

# APPENDIX E

## Lympstone Manor Hotel – Responses to Notice of Hearing

### Applicant

<b>Lympstone Manor Ltd</b>	
<b>Hearing Unnecessary</b>	YES
<b>Attending</b>	NO
<b>Supporting documents</b>	Submitted an email and posted a hard copy dated 20/05/2022.
<b>Summary of key points</b>	<p>I have posted the following information this afternoon to EDDC as well as the attached email trails in relation to the Notice of Hearing response to EDDC.</p> <ol style="list-style-type: none"><li>1. We consider the hearing to be unnecessary.</li><li>2. We will not be present at the hearing nor will we have any representation.</li><li>3. Attached is a summary addressing the key points outlined in the representations that have been submitted which specifically refer to the licensing objectives relating to the <b>Prevention of Crime and Disorder</b> and the <b>Prevention of Public Nuisance</b>.</li></ol> <p><b>Prevention of Crime and Disorder</b></p> <ul style="list-style-type: none"><li>• A representation made by the Devon and Cornwall Police has been reviewed and all proposed conditions and amendments to the Premises Licence Application were agreed with Mike Norsworthy – Alcohol Licencing Officer in the attached correspondence dated 21/04/2022.</li></ul> <p><b>Prevention of Public Nuisance</b></p> <ul style="list-style-type: none"><li>• A representation made by the Environmental Health Officer - Ian Winter has been reviewed and all proposed conditions and amendments to the Premises Licence Application were agreed in the attached correspondence dated 13/05/2022.</li><li>• All 10 representations from local residents have been very carefully considered however there is nothing in the Premises Licence Application for the Pool House complex that does not mirror the conditions which Lympstone Manor Hotel has operated by within the framework of the Premises Licence granted when the business launched in April 2017 without a single complaint regarding any of the four Licencing Objectives. In addition we have already agreed to the conditions relating to the Licencing Objectives within the current Premises Licence application for both the <b>Prevention of Crime and Disorder</b> and the</li></ul>

	<p><b>Prevention of Public Nuisance</b> put forward by the Devon and Cornwall Police and the Environmental Health Officer and therefore any concerns that all parties have raised in the submitted representations have been addressed, and so on that basis we feel a hearing before a Licencing Sub Committee is totally unnecessary.</p> <p><b>Representation Summary</b></p> <ul style="list-style-type: none"> <li>• Lympstone Manor Hotel is a luxury Country House Hotel which has always offered our guests a relaxing, tranquil experience in one of the UK's most highly regarded properties. Lympstone Manor Hotel is a member of the world renowned Relais &amp; Chateaux hotel group, it has Michelin star status for the quality of its restaurant as well as an exclusive 5* AA rating within their hotel guide, we operate at the highest level within the hospitality sector and our operational standards are second to none, we offer a quality driven customer experience underpinned by focussed staff who have delivered this consistently since we opened our doors in the Spring of 2017.</li> <li>• We also understand that any external events that are held within the Pool House complex will require a Temporary Event Notice Application to be considered by the Licencing Authority.</li> </ul>
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**Responsible Authority**

<b>1.</b>	<b>Police Licensing – Mike Norsworthy – AGREED POSITION but invited to attend</b>
<b>Hearing Unnecessary</b>	NO
<b>Attending</b>	NO
<b>Supporting documents</b>	Email submitted on 21/04/2022 – Agreed position with Applicant.
<b>Summary of key points</b>	<p>Team,</p> <p>Please see the lengthy email trail below detailing an agreed position I have come to with the applicants for the above New Premises Licence application, the agreed conditions are at the very bottom of the trail and contain amendments, additions and conditions added from their existing licence. In order to assist you I have also attached a word document which contains the agreed position.</p> <p>In light of this agreed position I would like to make a representation under all four licensing objectives to have the</p>

amended and additional conditions added to the licence should it be granted.

Cheers

Mike

**On the application:-**

**UNDER THE PREVENTION OF CRIME AND DISORDER  
LICENSING OBJECTIVE**

**Delete everything and replace with:-**

**CCTV**

The premises shall install operate and maintain a comprehensive digital colour CCTV system.

