



Appeal Decision

Hearing Held on 16 and 17 December 2020

Site visit made on 24 February 2021

by J Ayres BA Hons, Solicitor

an Inspector appointed by the Secretary of State

Decision date: 02 NOVEMBER 2021

Appeal Ref: APP/Z5060/W/19/3239837 649 Dagenham Road, Romford RM7 0QX

- 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 Mr G Chowdhury against the decision of the Council of the London Borough of Barking & Dagenham.
 - The application Ref 18/01909/FUL, dated 5 November 2018, was refused by notice dated 24 April 2019.
 - The development proposed is erection of temporary marquee in the grounds (on seasonal basis for up to 16 weeks per year) for use as function venue for up to 400 guests and provision of additional car parking spaces on land between the existing farmhouse venue and the millennium centre car park.
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Decision

1. The appeal is allowed and planning permission is granted for erection of temporary marquee in the grounds (on seasonal basis for up to 16 weeks per year) for use as function venue for up to 400 guests and provision of additional car parking spaces on land between the existing farmhouse venue and the millennium centre car park at 649 Dagenham Road, Romford RM7 0QX in accordance with the terms of the application, Ref 18/01909/FUL, dated 5 November 2018, subject to the conditions in the attached schedule.

Application for costs

2. At the Hearing an application for costs was made by Mr G Chowdhury against the Council of the London Borough of Barking & Dagenham. This application is the subject of a separate Decision.

Preliminary matters

3. I have used the description as set out in the Council's reason for refusal as it accurately reflects the proposal before me.

Main Issues

4. The main issues are:
 - i) whether the proposal would be inappropriate development within the Green Belt;
 - ii) the effect of the proposal on the character of the area;

- iii) the effect of the proposal on the locally listed building;
- iv) the effect of the proposal on the safe and convenient use of the highway; and
- v) would the harm, by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

Inappropriate development

5. The Framework advises at paragraph 137 that the fundamental aim of national Green Belt policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belts are their openness and their permanence. Policy CM3 of the Planning for the future of Barking and Dagenham Core Strategy (adopted 2010) (the Core Strategy). The Core Strategy states that Barking and Dagenham's Green Belt will be protected and maintained in accordance with national policy.
6. The Framework states that the construction of new buildings should be regarded as being inappropriate in the Green Belt. Paragraphs 149 and 150 define exceptions and list other forms of development that are not inappropriate in the Green Belt. However, a marquee structure would not fall within any of the categories defined. I have considered the appellant's argument that the marquee would only be in position between the months of March/April and July/September, and whilst those terms are general it is clear that the marquee would be in place for a significant part of the year.
7. Notwithstanding the argument that the building could be removed to reinstate the openness of the Green Belt at any time, the marquee would, in my opinion, be of sufficient permanence it should be considered as a building albeit capable of being dismantled for the winter months. Consequently, the proposal amounts to inappropriate development within the Green Belt.
8. The Framework advises (paragraph 147) that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. As a result, I attach substantial weight to the harm arising from the inappropriate nature of the proposed development, as required by paragraph 148 of the Framework.

Openness

9. Openness has both spatial and visual aspects. The appeal site is located on Dagenham Road near to the junction with the Chase, enclosed by fencing and mature foliage, trees and shrubs. It is experienced as an enclosed site within the Green Belt, which incorporates the Eastbrookend Country Park. The Millennium centre, which is a visitor's education centre, and a designated caravan site are located further along the Chase.
10. The vegetation along the boundary's obscure views into the site, and the proposal would be largely screened. However, the appeal proposal comprises a structure of significant scale on a part of the site that is open, i.e. free from buildings. Furthermore, the secondary element of the proposal would include use of the land for overspill car parking during larger events. Whilst the

marquee and the parking would be screened by trees and the existing farmhouse, thereby significantly limiting the visual impact, the proposal would inevitably reduce the spatial openness of the site and the Green Belt thereby conflicting with the provisions of the Framework. The Framework is clear that substantial weight should be given to any harm to the Green Belt.

