

The Haybarn,  
25 St Oswalds Drive,  
Finningley,  
Doncaster,  
DN9 3EB,

and residents at a number of additional addresses in the Mells Trinity development at Finningley.

2 April 2018.

Dear Sir/ Madam,

Re: Harvey Arms, Finningley..... a) Application to vary Premises Licence, and  
b) Marquee etc.

I write further to my visit to the offices of Doncaster M.B.C. on 29<sup>th</sup> March 2018, and my conversation there with Mr. Mark Sewell of the Planning Department. Two matters were discussed:

1. I enquired about a substantial marquee which had been erected adjacent to the Harvey Arms public house car park in 2017, and still remains there even though it appears that its existence has not been the subject of any application or notification to the Council. There is reason to believe that the marquee is not a permitted development, and Mr. Sewell informed me after looking at photographs of the locus that an investigation will now be commenced in order to 'get to the bottom' of what has been happening, and what is intended, regarding the existence and potential use of the marquee. In case it assists your investigation, I can provide photographs of the marquee, a copy of an email sent to me by one who has spoken with the landlady of the Harvey Arms about the marquee and the proposed use to which it might be put (presumably if permission is allowed for it to remain), and a note provided to her about dates this year and next when it is proposed by the public house that the marquee will be used for different functions. Please let me know if you wish to have sight of those papers at any time. My preliminary researches suggest that temporary use of land, which is not the same as temporary use of a marquee sited on such land, is not allowed for more than 28 days in total in any calendar year, and that total has already been exceeded in the year 2018. Your observations on this point would be welcomed with interest, especially as the public house apparently intends to continue using the marquee both this year and next. In fact, the marquee was used for its first function on the evening of 29<sup>th</sup> March 2018. Since then, I have spoken to all residents of this housing development who, like my wife and myself, were at home on that evening, and I am authorised by all to write to you in the following terms. The marquee, which is situated within a few metres of some local residents' homes, and next to garden fences of other residents' homes, was used for music throughout the evening, and the noise grew louder as the evening wore on. All residents at home were subject to that noise until 11 p.m., and the music could be heard in our homes through closed doors and closed triple glazed windows. Furthermore, 'disco lights' flashed red, green etc throughout the evening, and were readily visible in several homes. It must be noted that the locality includes not only adults, but children of school age and younger, as well as grandchildren who visit frequently, and such excessive noise was most unwelcome to the residents. At the end of the music, customers dispersed via the car park, and the noise of loud talking, car engines and the closing of car doors lasted for 15 minutes or so afterwards. The evening to which I have just referred was cold and rainy. Had the weather been different, and doors and windows been open on a fine evening, the noise would presumably have been even more noticeable. It is easy to foresee that residents in the locality will be unable to leave their homes because of noise if similar functions extend into open spaces on fine evenings, and such a consequence would be appalling in this

usually quiet residential area. There are also concerns that the marquee has seating and window spaces which allow persons to look into rooms of the neighbouring properties.

2. I mentioned to Mr. Sewell in our discussion that my wife and I had earlier that day walked by the Harvey Arms and for the first time we saw a copy Notice of Application for variation of Premises Licence, which was affixed to a window of the premises, and a copy of the Notice of Application was shown to Mr. Sewell. My fellow residents and I have a deep concern that the licence variation is being sought without the lawfulness of the planning position being considered first of all. Is the Notice of Application being made (wrongly)? on the assumption that the marquee and associated features will remain. My wife and I, together with the residents to whom I have spoken about this matter, all fail to understand what is behind the Notice of Application. We strongly feel that there is no need in the locality for extra hours of refreshment in this particular public house, or for further hours for music, selling alcohol, and so on. Once again, local residents feel that the Application, if granted, would have a detrimental impact on the lives of local residents because of extra noise at times when local residents will wish to be asleep, and the possibility of increased litter and anti-social behaviour in this usually quiet locality. As mentioned earlier, it is not clear whether the Notice of Application is linked to the supposed continued use of the marquee, and clarification of that point would be helpful. I ask that the licensing department links with the planning department and considers whether the licensing variation should be dealt with before the planning issue, or vice versa, or whether they will be dealt with at the same time. Please advise your thoughts on those points. I am just one of the people who can not understand why such extended hours, on days when local residents will usually be expecting to sleep on nights leading to work, school, and other duties, are being sought by the public house, which is never busy on the extra days being sought in the Application to Vary. It would be both helpful and interesting to know what the public house has in mind which has led to the Application under consideration in this letter. As written, the Notice of Application seems to be seeking facilities and extra hours suitable for a nightclub, and such facilities and extensions are not appropriate for premises surrounded by quality residential accommodation in a peaceful setting.

Finally, I have been informed that the matters raised in this letter and subsequent Council investigations will be dealt with on a confidential basis without release of names and addresses of those in whose names the issues are raised. Please confirm that my understanding is correct.

For the moment, I have nothing further to add. Please acknowledge receipt of this letter, which is intended for use by the planning department when considering the issues surrounding the marquee, and by the licensing department when considering issues surrounding the the Notice of Application.

Your early reply is awaited.

Yours faithfully,

Stephen Paramore, on behalf of self and other residents in the Mell (Builders) Ltd. Trinity development at St. Oswald's Drive, Finningley, Doncaster, DN9 3EB.?