All public areas of the licensed premises including entry and exit points will be covered, including any outside areas under the control of the premises licence holder.

The system must record clear images permitting the identification of individuals, and in particular enable facial recognition images (a clear head and shoulder image) of every person entering and leaving in any light condition.

The CCTV system will continually record whilst the premises are open for licensable activities and during all times when customers remain on the premises.

All equipment must have a constant and accurate time and date generation.

All recordings will be stored for a minimum period of 14 days with date and time stamping.

Viewable copies of recordings will be provided on request to the Police or local authority officers as soon as is reasonably practicable and in accordance with the Data Protection Act 2018 (or any replacement legislation) a staff member from the premises who is conversant with the operation of the CCTV system, shall be on the premises at all times when the premises are open. This staff member must be able to provide an authorised officer of a responsible authority, copies of recent CCTV images or data with absolute minimum of delay when requested in accordance with the Data Protection Act 2018 (or any replacement legislation).

The CCTV system will be capable of downloading images to a recognisable viewable format.

There will be security measures in place to ensure the integrity of the system to prevent the tampering with, and deletion of, images.

If the CCTV equipment is inoperative the Licensing Authority must be informed within seven days and immediate steps must be taken to restore the equipment to full working order.

**Add the following new condition:-**

### **INCIDENT LOG**

An incident log shall be kept and maintained at the premises which will include a log of the following, including pertinent details:

- i. Any incidents of disorder or of a violent or anti-social nature
- ii. All crimes reported to the venue, or by the venue to the police
- iii. All ejections of patrons
- iv. Any complaints received
- v. Seizures of drugs or offensive weapons
- vi. Any faults in the CCTV system
- vii. Any visits by a responsible authority (under the Licensing Act 2003) or emergency service.

Records must be completed within 24 hours of any incident, and will contain the time and date, the nature of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident.

The logs shall be kept for at least 12 months following the date of entry and be made available for inspection and copying upon request of an authorised officer of a responsible authority.

### **UNDER THE PUBLIC SAFETY LICENSING OBJECTIVE**

**Retain the following sentences:-**

“Alcohol and soft drinks in the Pool House Bar & Restaurant will be served in high quality polycarbonate glassware for customers consuming drinks in all external areas of the complex. A personal licence holder will be at the premises at all times when alcohol is being sold or regulated entertainment is being provided.”

**Delete the following as this is covered under fire safety legislation as opposed to the Licensing Act:-**

“We have conducted a suitable fire risk assessment at the premises and implemented the necessary control measures. Exit doors from the premises will be regularly checked to ensure they function satisfactorily. All fire doors are maintained unobstructed

and will not be held open other than with approved devices. Upholstered seating is fire retardant and complies with current fire regulations.

Furniture and temporary decorations are located so as not to obstruct exits, fire safety signs or firefighting equipment. Fire safety signs are adequately illuminated. Notices dealing the actions to be taken in the event of a fire will be prominently displayed and maintained in good condition. Access is provided for the emergency vehicles and kept clear at all times. Fire drill, emergency light testing will be conducted regularly and records kept to be available on request. The new swimming pool has been risk assessed and the relevant safety and cleaning checks will be conducted daily.”

**Retain the following sentences:-**

When the swimming pool is not in use there is a retractable metal cover for the entire pool surface which can take the weight of a person. There are adequate arrangements within the entire premises for disabled guests.

Adequate and appropriate first aid equipment is available in all areas of the premises.

At least one trained First Aider will be on duty when the public are present in the premises. A full fire and security check of the premises is conducted and recorded by a Duty Manager 5 times over a 24 hour period.

**Add the following new condition:-**

**STAFF TRAINING**

All staff engaged in licensable activity at the premises will receive training and information in relation to the following:

- i. The Challenge 25 scheme in operation at the premises, including the forms of identification that are acceptable.
- ii. The hours and activities permitted by the premises licence issued under the Licensing Act 2003 and conditions attached to the licence.
- iii. How to complete and maintain the refusal register in operation at the premises (in relation to the sale of alcohol).
- iv. Recognising the signs of drunkenness.
- v. The operating procedures for refusing service to any person who is drunk, under-age or appears to be under-age, or appears to be making a proxy purchase.
- vi. Action to be taken in the event of an emergency, including reporting an incident to the emergency services.

