

Appendix D

Representations from Local Residents

i)



Alex Marsh

From: [REDACTED]
Sent: 19 January 2023 13:06
To: Env. Health; Jackie Hollywell; Julie Dwan; Licensing; Zayd Al-Jawad
Subject: [External] Objection to Planning and Licensing changes proposed by Tranquil Turtle Symonds Green Lane SG1 2HP

Categories: Bernie

Hello,

Please accept this email as an official objection to the latest planning and license modification requests of the Tranquil Turtle business on Symonds Green Lane of which has a deadline of 30th January for objections to be made (incl LAPRE2).

Continuing from my lengthy email concerning my current objections/complaints I have sent all recipients previously the current and proposed planning licence changes would further add and enhance the frustrations and detriment the business is already causing myself and the neighbouring residents of Symonds Green.

It is clear that the Tranquil Turtle is trying to legitimise current unplanned and unlicensed activities which are causing material stress and hardship for those who have to live around it (Residents, retired and working, children, Wildlife and pets). This includes the structure which they have erected to the side of the building with extensive scaffolding and coverage to host music events and also the bar and shisha area which was constructed without planning (they are trying to legitimise this further). Having an outside bar will only fuel further noise complaints in warmer weather as the business continues to neglect any sensible approach to sound levels it imposes on nearby residents. The venue was also promised not to be a dance/entertainment venue (Julie Dwan to [REDACTED] yet continues to operate more in this direction and further away from being a high tier restaurant.

It appears that through the process the council are happy to look at further detrimental changes they wish to make as opposed to rectifying where the business has already fallen foul of expectations in regards to due process on planning. A human error was made on their license granted initially - what has been done to rectify this? We are still waiting to hear??

With many noise complaints being made officially to the council (Env Health) it is clear to see what impact further changes on outside activity would have on the neighbourhood. Main concerns being:

- Noise (highly documented)
- Anti social behaviour (numerous police calls already documented) -Inadequacy of parking (cars now being parked on the green during night and day events -Design and appearance of materials (the unplanned structure is hideous and is ruining the landscape of the protected area) -Highway safety -Loss of privacy (i have a picket fence. The council have demanded this to ensure my house meets visual expectations of being bordered on the green...where are these same constraints on the Tranquil Turtle? I do not want outside diners looking into my property which is what will be the case).
- Nature Conservation - is anyone actually thinking of the animals here? This is Stevenage's conservation area and wildlife should be at the centre of all decisions taken on the green).
- Previous license obligations being ignored by the owners -Single road access - with a drinking fuelled and partying change of business model is this sensible to allow an outside bar to promote more drinking on a single road in and out that parents and children frequent all year round?)

Lastly - the business has decided to liquidate its previous limited company wiping out debts owed to numerous other local business whilst opening under a new entity with the same people behind it. It has lost the good faith of its local community. They have also spat in the face of the council bodies who we have been assured have visited

them on numerous occasions to speak about noise and other issues yet they still operate in the same way regardless.

Myself and many others have moved to this area (ignore the pun) for its Tranquillity, being a protected area which is safe and QUIET in order to bring up a family. The Tranquil Turtle has made this anything but peaceful for us and is causing us continued stress, anxiety and ruining our enjoyment of the areas surroundings.

We urge the council to do the right thing in not granting the requested planning and license changes and actually acting on the noise reports a lot of residents including ourselves have submitted on the app whilst also taking swift action on the points mentioned where they have already breached planning process.

Kind Regards,



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ii)



Alex Marsh

From: [REDACTED]
Sent: 20 January 2023 12:12
To: Env. Health
Subject: [External] Objection to minor and full variation to latest plans concerning the tranquil turtle symonds green lane stevenage

Categories: Helen

I would like to officially object to the above proposed changes
This new variation will add further nuisance and unbearable noise which we already suffer from and we have complained about this to yourselves the police the local Councillor etc
This proposed change will add further detriment to symonds green residents young and old.
This is causing hardship stress anxiety to us all including the local wildlife in this beautiful conservation area
We have lived next to this establishment since 2000 and in fact I worked there for green king for about 14 years
We never had outside discos or music
It was always inside with doors and windows shut so as not to annoy the neighbours
The occasional saxophone player on a sunny afternoon was playing outside but just for a couple of hours at a respectable volume and time

They have already been using the unauthorised plastic scaffolding eyesore structure for outside music and events numerous times all day and late into the evening
The volume of the music at full pelt with very large speakers facing our houses the djs Microphone on full volume
The bass very loud could hear it through our double glazing
and screaming shouting partygoers not leaving quietly and throwing up down the lane.
It has been unbearable reducing us to tears and severe anxiety
As the weather gets warmer this will intensify
It was licensed to be a high end restaurant not an ibiza disco!!
They had a fight on their patio area where a so called man beat up his girlfriend and this case was documented in the comet newspaper
A break in Occured at the weekend apparently
So we are all very worried for our safety and well-being
Our main concerns are as follows

