

## Appendix D

10<sup>th</sup> February 2021

Dear Sirs,

Re: Licensing Application for the Hop & Rye

Applicant Robert Strudwick

I would like to register a formal opposition to the granting of a liquor license for this public house. Having lived at my present address for the past 35 years I have seen many changes which most have been to the benefit of the local community, however, since the opening of this venue it has caused nothing but nuisance, noise and dangerous traffic problems. Last summer was unbearable to sit in my garden due to obscene and foul language along with loud music emanating from this public house, this could be heard up to 11.00 at night which, would be very upsetting for the small children living in Higham Road along with other people who get up early in the morning to go to work. When you consider that my house is along a small road where only one car can drive through at a time across a main road from the public house, you can gauge what the volume was like.

Apart from the noise & foul language the other consideration to be considered is the parking, most people using this venue were parking on the grass verge near the two mini roundabouts, on the corner of Higham Road or on double yellow lines outside the public house or even on the pavement. This road can be very hard to cross and having to walk in the road due to patrons of the public house parking on the pavement is only a step away from a fatality. The grass verges are nothing more than mud baths opposite the Fish & Chips shop and all the way up on Hollywood Lane which the latest Google Maps show.

There are other local licensed premises within a short walking distance, there is no need for another.

Kind regards

Mr S Still

To Whom It May Concern,

We wish to object to a new licence being issued to the premises Hop & Rye Micro Pub, 4 Wainscott Road, Wainscott, ME2 4LB, amended to 1 Hollywood Lane, Wainscott, ME3 8AG.

The definition of a micropub by micropubassociation.co.uk is 'A Micropub is a small freehouse which listens to its customers, mainly serves cask ales, promotes conversation, shuns all forms of electronic entertainment and dabbles in traditional pub snacks'. From the music, both live and recorded that has been played at the venue during its previous licence period it does not appear to fall into this definition.

To put our issues into context we have lived in one of the houses opposite the premises since October 2019, so just prior to this establishment opening under the previous licensee. However, this home has been in our family since 1953. In all the years that the micropub premises was operating as the working man's club we had never experienced any issues, despite much larger attendances and live music two days a week. The main door to the club premises used to be on the other side of the building which does not open directly toward our house and there was no outside seating area, which may have helped in that respect. Initially, we thought that it would be quite nice having a business such as Hop & Rye on the doorstep unfortunately over the following year this was not our experience. I had not entered any previous complaint to the previous licensee, I had begun investigating if there were grounds for complaint but having gone back into lockdown the problem resolved itself.

Having investigated the planning permissions granted for this property on MC/14/1550 when the development was agreed there were a number of conditions on its change of use, some have been discharged over time having gone through due process but I can see no record of the following condition being removed.

- 5            The retail use and Working Mens Club hereby permitted shall only operate between the hours of 0700 to 2200 Mondays to Sundays and Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason: To regulate and control the permitted development in the interests of amenity in accordance with Policy BNE2 of the Medway Local Plan 2003.

The licence hours being applied for by one of the applications (Geddes) and the club opening hours contravene this condition, with music and opening hours exceeding the 10pm cut off time stipulated. There are several issues with this licence being granted, which cover both the public nuisance and the public safety criteria;

#### **Parking**

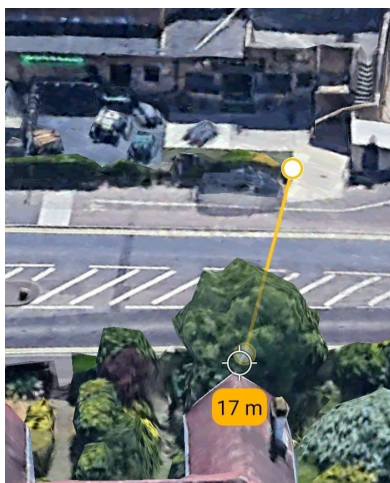
In theory the pub customers are supposed to use the Coop car park as they have an allocated number of spaces we believe. This does not seem to happen, potentially due to the fact that the car park is busy and also locked at some point, and visitors to the establishment park on the pavement outside of the Hop & Rye obstructing the path for pedestrians and cyclists or clog the already congested surrounding streets such as Higham Road, where it already difficult for residents themselves to park. Quite often there are vehicles left on the double yellow lines in Higham Road making access and egress from the residential driveways difficult and increasing the risk of collision or injury. The issue with parking has also been mentioned by other parties on “The Wainscott Neighbours” facebook page so is not an isolated opinion.

