

Vernon's House  
Judges Hill, Northaw  
EN6 4NL

Objection to Application 6/2021/2571/FULL

Dear Sir/Madam

We object to the application for the erection of a single storey building at the rear of Judges in Northaw. As background it should be noted that when Judges opened in November 2017, they had erected a facility over the area of the proposed development and performing the same function. They claimed the structure, albeit with underfloor heating, was temporary. Within a year of operation, the council enforced the taking down of the structure. Within two days a large marquee was put up over the area. Within weeks the structure was largely re-assembled. Planning permission for this was denied in 2019. The appeal was rejected in April 2021 and Judges was given six months from 26<sup>th</sup> April to dismantle the structure. It is still standing. Our objection is fourfold,

**1. Designated Conservation Area ("DCA")**

The development is in a designated conservation area right beside two Grade II listed buildings. It does not make a "positive contribution to the character of the area", indeed as we discuss below it is negative to the area. That the facility cannot be seen from the road is irrelevant in considering developments in a DCA. Would we get planning permission for bungalows at the bottom of our garden just because they cannot be seen from the road?

**2. Retrospective Approval**

This would represent retrospective approval for a facility covering roughly the same area and performing the same function as one the council has already ordered to be taken down, has had planning permission denied and the appeal rejected. Approval therefore would be a very dangerous precedent as it would endorse a blatant attempt to ignore and get round planning legislation.

**3. Wrong Mode of Operation for a small village and DCA, Parking**

Since Judges opened in 2017 it has been often been used as a nightclub or party destination, and it has been available for rent for parties and functions. The illegal conservatory, providing the same facility as the proposed building, is vital in this regard as it offers the possibility to have parties in the garden, with at times a hundred or more guests (once even 500), with the assurance of cover in the event of bad weather. As the planning application states the "proposed building will be a private dining area for private events. This will be used as a separate room". Clearly it is not part of the restaurant and it is reasonable to assume therefore that it will be used for events, discos, parties etc. as previously.

Judging from the number of cars, these events have attracted patronage from outside the village well beyond the village capacity for parking. There have been numerous complaints about the parking which has blocked pavements on both sides of the road (a nuisance and danger to pedestrians), effectively reducing Vineyards Road to one lane and representing a hazard on some already difficult bends. This is inconsistent with what one might expect in a conservation area and a great inconvenience to residents. (Please see associated photos.)

**4. Wrong Mode of Operation for a small village and DCA, Noise, Anti-Social Behaviour**

The facility's use as a nightclub or party area has been associated with loud music and at times anti-social behaviour. This caused us great distress and anxiety since it opened well over four years ago. After a year, a Noise Abatement Order ("NAO") was issued. It was subsequently breached several times, on several occasions witnessed by the Environmental Health Officers

("EH"). (We are happy for the Environmental Office to be called to discuss this). At one point the EH confiscated the audio equipment. Even last year EH had to advise Judges that they would be monitored and a second NAO was issued. Whilst the proposal cites "suitable acoustic linings", the bi-folding doors clearly point to the room and the garden being used as one, and given the nature of events previously held, the potential for loud music to disturb the neighbourhood remains. (The loud music, incidentally breached the terms of an earlier planning consent given to allow conversion of upstairs accommodation to a bar, which specified music should not be audible beyond the premises.)

As might be expected, events often result in various littering such as balloons, lots of nitric oxide cannisters etc. and customers can often be extremely noisy at events and when leaving, often into the small hours of the morning. Again, this is inconsistent with what one might expect in a small village in a conservation area.

In regard to making this application it may be asked to take into account the "new ownership". This is not an entirely accurate depiction of the situation.

[REDACTED]

Given the overlap between this application and 6/2019/1277/FULL and Objection to Application 6/2019/1769/LB we assume that objections to that application will be taken into account when considering this one.

Yours sincerely

[REDACTED]