NOISE highly documented and bloody unbearable .causing some much nuisance you have been furnished with many noise app recordings from the local residents

HIGHWAY SAFETY very small access lane to the tt used by walkers horses children and adults on bikes dog walkers.lots of speeding cars been reported and consumption of bottomless brunches does not bode well and a serious accident is about to happen

ANTISOCIAL BEHAVIOUR parking lots of cars on protected green small car park
Fighting police were called
People leaving the establishment screaming and shouting and being sick outside people's houses and down the lane
The poor wildlife have nowhere to hide from all this mayhem

REPUTATION this business went into liquidation recently and left many local business men /companies/ etc with debts unpaid and have wiped off their debts apparently lot of bad feeling incurred

which hasn't gone down well in this respectable law abiding community
They have reopened apparently under new management but with the same motley crew at the helm

They have continued to flaunt at authority when they promised the council visitors they would control the noise keep the music inside etc
When approached by local residents they have been downright rude

We cannot think of any other licensed venue in Stevenage that has been allowed an outside bar disco area

We are in a conservation

area with many homes and families nearby

Please please listen to all the local people that have all these grievances

We feel powerless at times but as a unit we feel stronger and pray you investigate very deeply into this ongoing nuisance which is severely affecting many people

Thank you for your time

Please forward my email to the following

Licensing@stevenage.gov.uk

As I can't seem to do this on my phone

Thank you

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Alex Marsh

From: [REDACTED]
Sent: 20 January 2023 12:42
To: Env. Health
Cc: Licensing
Subject: [External] Objection to minor and full variation - Tranquil Turtle
Categories: Bernie

>

[REDACTED]

>

> To whom it may concern.

>

> I would like to put forward my objection to the licence changes at the aforementioned public house.

>

> My reasons are as below.

>

> The amount of noise they produce at their outdoor rave events is having a detrimental affect on mine and my childrens health.

>

> They have been operating the "outdoor servery" for quite some time already and the noise levels and antisocial behaviour is already way out of hand the outdoor bar and fixed seating has already been there since the summer so I can only assume it has been being used illegally - another point you clearly have to look into.

>

> They have a large polythene structure which is highly dangerous and cannot be legally allowed in a conservation area where previous tenants of said public house were not even allowed to house a satellite dish.

>

> The knock on effects to wild life on what is a conservation area should also be considered.

>

> They use a public green to fly tip their unwanted furniture and park cars which again is not legally allowed.

>

> In whole I find the fact this very change in licence to be insulting to those who live nearby like myself who bought property in the area based in its surroundings.

>

> The venue clearly operates as a nightclub not the restaurant it is listed as trading as and I am absolutely in shock that this has not already been addressed by a) the council b) environmental health and c) the company who operates and grants their licence.

>

> Look forward to your response

>

> Kind regards

>

[REDACTED]

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Alex Marsh

From: [REDACTED]
Sent: 20 January 2023 13:32
To: Licensing
Subject: [External] The Tranquil Turtle PH

Categories: Bernie

Dear sirs,

I wish to lodge a formal objection to the full and minor applications made for changes to the licensing arrangements for the above mention property on Symonds Green Common.

The late night music and dancing events that have been taking place are loud enough to be heard inside my house even with the windows closed and have prevented us from sitting in our garden during fine weather, the noise has affected many people whose properties surround the common.

The activities at the Tranquil Turtle are not what they originally advertised prior to their opening and I believe are contravening their original license issued by yourselves. Approaches have been made to the management of the pub to reduce the volume of the music but has been completely ignored and the landlord stated that he could do what he wanted.

We are very concerned with the way things have changed since the opening of The Tranquil Turtle just over a year ago, and it looks as though they are planning more events and changes which will be detrimental to the area and all who live around the boundary of the common.

I hope that you will take our concerns seriously as they seem to be ignoring all the conditions that applied to the original license approval.

Yours

[REDACTED]

Sent from [Mail](#) for Windows

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Alex Marsh

From: [REDACTED]
Sent: 20 January 2023 23:12
To: Env. Health
Cc: Licensing
Subject: [External] Objections to minor and full licensing and planning applications from The Tranquil Turtle

To who this may concern,

Please accept this correspondence as formal notice that [REDACTED] strongly oppose both the minor and full variations to the current licensing and planning applications from The Tranquil Turtle.

