

From: Andrea Hodgkiss

Sent: 30 March 2023 10:23

To: Licensing <licencing@sevenoaks.gov.uk>

Subject: Reference: 20/01678/LAPRE: Hush Heath Winery, Hush Heath Winery Hush Heath Winery Hush Heath Estate Five Oak Lane Staplehurst Tonbridge Kent TN12 0HX

EXTERNAL EMAIL: Exercise caution unless you recognize the sender and know the content is safe.

Dear Sir/Madam

I am writing to object to the amend the existing licencing conditions at this site:

Annex 4. Condition 1 of the existing licence to remove the word 'restaurant' in the following: "The premises will not be operated as a public house, restaurant, drinking establishment, nightclub, wedding venue or events venue (other than events ancillary to the winery use). The amendment would be to remove the word "restaurant" only."

My husband and I, along with our three children, live at -----
-----from Balfour Winery. Any increase in noise levels, disruption and risk to public safety directly affects us and our children in an intrinsically quiet and rural location.

The removal of the word "restaurant" from Annex 4 condition 1 as a major effect in relation to the licencing objectives. Licensing objectives are infringed by this proposal.

This is an application to vary a condition that was imposed after careful consideration and on assurances that the owner did not want to run the winery as a restaurant. We are objecting on the grounds of public nuisance, public safety, and prevention of crime and disorder. The reasons for this are as follows:

- The surrounding countryside is tranquil; there are several nearby dwellings (the nearest are a few metres away)
- Access roads are narrow country lanes, with no footpaths, rough verges and ditches, single carriageway in places, and unlit, along which children and cyclists pass to and from school and other activities.
- There is no street lighting, and this is particularly dangerous after dark.

This was the position when all previous applications were considered and has not changed.

The evidence set out in the submissions filed in Sept 2020 and the decisions made in 2019 and 2020 were carefully balanced decisions in the light of the evidence placed before the committee, and the imposition of the word "restaurant" in the condition, was the result not only of the potential impact on public nuisance, public safety and prevention of crime and disorder but *also* with ongoing assurances provided by Mr Balfour-Lynn himself that he had no intention of operating a restaurant now or at any time in the future and therefore had full clarity about what a restaurant is when making these statements:

Appendix 3

24th February 2019 the applicant wrote to the council stating "Equally, we are not, and have no intention of becoming a restaurant. We employ no chefs or cooks..."

Personal letter to neighbours dated March 4th 2019 "Secondly, the Winery is not a pub or a restaurant and has no intention of becoming one. Indeed, we have decided to hold no weddings at the Winery as they are too noisy and disruptive. We own a number of local pubs ... and we encourage our visitors to have lunch or dinner in them..."

Mr Balfour-Lynn's long-held aspirations greatly to increase visitor numbers. This is the sixth licence application the applicant has made in 4 years to secure that increase, in each case *contrary* to assurances he has previously given.

It should also be pointed out that the local community finds it difficult to keep resourcing objections to these repeated licence applications. While an applicant is entitled to make as many applications as they like, it imposes an unfair time and costs burden on local people to have to keep responding to them.

Your sincerely,

Andrea Hodgkiss and Angus Codd