Training shall be recorded in documentary form and shall be regularly refreshed at no greater than 12 month intervals. Training records shall be made available for inspection and copying at reasonable times upon request of an authorised officer of a responsible authority.

Training records will be retained for at least 12 months.

**Add the following conditions from your existing licence:-**

No customers will be permitted to take open containers of alcoholic or soft drinks from the premises.

The licence holder or staff authorised by them will check the premises before it opens to the public to ensure there are no risks to patrons and that all safety precautions are in place.

All safety certificates and inspection reports will be kept on site and made available for inspection by officers of relevant statutory bodies.

Membership of the Local Licensees Association must be maintained and the license holder or their representative must attend meetings and participate in all relevant initiatives.

All bottles and glasses and rubbish must be removed from public areas on a regular and frequent basis.

**UNDER THE PREVENTION OF PUBLIC NUISANCE  
LICENSING OBJECTIVE**

**Retain what you have offered and add the following conditions from your existing licence:-**

All electronically amplified regulated entertainment must be played through the in-house PA system which is only to be operational in the designated rooms and not through any independent systems provided by the entertainers. The controls for the in-house PA system must only be accessible by the Premises Licence Holder or people authorised by them.

The telephone numbers of local taxi operators will be made available at reception for the benefit of customers.

Notices will be displayed in appropriate areas requesting people to leave the premises and the area quietly and to respect the neighbours.

A noise limiting device must be installed and maintained to the satisfaction of East Devon District Council's Environmental Health Service. The level must be set by an Environmental Health Officer of East Devon District Council.

All external windows and doors to any room where regulated entertainment is taking place must be kept closed except for access and egress.

Amplified music must only be played in the rooms marked as Music Room and Drawing Room and the **Pool House** on the **plans** submitted to and approved by the Licensing Authority.

The licence holder, or persons authorised by them, must control the volume of regulated entertainment taking place at the premises.

### **UNDER THE PROTECTION OF CHILDREN FROM HARM LICENSING OBJECTIVE**

**Delete everything and replace with:-**

#### **CHALLENGE 25**

There will be in place a written age verification policy in relation to the sale or supply of alcohol, which will specify a Challenge 25 proof of age requirement. This means that staff working at the premises must ask individuals who appear to be under 25 years of age, attempting to purchase alcohol, to produce identification. The only acceptable identification documents will be:

- A photo driving licence
- A passport
- An identification card carrying the PASS hologram

Unless such identification is produced the sale of alcohol must be refused.

This policy will include documented steps taken to prevent adults from purchasing alcohol for or on behalf of children under 18.

#### **REFUSALS REGISTER**

An alcohol sales refusal register shall be kept at the premises and be maintained to include details of all alcohol sales refused. The register will include:

- i. the date and time of refusal
- ii. the reason for refusal
- iii. details of the person refusing the sale
- iv. description of the customer
- v. any other relevant observations.