### **Noise**

There are around 6 picnic style tables on the paved area outside of the premises which generated significant noise problems for ourselves. The nature of the layout means that any noise generated, either at the tables or the smoking shelter that has been built, is directed at the houses opposite. Indeed, over the summer we were unable to sit out and enjoy our own garden due to the volume of the noise from visitors outside on the patio area. On several occasions there was amplified music being played which we could hear indoors over our television, one afternoon my neighbours queried if we were having a party due to the noise levels and I had to explain it was from the micropub. Both of the main bedrooms in the house face out onto Hollywood Lane and we were unable to leave the windows open due to the noise. As a key worker household, one of whom often undertakes shifts, including weekend working, the proximity of Hop & Rye led to disrupted and disturbed sleep when trying to get to sleep at any time prior to visitors leaving the area outside of the premises, which was often after 11pm. We feel very little consideration was given to the neighbouring households and fear that this would be no different “under new management” as it were.

In addition to this, the pub doors were secured open whenever the weather permitted again increasing any noise issues. Any music or crowd noise is less than 20 metres from our house and continues from opening time until closing.

Whilst the Geddes application does specify indoor music only, the Strudwick application requests music inside and outside, this would seem to be at odds with the BNE2 policy mentioned on the original planning permission, reproduced below.



Referring to BNE2 which was stated on the conditions of the original planning permission;

“POLICY BNE2: AMENITY PROTECTION All development should secure the amenities of its future occupants, and protect those amenities enjoyed by nearby and adjacent properties. The design of development, should have regard to: (i) privacy, daylight, and sunlight; and (ii) noise, vibration, light, heat, smell and airborne emissions consisting of fumes, smoke, soot, ash, dust and grit; and (iii) activity levels and traffic generation.

3.4.16 The NEC categories that the council uses are aimed at protecting residents within dwellings. However, the sound level within a residential building is not the only consideration. Most residents will expect their gardens and adjacent amenity areas to offer a reasonable degree of peaceful enjoyment. The advice in PPG24 is that general daytime, outdoor noise levels of less than 55 LAeq,TdB, are desirable to prevent significant community annoyance.”

### **Rubbish**

Many times over the year bags of rubbish were left outside of our property and the neighbouring household. In fairness, they were put outside on the morning of collection however, we did not understand why they could not put them outside their own premises rather than obstructing the pavement in front of our properties.

Many of these concerns could be mitigated with some consideration for the neighbouring properties from the operators of the venue. Perhaps a fence to the roadside of the outside area with planting would help with any noise travelling. Turning this area into parking alternatively would not only reduce the noise levels by minimising any outside activity but, also help with the restricted amount of parking available locally, tackling two concerns in one go. Only one of the applications mentions outside music but an undertaking to not play music outside, to keep the doors and windows closed and to only operate within the original agreed trading hours would also provide some reassurances.

Thankyou for your consideration,

Mr & Mrs N Arnold

8 FEB 2021

Re: 2 Applications for The Hop & Rye Micropub  
1 Hollywood Lane, Wainscott Rochester  
Kent. ME3 8AG

Alan & Pat Smith

04-02-2021

Dear Sirs,

We are writing to you to lodge complaints about the applications for the licences for The Hop & Rye Micropub at 1 Hollywood Lane.

We moved to this house in 1987 and in all the years we lived here we had no need to complain about the Wainscott Club. Since this micropub has been open we have nothing but complaints.

1. Noise : People congregate in the small area in the front, the more people have to drink, the noisier it gets and the bad language travels across the road to our garden. My Great Grandchildren play in the garden and I would hate for them to repeat this language. Its offensive to me let alone children.  
They had live music and continued till the early hours, albeit indoors after midnight, but the doors were open. On one occasion they were still playing music till 2.15am  
During the times of social distancing the crowds were standing shoulder to shoulder in the yard and not sitting socially distancing as instructed.
2. Parking. Cars were parked on the grass verges and sometimes pavements causing people to walk in the road. Also they parked on double yellow lines. Residents in Wainscott Road and Higham Road found it difficult to park their cars as patrons of the micropub took all the spaces.  
We have even had patrons park on the bottom of our drive.

We see that an application for the micropub to open from 2pm till Midnight on a Friday and Saturday, this is not acceptable, as we sleep in the front of the house and in the summer need windows open.

We have lodged an objection to both licences on the grounds of nuisance and noise.

Yours faithfully