

Appendix E - Grace Menhinick Representation

Premises: The Farm Restaurant, Priors Hall Farm, Church End, Lindsell, Dunmow, Essex, CM63QR

My Name: Grace Menhinick

Residential Address: Barnside House, Church End, Lindsell, Dunmow, Essex CM6 3QR

Email: [REDACTED]

Mob: [REDACTED]

Representation Under the Licensing Objective: Prevention of Public Nuisance

I am submitting this representation as a resident of Barnside House, which is located approximately 1.5 metres from the north elevation of the restaurant premises. The full length of my home runs parallel to the building, and my kitchen and living room windows and doors open directly onto the narrow corridor between the two structures.

At the rear, the gable end of the restaurant sits at the corner of my patio, immediately beside my patio doors and upstairs bedroom windows. The proximity is extremely close, and any external activity or equipment at the rear of the premises has a direct and unavoidable impact on my home.

Uttlesford District Council's *Statement of Licensing Policy 2022–2027* states that two of its priorities are “putting residents first” and being a “progressive custodian of our rural environment.”

I am making this representation under the Licensing Act 2003 - **Prevention of Public Nuisance** objective, which includes noise, odour, Lighting and general disturbances. The applicant has not demonstrated that he has considered the surrounding environment and the proximity of neighbouring residential properties, nor has he submitted an operating schedule identifying all the potential nuisance impacts or the measures proposed to prevent or mitigate them.

1. Factors Relevant to Public Nuisance

My key concerns are:

- The extremely close proximity of my home and those of the other neighbouring residential houses to the premises
- The rural location, where noise and light travel further
- Noise from recorded and live music, singing and speech
- Noise from customers arriving, leaving, and accessing the external toilets
- Noise from plant and machinery
- Light pollution and light overspill
- Odour from kitchen activities and external facilities -sewage treatment plant and toilets
- The hours of opening extending any public nuisance into the evening
- Noise and disturbance from customers using the car parking facilities, some of which are in front of my house.

The applicant has not provided a comprehensive operating schedule or strategy addressing all these issues.

2. Location of High-Impact Activities and Equipment

Uttlesford's licensing guidance makes clear that applicants should design premises layouts and building fabric to minimise nuisance to residents. However, in this case, the noisiest and most intrusive activities have been placed at the rear of the premises, closest to my home and the other local residential houses. These include:

- The main restaurant kitchen
- Pot-washing facilities, including a commercial dishwasher positioned directly beside my patio
- A mezzanine floor overlooking residents' homes and gardens, intended to seat up to 16 customers and potentially host live music
- An extractor fan and vent serving the pot-wash area, located in the rear corner next to my patio
- A large kitchen extraction unit positioned on the roof ridge nearest to residents' homes
- A sewage treatment plant located less than 4 metres from my house
- A permanent outside toilet block adjoining a neighbour's boundary wall, opposite their patio and kitchen doors

Each of these installations presents a significant nuisance risk. Their combined impact, given their proximity to homes, is substantial. This is before considering noise from customers and staff using the premises, and music.

3. Departure From Original Offering

- There has been a clear and material departure from the original type of offering where the premises was initially presented as a modest café ancillary to the farm shop. They will now be operating as a full restaurant, with a bar, live and recorded music, extended hours of operation and a takeaway service if licensing is approved. This escalation in use significantly increases the potential for public nuisance.

4. Building Construction and Noise Escape

Uttlesford's Licensing Policy requires that premises be "fit for purpose," with the construction and fabric of the building forming a cornerstone of this principle.

This building was originally a grain store and was **not** designed to contain noise. Key issues include:

- Single-skin brickwork on the lower external walls
- Single-skin Hardiplank and batten on the upper walls, including the rear gable end behind the mezzanine
- A long vertical sheet PVC window inserted into this wall overlooking residents homes and gardens behind the mezzanine
- A large opening with bifold doors on the side elevation and further horizontal sheet PVC windows
- Asbestos roof with PVC sheet skylights
- No ceiling, leaving the roof void open and allowing noise to reverberate and amplify

No measures have been taken to add soundproofing or acoustic treatment during the conversion.

Given this construction, the following questions arise:

- Are the windows double-glazed and properly sealed?
- Have the walls been soundproofed?
- What measures are in place to soundproof the roof and skylights?
- Are any acoustic devices installed to prevent noise amplification within the roof void?
- How will noise escape be prevented when customers enter and leave the premises?
- How will noise from customers crossing the outside space and queuing for the toilets be managed?
- Has a lobby or vestibule been installed to prevent noise breakout?
- Will the bifold doors be opened in warmer weather, and if so, how will noise be controlled?

I already have video evidence of noise—both chatter and music—escaping the building during an event held earlier this year. This demonstrates that the building, in its current form, is not capable of containing noise.

5. Nuisance From Light and Odour

- The long vertical window in the rear gable wall will cause light overspill towards residents' homes and gardens.
- The external toilet block will require lighting, resulting in additional light pollution.
- The external location of the toilets, directly adjoining a neighbour's boundary wall, will also result in odour and disturbance from customers accessing the facilities.

6. Relevant Licensing Policy Requirements

Uttlesford's *Statement of Licensing Policy* sets out clear expectations for preventing public nuisance, including:

- Preventing noise and vibration escaping the premises
- Installing soundproofing, acoustic lobbies and sound-limiting devices
- Keeping windows and doors closed during use
- Insulating windows
- Providing sealed acoustic emergency exits
- Installing self-closing devices
- Locating entertainment away from noise-sensitive boundaries
- Ensuring plant and machinery do not cause noise, odour or vibration nuisance

The applicant has not demonstrated compliance with these requirements.

Conclusion

Uttlesford District Council states that it aims to be proactive and prevent nuisance before it occurs. The extensive conversion of this former grain store into a commercial restaurant and bar, combined with the introduction of live and recorded music and external toilets, poses a clear risk of public nuisance.

Given the extremely close proximity of residential homes, the absence of effective soundproofing, the external siting of key facilities, and the lack of any credible operating schedule or mitigation strategy, I do not believe the licensing objectives—particularly the Prevention of Public Nuisance—can be met in the premises' current form. I therefore urge the Licensing Authority to impose robust conditions requiring the applicant to undertake the necessary structural and operational measures to ensure the building is genuinely *fit for purpose* and capable of preventing nuisance to neighbouring residents.

(I also note that some information on the architect's uploaded plans is inaccurate, including the construction of the external walls and the description of the toilets as "portable.")