	<p>The refusals register will be made available for inspection and copying on request of an authorised officer of a responsible authority.</p> <p>All entries must be made within 24 hours of the refusal.</p> <p><b>Add the following conditions from your existing licence:-</b></p> <p>Children will be supervised by parents at all times.</p> <p>No under 18's will be permitted without an adult to supervise.</p>
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<b>2.</b>	<b>Environmental Health - EDDC – Ian Winter – AGREED POSITION but invited to attend.</b>
<b>Hearing Unnecessary</b>	NO
<b>Attending</b>	Will be available for questions.
<b>Supporting documents</b>	Email submitted on 16/05/2022 – Agreed position with Applicant.
<b>Summary of key points</b>	<p>Dear Mr Caines</p> <p>I have reviewed your submitted licensing application, due to the close proximity of a noise sensitive property I have concerns in relation to noise. Taking this into consideration I recommend approval with conditions attached:</p> <p>In order to ensure that the noise climate of the surrounding area will be protected from music noise the following noise conditions are recommended:</p> <ol style="list-style-type: none"> <li>1. A noise management plan (NMP) connected with the premises shall be planned and implemented in full. The NMP shall be sufficient to ensure that the music noise level from any regulated entertainment shall meet with part 2 of this condition.</li> <li>2. Between the hours of 07:00 and 23:00 the A-weighted equivalent continuous noise level (LAeq<sub>15min</sub>) emanating from the premises, when measured or determined at the boundary of any noise sensitive property* over any 15 minute period with entertainment taking place, must not exceed the background noise level (LA90<sub>15min</sub>) by more than 5 dB(A) with no entertainment taking place.</li> </ol> <p>Between the hours of 23:00 and 07:00 the A-weighted equivalent continuous noise level (LAeq<sub>5min</sub>) emanating from</p>



	<p>the premises, when measured or determined at the facade of any noise sensitive property* over any 5 minute period with entertainment taking place, must not exceed the background noise level (LA90<sub>5min</sub>) with no entertainment taking place.</p> <p>* Where access to the nearest sound-sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest noise sensitive property.</p> <p>Reason: To protect the amenity of local residents from noise.</p> <p>In order for the licensing team to progress with your application you will need to confirm whether you agree to these conditions being added to your Premises Licence. If you do not agree to the adding of these conditions please let me know, as the application may well have to go to a Licensing Hearing. The licensing team can provide you with further information on that subject.</p> <p>Should you require any further information, please do not hesitate to contact me.</p> <p>Kind Regards</p> <p>Ian</p> <p><b>Ian Winter</b> MSc, MCIEH Environmental Health Officer Environmental Protection Environmental Health</p>
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**Interested Parties**

<b>1.</b>	<b>Dr Kathryn Kitson</b>
<b>Hearing Unnecessary</b>	NO
<b>Attending</b>	YES
<b>Supporting documents</b>	Attached as APPENDIX F
<b>Summary of key points</b>	As a key NHS worker a quiet and peaceful home environment is essential to mental wellbeing and physical health. This needs to be preserved. Re application number 053627

Lympstone Manor application for premises licence WITH alcohol  
New application

Summary of my (Dr Kathryn Davies) key points:

- The previous planning for the hotel was granted with conditions that considered and protected the amenity of local residents from noise in accordance with Policies D1(Design and Local Distinctiveness) and EN15 (Control of Pollution) of the East Devon Local Plan and D1(Design and Local Distinctiveness) and EN15 (Control of Pollution) of the new East Devon Local Plan. (Condition 22 of the planning permission: “No amplified music shall be played in the premises or external in such a way that it is audible beyond the boundary of the premise”)
- The current licence for the hotel was granted with a number of conditions as stated in Annexe 1- mandatory conditions, Annexe 2 - conditions consistent with the operating schedule and Annexe 3 – conditions attached following a hearing by the licensing authority– of particular interest is Annexe 3 points 2-10:
  - The PA system used is the in-house PA system and the volume is controlled and accessed only by the licensee or those authorised by the licensee
  - all regulated entertainment to be indoors with all doors and windows closed
  - a noise limiter to be installed and set by the environmental agency
- Planning permission was granted for the pool complex subject to various conditions including:  
Condition 8. Noise emitted from any plant serving the development shall be inaudible beyond the boundary of the premises. Within one month of the installation of such equipment, details of any acoustic mitigation required to achieve this noise level shall be submitted to and agreed in writing by the Local Planning Authority and the equipment shall not be used until and unless the mitigation has been installed as agreed. For these purposes, "inaudibility" shall be determined as the specific noise level (after correction factors have been applied) being at least 5dB less than the lowest background noise level measured at the time of the assessment, all measured in accordance with BS4142:2014. **(Reason: To protect adjoining occupiers from excessive noise and in accordance with Policy EN14 (Control of Pollution) of the East Devon Local Plan 2013-2031.)**

