

## Licensing

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**From:** [REDACTED]  
**Sent:** 12 May 2022 10:41  
**To:** Licensing  
**Subject:** Throop Hollow Farm

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Roy K

Dear Sirs

I have read the application from Philip Trim for a licence to serve alcohol all year round. I object to this for the following reasons:

Philip Trim is a farmer by profession, not a publican. He was granted permission to build his house at Throop Hollow as a "farmworkers dwelling". He has since expanded hugely. Whilst I appreciate that some diversification is needed within the agricultural sector, I would be extremely uneasy if he had a licence to serve alcohol all year round. No other venue has been granted this. He opens his campsite for 28 days a year, and I fail to see therefore why he needs a licence all year round. I am suspicious of his motives. The noise and increased traffic is bad enough for the residents of Brockhill, Throop, and Briantspuddle during the weeks he opens his campsite. We are unable to sit outside and enjoy a peaceful evening on a Friday or Saturday because of his blaring music that is far too loud, and totally selfish. Our polite requests for him to turn down the noise are met with rude replies. His application mentions the campsite during August, but also mentions "other private functions" and this concerns me. At a private function you do not have a paying bar. The application makes no mention of him "being aware of the community and keeping noise to a minimum so as not to upset the neighbours". For these reasons, I would hope that this licence is NOT granted.

Yours faithfully

[REDACTED]

[REDACTED]

## Licensing

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**From:** [REDACTED]  
**Sent:** 13 May 2022 12:06  
**To:** Licensing  
**Subject:** Throop Hollow Farm - prevention of public nuisance  
  
**Categories:** Roy K

Dear Sirs,

We live in Throop and wish to make a comment on the application for an alcohol licence at Throop Hollow Farm.

On previous occasions, the music from entertainment events at Throop Hollow Farm has been extremely loud, and can be heard for a considerable distance. Living as we do at the bottom of the hill from the farm, we have found it impossible to sit out or work in our garden during these events, or even to have windows open in the house, because of the volume of the music. As the events take place in summer, when the weather is often warm, this is just the time we are most likely to want to be out in the garden, and to need to have doors and windows open for fresh air.

However, this issue is easily resolved. As detailed in the application, the number of people attending will be limited and the events will take place in an open-sided barn and courtyard area - in other words in a fairly limited space. (See attached plan - barn and courtyard area outlined in red.) The volume of the music therefore only needs to be at a suitable level to ensure that those who are attending, within that area, can enjoy it.

The description of the campsite online says "If it sounds like the site is peaceful, that's because it most certainly is – in fact, it's a spacious and serene sort of place surrounded by wildlife-filled woods". The sort of people who are likely to be attracted by such a description are unlikely to appreciate very loud music in the evenings, and in fact the website says "We often have entertainment in the barn and courtyard area in the evenings, especially the weekends, and as such there will be some noise. There is plenty of space in the fields to pitch away from this area if you wish to enjoy more peaceful surroundings or have younger children." Since we find the volume of music very intrusive at over a quarter of a mile away, there is nowhere within the boundaries of the campsite that would be out of range of the noise. Reducing the volume of the music would therefore be a benefit to those people who would like "more peaceful surroundings" (including local residents as well as campers), without in any way spoiling the enjoyment of those attending the music events - a win-win situation.

In a recent high profile case in another part of the country, planning permission was refused because the application was in a "sensitive open countryside location" and it was judged harmful to the "open rural character, scenic beauty and tranquillity of the area". This is a perfect description of the area around Throop Hollow Farm, where "tranquillity" is one of its most attractive aspects.

The application is not limited to the operating times of the campsite, but requires the licence to cover "ad hoc charity events and/or private parties a few times a year". With no definition of "a few", this would enable such events to take place on numerous occasions throughout the whole year, which would in no way be acceptable if the noise continued to be at the level we have experienced in previous years.

We would therefore suggest that the number of events should be limited, and a condition about limiting noise levels should apply, if any licences are granted.

Yours faithfully

[REDACTED]

## **Representations from the Parish Council of Affpuddle & Turnerspudde in respect of the Application of Philip Trim for a Premises Licence.**

The Applicant has applied for a premises licence for an unlimited period, to provide live music, recorded music, late night refreshment, and alcohol.

