landfill, and the proposed use would be likely to bring users of the site into direct contact with the soil. The Phase 1 environmental report submitted with the application deals principally with land outside the present site boundary, and contains insufficient detail on

this part of the Apps Court Farm site. However, I have substantially amended and simplified the suggested condition, to make it less onerous and more proportionate to the nature of the proposed development.

49. A number of these conditions are designed to take effect prior to the commencement of the use, and in all cases this is necessary for those conditions to achieve their intended purpose. The appellants have also indicated their acceptance of the conditions in question.

50. I have also considered all of the other suggested conditions. However, a separate condition restricting permitted development in flood zone 3 is not necessary, as permitted development for temporary uses is already covered by the amended condition that I have imposed with regard to the number of event days. A condition relating to underground pipework is unnecessary, because no operational development would be authorised by the permission sought. And it is not necessary to control the number of car boot sales, as there is no evidence of any significant adverse impacts arising from these.

Conclusion

51. For the reasons set out above, I conclude that the proposed development would not be inappropriate in terms of Green Belt policy, and that all the other potential impacts identified by the Council could be avoided by conditions. I therefore find no conflict with any development plan policies.

52. The economic and social benefits identified weigh moderately in favour. I have found no other material considerations weighing against.

53. I have taken account of all the other matters raised, but none changes these conclusions. The appeal is therefore allowed.

J Felgate

INSPECTOR

SCHEDULE OF CONDITIONS

The planning permission to which this decision relates is granted subject to the following conditions.

1) The development hereby permitted shall begin not later than three years from the date of this decision.

2) The use as an events site shall be carried out in accordance with the following approved plans:

P15-024 – 2001 - Rev G: Proposed Master Site Plan
P15-024 – 3102 - Rev F: Proposed Events Area 1
P15-024 – 3202 - Rev C: Proposed Events Area 2
P15-024 – 3302 - Rev D: Proposed Events Area 3
P15-024 – 3402 - Rev B: Proposed Events Area 4

3) No structures of any kind associated with the proposed use shall be brought onto the site, except when required for a particular event. All such structures shall be removed from the land on the completion of that particular event. No structures associated with the proposed use shall be kept on the site at any time other than when the event for which they are required is taking place.

4) Notwithstanding the provisions of Classes B and BA, Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any Order revoking or re-enacting that Order, the total number of music-related event days held annually at the site shall not exceed a maximum of 29 days in any calendar year. Of these, no more than 6 days per year shall be for large events with an attendance exceeding 5,000 persons, and no more than a further 6 days shall be for medium-sized events with an attendance of between 500 - 4,999 persons.

5) No events held at the site shall be open to the public other than between the hours of 11:00 to 23:00 on any event day.

6) The use hereby permitted shall not be commenced until a detailed Event Noise Management Plan (ENMP), for events falling outside the Licensing Act 2003, has been submitted to the local planning authority and approved in writing. The assessment shall identify the following:

- existing background noise levels
- relevant noise-sensitive receptors
- the siting and layout of staging and other facilities
- typical noise levels likely to be generated by different types of events
- any relevant cumulative impacts
- any necessary noise management or mitigation measures

In the event that the ENMP shows that noise management or mitigation measures are necessary for particular types of event, such measures shall be implemented before any events of those types are held. Thereafter, the use shall be carried out in accordance with the ENMP.

7) The use hereby permitted shall not be commenced until a detailed Lighting Strategy has been submitted to the local planning authority and approved in writing. The Lighting Strategy shall include details of the proposed lighting for each event area, including layouts, types, numbers, heights, orientation, luminance, control systems and hours of use. The Strategy shall also ensure that no lighting or flares are directed at the lakes or margins of the Knight and Bessborough Reservoirs SSSI. Thereafter, the use shall be carried out in accordance with the Lighting Strategy as thus approved.

8) No firework displays shall take place on the site until a plan showing the detailed location for the letting-off of such fireworks, within Events Area 1, has been submitted to the local planning authority and approved in witing. Thereafter, firework displays shall take place only in accordance with the details thus approved. No fireworks shall at any time be directed over the lakes or margins of the Knight & Bessborough Reservoirs SSSI. During the months of September to March inclusive, no more than one firework display shall be held in any 12-month period.

9) The use hereby permitted shall not be commenced until an Air Quality Management Plan (AQMP) has been submitted to the local planning authority and approved in writing. The AQMP shall include an updated assessment of the effects of the proposed use on air quality in the area, and details of any mitigation measures required as a result of that use. Thereafter, the use shall be carried out in accordance with the AQMP as thus approved.

10) The use hereby permitted shall not be commenced until a Travel Plan has been submitted to the local planning authority and approved in writing. Thereafter, the use shall be carried out in accordance with the Travel Plan as thus approved.

11) The use hereby permitted shall not be commenced until an Event Site Management Plan (ESMP) has been submitted to the Local Planning Authority and approved in writing. The ESMP shall include detailed proposals for the management of car parking and traffic, including coaches and minibuses. Thereafter, the use shall be carried out in accordance with the ESMP as thus approved.

12) The use hereby permitted shall not commence until a Flood Management Plan (FMP) has been submitted to the local planning authority and approved in writing. The FMP shall include details of the proposed arrangements for:

- the monitoring of flood warnings, and the actions to be taken in response to a warning prior to the holding of an event;
- marshalling during events, and the training or briefing of relevant personnel;
- actions to be taken in the event of a flood warning or flood incident when an event is in progress;
- the means of communicating with customers about flood warnings or other flood risk information, both prior to and during events;
- provision of safe escape routes during a flood.

Thereafter, the proposed use shall be carried out in accordance with the FMP as thus approved.

13) Within that part of the site lying within Flood Zones 3a and 3b, and the area designated as '3a + 35% CC', all as defined on Plan No 181081/FRA/01 Rev F (contained in the Flood Risk Assessment by Lanmor Consulting, dated September 2020), the use hereby permitted shall not commence until indicative details of the types of temporary fencing, staging and storage compound enclosures to be used have been submitted to the local planning authority and approved in writing. The details to be submitted shall allow water to flow freely in times of flood, and shall minimise any loss of flood water storage capacity. The submitted details shall also ensure that all staging is set a minimum of 1.3m above ground level, with a 300mm freeboard beneath the lower surface. Thereafter, within the areas referred to, no structures of any kind shall be erected, either permanent or temporary, except in accordance with these approved details.

14) The use hereby permitted shall not commence until a public safety scheme has been submitted to the local planning authority and approved in writing, for safety measures relating to that part of the site falling within the consultation zones around the Walton-on-Thames Oil Storage Terminal, as defined by the Health and Safety Executive and shown on the submitted Plans Nos 2001 Rev G, 3102 Rev F, and 3302 Rev D. Within the inner zone, the public safety scheme shall ensure that no stages or facilities are located, and that the land is not used for any purposes other than for

vehicle parking and storage, ancillary to the use of the site for holding events. In the other two zones, the scheme shall ensure that access is restricted to no more than 100 persons in the middle zone and 1,000 persons in the outer zone at any time. Thereafter, the proposed use shall be carried out in accordance with the public safety scheme as thus approved.

15) The use hereby permitted shall not commence until the site has been investigated for soil contamination, and any such contamination found to be present has been removed or rendered harmless, and verified as such, in accordance with a scheme to be submitted to and approved in writing by the local planning authority.