Effect of the proposal on the character of the area

11. The appeal site is set within Eastbrookend Country Park which is some 32 acres in size. There are vast areas of open land interspersed with trees and fishing lakes. The area around the appeal site is generally busier than other parts of the park due to the highway, adjacent car park, lakes, and millennium centre. There are certainly tranquil walks to be had, and both near and distant views of the farmhouse are possible. The views themselves are largely constrained to the upper section of the building, it can be difficult to see into the site due to the significant boundary vegetation, and this is true from both lower and elevated viewpoints.
12. Additional trees would be planted as part of the proposal which would provide intensified screening and a defensible boundary. This would reflect the significant level of greenery provided by the park, and over time would reinforce natural elements by providing a cluster of mature vegetation which would assist in breaking up the built form along the Chase.
13. Whilst undoubtedly substantial in size, standing at a height of approximately 4.5 metres, the marquee itself would be in keeping with the use of the Farmhouse as a function venue. The proposed structure would be of modular construction using mixed materials including a tarpaulin roof, coloured UPVC rear panels and clear tempered glass panels, facing the southern and western boundaries. The panels and roof would be green, which when combined with the existing level of screening would ensure that the marquee would not dominate the site, and views of it would be largely obscured when looking towards the site from the adjacent park.
14. There is an existing area to the front of the site used for parking, and the side area would be used for overspill parking during events. This would be largely screened from view, and adjacent to an existing permanent carpark which serves the park and Millennium Centre. Accordingly, it would be in line with existing built form which forms its immediate setting and would not detract from the wider open character of the park area.
15. Whilst larger events would lead to a slight increase in noise, the historical use of the venue was as a public house. Customers were, and continue to be, permitted to use the outdoor space. Therefore, the proposal would not lead to an introduction of a new or alien noise to the space. Having regard to the significant screening, and the use of the marquee, along with the history of the site, I consider that the proposal would not be harmful to the character of the park in relation to the tranquil spaces that can be experienced and enjoyed. Accordingly, I find that the proposal would comply with policy BP11 of the Borough Wide Development Policies Development Plan Document which requires development to protect the character and appearance of the area.

Effect of the proposal on the locally listed building

16. The Farmhouse Tavern is a locally listed building, the appellant has restored the building since purchasing it, and it is appreciated as a building of some stature experienced within open grounds. Its significance is found, in my view, in its historical use as a public house set within a generously open site. It would have had a functioning relationship with the highway to the front, however the boundary with the park has been established for a number of years. Indeed, the main views of the building are from the front where the boundary is more open, and the site rises very gently towards the building from the highway, giving the building a presence from the road.
17. The Marquee would not interrupt views of the building when standing to the front of the site, and due to the significant level of screening that has matured over a period of time along the rear and side boundaries the marquee would not interrupt views of the upper element of the rear of the building. Accordingly, I consider that the proposal would not be harmful to the visual setting of the locally listed building.
18. The marquee would occupy land to the rear of the building that is currently open. Its use would be directly associated with the use of the building, which was historically a public house, now used for a variety of events which vary in scale. I find that the marquee would provide a supplementary facility for the main use of the locally listed building. This would not conflict with the use of the building and as such I find that the proposal would not be harmful to its significance. Accordingly, the proposal would comply with policy BP11 of the Borough Wide Development Policies Development Plan Document which requires development to sensitively balance sustainable development considerations with the need to conserve and enhance the borough's historic environment.