We have considered the application carefully and have significant concerns. As a general point, we consider that the application lacks clarity in terms of the detail of what would be in place. The details given at Sections E and F of the application merely refer to 'Open sided barn in courtyard area'. It is not clear whether this is intended to mean that music will only be played inside the barn, and there is no definition of what the 'courtyard area' refers to. No details are provided at I or J as to where the bar and the refreshments will be located. No times are provided for the provision of late-night refreshment. If this were to extend beyond 23:00, this could result in attendees not leaving the site until the early hours of the morning.

The site plan identifies the camping field and the application makes reference to a 28-day camping season. However, the application remains silent **as to whether** events described as *charity events or private parties* may include overnight camping. In addition, the total number of days, including those associated with camping must not exceed 28 days under permitted development rights. The proposal already exceeds this limit.

The camp site referred to is close to publicly accessible heathland which is within an SSSI. A habitat regulations assessment would therefore be required for any extension to camping provision. Following recommendations from Natural England, an exclusion zone of 400m from the SSSI heathland is required for the camp site. It would therefore seem necessary that Natural England must also be consulted about the type of events that may take place so that they can carry out an assessment of any impact of events on this sensitive site.

The Applicant has stated at Part 1 that the bar will be used during his 28-day camping season, and for 'the occasional charity event', which is later referred to as 'ad hoc charity events and or private parties a few times a year'. However, the granting of the open-ended licence for which the Applicant has applied would permit him to hold events with music and alcohol at any time.

Section E of the Application provides timings for live music between 18:00 and 23:00 hours on any day of the week, and provides for the same timings for recorded music at Section F. Although the narrative provided in the box on 'seasonal variations' refers to live music at weekends during August, the application is not restricted to a licence for the month of August, or for weekends only, and it states that the Applicant 'may also organise private and charity events on an ad-hoc basis at other times of the year'.

The narrative provided by the Applicant with regard to his limited intentions for use of the licence would appear to be of no relevance as, should the licence be granted, it would give the Applicant permission to hold music events, with alcohol, on any evening throughout the year.

Whilst we note that the Applicant has not applied for a licence for events with more than 5,000 attendees, the licence for which he has applied would permit him to hold events for up to 5,000 people, unless a special condition was applied to the licence.

In describing the steps that he intends to take to promote the licensing objectives, the Applicant states at (d) in respect of 'The prevention of public nuisance' that 'The occupancy capacity is limited to our number of pitches, or under the 500 people (including staff/volunteers) determined by the TENS for the occasional charity or private event'. However, if the Applicant is granted the licence for which he has applied, there will be no requirement for him to apply for any Temporary Events Notice ('TEN'), and he will not therefore be restricted to the 500-person limit that applies to a TEN. The number of pitches is presumably of no relevance to the numbers attending a private event.

If the Council rely on the descriptions provided by the Applicant of the anticipated frequency and type of events, and grant a licence accordingly, there will be no redress if the Applicant's use of the licence does not accord with his stated intentions, and he decides to hold regular music events. The Parish Council is therefore extremely concerned about the very damaging impact that the granting of this licence could have on the local population.

### **The Prevention of Public Nuisance:**

When considering whether the objective of preventing public nuisance would be satisfied by granting the application, we submit that it would be of relevance to those considering the application to take account of the history of the site.

The site is situated in the small rural hamlet of Throop and is in close proximity to the villages of Briantspuddle and Turnerspuddle. The area has very low ambient noise levels and as such is a haven for wildlife including the adjacent internationally designated heathland (SSSI).

The site operated as a campsite under permitted development in 2020 and again in 2021. Live music was advertised at the site in 2020 and in 2021. In both years, the Parish Council received complaints from parishioners about noise nuisance from the site, and this was most particularly when live music was being played there. The complaints received were predominantly about excessive base noise, which is particularly intrusive and can travel over a considerable distance. The complainants made their complaints to us in confidence and the Parish Council followed these up by making several representations to the Environment Health Department of Dorset Council

As stated above, the site is in the hamlet of Throop and is in close proximity to other villages within the Parish. We already know that music at the site can be heard by local residents, to the extent that it is very intrusive. When live or recorded music is played at the site, it is likely to substantially interfere with the use or enjoyment of residents' homes and gardens. Whilst the Parish Council recognise that events which create noise may happen from time to time during a limited period in the summer, the granting of an open-ended licence would pose a significant threat to the residents' quiet enjoyment of their homes.

