

Appendix F - James & Suzanne Menhinick Representation

Representation Under the Licensing Objective: Prevention of Public Nuisance

Premises: The Farm Restaurant, Priors Hall Farm, Church End, Lindsell, Dunmow, Essex CM6 3QR

Representors: James and Suzanne Menhinick

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Introduction

We submit this representation as the residents of Priors Hall, a neighbouring property situated only a few metres from the restaurant, which occupies a converted grain store within the historic farmyard. Due to the orientation of our home, all but one room directly faces the premises. As a result, any noise, odour, lighting, or general activity escaping from the building or its associated external facilities will have an immediate and unavoidable impact on our home and garden.

The rural setting amplifies these concerns. In open countryside, noise, odour and light travel significantly further, and the prevailing winds carry emissions directly towards our property. The combination of proximity, building design, and environmental conditions creates a high likelihood of public nuisance unless robust and enforceable controls are in place.

1. Early Evidence of Nuisance

Although the restaurant is not yet operational, we have already experienced intrusive noise from the premises. On one occasion, the main kitchen extractor fan was left running late into the evening and was clearly audible from our home. When the applicant stepped outside to listen, he acknowledged that he had not realised how loud it was externally.

This is concerning for two reasons:

- It demonstrates that the plant and equipment already installed is capable of generating intrusive noise.
- It raises doubts about the applicant's awareness of, and sensitivity to, the impact on neighbouring residents.

This is before the premises is open daily, before the full commercial kitchen is in use, and before any customer activity, staff activity, or live/recorded music takes place.

We also hold video evidence of noise breakout — both chatter and music — from an event held last year, that was clearly audible from our home. This confirms that the building, in its current form, is not capable of containing noise.

2. Relevance of Other Local Representations

We draw your attention to the representation submitted by the resident of Barnside House. Their concerns regarding noise and odour under the Prevention of Public Nuisance objective apply equally to our home, as we are immediate neighbours and subject to the same environmental impacts.

3. Lack of Compliance With Licensing Policy Expectations

Uttlesford District Council's Statement of Licensing Policy (2022–2027) and the accompanying Environmental Health guidance for licensees set out clear expectations for preventing public nuisance. These documents emphasise the need for applicants to:

- Identify all potential sources of nuisance
- Provide detailed, proactive measures to prevent nuisance
- Demonstrate understanding of the site's context and sensitivities
- Install appropriate mitigation before problems arise

The applicant has not met these expectations. The operating schedule is extremely limited and does not address the specific risks associated with this site. The measures listed — signage reminding customers to leave quietly, keeping music levels low, and keeping doors/windows “closed during evening hours” — fall far short of what the licensing authority requires.

The reference to closing doors and windows only “during evening hours” is particularly troubling, as it implies an intention to open the bifold doors during the day. Given the proximity of our home, this would allow noise to escape freely.

4. Factors Relevant to Public Nuisance

a. Proximity to Residential Properties

The premises is located only several metres from our house, increasing the likelihood of nuisance impacting our home and garden.

b. Rural Environment

Noise, odour and light travel further in the countryside. Prevailing winds blow directly from the premises towards our home, increasing the likelihood of nuisance.

c. Building Construction and Layout

The building is an old grainstore, not designed to contain noise. Key issues include:

- No internal ceiling, leaving the roof void open and allowing noise to reverberate and amplify
- No soundproofing measures installed during conversion
- No acoustic lobbies or sound-limiting devices
- No sound insulation to prevent breakout
- No evidence of acoustic design input

The layout places the noisiest equipment at the end closest to residential properties, increasing the risk of nuisance.

d. Noise Sources

- Recorded and live music
- Speech, chatter and singing
- Kitchen and pot-washing equipment
- Extractor fans and mechanical plant
- Customer arrival and departure
- Use of external toilets

e. Odour

- Cooking odours from the commercial kitchen
- Odour from the external sewage treatment plant and toilets
- Odour from the wood burning stove which is the main source of heating

5. Relevant Licensing Policy Requirements

Uttlesford's Statement of Licensing Policy requires applicants to take steps such as:

- Preventing noise and vibration escaping the premises
- Installing soundproofing and acoustic lobbies
- Keeping windows and doors closed during business 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 any of these requirements.

6. Conclusion and Request

Given:

- The extremely close proximity of our home
- The lack of soundproofing and acoustic design
- The early evidence of noise breakout
- The rural environment which increases the spread of nuisance
- The absence of a detailed and credible operating schedule
- The applicant's failure to meet the expectations set out in the licensing policy

we do not believe that the applicant has shown how the Prevention of Public Nuisance objective will be upheld.

Uttlesford District Council states that it takes a proactive approach to preventing nuisance and expects applicants to put measures in place **before** problems arise. We therefore urge the Licensing Authority to:

- **Impose stringent, enforceable conditions** requiring the applicant to install appropriate noise, odour and lighting controls, including soundproofing and to operate the premises in a manner that protects neighbouring residents.