

3 December 2023

Dear Sandra Duffill

**23/02002/FUL – Hall Garth, Mill Lane, Acaster Malbis**

At a meeting of Acaster Malbis Parish Council on 27 November 2023 it was resolved that:

**D We object on planning grounds**

The parish council wishes to object to the retrospective application to erect a temporary marquee in the grounds of Hall Garth.

**Temporary Structure**

The temporary structure has been in place since September/October 2021. Planning approval for a temporary structure that has already been in place for two years would give the impression that this is a permanent fixture rather than a temporary one. The application lacks a specified intended duration, and the council is concerned that the marquee has exceeded a reasonable timeframe for a temporary structure.

**Fire Risk**

Although the marquee's intended purpose has not been specified, it appears to be used as a garage and general-purpose storage<sup>1</sup>. The marquee contains cars with fuel and a fuel can together with other flammable materials such as books, wood etc, raising concerns for the council about fire risks. The fire risk is exacerbated by the proximity of the marquee to the neighbouring boundary fence.

In accordance with the document "Fire Safety Advice for Temporary Structures"<sup>2</sup>, it is recommended that temporary marquee structures be positioned at a safe distance from buildings and any significant risks. The document also provides guidance on the clearance required around a marquee for effective fire evacuation. However, Photograph 3 indicates that the fence boundary lane is obstructed by a flammable wooden structure. Notably, there is no provided fire risk assessment, and information about whether the marquee material complies with necessary standards is lacking.

**Visual Amenity**

The marquee has a ridge height of 5m and that ridge is positioned approximately 6-7m from the nearest neighbour. The marquee has an unkempt or scruffy appearance. The council takes the position that, from the perspective of the nearest neighbour, the marquee is 'inescapably dominant' warranting a thorough Residential Visual Amenity Assessment for this application. A [Google Earth](#) image has been included, vividly depicting the visual impact and dominance of the structure.

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1 Photograph 4 - [23\\_02002\\_FUL-PHOTOGRAPHS-2644101.pdf](#)

2 [Fire Safety Advice for Temporary Structures and small licensed events](#) Cambridgeshire Fire and Rescue



### **Listed Building Proximity**

The marquee is positioned in close proximity to a grade II listed building. The document “Temporary Structures in Historic Places”<sup>3</sup> provides insightful contextual comments on the placement and impact of temporary structures in such settings.

*‘The length of time for which a structure is erected is an important factor in assessing its impact.’*

*‘Very short term, genuinely temporary and wholly reversible changes are unlikely to have an unacceptable impact on setting. Longer term or recurrent changes, even if notionally temporary, may have a more serious impact.’*

It is clear from the design, size, colour of the marquee that no consideration has been made to the surroundings into which it has been placed.

### **Application Notes**

The council would like to make the following notes on the application itself:

- The application form indicates that work was started and completed on 30/09/2023. The marquee was erected in October/November 2021.
- The site location plan has a copyright date of 2010 and does not reflect the additional buildings at No1 Tyn Garth see figure 1 below. All other drawings produced in 2023 equally do not show the additional building close to the marquee.

The council feels that for the reasons above, planning permission for this application should be refused.

Yours sincerely

*Craig Booth*

Craig Booth  
Clerk/RFO  
Acaster Malbis Parish Council

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<sup>3</sup> [Temporary Structures in Historic Places](#) (does not reflect changes from the [Permitted Development Order 2015](#))



Figure 1: Building at No 1 Tyn Garth