Effect of the proposal on the safe and convenient use of the highway

19. Two bus stops are located within some 100 metres of the appeal site, and there is a bus service passing the site that provides access to Dagenham Heathway and Romford train stations. It is reasonable to assume that a number of people would travel to the venue by private vehicle, however there are alternative modes of transport available. Whilst the site has a Public Transport Accessibility level of 1b, it would appear that there are a number of transport options available that are conveniently located and provide connections for further travel.
20. Having regard to the events at the venue since 2015 it is accepted that a number of guests would travel to the venue via private vehicle, whether that be a private car that is then parked at the venue for the duration of the event, or a private hire taxi which would drop off and collect guests. There would therefore be an inevitable increase in vehicle movements to and from the site during events.
21. Events usually take place on a Saturday or Sunday, starting at various times from the early afternoon through to early evening. Based on an analysis of 18 events surveyed over a period of 29 months the average parking demand is assessed at a figure of 79 spaces for an event with 400 guests (the maximum capacity that is being sought). Approximately 93 spaces can be provided within the appeal site through the use of the existing parking and proposed additional

- parking area. Of this figure 47 spaces can be accommodated without using the additional land, and the overflow element would be required for larger events only. I am satisfied, having regard to the assessment of previous events of various sizes, that parking would be accommodated within the site and that the proposal would not result in a need for vehicles to be parked on the highway.
22. The appeal site is located at the junction of the Chase and Dagenham Road, at a point where Dagenham Road changes direction and bends away from the appeal site. On the available evidence relating to accident records and the London Collision Map there have been 40 accidents reported on Dagenham Road, none of which occurred on days that events were held at the Farmhouse Venue for the period of time surveyed. Due to the bend in the road the speed of traffic is controlled and requires drivers to slow down. The road on either side of the bend is straight and provides good visibility along its respective length. If travelling towards the venue and turning right into the Venue or the Chase, there is the capacity for a vehicle to indicate and turn into the venue without obstructing the flow of traffic behind it. This capacity could be further enhanced and secured by way of a s278 agreement.
23. Not all arrivals would be from the same direction, further lessening pressure on the junction. Moreover, any traffic increase would be likely to be of limited duration and would normally occur at off peak times. Having regard to the above, I am satisfied that the proposal would not result in additional volumes of traffic that would have an unacceptable impact on highway safety. Accordingly, it would comply with policy BR10 of the Borough Wide Development Policies Development Plan Document which advises that proposals for new development will be assessed subject to their potential impact on the surrounding transport and road network.

Other Considerations and Very Special Circumstances

The locally listed heritage asset

24. Upon purchasing the Farmhouse Tavern, the appellant carried out a full renovation of the property due to a prolonged period of disrepair. These works included replacement of all 29 windows, replacement of the roof, replacement of air conditioning units and ground works. Not only were these significant costs to incur upon taking control of the locally listed building, but due to its size and surrounding grounds there are ongoing maintenance costs to be met in order to ensure that the building does not fall into disrepair and is kept in its current renovated and functional state.
25. Whilst it is possible to have events within the building itself, these are smaller in nature due to the natural restraint on capacity of using the indoor function room. Income for hire varies depending on a number of factors relating to whether the booking is simply for use of the venue, whether the booking includes catering, the size of the function, and the type of function. The proposal would allow the appellant to cater for larger events, the details of which I shall return to later in my decision, however fundamentally the ability to cater for larger events would provide a greater income for the venue.
26. The revenue from the hire of the marquee during the spring and summer months would provide a substantial contribution towards the on-going maintenance costs associated with the Farmhouse Tavern and the site, which would safeguard the future of the locally listed building.

27. The Farmhouse Tavern historically functioned as a public house, however this use ceased a number of years ago. A number of small local restaurants have ceased trading over the past 2 years, and it has been incredibly difficult for the hospitality industry to recover from the pandemic. The venue continues to provide a valuable service to the local and wider community, being used for small local celebrations and more sombre events.
28. The optimum viable use of the asset would be to retain it within the hospitality sector. Whilst small events provide an income, the proposal would allow the appellant to provide for a far wider community and generate an income that would assist the business in flourishing in this location. I have found that the proposal would not be harmful to the significance or setting of the local listed building, and the proposal would help to safeguard the future of the locally listed building by generating a substantial revenue.