- The licencing application is in conflict of the restrictive covenants of the Courtlands Estate. All properties are bound to abide by these covenants which include 'no noise between the hours of 11pm and 8am, not to cause or permit anything that may be or become a nuisance or annoyance to owners or occupiers of adjoining properties.' (Third schedule – Restrictive covenants Point 1 & 2)
- It should be noted that Courtlands Estate is a quiet residential area comprising of more than 7 independently owned houses. Some residents work for the NHS including night-shifts and on-call which occurs 24hours a day for any of the 7 days of the week. This also includes remote NHS clinics, meetings and consultations during the day and evening.
- The new pool complex and the hotel are extremely close to the quiet residential housing. Some of these properties are only metres away from the pool complex and the hotel – namely South Lodge, Orchard Cottage, Keepers Cottage, Gardeners Cottage, Mill House and East Lodge.
- 'Events' taking place at the Hotel and pool complex will increase the volume of patrons attending the hotel.
- Patrons attending 'events' in the pool complex will need to walk back through the hotel grounds which, if after 11pm, will cause increased noise, create a noise disturbance and public nuisance. This would be in breach of the restrictive covenants of the Courtlands Estate to which the hotel must abide.
- To date the pool complex has not been fully operational and therefore there are no operational experiences to which to refer. The pool complex currently remains under construction.
- A noise assessment should be carried out to set a noise limiter or decibel limit on all proposed activities. This should include a public consultation thereafter.
- The times set out in the application are unreasonable for a residential area and should be revised to reflect the noise sensitive setting.
- The number of 'events' to be held at the hotel and pool complex should be restricted in number and to weekends.

	<ul style="list-style-type: none"> <li>• All windows and doors should be closed during ‘events’ to contain noise pollution.</li> <li>• A site visit should be undertaken to understand the noise sensitive setting of the hotel and pool complex and to visualise the proximity of residential housing to the proposed sites of entertainment and provision of alcohol.</li> <li>• The delivery of alcohol and food to the pool complex needs to be specified to be within the hotel boundary and not via the private road of Courtlands Estate thereby not passing the residential properties of The Gatehouse, East Lodge, the Granary, The Mill House, Orchard Cottage and South Lodge as this would be in breach of the covenants (First schedule, Rights Granted Point 1).</li> <li>• I have included the relevant documents <ul style="list-style-type: none"> <li>○ Planning for Lympstone Manor</li> <li>○ Licence for Lympstone Manor</li> <li>○ Planning for pool complex</li> <li>○ Restrictive covenants for Courtlands Estate – Third Schedule</li> <li>○ Rights granted for Courtlands Estate – First Schedule</li> </ul> </li> </ul>
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<b>2.</b>	<b>Ms Jessica Dawkins</b>
<b>Hearing Unnecessary</b>	NO
<b>Attending</b>	YES
<b>Supporting documents</b>	Attached as APPENDIX G
<b>Summary of key points</b>	

<b>3.</b>	<b>Ms Sue Acred</b>
<b>Hearing Unnecessary</b>	NO RESPONSE RECEIVED
<b>Attending</b>	
<b>Supporting documents</b>	
<b>Summary of key points</b>	

<b>4.</b>	<b>Mr George Banks</b>
<b>Hearing Unnecessary</b>	NO RESPONSE RECEIVED
<b>Attending</b>	
<b>Supporting documents</b>	
<b>Summary of key points</b>	

<b>5.</b>	<b>Mrs Mary Banks</b>
<b>Hearing Unnecessary</b>	NO RESPONSE RECEIVED
<b>Attending</b>	
<b>Supporting documents</b>	
<b>Summary of key points</b>	

<b>6.</b>	<b>Mrs Nicola Clarkson</b>
<b>Hearing Unnecessary</b>	NO
<b>Attending</b>	YES
<b>Supporting documents</b>	See representation APPENDIX D
<b>Summary of key points</b>	

