

**Hildenborough**  
Hildenborough

**18 May 2016**

**TM/16/01169/FL**

Proposal: Variation of conditions 6 and 7 of planning permission TM/13/02727/FL to allow the cafe to be open between the hours of 07:30 to 20:00 Monday-Saturday, to allow for the use of outside space by customers between the hours of 07:30 to 20:00 Monday-Saturday between the months of May-September; (inclusive), and to allow for the use of the premises for private functions all year round (up to a maximum of 5 events per month) on Tuesday-Saturday up until 23:30 hours.

Location: Cafe 1809 152 -154 Tonbridge Road Hildenborough Tonbridge Kent

Applicant: Double Gold Enterprise Ltd

Go to: [Recommendation](#)

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**1. Description:**

- 1.1 This application seeks a variation to the hours of operation which is controlled by conditions 6 and 7 of permission TM/13/02727/FL (*Change of use of 152 – 154 Tonbridge Road to a restaurant and café on the ground floor and beauticians and meeting area at first floor*).
- 1.2 Condition 6 currently restricts opening hours for customers to between 08:00 to 18:00 Monday to Saturday, and between 10:00 and 16:00 on Sunday.
- 1.3 Condition 7 currently requires that the use of the external seating area (which is limited to the ground floor garden area) and first floor rear roof terrace cease by 18:00 Monday to Saturday and by 16:00 on Sunday.
- 1.4 This application seeks to extend permitted opening times to include the following:
  - to allow the premises to be open for customers between 07:30 to 20:00 hours Monday to Saturday;
  - to allow the use of the outside seating area and first floor roof terrace between 07:30 to 20:00 Monday to Saturday, and only between the months of May to September (inclusive); and
  - to allow for the use of the premises for private functions all year round, up to a maximum of 5 events per month on a Tuesday to Saturday, and up until 23:30 hours [*Note that since the original application was submitted, the number of private events to be held per month has been reduced from 8 to 5*].
- 1.5 Since submitting the original application, the applicant has provided the following information in support of the application:

- *Strongly considers that private events will add a new and positive dimension and services to our immediate community, enhancing the current offerings within the area to a wide, local community who wish to partake, socially, educationally, charitably, in events at a local venue;*
- *Due to calendar months being unequal to 4 weeks per month, requests a maximum of 5 events per month and that this be averaged out over the course of the year. As in the case this summer of sporting events, e.g. the Olympics held four yearly, there can be events within a single month that we would like to host an event and other months that may have little of note going on;*
- *Agree to a restriction to prevent private functions events being held on consecutive nights (to overcome the potential use of the premises for private functions on Friday and Saturday nights), with an exception to this in the event of a major or significant national or local event;*
- *Confirmation that no waste will be emptied from the premises into external bins after 21:00 hours;*
- *Confirmation of agreement to a 12 month ‘trial period’; and*
- *Further information has also been provided on the nature/type of private function events that the applicant would like to hold at the premises – broadly this includes events, including, cheese and wine tasting events; pop-up events (similar to those currently held at The Old Fire Station in Tonbridge); events to celebrate opening/closing ceremonies/events of significant interest (i.e. major sporting events); business networking events; events for organisation and societies who would like to host meetings; charity events and wakes/memorial receptions.*

**2. Reason for reporting to Committee:**

- 2.1 At the request of Councillor Christopher Smith, due to the high level of public interest.

**3. The Site:**

- 3.1 Café 1809 lies within the rural settlement confines of Hildenborough, within the Hildenborough Conservation Area. It lies on the northern side of the Tonbridge Road (B245). The buildings form part of a row of Victorian dwellings that have been converted, renovated and extended over the past years.

**4. Planning History (relevant):**

TM/13/02727/FL

Approved

18 December 2013

Change of use from residential (C3) and ground floor shop (A1) to restaurant and cafe (A3) on ground floor and beauticians and meeting area at first floor. Demolition of flat roof side and rear extension and removal of two storey rear extension. Construction of new single storey additions and alterations to front elevation

TM/15/00842/FL      Application Withdrawn      9 April 2015

Variation of conditions 6 and 7 of planning permission TM/13/02727/FL to allow for the cafe to be open until 8pm Wednesdays- Saturdays between the months of June- September, to allow for the use of the outside space by customers until 8pm Wednesdays- Saturdays between the months of June- September and to allow for use of the premises for private functions all year round (up to a maximum of 8 per month) on Tuesdays-Saturdays up until 11pm