Under M the application refers to the provision of lighting, both inside the barn and the external areas. The site is in an elevated position in a very rural area which benefits from dark skies. Light pollution travels a considerable distance and is to be discouraged as inappropriate in the open countryside and requires tight control.

If a licence were to be granted, we submit that the events that may then take place would constitute a public nuisance.

### **Public Safety:**

As the granting of the licence could result in regular music events taking place at the site, with up to 5,000 people in attendance, this could impact on the accessibility and safety of the nearby roads. The local roads are single track, with few passing places. If there is an influx of traffic, this would be likely to cause significant hold-ups for residents and any other regular users of the local roads. As alcohol would be served at the events, and there is no visible local police presence, the risk of accidents would also be likely to increase.

Regardless of any narrative that has been supplied in the detail of the application form, the application is for a licence of unlimited duration to hold events with live or recorded music, and the provision of alcohol and refreshments, on any evening of the year, for up to 5,000 people. This is in an area in close proximity to the hamlet of Throop and other villages. If a licence is granted, the licensee can hold as many events as he wishes. There can be no doubt that this would have a substantial impact on the local population and would constitute a public nuisance and a possible threat to public safety.

The Applicant has previously applied for a Temporary Events Notice licence when he has wished to hold events at the site and we submit that it would be entirely reasonable to require him to continue to do this, rather than to grant him an open-ended licence. Such a licence would give no means of redress to local residents if the Applicant decides to hold very regular events.

The Applicant has indicated in his application that he only requires a licence for occasional charity or private events, outside of his 28-day camping season. If that is the case, it would not be an onerous burden on him to make Temporary Event Notice applications when he wishes to hold such occasional events, and this would provide residents with notice so that they can have the reassurance of knowing when a noisy event is going to occur.

### **Consideration of Conditions on the Licence:**

We recognise that, in spite of our representations, the Council may decide to grant the application, and we have considered what compromises could be reached in that eventuality, to provide some protection to the local population and habitat. We therefore request that if the licence is to be granted, the Council give careful consideration to conditions to be attached.

In particular, we urge the Council to include a restriction on the number of people who can attend an event. As the Applicant has indicated in the Prevention of public nuisance section of his Application that there would be no more than 500 people, it should be of no particular hardship to him to adhere to such a limit accordingly.

Taking account of the lack of clarity in the application with regard to where music will be played, we consider that there should be a condition which restricts the playing of music, both live and recorded, and the siting of loudspeakers, to the barn. This should contain the noise nuisance in this elevated position and prevent live bands or recorded music playing in open fields.

### **Specific Conditions:**

We request that, if the application is granted, consideration is given to the inclusion of the following additional conditions:

- The maximum number of people permitted entry to the premises, including staff and volunteers, should not exceed 500
- Records to be kept of the number of people in attendance, available for inspection at any time
- A music noise monitor and controller must be installed and in operation at all times that music is playing
- Both live and recorded music must only be played inside the barn, as identified on the site plan
- A restriction on the number and location of loudspeakers, which should be contained only within the barn
- The location and orientation of loudspeakers to be as specified on a plan
- The location and orientation of any lighting to be as specified on a plan. The lighting for any events must not be permanent and must be removed following events.
- All attendees should leave the site by 23:30.
- A telephone number must be provided by the applicant to enable residents to raise concerns in the course of an event
- A letter to be delivered to all residents of Throop, Briantspuddle and Turnerspuddle 8 weeks prior to any event so that they have advance notice of the likelihood of excessive noise and possible disruption to traffic and can plan accordingly.

Parish Clerk  
Affpuddle & Turnerspuddle Parish Council

18th May 2022

CC Cllr Peter Wharf & Cllr Emma Parker