

APPENDIX D

From: clerk@staplehurstvillage.org.uk [mailto:clerk@staplehurstvillage.org.uk]
Sent: 21 February 2019 17:57
To: Lorraine Neale; Rob Jarman
Subject: Hush Heath Winery Staplehurst: Application 19/00380/LAPRE to vary Premises Licence 18/02446/LAPRE

Dear Lorraine & Rob

Attached are Staplehurst Parish Council's comments on the captioned application for variation of Hush Heath Winery's premises licence.

The comments are sent to both of you because the Parish Council asks you to ensure that there is clarity and consistency across the planning and licensing conditions, which does not appear to be the case at present. This point is developed in the attached comments.

The Parish Council has commented separately on the concurrent submission of planning details 18/502517.

Kind regards

Mick

Mick Westwood

Clerk to Staplehurst Parish Council

Parish Office, Village Centre, High Street, Staplehurst, Kent. TN12 0BJ

Tel: 01580 891761 Public opening hours 0900-1300 Monday to Thursday. Closed Friday.

www.staplehurst-pc.uk

clerk@staplehurstvillage.org.uk

Application 19/00380/LAPRE to vary premises licence for Hush Heath Winery

Staplehurst Parish Council discussed this application at some length at its meeting on Monday 18 February 2019, having heard representations from local residents and from a representative of Hush Heath Winery.

The Parish Council noted the need to encourage economic activity and employment by a successful local business, while considering that this should not be at the expense of the amenity of neighbouring residents and indeed the residents of the whole Parish.

However, the Parish Council found significant inconsistencies between the conditions imposed by the present and proposed premises licences and the conditions attached to the various planning consents covering the development of the Winery. We consider that this inconsistency may lead to confusion about what is and is not permitted, both for neighbours and for the Winery itself.

For example, the application to vary the licence states (Rider to Part 4 – Operating Schedule Section J) that “the proposed variation will allow for on-sales between 10:00 – 19:00 Monday – Sunday inclusive”, and in fact operation on Sundays is offered both by the Hush Heath website (<https://hushheath.com/>) and by roadside posters. However, condition 4 of planning consent 13/0265, which permitted the use of the wine tasting room for the general sale of wine and cider produced on the holding includes as Condition 4:

“No retail sales to the public shall be carried out outside of the hours of 08:00-18:00 Mondays to Saturdays and at no time on Sundays or Bank and Public Holidays;

“Reason: In the interests of the rural amenity of the open countryside, to safeguard the enjoyment of their properties by adjoining residential occupiers and prevent harm to highway safety.”

Concern was expressed by residents and by Parish Councillors about the effect of large coaches carrying visitors to and from the Winery along very narrow country lanes, in terms of physical damage to the roads themselves, of the safety of other road users, particularly walkers, cyclists and joggers, and of environmental impact. Coach tours (which are now taking place) were apparently not envisaged earlier, so the effect of large coaches was not considered by KCC Highways in their comments on planning applications. We appreciate that the use of coaches by visitors is not entirely within the control of the applicant, but as far as we are aware, the Sustainable Transport Statement required by Condition 11 of planning consent 17/502611 has not been submitted yet.

We should like to place on record the statement by the representative of Hush Heath that it was not intended to develop the tasting room at the Winery as a bar or restaurant in its own right.

Staplehurst Parish Council assumes that if the activity at the tasting room expanded to the extent that it was no longer ancillary to the main business of the production of wine, cider, etc., a further planning application would have to be submitted.

Staplehurst Parish Council recognises that Hush Heath Winery plays an important role in the local economy both as an employer and in the development of wine tourism, which supports the aims of Maidstone Borough Council's Development Management Plan. However, given that Maidstone Borough Council has a responsibility for regulating Hush Heath Winery both as Licensing Authority and as Local Planning Authority, and that the amenity of neighbours and other residents of

Staplehurst needs to be considered (amongst other factors) in both, Staplehurst Parish Council considers that MBC's decisions in the two areas need to be clear and consistent with each other.