## 5. **Consultees:**

5.1 PC: If the Borough Council is minded to approve this application, the PC would like to see the following conditions imposed:

- Private functions should only take place on two evenings a week, one of which should be on a Friday OR Saturday;
- The café should be closed to other users during private functions;
- There should be a maximum of 100 persons on the premises, including staff;
- The placing of refuse in the outside bins should not take place after 23:30 hours so as to minimise noise nuisance to the immediate neighbours;
- At no time should the outside space be used after 18:00 hours;
- Sunday opening hours should continue to be restricted to between 10:00 to 16:00 hours; and
- In the interest of safety signage should be fixed to the side gate precluding access to the rear entrance.

5.1.2 Furthermore, the PC considers that any permission should be temporary (for a 1 year period) in the first instance.

5.1.3 KCC (H+T): Similar to my responses to the original application proposing this café, it is not considered that these proposals will cause a discernible detriment to road safety or could be described as constituting a severe impact in transport terms. I acknowledge that some local inconvenience may be expected and with regard to Hildenborough Parish Council's suggested conditions, I consider that the introduction of a maximum number of patrons and staff may be useful if this is not

already covered by a building or fire regulation. I have no objection to these proposals and do not consider that there are grounds to sustain a highway objection.

5.2 Private Reps: (85/0X/28R/7S): Objections are raised on the following grounds:

- The café is situated in a residential area with gardens and houses very close to the site;
- Significant parking problems exist in the locality already, this will only worsen as a result of these proposals;
- Hildenborough is a quiet village and we already have 2 pubs and Mountains event marquee – do we require another evening venue possibly creating more noise at nights;
- The extended facility would be better suited to a town environment;
- Similar facilities may be allowed to stay open longer, but these have established off-road parking available for visitors – something not the case at this site;
- The Council turned down the previous application for extended hours and I would hope that sense will prevail again [*it is noted that the previous application was in fact withdrawn by the applicant ahead of formal determination by the Planning Authority*];
- Local residents are entitled to some peace and quiet at the weekends and evenings – neither the café, nor the area generally is equipped to cater for a surge in clients from afield which would be the case if this application is granted;
- Planning permission was given for a café, not a night club;
- Considers that the fact that the applicant has obtained a list of signatures from random people who use the café to endorse these changes is very manipulative and should hold no basis or weight in the decision-making process;
- Although at first glance the applicant's request to hold 8 private events per month may seem reasonable, this could result in a private late-night event every single Friday and Saturday night a month. The late night departure of guests from these events will cause disturbance to residents, particularly as many patrons of the café park on Mount Pleasant/Tonbridge Road; and
- Notes that bins are currently emptied into the receptacles situated next to our house after closing which can be heard within our house. Whilst closing

remains during working hours, this is acceptable – but, if after this was after the proposed changes to opening times this noise would be much later into the evening/night and would cause us a great deal of disturbance;

5.2.2 Letters expressing support for the proposals raised the following points:

- The café has been a very positive addition to the village;
- Agree with the opening times as stated – I visit this café numerous times a week and it is nearly always full. I have lived in the village all my life and I must say it is a good environment to have along with the Farmers market; and
- The café provides a much needed community resource and meeting space and the village is enriched by its presence. The extension of the opening hours into the early evening would allow people who work during the day to visit the café, or organise a local private function. This local business should be supported.

5.2.3 Following the submission of additional supporting information, and the applicant reducing the number of proposed private function events, additional notifications have been undertaken and the following further responses have been received:

- The proposals represent the “thin edge of the wedge” – since planning consent was originally granted, the applicant has frequently gone back to planning for the easing of the original restrictions;
- Concerns over the enforceability of the suggested controls (i.e. number of events per month unless there is an exceptional circumstance and how the range of suggested events can be controlled);
- Questions what controls will exist for the outside space;
- There is a lack of parking for private functions – where will visitors to the premises park;
- Whether there are 8 events or 5 events per month the premises was permitted as a café, not a private function space;
- Parking could be addressed by establishing a residents parking zone and directing café users, with clear signage, to the existing free public car parks in Riding Lane; and
- This is a community venture – a place for people to meet. When St. Johns Church is closed, the café has been providing an outreach café for Hildenborough as well as providing much needed community meeting spaces.