Use of the venue by the community

29. The Public Sector Equality Duty (PSED) contained in section 149 of the Equality Act 2010 requires me to have due regard to the need to, amongst other things, advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. Race, Religion and Belief, are identified as relevant characteristics.
30. The borough has seen a diversification in its demographic and is home to a mixed community, some of whom have distinct needs for larger venues for family and community events. Many Asian, African, Afro-Caribbean, Jewish and Turkish communities enjoy large functions, where invitations are extended to the wider family and community. The 2017 Faith Groups and Meeting Places Study (the Study) highlights Eastbrook ward as having a high religious population but almost no community space.
31. The Study identified a need to accommodate the Black, Asian and minority ethnic (BAME) community. It focused on providing suitable facilities for worship, and whilst the venue is not a typical facility for worship, it is used for events that support religious festivals, church groups and community events. The proposal would provide a real opportunity for BAME events related to a range of functions including celebrations in addition to religious and community meetings. In the evidence presented at the hearing it was explained that it is not uncommon for between 400 and 1000 people to be invited to a wedding. It is not surprising that there are a limited number of venues that are able to accommodate these larger celebrations, nevertheless there is demand to enable larger celebrations which reflect traditional ceremonies within the community.
32. The appellant supports a number of community groups, including conferences and educational events. There is clearly a commitment to support the local community in addition to the wider community. A number of those events, including Easter mass, have to take place over a longer period in order to accommodate smaller groups. The proposal would allow these larger events to take place, whether they be for worship, celebration, or some other community event as one congregation which would reflect the traditional values of the BAME community. Furthermore, the income from larger events such as weddings, would allow the appellant to expand the facility to meet the function needs of smaller community groups. The proposal would therefore support the aims of the London Plan 2020 which seeks to ensure a commitment to equal

chance for all Londoners, and where appropriate to address the needs of particular groups. It would also support the aim of the Framework which seeks to plan positively for the provision and use of community facilities.

The local economy

33. The appellant's business specialises in catering for weddings, events and community functions for the Muslim community in addition to events for all groups. A considerable number of people provided evidence in relation to events that they had attended at the venue, about the demand for larger events to be held for the BAME community, and also about the lack of availability of such venues.
34. The use of the venue for larger events would encourage engagement with local suppliers for those organising events at the venue. In addition, there is the potential to employ local people to work within the venue, and when having regard to the 2011 Census identifying that Eastbrook has the highest proportion of unemployed residents aged 16 to 24, the provision of local employment should be encouraged.
35. The Framework advises that in order to provide the social, recreational, and cultural facilities the community needs decisions should ensure that established facilities are able to develop and modernise. The venue has functioned in its current form for a number of years and has demonstrated that in providing for a wider range of people it positively contributes to social inclusion.
36. The proposal would encourage economic growth locally and comply with the aims of the Park and Open Space Strategy 2017 (POSS) which identifies that an effective events programme ... aims (to) create positive experiences for the community whilst generating income for the local economy.

Synergy with existing and proposed uses of the Eastbrookend Country Park

37. The POSS actively promotes the use of the park as a good space for boutique, artistic and creative events. The park has benefitted from increased investment over recent years to upgrade footpaths, signage, and accessibility. Further works are ongoing to create a green corridor, linking parks and open spaces through the use of signage to connect areas within the borough. In addition, an increasing number of events are being held within the park. These include the country fair, courses to educate young people on forest skills, pond dipping, mini-beast hunts and safaris, Halloween events, and photograph competitions. There is a clear desire for the park to be an open and engaging space for all who visit and pass through the area.
38. The evidence identifies that this desire to reach out to users and create an inclusive space is shared by the appellant. The venue is opened and accessible to the public during events and is offered for use as part of educational courses. Guests attending events have previously been encouraged to explore and enjoy the park.
39. The venue is a distinct and separate unit which functions within the larger setting of the park. It benefits from the wide and open character of the park, and the park is enhanced through the successful upkeep of the locally listed building and the occupation of the site by a family led business encouraging people from the wider area to come into Eastbrookend and experience the venue and its surroundings.