It is our understanding that the purpose of the minor application is to include, 'a reconfiguration of the external area' and this is to include, 'fixed seating.' I wish to state at this point that in the only written response to residents from the council, it was stated that the temporary structure, if you can even call it such, has in fact been erected without permission. This structure is hideous, is not in keeping with the conservation area and is also a health and safety risk.

It is also observed that notice of the minor variation did not come to light until Wednesday 17th January 2023. This states that representations must be made by 30th January 2023.

With regard to the full variation, which we understand is to legitimise the current eyesore – the scaffolding and plastic sheeting, there has been no formal notice given of this. A resident happened to stumble across this on the council website.

I therefore wish to ask the following questions to which I am expecting a response:

- 1) Why has the council not demanded the immediate removal of this structure? Residents have already highlighted this is a breach of various rules and the council has admitted such.
- 2) Why are residents being expected to oppose the application to fixed seating and the structure in this outside area when the structure is not permitted in the first place?
- 3) Please clearly state the requirements for notice of a variation. Your response should include how many days' notice residents need to be given to object to a variation and where notice should be displayed.
- 4) Why has there been no notice of the full variation? Is the full variation request valid if the correct procedure has not been followed?
- 5) In light of the fact that the council are more than aware of resident's complaints, why were we not given the decency of being notified rather than having to stumble across this by chance?
- 6) It was also admitted by the council that the Tranquil Turtle had no permission to display advertising boards at the entrance to Eastbourne Avenue or at the roundabout by the business park yet they still remain. Why has this been allowed to happen?

Firstly, we respectfully request that the council address the concerns already raised by the neighbourhood before even contemplating considering variation requests for this establishment. We feel that if anything, there should be a review of the initial licence. The lack of action and enforcement from the council is giving the impression to the Tranquil Turtle that there are no consequences. It is clear that the council failed to carry out due diligence when granting the licence in the first place so now is an opportunity to show residents that they will do the right thing. Surely common sense should prevail here?

In our view this is a retrospective application to legitimise what they are already doing. Residents have been complaining for months about the noise nuisance and the advertising from the pub and social media images and videos online clearly demonstrate that this was always intended to be more of a nightclub vibe rather than the high end restaurant it claimed it would be. Despite residents' complaints and many having sent in recordings on the noise app, none of us have had

a response to these. In addition, whilst the council did instal recording equipment at The Thatched Cottage, we were later informed that it had not worked. One could be forgiven for wondering if there are some favours going on here. I therefore wish to ask the following for which again, I require written responses:

- 7) Why have residents not had any feedback in relation to the recordings submitted on the council noise app?
- 8) What, if anything, have the council been doing to determine whether there is public nuisance at play? In your response you should clearly state who is responsible for this part of our complaint so that we have a point of contact.
- 9) Is it usual for sound equipment to not work? Was this tested at the point it was installed and if not, why not?

Should the council still entertain these applications, we object on the following grounds: Primarily, this legitimises the outside partying which has been going on for months already and which has not been addressed by the council and will only lead to an increase in noise complaints. My children should be able to sleep in their beds at night without waking up to the thudding of base or to drunk partiers shouting and slamming taxi doors outside

which appear to be pick up points at the end of the evening. We cannot believe that this structure has been erected, that the council have not demanded that it comes down and has a devastating impact on the beautiful conservation area surrounding it. An overriding rule of development in a conservation area is to, 'preserve or enhance the area.'

- 10) I would like a written response as to how the council feels the current requests from The Tranquil Turtle would comply with this?

11) Have all those with decision making powers at the council actually viewed the premises? We would also be very interested to know if the temporary structure complies with fire regulations given all the plastic.

I draw your attention in particular to the following grounds for objection from your own website:

Parking – Cars have been unlawfully parked on the common

Archaeology – The pub itself has been a historical landmark in this area for years. The erection of the scaffolding and plastic and the vain in which the council have allowed the current management to conduct their affairs is spoiling the area.

Conflict with planning policies – the council have admitted the structure has been erected already without permission and has not taken enforcement action.

Design appearance and materials – covered above. A historical landmark currently sits next to metal poles and plastic sheeting.

Effect on listed building and conservation area – the local community walk dogs and gather around the common to enjoy the peace, and, excuse the pun, tranquillity that the area provides. The noise, attitude of the management, and cars racing up and down are destroying what the area has always provided.

Highway Safety, Road Access and Traffic Generation – the amount of traffic along the lane outside our property has increased significantly since the pub has been operating in the current manner. The lane is not wide enough for two cars, we have had people drive across our grass, they go far too fast and this is a lane frequently used by dog walkers and those with young children to ride their bikes and scooters. One has to consider the outcome of excessive drink in the mix bearing in mind the nature of the events held such a bottomless brunches. There will be a nasty accident if action is not taken. The business model that the pub operates, despite their reassurances to the contrary is not compatible with this area.

