

Planning

South Downs National Park Authority
 South Downs Centre
 North Street
 Midhurst
 GU29 9DH

Tel: 01730 814 810 **Email:** planning@southdowns.gov.uk



Application for Removal or Variation of a Condition following Grant of Planning Permission or
 Listed Building Consent

Town and Country Planning Act 1990 (as amended); Planning (Listed Buildings and Conservation
 Areas Act) 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Address Line 1

Address Line 2

Address Line 3

Town/city

Postcode

Description of site location must be completed if postcode is not known:

Easting (x)

Northing (y)

Description

Applicant Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

Are you an agent acting on behalf of the applicant?

Yes

No

Contact Details

Primary number

Secondary number

Fax number

Email address

Agent Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

BN6 9AJ

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

***** REDACTED *****

Description of the Proposal

Please provide a description of the approved development as shown on the decision letter

Change of use of part of an agricultural building for restaurant/cafe and assembly and leisure (Variation of condition 2 of SDNP/21/00865/PA3R)

Reference number

SDNP/22/05011/CND

Date of decision (date must be pre-application submission)

17/03/2023

Please state the condition number(s) to which this application relates

Condition number(s)

Condition 4 and 5

Has the development already started?

Yes

No

Condition(s) - Variation/Removal

Please state why you wish the condition(s) to be removed or changed

Variation of Condition 4 and 5 on Application SDNP/22/05011/CND to extend the hours music can be played indoors from 22:00 hours to 23:00 hours inline with the premises licence and to install a noise limiter to reduce sound levels to Leq,T 86 dBA within the building.

It is requested that Condition 4 be varied to read:

"There shall be no amplified or percussive music of any form played within the building for which the change of use is hereby authorised, after 23:00 hours on any day or adjacent to the building after 22:00 hours on any day within the calendar year."

It is requested that Condition 5 be varied to read:

"The use of the building between 1st October – 30th April in any calendar year shall be carried out in accordance with the Noise Impact Assessment and Noise Management Plan hereby approved. The document includes the following measures:

- Any live/amplified music to be sound checked and limited to be below 86 dBA (LAmax) at head height in the middle of the space through the installation of a cut off noise limiter.
- Patrons to be reminded to leave quietly following any evening events. Appropriate signage to be displayed in prominent areas.
- Any complaints regarding noise levels should be logged and acted upon straight away. Details of the time and the action taken should be recorded and kept for reference purposes. The LA EP team should be advised on the next working day, should any complaints of excessive noise be received.
- Background noise levels (sound pressure levels LA86 15 min) to be monitored during the relevant time period on a day prior to the event at specified points (the locations to be agreed with the Planning Authority in advance) on the boundary of the Farm (measured over at least one 15 minute period at each location). The measured levels should be recorded for future reference.
- Noise levels (sound pressure levels, LAeq 15 min measured over at least one 15 minute period at each location, and then at least once each hour throughout the event at the downwind locations) are to be monitored during each event at specified points on the boundary of the Farm (the locations to be agreed with the Planning Authority in advance). The measured levels should be recorded for future reference.
- The noise levels measured at the pre-approved points on the boundary of the Farm during the event must not exceed 50dB(A) (LAmax) and must be no higher than 5 dB(A) above the previously measured background level. If noise levels approach these limits then appropriate action must be taken immediately. Details of the time and any action taken should be recorded and kept for reference purposes.

The use of the application site shall thereafter accord with the measures set out in the approved Noise Management Plan.

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- Yes
 No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- The agent
 The applicant
 Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- Yes
 No

Ownership Certificates and Agricultural Land Declaration

Certificates under Article 14 - Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

Please answer the following questions to determine which Certificate of Ownership you need to complete: A, B, C or D.

Is the applicant the sole owner of all the land to which this application relates; and has the applicant been the sole owner for more than 21 days?

- Yes
 No

Is any of the land to which the application relates part of an Agricultural Holding?

- Yes
 No

Certificate Of Ownership - Certificate A

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner* of any part of the land or building to which the application relates, and that none of the land to which the application relates is, or is part of, an agricultural holding**

* "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.

** "agricultural holding" has the meaning given by reference to the definition of "agricultural tenant" in section 65(8) of the Act.

NOTE: You should sign Certificate B, C or D, as appropriate, if you are the sole owner of the land or building to which the application relates but the land is, or is part of, an agricultural holding.

Person Role

- The Applicant
 The Agent

Title

Ms

First Name

Kathryn

Surname

Sadler

Declaration Date

04/03/2024

Declaration made

Declaration

I/We hereby apply for Removal/Variation of a condition as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.

I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

I / We agree to the outlined declaration

Signed

Kathryn Sadler

Date

07/03/2024