40. I do not consider that the proposal would significantly affect the use of the park for larger events, or that guests would necessarily return to the park should they live some distance away. However, the use of the venue sits comfortably within the use of the park for recreation and general enjoyment, and the proposal would not conflict with the aims for the profile of the area to be raised.

Other material considerations

41. I have considered the matters raised by interested parties. Despite the venue functioning for a number of years for events, including with a larger capacity at times, there have been very few noise complaints. The larger celebrations would be likely to take place on a weekend, and during the early evening. Whilst this may increase the level of noise on site at times, I have found that the use of the marquee and the associated boundary screening would restrict noise associated with the use. Furthermore, an appropriate condition could be imposed to monitor and control noise associated with the use of the venue. I have considered the concerns regarding the use of the local cemetery. The historical use of the venue was as a public house and therefore there has always been the possibility of celebrations being held at the site. Celebratory events are more likely to be held during the late afternoon and early evening of weekends, and therefore would not conflict with the quiet contemplation of those attending the cemetery such to warrant dismissing the appeal on that ground.
42. I note the concerns regarding the conflict with the fishing consortium, who pay for maintain a well-stocked fishing environment. I have extremely limited evidence to suggest that the use of the venue results in significant numbers of people using the park in a manner that is not akin to its general use. The open elements of the park are designed and promoted to be enjoyed by all, and this is advanced in the POSS.
43. The additional planting and screening would be governed by a suitable condition and would provide additional habitat for wildlife within the park, this influx of natural habitat would be a benefit having regard to the nearby hard infrastructure along the Chase.
44. An appeal for a marquee to be located on the appeal site was previously dismissed and I have had regard to that appeal. The appeal was determined a number of years ago, and there are a number of factors that are now materially different. I have found that the site has a considerable boundary, which screens the locally listed building and affects its setting and how it is experienced. I have found that due to the reduced size of the marquee and its design it would not be harmful to the character of the area or the locally listed building. I have also spent time visiting the park and area and have found that the proposal would not be harmful to the tranquillity of the park. Accordingly, whilst the previous decision has been taken as a material consideration, I have found that the circumstances have evolved, and I have determined this appeal on its own merits.
45. I have carefully considered the representations made; however, they do not lead me to reach a different decision on the appeal.

Green Belt Balance

46. I have found that the proposal would be harmful to the Green Belt by reason of inappropriateness and loss of openness. The Framework requires me to give this harm substantial weight. However, I have found that it would not be harmful to the character and appearance of the area or the locally listed building and I am satisfied that, subject to conditions, there would be no undue harm to highway safety or inconvenience for other road users. I give the absence of harm in respect of these matters neutral weight.
47. In this case I find that there are significant benefits that would arise from the proposal. The proposal would ensure that the locally listed heritage asset would be retained and maintained to a good standard, and I attach substantial weight to this consideration. The ability to improve accessibility for all members of our society to celebrate, and congregate together, would be a welcomed result of the proposal and I attach significant weight to it. In holding larger events at the venue, albeit for temporary periods, the local economy would benefit. Due to the size of venue and frequency of events I attach moderate weight to this consideration. The proposal would encourage people to spend time in and around the park, their exposure to it through attending events may encourage more frequent use for recreation, which would be a moderate benefit of the proposal.
48. Accordingly, I find that the significant benefits that would arise from the proposal which would seek to actively promote social inclusion and for the BAME community would clearly outweigh the limited harm to the Green Belt. Consequently, the very special circumstances necessary to justify the development exist, and the appeal should succeed.