I could continue with almost all the reasons for objection on the council website which overlap in many respects with the above.

It has also come to the attention of residents that in addition to all the above, the initial entity trading as the Tranquil Turtle, BHB Resources Limited, has already gone into liquidation and are now trading under a new name so they can avoid their liabilities. In addition to the misery they are causing local residents, they also owe substantial amounts of money to other local small

businesses, those with families trying to make an honest day's work to put a roof over their heads. How is the continuation of this establishment in the public interest? Surely the council has a duty here to weigh up the interests of all parties concerned?

In view of the point above, I wish to have an answer to the following:

12) In view of the fact that the initial licence was granted to BHB Resources Limited trading as the Tranquil Turtle, is the licence still valid now they have a different trading name?

Finally, this area was our saving grace during covid. We would walk from our property at the time in Skegness Road and come to the pond to reap the positives for our mental health with our three young children. We spent our life savings on our dream home when we purchased [REDACTED] in October 2021. We have a right to the peaceful enjoyment of our property and to have a good quality of private and family life. This should be our safe haven for us and our little ones and you have the power to enable us to have this back.

I will await your written responses to the above.

Yours,

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Alex Marsh

From: [REDACTED]
Sent: 22 January 2023 17:55
To: Zayd Al-Jawad
Cc: Matthew Partridge; Tom Pike; Env. Health; Christine Walker-Wells; James Chettleburgh; licensingeasternarea@herts.pnn.police.uk; Licensing; PlanningPolicy_SBC; Sharon Taylor; Michael Downing; Sandra Barr; Jackie Hollywell; stephen@stephenmcpartland.co.uk; Graham Lawrence; Simon Speller; Richard Henry; Margaret Notley
Subject: [External] Application Reference LAPRE2 Nightclub at Tranquil Turtle Symonds Green Lane SG12HP
Attachments: Tranquil Turtle.pdf
Categories: Bernie

Having lived peacefully on the green for 47 years next to the old Crooked Billet now the (not so) Tranquil Turtle until these recent months, I therefore wish to object to the night club application because:

- . Still awaiting for a proactive response to 23 October complaint.
- . This is an increased residential area as well as a conservation area with a lot of visiting animals encouraged to visit the green, pond and trees.
- . The awful and unlawfully constructed scaffolding with plastic covering is a complete fire hazard especially to the property it's attached to.
- . With this in mind you have two listed buildings (one thatched) within a hundred yards of the TT.
- . Unable to have windows and doors open
- . Family life has been affected and not having grandchildren stay over.
- . Unable to entertain family and friends in our own purchase houses and gardens.
- . Have witnessed fly tipping within the vicinity.
- . Speeding traffic already been an issue, with residence witnessing and enduring severe drunkenness in and around their properties.
- . Speeding traffic threatening local residents, children playing and walkers with animals and general visiting wild life.
- . This would be just a drinking venue with no regular security and policing.
- . This is an area that does not have awaiting taxis, buses for all areas or trains within walking distance.
- . Having to endure uncooperative, rude and offensive behaviour from the company and in some cases being threatened.
- . The abominable company behaviour to all the businesses they owe money too already.
- . The amount of businesses the company have bankrupted and now the TT is part of that as well.....a my the rate and tax payer expense.
- . Its licence is for an up market FAMILY restaurant with specific regulations but the company are already ignoring that and running it as a nightclub.....therefore we can't use it for an all age family gathering already!
- . This is not the area for a night club.
- . The proposed TT application is more suited to the Leisure Park which was built specifically for all types entertainment venues and has the security, policing and transport routes on the door step.
- . Photographic evidence available if requested.

.I really hope, we the residents get the satisfactory conclusion to this whole unpleasant scenario.

In anticipation

[REDACTED]

23rd October 2022

FAO: Sent by email

Matt Partridge – CEO SBC - matthew.partridge@stevenage.gov.uk

Tom Pike – Deputy CEO SBC tom.pike@stevenage.gov.uk

Environmental Health – env.health@stevenage.gov.uk

Julie Dwan – Licensing Officer SBC – Julie.Dwan@stevenage.gov.uk

Christine Walker-wells – Licensing/Environmental Health Christine.Walker-wells@stevenage.gov.uk