<b>7.</b>	<b>Mr Richard Clarkson</b>
<b>Hearing Unnecessary</b>	NO
<b>Attending</b>	NO
<b>Supporting documents</b>	See representation APPENDIX D
<b>Summary of key points</b>	<p>Dear Sir/Madam,</p> <p><b>Re: Premises – Lypstone Manor Hotel, Courtlands Lane, Exmouth</b></p> <p><b>Application Number – 053627</b></p> <p>Further to your above referenced letter, dated 18th May 2022, please find enclosed the completed Notice of Hearing documents that you required me to complete.</p> <p>Please note that I am currently working overseas but my wife, Mrs Nicola Clarkson, is permanently in residence at our address. She will attend the virtual zoom hearing on our behalf to make any representation, as may be required.</p> <p>Yours sincerely,</p> <p><b>Richard Clarkson</b></p>

<b>8.</b>	<b>Mr Jeffery Kitson</b>
<b>Hearing Unnecessary</b>	NO
<b>Attending</b>	YES
<b>Supporting documents</b>	Attached as APPENDIX F
<b>Summary of key points</b>	<p>Re application number 053627</p> <p>Lypstone Manor application for premises licence WITH alcohol</p> <p>New application</p> <p>Summary of my (Mr Jeffrey Kitson) key points:</p> <ul style="list-style-type: none"> <li>The previous planning for the hotel was granted with conditions that considered and protected the amenity of local residents from noise in accordance with Policies D1(Design and Local Distinctiveness) and EN15 (Control of Pollution) of the East Devon Local Plan and D1(Design and Local Distinctiveness) and EN15 (Control of Pollution) of the new East Devon Local Plan. (Condition 22 of the planning permission: “No amplified music shall be played</li> </ul>

in the premises or external in such a way that it is audible beyond the boundary of the premise”)

- The current licence for the hotel was granted with a number of conditions as stated in Annexe 1- mandatory conditions, Annexe 2 - conditions consistent with the operating schedule and Annexe 3 – conditions attached following a hearing by the licensing authority– of particular interest is Annexe 3 points 2-10:
  - The PA system used is the in-house PA system and the volume is controlled and accessed only by the licensee or those authorised by the licensee
  - all regulated entertainment to be indoors with all doors and windows closed
  - a noise limiter to be installed and set by the environmental agency
  
- Planning permission was granted for the pool complex subject to various conditions including:  
Condition 8. Noise emitted from any plant serving the development shall be inaudible beyond the boundary of the premises. Within one month of the installation of such equipment, details of any acoustic mitigation required to achieve this noise level shall be submitted to and agreed in writing by the Local Planning Authority and the equipment shall not be used until and unless the mitigation has been installed as agreed. For these purposes, "inaudibility" shall be determined as the specific noise level (after correction factors have been applied) being at least 5dB less than the lowest background noise level measured at the time of the assessment, all measured in accordance with BS4142:2014. **(Reason: To protect adjoining occupiers from excessive noise and in accordance with Policy EN14 (Control of Pollution) of the East Devon Local Plan 2013-2031.)**
  
- The licencing application is in conflict of the restrictive covenants of the Courtlands Estate. All properties are bound to abide by these covenants which include ‘no noise between the hours of 11pm and 8am, not to cause or permit anything that may be or become a nuisance or annoyance to owners or occupiers of adjoining properties.’ (Third schedule – Restrictive covenants Point 1 & 2)
  
- It should be noted that Courtlands Estate is a quiet residential area comprising of more than 7 independently owned houses. Some residents work for the NHS including night-shifts and on-call which occurs 24hours a day for any of the 7 days of the week. This also includes remote NHS

clinics, meetings and consultations during the day and evening.