**6. Determining Issues:**

- 6.1 The NPPF seeks to support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. This includes supporting the growth and expansion of all types of business and enterprise in rural areas and seeks to promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship. Additionally, Policy CP12 of the TMBCS states that (amongst others) employment development will be permitted within the confines of the defined rural settlements, which includes Hildenborough. With these policies in mind, there is no objection to the overarching principle of expanding the way in which this business operates.
- 6.2 A key cause for concern in the consideration of the original planning application for the change of use of these premises to a café was how the amenities of the surrounding residential properties might be affected. Members will recall that careful consideration was given to the approved opening hours in order to allow the applicant to commence the business in a way that would not be to the detriment of those residential amenities which closely surround the premises. It is understood that the current café business has become a success and that has led the applicant to consider developing it further and providing a wider service offering. It is therefore necessary to consider how the expansion of the business in the way proposed, particularly in respect of later opening times and the hosting of private events, would affect the amenities of the surrounding residents.
- 6.3 In this respect, paragraph 123 of the NPPF states that planning decisions should aim to:
- “Avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development.*
- Mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions”.*
- 6.4 The proposal seeks to extend the permitted opening time for general café customers from the currently permitted 08:00 to 18:00 hours to between 07:30 to 20:00 hours on Monday to Saturday. It further seeks to extend the hours of use of the outside seating area (which is limited to ground floor garden seating and up to 15 covers) and first floor roof terrace from the permitted cut-off time of 18:00 hours to 20:00 hours Monday to Saturday, but only during the period of May to September (inclusive). This would effectively allow for use of both the indoor and outdoor space by customers until 20:00 hours, although the outside space is only intended to be used during the finer weather periods (i.e. May to September) and not on a year-round basis.

- 6.5 The applicant also requests that the premises be available for hire for private functions throughout the year, on Tuesday to Saturdays, and up to a maximum of 5 events per month. This would effectively leave Sundays and Mondays to operate under the terms of the original planning permission. Furthermore, it is proposed that private functions could be held up until 23:30 hours. It is noted that since the original application was first submitted, the applicant has reduced the number of private function events it intends to hold at the premises per month from 8 down to 5. It has also agreed to a restriction preventing private functions being held on consecutive nights (i.e. a Friday and then Saturday night), with an exception of a major or significant national or local event.
- 6.6 The applicant has stated that private function events would offer greater flexibility and extend the services the café can offer to the existing customer base, along with attracting new customers and business to the premises. The applicant has stated that, as is the case for existing daily operations, all functions would be fully managed by Café 1809's senior management team and the venue would not be hired out to a third party to control the premises. In terms of good operating procedures, it is expected that guests sign and adhere to terms and conditions covering what is allowable for an event, and the café management team would ensure that guest comply with those requirements during all such function events.
- 6.7 The applicant has offered greater clarification on the type and nature of private function events which it intends to offer from the premises – these include events such as food/drink tasting events (e.g. cheese and wine evenings), pop-up events/exhibitions, celebrations for major events (e.g. Olympics opening/closing ceremonies), business networking events, charitable events and wakes/memorial receptions. Whilst this clarification on the range and type of events is helpful to understand the applicants' aspirations here, these would be technically difficult to restrict by way of enforceable planning condition(s). It is therefore reasonable in this instance to assess these proposals on the basis of any type of private function being held in the premises, between Tuesday and Saturday, and up until the closing hours of 23:30 hours as submitted within the application.
- 6.8 The applicant has stressed that the existing café does not have a designated smoking area on the site, and does not intend on providing one as part of these proposals. It has also been stressed that no extensions are sought to current Sunday operational hours and that the facility operates vigilantly a 'Challenge 21' policy when serving alcohol to customers.
- 6.9 Since the café opened in December 2014 and up until August 2016, the Council has not received any complaints with regards to noise or disturbance, which in my view indicates that the premises are, to a great extent, being properly and sensitively managed. It must be stressed however that this is on the basis of the currently permitted customer operational hours, which include a latest café closing time of 18:00 Mondays to Fridays and 16:00 on Sundays.

6.10 Several complaints have been received since August 2016 alleging that existing noise controls imposed by the original planning permission are being breached through the playing of amplified music at the premises. The existing noise controls (as imposed by condition 13 of permission TM/13/02727/FL) state that:

*“No amplified music/speech shall be played within the garden or on the terrace and any music played within the building shall be inaudible outside of the building”*

6.11 A planning enforcement investigation into the alleged breach of condition 13 of TM/13/02727/FL is currently ongoing. I am however mindful that there have been no statutory nuisance complaints made in this respect of this premises to the Council’s Environmental Protection Team.