Zayd.Al-Jawad – Planning SBC – zayd.al-jawad@stevenage.gov.uk

James Chettleburgh – Planning – James.chettleburgh@stevenage.gov.uk

Police Licensing Authority - LicensingEasternArea@herts.Pnn.police.uk

SBC Licensing Department - Licensing@stevenage.gov.uk

SBC Planning policy Department – planning.policy@stevenage.gov.uk

Sharon Taylor – Ward Councillor Symonds Green – Sharon.Taylor@stevenage.gov.uk

Michael Downing – Councillor - Michael.Downing@stevenage.gov.uk

Sandra.barr – Mayor SBC – Sandra.barr@stevenage.gov.uk

Jackie.Hollywell – Counsellor – Jackie.Hollywell@stevenage.gov.uk

Stephen McPartland – Local MP Stevenage – stephen@stephenmcpartland.co.uk

Official complaint: Residents of Symonds Green v Stevenage Borough Council and Tranquil Turtle

This letter is in line with the Stevenage Borough Council ('SBC') official complaints procedure to be treated as an escalated complaint given the nuisance and distress this matter is causing, unlawfully.

We write to you today as residents of Symonds Green within the vicinity of the Symonds Green Conservation Area nearby where the licensed restaurant Tranquil Turtle ('TT') is operating. We have written to the Council previously about the disruption and negative impact the business is causing to residents and the conservation area.

Residents, including ourselves, were warm to welcome TT, a premises which is licensed as a Restaurant on the Green after the previous Crooked Billet had been dormant for some time. The business introduced itself as an upmarket high-end steak house and cocktail bar. As per previous complaints lodged it quickly morphed into a club, highlighting and conducting the following activities to draw in their customer base: Club with DJ, Shisha Bar and indoors and outdoors Party Venue and most recently a waffle house. The business has quickly lost its identity and in this journey has breached the spirit of the license it has been granted by the Council.

Residents are having to endure extremely loud music and vibration invading their households for extended periods of time while the protected nature of the business's surroundings are also being impacted, namely the wildlife. Muntjac Deer's, Bats, Ducks, Rabbits and Amphibian wildlife are now rarely seen. The extreme levels of music, crowd noise and cars (also being parked on the protected green) are forcing wildlife out of the area. Given the clear sign the SBC displays on the Conservation Area advising visitors it is a protected area, it is alarming that SBC are allowing TT to operate as they are; yet residents must have clear regard to the wildlife and newly built properties have strict governance on for example, fencing and bat boxes. Even a common-sense approach has gone amiss here by the SBC and TT.

Residents have reported the volume of music beyond a quarter of a mile from the premises. It has become clear that the business has in fact been a Trojan Horse – introducing itself as a restaurant but operating as a club which contravenes both the good faith of the community and also the licensing authorities. Residents have been enduring these events for months on end now.

Furthermore, we write again to highlight a monstrosity of an extension to the building TT have erected through scaffolding and tarpaulin, which has been used to accommodate over sold club daytimers/nights in their inside/outside music venue business model. This is against several of SBC's own guidelines on the protection of the conservation area and its image and character. It appears SBC are on the backfoot on the active management of a business which should in fact be carefully managed given the ground and special responsibilities it inherits operating in a conservation area.

Most recently, on the night of the 22nd October, there was another clear breach with a live PA and music being played at unreasonable levels with venue doors open allowing the escape of music. Julie Dwan previously gave residents written assurances that the venue was not intended to be a dance venue.

The TT's own advertising campaigns on social media, namely Instagram, Facebook and their own website show the focus TT have on club days/nights as opposed to being a venue that offers food and drink. All of their adverts are focussed on DJ's, club nights and daytimers, and live entertainment. They have recently held a mini music festival. The next club event is a Halloween focussed event advertised from 7pm till late.

Julie Dwan, Environmental Health and the Police have been in receipt of the communities' complaints officially, and the neighbourhood have been following policy using the noise app to record the level of disruption to our daily lives. The complaints appear to be received and responded to slowly, which has prompted further thought into why the license was granted to a business in a protected area governed by legislation so quickly and blindly by SBC. Julie and Christine Walker Wells also assured us of monitoring happening on the weekend of the 22nd October at yet another club night, and it appears that even under this level of scrutiny the business still continues to operate against its license granted in a protected area.

Moreover, the venue has caused great debate within the online community of Symonds Green, dividing the community and causing extreme levels of disrepute resulting in two forums on Facebook now representing the community.

As residents of Symonds Green, we, along many of our neighbours, are now living in frustration and anxiety, unable to continue with our normal lives due to how this "restaurant" is operating. Symonds Green Conservation Area is not suitable for a premises operating as a club.

This letter now formally outlines our objectives and requested outcomes, supported with evidence.

Objectives

Consider an immediate license suspension whilst your investigation is carried out.

SBC to revoke the variation to license that was given to TT in the knowledge that the location of the building and premises is within protected conservation land, with a future occupier of the premises to continue with the same licensing conditions given to its Freeholder under the original license.

Or;

TT to operate within the grounds and spirit of the license they have been granted i.e. restaurant not club with clear, active enforcement from the SBC.