- The new pool complex and the hotel are extremely close to the quiet residential housing. Some of these properties are only metres away from the pool complex and the hotel – namely South Lodge, Orchard Cottage, Keepers Cottage, Gardeners Cottage, Mill House and East Lodge.
- ‘Events’ taking place at the Hotel and pool complex will increase the volume of patrons attending the hotel.
- Patrons attending ‘events’ in the pool complex will need to walk back through the hotel grounds which, if after 11pm, will cause increased noise, create a noise disturbance and public nuisance. This would be in breach of the restrictive covenants of the Courtlands Estate to which the hotel must abide.
- To date the pool complex has not been fully operational and therefore there are no operational experiences to which to refer. The pool complex currently remains under construction.
- A noise assessment should be carried out to set a noise limiter or decibel limit on all proposed activities. This should include a public consultation thereafter.
- The times set out in the application are unreasonable for a residential area and should be revised to reflect the noise sensitive setting.
- The number of ‘events’ to be held at the hotel and pool complex should be restricted in number and to weekends.
- All windows and doors should be closed during ‘events’ to contain noise pollution.
- A site visit should be undertaken to understand the noise sensitive setting of the hotel and pool complex and to visualise the proximity of residential housing to the proposed sites of entertainment and provision of alcohol.
- The supply of alcohol to the pool complex needs to be specified to be within the hotel boundary and not via the private road of Courtlands Estate thereby not passing the residential properties of The Gatehouse, East Lodge, the Granary, The Mill House, Orchard Cottage and South

	<p>Lodge as this would be in breach of the covenants (First schedule, Rights Granted Point 1).</p> <ul style="list-style-type: none"> <li>• I have included the relevant documents <ul style="list-style-type: none"> <li>○ Planning for Lympstone Manor</li> <li>○ Licence for Lympstone Manor</li> <li>○ Planning for pool complex</li> <li>○ Restrictive covenants for Courtlands Estate – Third Schedule</li> <li>○ Rights granted for Courtlands Estate – First Schedule</li> <li>○ Government guidelines protected sites and areas</li> </ul> </li> </ul> <p>The property of Lympstone manor is directly adjoining the Exe estuary. The Exe Estuary is a protected area</p> <ol style="list-style-type: none"> <li>1. Internationally-Special protection area</li> <li>2. Internationally-Special Scientific Interest SSSI (number 542) wetlands of international importance</li> <li>3. Nationally- Marine conservation area</li> <li>4. Locally-Exmouth Local nature reserve</li> <li>5. Important bird sanctuary</li> </ol> <p>The attached extract from the Government web site on planning/development is attached. It specifically states that the effect of planning/development outside of the site should also be considered if it may affect the wetland. Page 3 “you need to assess the impact on protected sites and areas and make sure they’re protected in line with their status”.</p> <p>I will also email a short (29 second) video shot from my house which demonstrates proximity of the proposed site and how noise (in this case construction work during a bank holiday) readily travels beyond the boundary of Lympstone manor and into out property.</p>
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<b>9.</b>	<b>Mrs Jill Longstaff</b>
<b>Hearing Unnecessary</b>	NO
<b>Attending</b>	NO
<b>Supporting documents</b>	Attached as APPENDIX H
<b>Summary of key points</b>	<p>Licence conditions to limit or avoid noise disturbance from the new swimming pool complex and movements of goods and people to/from the hotel building.</p> <p>Not to contravene Restrictive Covenant to avoid noise disturbance between 11pm and 8am.</p>



	<p>Include planning condition 21 (granted on 20 December 2017), and either extended to other external activities, or alternatively limit placed on licensing times for the swimming pool complex and noise limits at the boundaries of the subject property.</p> <p>Noise disturbance to be applicable at all nearby residential properties not just at Noise Sensitive Premises' (reference 'Conditions offered by applicant'.</p>
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<b>10.</b>	<b>Mr John Longstaff</b>
<b>Hearing Unnecessary</b>	NO
<b>Attending</b>	YES
<b>Supporting documents</b>	Attached as APPENDIX H
<b>Summary of key points</b>	<p>Licence conditions to limit or avoid noise disturbance from the new swimming pool complex and movements of goods and people to/from the hotel building.</p> <p>Not to contravene Restrictive Covenant to avoid noise disturbance between 11pm and 8am.</p> <p>Include planning condition 21 (granted on 20 December 2017), and either extended to other external activities, or alternatively limit placed on licensing times for the swimming pool complex and noise limits at the boundaries of the subject property.</p> <p>Noise disturbance to be applicable at all nearby residential properties not just at Noise Sensitive Premises' (reference 'Conditions offered by applicant'.</p>