6.12 The level of activity resulting from the extended hours, both for the use of outside areas and also the use of the premises for private functions, must be considered in terms of the potential impact on residential amenity. Undoubtedly, the extended hours of opening, specifically those later into the evening, together with the use of the premises for private functions, is likely to result in more frequent comings and goings and markedly different patterns of behaviour than the existing café function. The resulting potential for noise and disturbance to neighbouring residential occupiers is therefore increased by the later night use of the premises, especially in relating to the function use of the premises which as proposed could be up to 5 events per month running until 23:30 hours on a Tuesday to Saturday evening.

6.13 In an attempt to alleviate some of the concerns expressed throughout the course of this application, the applicant has agreed to a further restriction to prevent private events being held at the premises on consecutive nights, thereby preventing the potential use of the premises on Friday and Saturday nights. Whilst the applicant has expressed a desire to include an exception for ‘a major or significant national or local event’, I consider it necessary in this instance to impose a suitably worded planning condition to prevent the use of the premises for private functions on consecutive nights, without an exception for significant events, should Members be minded to grant planning permission. This seems an entirely reasonable approach to take, noting that any exception is likely to be problematic in terms of its enforceability.

6.14 When considering the difference between the permitted operational requirements and those now proposed, it is important to consider the particular tight-knit residential environment that surrounds the café premises. Members will be aware of this particular site context, including the proximity to private residential gardens, following the Member Site Inspection which took place at the premises on Friday 7<sup>th</sup> October 2016.

6.15 In terms of the extended café opening hours and use of outside space in connection with the café from 07:30 until 20:00 hours this would, in my view, not be wholly unreasonable for this type of business. Moreover, these extended café opening hours (to 7:30am from 8:00am in the morning and to 20:00 from 18:00 in



the evening) are intended to capture breakfast and early evening trade, something not currently available from the café premises. In my view these extended morning and evening hours of the existing cafe would not cause such harm to surrounding residential amenity to justify a refusal of planning permission in this instance. Crucially, it should be noted that there is no change proposed to the Sunday café operating hours which would remain between the hours of 10:00 and 16:00.

- 6.16 Turning to the use of the premises for private functions until 23:30 hours on a Tuesday to Saturday, and up to a maximum of 5 events per month, this is a more finely balanced matter of planning judgement. Consideration must also be given to the use of outside space (i.e. the garden and first floor terrace) up until the 20:00 hours cut off time proposed in connection with café use. Whilst I note that since the original proposals were submitted, the applicant has introduced further safeguards to reduce the impact on residential properties (including reducing down the number of private functions from 8 events per month to 5, and by preventing functions on consecutive nights) private functions would nonetheless result in a markedly different type of customer base. This is *likely* to result in a group of private function customers turning up and leaving at generally set times (i.e. for designated start and finish times of a scheduled event) which would be markedly different from the more general and dispersed comings and goings of customers associated with the current café operations. The actual impact on residential dwellings from increased noise and disturbance is also *likely* to be further exacerbated by the premises lack of dedicated parking facilities, with patron's vehicles dispersed across the wider neighbourhood of Hildenborough.
- 6.17 In this case, unlike more generally dispersed trade associated with the café use, I am mindful that the use of outside space by private function patrons up until 20:00 hours is likely to result in more intensive patterns of noise and disturbance to surrounding local residents. On this basis, I consider that the use of the premises for pre-booked private functions should be limited, by condition, to the internal spaces only and not the garden or first floor terrace area.
- 6.18 Notwithstanding these concerns, I am mindful that in instances such as this, the NPPF advocates the use of a temporary planning permission where a 'trial run' is needed in order to assess the effect of the development on the area or where it is expected that the planning circumstances will change in a particular way at the end of that period. Moreover, I am mindful that, notwithstanding the most recent complaints received in August this year relating to noise which at this stage seem to suggest a more isolated instance of noise emanating from the premises during hot weather when the windows/doors were open, the Council has received no substantive complaints with regards to noise or disturbance. In my view this indicates that the premises are, to a great extent, being properly and sensitively managed.
- 6.19 When considering the policy aims and the need to support a growing business alongside the need to protect the amenities of neighbouring properties, I consider

that, on balance, the extended café hours sought are reasonable. I am also of the view that the request to allow private functions to take place up to 5 times a month may be acceptable if appropriately controlled by way of responsible management, acceptable opening hours, a limitation on events only being held within the building and not within the garden and terrace areas, a restriction against private functions being held on consecutive nights and only on the basis of a 12 month 'trial period'.