Both of the above objectives *must* take into consideration the Conservation Area and that SBC has a duty to share with neighbouring properties how the Conservation Area will be protected, *immediately*. This naturally, aligns with the objectives of the residents who bought into a residential area that represents the English Heritage rules and regulations.

Given the seriousness of this matter, this letter has been addressed to all relevant parties for you to come together to resolve this problem promptly.

Outcomes

The outcome we and neighbouring residents are seeking is the following:

1. Official apology
2. To take an action and make a decision which should have happened before i.e. license to operate only as a restaurant not a club
3. Re-consider a decision which was not taken properly i.e. granting of the license in the first instance in a protected conversation area, revoke variation to license
4. Improve procedures i.e. the contents of this letter should be the roles and responsibilities of all authorities in the Council responsible for granting/objecting to this license. Please share written improved procedures on how the Council will in future review license applications in Conservation Areas
5. Consider enforcement action against an unauthorised building i.e. impose enforcement with TT and do so swiftly

Next steps

Given the next event at the club TT is on the 29th October, we humbly request a written response from SBC by the 27th October.

Should a response not be received, we will continue to escalate our complaint in line with the SBC complaints procedure and consider to take the following action:

- Issue a letter before action
- Share our views on the matter with the following parties:
 - Local Media
 - Animal and Wildlife Protection groups
 - Conservation Area protection groups
- Local Government Ombudsman:
 - Maladministration claims on the basis of: i) failure to take any actions, ii) failure to follow procedures or the law, iii) misleading or inaccurate statements, iv) inadequate consultation, and iv) broken promises
 - Injustice on the basis of: i) hurt feelings, ii) distress, iii) worry, iv) inconvenience, v) loss of right or amenity, vi) time and trouble in pursuing a justified complaint (our first written complaint was made on the 8th August 2022. The chance for SBC to investigate the complaint in a reasonable timeframe falls under an exception that it appears that an entire administrative system has broken down)

Evidence and required information/clarification from SBC

In support of the this letter, please find below a list of evidence along with supporting summaries and questions for the SBC to answer as part of this complaint.

The following Google Drive (<https://drive.google.com/drive/folders/1WlJgsAEqDclb-offagnuQBF50vxiOco0V?usp=sharing>) contains this list of evidence:

- SBC signage for conservation land – clearly depicting what is and is not permitted on / nearby conservation land
- Symonds Green Conservation area management plan
- TT License
- Video footage showing the unreasonable, inhumane and anti-wildlife damage and nuisance being caused by the activities of TT
- Evidence of events (flyers) on various social media platforms including Facebook and Instagram, showcasing the activity that TT are undertaking which is clearly a breach of their license terms and conditions
- Written promises made by Julie Dwan regarding the category under which the license falls should be restaurant and not a dance venue
- SBC statement of licensing policy 2020-2025
- Dispositionary first lease application provided priority date 17th October 2022 – application received as priority protected – please can SBC kindly provide a copy of this lease application and explain why it is priority protected?
- Pending application for registration against title number as of 23rd October 2022 – please can SBC kindly provide a copy of this application?

TT License

Variation of DPS is disputed by residents on the basis that the TT is creating a nuisance in terms of noise (as evidenced in noise nuisance diaries) and anti-social behaviour by way of guests or visitors of TT trespassing private land, littering the conservation area and damaging the area with cars being parked on the green itself, as highlighted to the police by residents.

Can all stakeholders of the Council that are in the process of reviewing the license, confirm that they have considered the points raised in this letter as part of their review when granting the license to operate?

Can the SBC provide all documents in relation to the license applications of TT which include but is not limited to:

1. The variation to the license from crooked billet (Freeholder to TT as Leaseholder)
2. The vary of DPS
3. All documents or local surrounding information that the Council considered when approving the current license.
4. Freedom of information request (internal emails/communication) around license being granted, key words and any variations of – Tranquil Turtle, Symonds Green, Symonds Green Conservation Area.

The evidence provided in the form of video footage, noise nuisance diaries and witness statements to Julie Dwan are evidence of the following licensed activities being breached:

1. Performance of live music indoors Fri-Saturday 6-12am
2. Playing recorded music both indoors and outdoors Monday to Sunday 12-12
3. Late night refreshment Sunday-Thursday 11-12am
4. Late refreshment Friday – Saturday 11-1am
5. A sign will be displayed at each exit from the premises asking customers to respect the right of nearby residents to not be disturbed
6. All windows shall remain closed during regulated entertainment except for access and egress
7. A dispersal policy will be drawn up and implemented to ensure that as far as practicable customers leaving the premises at the end of each night's trading session do so quickly and

- quietly. The policy will be disseminated to staff as required to ensure it is properly implemented and a copy kept on the premises for inspection
8. No rubbish including bottles shall be moved removed or placed in outside areas between 22:00-08:00

SBC Licensing Policy

In accordance with the SBC Statement of Licensing Policy 2020-2025.