Conditions

49. In addition to the standard time limit for commencement, the Council suggested conditions were planning permission to be granted. These were discussed at the hearing, and I have considered these in light of the tests set out in paragraph 55 of the Framework and the Planning Practice Guidance. I have amended some of the conditions to avoid repetition and for clarity.
50. It is necessary to specify the approved plans in the interests of certainty. I have included a condition requiring a soft landscaping scheme and details of preservation matters to ensure that the site is adequately screened for the benefit of the character of the park and the locally listed building. I have imposed a condition relating to materials to ensure that the proposal sits comfortably within the site and does not result in harm to the character of the area. A condition addressing security measures is necessary to ensure that the proposal provides a safe and secure development. I have imposed a condition requiring an Events Management Plan. Whilst some of the matters are referred to separately, I consider that such a condition meets the tests in respect of ensuring a comprehensive approach to the use of the venue. I have conditions regarding the junction with the Chase and onsite parking to ensure that the proposal would not have an adverse effect on highway safety. I have imposed a condition limiting the capacity of the venue to ensure that the use can be accommodated within terms of the permission with specific regard to the safe use of the highway. I have included a condition relating to the control of noise to ensure that the proposal would not be harmful to the amenity of nearby residents. Hours of operation are restricted by way of condition to ensure that

the proposal would not be harmful to amenity of residents due to disturbance. A condition prohibiting firework displays is necessary to safeguard the habitat of animals living in the surrounding area.

51. Having regard to the existing level of cycle parking I do not consider that a condition securing additional parking would be necessary and may in fact result in visual harm. I have not included the condition regarding storage of the marquee. The marquee is to be removed from the site when not being used in accordance with condition 9. I have not included the suggested condition relating to external seating and marquees, tents, or other structures. The proposal is specific in relation to the erection of a marquee only, it is not within the remit of this decision to determine the lawfulness of any other structure, and I do not consider that the suggested condition would meet the necessary tests.

Conclusion

52. The proposal complies with the development plan as very special circumstances have been demonstrated in this case. For this reason, the appeal is allowed, and planning permission is granted subject to conditions.

J Ayres

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) Development in Accordance with Approved Plans The development hereby approved shall only be carried out in accordance with the approved plans listed below:
 - Existing Ground & First Floor Plans drawing number 100/001, dated November 2018
 - Existing Front Elevation, drawing number 100/002, dated November 2018
 - Existing & Rear Elevations, drawing number 100/003, dated November 2018
 - Proposed Front Elevation, drawing number 100/005, dated November 2018
 - Proposed Rear & Side Elevations, drawing number 100/006, dated November 2018
 - Proposed Roof Plan, drawing number 100/007, dated November 2018
 - Site Location Plan, drawing number 100/201, dated November 2018
 - Existing & Proposed Block Plan, drawing number 100/200, dated November 2018
 - Farmhouse Venue Proposed Parking Layout, drawing number 111201 Appendix D Rev A, dated 20/10/2018
 - Farmhouse Venue Proposed Overflow Parking Layout, drawing number 111201 Appendix E Rev A, dated 27/10/2018

- Planning Statement, prepared by Rightplan Ltd, dated November 2018
- Addendum to Transport Statement of November 2014, dated November 2018
- Addendum to Travel Plan & Parking Strategy of April 2015, dated November 2018
- Appraisal and Viability Statement for the Farmhouse Tavern, document 001.01, dated 05/11/2018
- Design and Access Statement, prepared by Rightplan Ltd
- Enhancement of Grounds at the Farmhouse, reference 53/45/8/3b prepared by Ruskins Trees and Landscapes, dated 25/10/2018
- Addendum to Preliminary Ecological Appraisal, reference 6087.1, The Ecology Consultancy dated 05/11/2018
- Tree report in accordance with BS 5837:2012, ref 027235, dated 09/06/2017
- Key to Tree Survey Form
- Arboricultural Method Statement for Tree Protection Throughout the Duration of Demolition and Construction Works

No other drawings or documents apply.

- 3) The development hereby approved shall be finished in external materials as shown on drawing Nos.100/005, 100/006 and 100/007; the panel and roof colour shall be RAL 6035 'pearl green'.
- 4) The development hereby permitted shall not be commenced until detailed soft and hard landscaping strategies are submitted and approved in writing by the Local Planning Authority.

The soft landscaping strategy shall include a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP), and replacement planting to mitigate for the loss of the existing trees, including appropriate native replacement planting.