- 6.20 With these factors in mind, I consider that it is reasonable in these circumstances to grant permission for the variation of the conditions on a temporary basis for 12 months. This would allow for the monitoring of the extended use and hours in terms of its impact on the locality, whilst also allowing the applicant to establish what the real level of demand for such extended facilities might be. In order to monitor the pre-booked functions, I suggest that a planning condition be imposed requiring the applicant to notify the Planning Authority in advance of an event of the nature, type, date and duration of the intended pre-booked event function – this will allow the number of events to be monitored and would also help to assist with identifying specific type of complaints should they arise. Furthermore, this will also be an important tool in reassessing any further application for permanent permission following the 12 month 'trial' period.
- 6.21 In cases such as this, where there would appear to have been no substantive statutory nuisance noise/disturbance complaints received since the premises has been operating, it can be difficult to evidence material harm to surrounding residential property arising from proposals. It is therefore reasonable in this particular instance to allow a 12 month 'trial' period, during which the private function event use can be tested in the local area, ahead of any potential permanent decision being made on the use of the premises for private functions. This approach wholly accords with best practice guidance set out in the NPPG.
- 6.22 Whilst there is still a current enforcement case ongoing relating to an alleged breach of condition 13 of the main planning permission (TM/13/02727/FL), there is no reason to suggest that the same condition no longer meets the relevant best practice tests in terms of protecting surrounding residential property from unreasonable noise disturbance. This condition will also adequately cover the intended private function events. I therefore conclude that the same condition should be re-imposed on any new planning permission which requires any music played within the building to be inaudible outside of the building.
- 6.23 I recognise that the other key concern at the time of the original planning application for the change of use centred on the lack of parking available on site and the potential impact upon the local highway network. Indeed, many of the representations now received relate to a lack of parking in the locality and the inappropriate nature of the intended function use of the premises at a site which benefits from no dedicated parking. I understand that the applicant currently advises its customers to park within nearby publically available car parks; however

it would not be possible to *require* the use of the nearby car parks as part of the intended function use given that this land is outside of the applicant's control.

6.24 In terms of the private functions potentially increasing traffic movements to the site, beyond that already established by the café use, I would suggest that a further condition be imposed requiring a Travel Plan to be submitted detailing how patrons will be specifically advised on the circumstances of the site and any constraints on the surrounding local highway network. Although at this time I am only recommending permission be granted on a temporary basis, I do not consider the requirement for a Travel Plan to be unreasonable in the specific circumstances and, given the information already provided by the applicant, this would not be an onerous requirement.

6.25 In terms of the number of customers at the premises at any one time, in this instance it is again considered reasonable to limit the number of customers on site at any time during any working day to 100 – this approach wholly accords with the original planning permission, TM/13/02727/FL.

6.26 It is noted that the premises currently benefits from a premises licence which covers the following licensable activities - the sale of alcohol; films; and recorded music. In all cases, the licence covers activities taking place up until 21:00 hours Monday-Friday and 16:00 hours on Sunday. It is *likely* that the applicant would seek to vary the terms of their existing licence, should they be successful in obtaining planning permission for the use of the premises for private functions until 23:30 hours. It is worth noting that Planning and Licencing activities operate entirely separately under their own respective legislation, and the applicant would need to accord with each respective legislative requirement in operating their business – in other words, the applicant would not be able to breach their planning conditions covering the timings of use of the premises on basis of having a later night licence, for example.

6.27 In light of the above considerations, the following recommendation is put forward:

**7. Recommendation:**

7.1 **Grant Temporary Planning Permission** in accordance with the following submitted details: Email CLARIFICATION received 17.08.2016, Letter received 07.04.2016, Other ANNEXE 1 received 07.04.2016, Location Plan received 07.04.2016, subject to the following conditions:

**Conditions / Reasons**

1. The development hereby permitted shall cease on or before 31 October 2017.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 and in the interests of neighbouring residential amenity.