It is evident that SBC and its Licensing Authority have breached the following policy clauses:

- 1.2 Prevention of public nuisance
- 2.1 Environmental protection act 1990, The Noise Act 1986, The Clean Neighbourhoods and Environment Act 2005
- 2.4 Planning policy guidance
- 4.1 and 4.2 Regulated activities
- 13.3 Consideration given to the impact of the activities taking place at licensed premises on members of the public living, working or engaged in normal activity on the vicinity of the premises
- 15.4 Detailed assessment taking into consideration the prevention of crime and disorder
- 15.16 Detailed assessment in the prevention of public nuisance
- 16.4 The Council is committed to accord with the principles of good enforcement
- 17.1 License reviews

Conservation Area

Unlawful license granted for use of premises in a Conservation Area.

In reference to the Symonds Green Conservation Area Management Plan developed an appraisal by BEAMS in 2009 upon instruction of the SBC as guidance on the Management of Conservation Areas 2006 and Understanding Place: Conservation Area Designation, Appraisal and Management 2011 on the basis the Council has a duty to *only* allow developments in a conservation area that preserve or enhance its character or appearance.

It is evident that SBC and all stakeholders involved in granting the license to Tranquil Turtle have not considered this Conservation Area Management plan *specifically* designed for Symonds Green in granting the varied license.

As per above the Licensing Authority must consider as the responsible person all relevant laws, regulations, policies and conditions affecting neighbouring properties when granting a license. Clearly the SBC nor its relevant authorities considered the conservation area as a property that would be effected.

In light of this the SBC have breached the following clauses of the Symonds Green Conservation Area Management Plan:

- 1.2, 1.3 and 1.6 Understanding the importance of English Heritage when granting planning permission
- 2.1 - 2.5 Planning procedures in conservation areas
- 2.1.1 Enforcement of special planning procedures
- 3.1 Objectives of the management plan to ensure that the character and appearance of the conservation area will be maintained through the effective management of change
- 5.2 The Crooked Billet Public House providing an attractive focal point to the area (...which) depicts its rural character

- 6.2 The strengths of the conservation area namely the ponds, hedges, trees and range of wildlife living in the area. The retention of the layout and small village feel of the area
- 9.1 All development in the conservation area, or which falls part of its setting, must respond to its immediate environment and context
- 9.21 Common land requires favourable management and increased protection to conserve the variety of habitats and the species that rely on a diverse landscape. The Green has considerable local importance for wildlife. The Commons Act 2006 aims to protect areas of common land, in a sustainable manner delivering benefits for (...) public access and biodiversity
- 9.39 and 9.40 Pre-application discussions:
 - 9.39: Any proposed works within a conservation area require special consideration and all applicants are encouraged to seek pre-application advice prior to submission. For extensions, alterations and significant development proposals, applicants are advised to employ the services of an agent or architect with extensive knowledge of working in conservation areas.
 - 9.40: Proposals for development which fall within the conservation area, or which affect its setting, including views into and out of the area, will not be permitted unless they include a detailed assessment which identifies how the proposals will preserve or enhance, or otherwise complement the special character and appearance of the area. We will pay particular regard to Appraisal to the Symonds Green Conservation Area when considering development proposals in, or adjacent to, the area.
- 9.41 Enforcement - Local planning authorities have a duty to consider taking enforcement action where they believe there to have been a breach of planning control. Key aspects of the enforcement service are to investigate alleged breaches of planning control, listed building control and advertisement control. Wherever possible the Council will seek to resolve breaches without the need to take formal action.

Charges affecting the land

In accordance with official copy register and title deed number HD309147:

Can SBC kindly confirm if the following charges have been breached, and if not on what basis or procedure is the council following to ensure such breaches have not and do not occur:

1. That no part of any dwelling house building or other erection which may at any time be upon the said property shall be so constructed or placed as to be within Twelve feet of the conductors mentioned in the Schedule hereto when the same are at maximum temperature and/or maximum swing and that no tree or coppice wood shall at any time hereafter be planted on the said property under the electric lines or within distance of Ninety feet of either side of the route of the
2. (29.07.1993) A Transfer of the land edged blue on the title plan dated 21 September 1984 made between (1) Stevenage Borough Council (Transferor) and (2) Greene King (Biggleswade) Limited (Transferee) contains the following covenants:-
"THE Transferee hereby covenants with the Transferor for the benefit and protection of the adjoining and neighbouring land of the Transferor not to use or permit or suffer to be used the said land for any other purpose other than as a car park and to fence the said land where necessary and to maintain all the boundaries to the said land".
3. Can SBC share a copy of the lease for TT and confirm if any breaches of lease have occurred?