Any plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

- 5) Prior to the commencement of the development hereby permitted, the marquee shall not be erected until details of boundary treatment, external lighting and any other security measures must be submitted to and approved in writing by the Local Planning Authority. The lighting of the development hereby permitted, is to be designed, installed, and maintained so as to fully comply with The Association of Chief Police Officers - Secured by Design publication "Lighting Against Crime – A Guide for Crime Reduction Professionals", ACPO SPD, January 2011. The design shall satisfy criteria to limit obtrusive light presented in Table 1, p25 of the guide, relating to Environmental Zone E2 Low district brightness areas– Rural, small village or relatively dark urban locations.

- 6) Prior to the commencement of the development hereby approved, the developer shall submit to the Council a detailed highway design for the right-hand turn lane as indicated on drawing reference 111201 Appendix D Rev A dated 20/10/2018. The detailed design works shall be in accordance with the Design Manual for Roads and Bridges and Manual Contract for Highway Works specifications. The right-hand turn shall be fully implemented prior to the development hereby permitted first being brought into use.
- 7) The development shall be implemented and monitored in accordance with the Addendum to Transport Statement of November 2014, dated November 2018 and Addendum to Travel Plan & Parking Strategy of April 2015, dated November 2018.
- 8) Prior to the first use of the development hereby permitted, an Events Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of noise management, security management and traffic management associated with events at the site. An Event Management Coordination Manager shall be assigned prior to the first use of the venue and shall manage, monitor, and review the Plan.
- 9) The marquee shall be erect for no more than 16 weeks (112 days) per year, during the following periods: 4 weeks (maximum) between March and April; and 12 weeks (maximum) between July and September. The marquee shall be dismantled, and the land restored to its former condition within one week of the expiry of the permitted periods.
- 10) The venue, including the marquee shall not at any one time exceed 400 persons, excluding staff.
- 11) Noise from entertainment including live and amplified music associated with the use hereby permitted shall be controlled so as to be inaudible inside noise-sensitive premises in the vicinity of the public house/restaurant. The initial test for compliance with the 'inaudibility' criterion will be that noise should be no more than barely audible outside those noise sensitive premises. In the event there is disagreement as to whether entertainment noise is or is not audible the following numerical limits shall be used to determine compliance with this condition: a. the LAeq (EN) (5 minute) shall not exceed LA90 (WEN) (1 hour) and b. the L10 (EN) (5 minute) shall not exceed L90 (WEN) (1 hour) in any 1/3 octave band between 40Hz and 160Hz. EN = Entertainment noise level, WEN = Representative background noise level without the entertainment noise, both measured 1m from the façade of the noise-sensitive premises.
- 12) The marquee hereby approved shall be only be operational during the following hours:
Sunday-Thursday 10:00- 23:00
Friday-Saturday and bank holidays 10:00 – 00:00
Sunday 10:00 – 23:00
With the exception of staff, all visitors and guests must leave the site by 23:30 Sunday-Thursday, and 00:30 Friday-Saturday and bank holidays.
- 13) No external fireworks display shall take place at the site.

END OF SCHEDULE

LIST OF APPEARANCES

On behalf of the Local Planning Authority;

Giles Atkinson, Barrister

Olivia St-Amour, Principal Development Management Officer

John Hunter, Transport Development Manager

Gareth Winn, Ranger Service Team, Parks commissioning

On behalf of the Appellant;

Charles Streeten, Barrister

Ms Ambrain Qureshi - agent

John Roe – Engineer

Mr G Chowdhury – Appellant & owner

Mr Azraf Chowdhury – speaking on behalf of Mr G Chowdhury

Mr Mohbub Chowdhury

Interested Parties;

Zawahir Chowdhury

Nizam Choudhury

Dr Elizabeth Negus

Mubin Jaigirdar

Mr Unan Choudhury

Mr Iqbal Ahmed

Wasi Chowdhury

Mr Zulfikar Chowdhury

Tasnim Chowdhury