2. The uses hereby approved shall be operated fully in accordance with plan number 13/1779/100 C and the Supporting Statement prepared by MKA Architects received on 08 November 2013 approved under planning reference TM/13/02727/FL unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity and highway safety.

3. The uses at ground and first floor level hereby permitted shall be limited only to that applied for and specified in the Supporting Statement prepared by MKA Architects received on 08 November 2013 approved under planning reference TM/13/02727/FL, with the ground floor café only serving the items specified within that Supporting Statement unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity.

4. There shall be no more than a total of 100 café customers or private event attendees on site at any time during any working day.

Reason: In the interests of residential amenity.

5. The business shall not be carried on, and the premises shall not be open to customers, outside the hours of 07:30 to 20:00 Monday to Saturday and 10:00 to 16:00 on Sunday unless otherwise agreed by the Local Planning Authority.

Reason: In the interest of residential amenity.

6. External seating in connection with the café operation shall be limited only to the areas identified on plan number 13/1779/100 C approved under planning reference TM/13/02727/FL. The use of these areas in connection with the café operation shall cease by 18:00 hours Monday to Saturday (extended until 20:00 Monday to Saturday and only between the months of May to September inclusive) and 16:00 hours on Sundays with all customers vacating these areas by the relevant time on each day. The tables and chairs in the external seating areas shall be rendered unavailable for use in these areas from the above times on each day.

Reason: In the interests of residential amenity.

7. No external lighting shall be installed in connection with the building until such details have been submitted to and approved by the Local Planning Authority, and the work shall be carried out in strict accordance with those details.

Reason: To ensure that the development does not harm the character and visual amenity of this rural locality.

8. The privacy screen enclosing the first floor terrace, as approved under TM/14/02828/RD dated 25 September 2014, shall be retained at all times unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity and privacy of adjoining property.

9. The use of the premises for private events shall not commence until a Travel Plan covering all staff and attendees has been submitted and approved in writing by the Local Planning Authority. Thereafter, the Travel Plan shall be implemented and monitored to ensure strict compliance with the approved scheme.

Reason: In the interests of highway safety.

10. The cycle storage area approved under planning reference TM/13/02727/FL shall be kept available for the storage of cycles at all times.

Reason: In the interests of highway safety.

11. The designated bin storage area approved under planning reference TM/13/02727/FL shall be kept available for the storage of refuse bins and recycling boxes at all times.

Reason: In the interests of visual and residential amenity.

12. No waste shall be emptied from the premises into external bins after 21:00 hours on any day.

Reason: To protect the aural environment of nearby dwellings and in the interests of residential amenity.

13. No amplified music/speech shall be played within the garden or on the terrace and any music played within the building shall be inaudible outside of the building.

Reason: To protect the aural environment of nearby dwellings and in the interests of residential amenity.

14. No seating shall be placed on and no food or drink shall be consumed from the first floor terrace at any time.

Reason: In the interests of residential amenity.

15. No children's play equipment of any type, whether or not requiring planning permission, shall be installed or placed at any point within the rear garden, at any time, without the formal written approval of the Local Planning Authority.

Reason: In the interests of residential amenity.

16. The premises shall be used for no more than 5 pre-booked events and functions within any one calendar month. The use of the premises for pre-booked events

shall only take place within the building and functions shall not operate outside the hours of 07:30 to 23:30 Tuesday to Saturday (inclusive) and pre-booked events and functions shall not operate on consecutive days unless otherwise agreed by the Local Planning Authority.

Reason: To safeguard the amenities of nearby residential properties and the local aural environment.

17. The applicant shall notify the Local Planning Authority in writing 5 calendar days prior to a pre-booked event taking place, as to the nature, type, date and duration of any pre-booked private function event, unless otherwise agreed by the Local Planning Authority.

Reason: To allow the monitoring of pre-booked events and functions in order to safeguard the amenities of neighbouring occupiers.

### **Informatives**

1. The applicant is asked to ensure that access to 150 Tonbridge Road is not obstructed at any time and to ensure customers are suitably aware of the shared nature of the access when entering the premises. The applicant is encouraged to discuss with the occupiers of 150 Tonbridge Road how the space between the two buildings is best managed to ensure that the private right of way is maintained.
2. When taking bookings for private function events, the applicant is asked to provide parking information to booking customers, detailing local parking facilities nearby, including the public car parks located in Riding Lane – this should accord with the Travel Plan details to be approved under condition (9).

Contact: Julian Moat