Yours sincerely,
Residents of Symonds Green

Appendix D
Representations from Local Residents

vii) [REDACTED]

Alex Marsh

From: [REDACTED]
Sent: 23 January 2023 08:04
To: Env. Health; Licensing
Subject: [External] Objections/representations to: 23/00030/LAPRE5 Minor Variation of Premises Licence and 23/00031/LAPRE2 Full Variation of Premises Licence Premises: Tranquil Turtle Symonds Green Lane Stevenage Herts SG1 2HP
Attachments: Objections to 2 applications Tranquil Turtle 22-01-23.pdf
Categories: Bernie

Dear Sirs

Objections to:

23/00030/LAPRE5 Minor Variation of Premises Licence and

23/00031/LAPRE2 Full Variation of Premises Licence

Premises: Tranquil Turtle Symonds Green Lane Stevenage Herts SG1 2HP

Please find attached our objections/representations to 23/00030/LAPRE5 Minor Variation of Premises Licence and 23/00031/LAPRE2 Full Variation of Premises Licence Premises: Tranquil Turtle Symonds Green Lane Stevenage Herts SG1 2HP

Yours faithfully

To:

Stevenage Borough Council
Licensing Authority
Daneshill House
Danestrete
Stevenage SG1 1HN

By email:

env.health@stevenage.gov.uk

licensing@stevenage.gov.uk

22 January 2023

Dear Sirs,

Representations / Objections to:

23/00030/LAPRE5 Minor Variation of Premises Licence

and

23/00031/LAPRE2 Full Variation of Premises Licence

Premises: Tranquil Turtle Symonds Green Lane Stevenage Herts SG1 2HP

We hereby make the following representations, objecting to 23/00030/LAPRE5 Minor Variation of Premises Licence and 23/00031/LAPRE2 Full Variation of Premises Licence:

1. prevention of public nuisance

- 1.1 These are both retrospective applications. The reconfiguration of the external area, the external servery, the "temporary" structure and cover over the external area have already been done in breach of the existing premises licence. As a result, there have been persistent repeated extremely loud noise nuisance due to the way the Premises has been traded and the use of the external area.
- 1.2 There has been frequent excessively loud noise emanating from the Premises due to the loud music, the DJs, customers in the outside garden area and customers exiting the premises, including on the following dates:
 - a. 7 August 2022 (before we downloaded the Environment Health app);
 - b. 13 August 2022 (before we download the Environment Health app);
 - c. 1 October 2022 (hundreds of people / multiple DJs R&B and Garage music festival); (submitted readings to the Environmental Health noise app);

1. 8 October 2022 (submitted readings to the Environmental Health noise app and also called Councillor Downey on this night);
2. 29 October 2022 (submitted readings to the Environmental Health noise app – Tranquil Turtle held its Bottomless Thriller Brunch and evening Day of the Dead Event);
3. 12 November 2022 (submitted readings to the Environmental Health noise app);
4. 26 November 2022 (Bottomless Brunch and after party) (submitted readings to the Environmental Health noise app);
5. 10 December 2022 submitted readings to the Environmental Health noise app; and
6. 17 December 2022 (submitted 5 readings to the Environmental Health noise app).

We have also contacted Christine Walker-Wells and Julie Dwan of Stevenage Borough Council Licensing Authority and attended and raised this at the local council surgery on 10 January 2023 with the 3 Councillors for Symonds Green.

We are also aware that numerous other residents have registered multiple noise complaints as well.

1.3 Please find attached:

1.3.1 as Appendix 1:

- i. Photograph of the existing outside bar in breach of the existing premises licence.
- ii. Photograph of the existing outside area in breach of the existing premises licence.

1.3.2 As Appendix 2: 2 photographs of the "temporary" Scaffolding Area and cover over external area;

1.3.3 As Appendix 3: Adverts for several events at the Tranquil Turtle including:

- a. Sound Suite Festival (R&B Garage DJs) on 1 October 2022 – this was a large and extremely noisy event attended by hundreds of people;
- b. Shisha in the Tranquil Gardens with DJs (outside);
- c. Examples of the regular Bottomless Brunch events:
 - i. Bottomless Brunch advert (30 April 2022) referring to "After party in the Tranquil Gardens";

- ii. Advert from the Tranquil Turtle “don’t forget the party continues in the Tranquil Gardens.”
- iii. Bottomless Brunch 14 January 2023.
- iv. Bottomless Brunch dates January – April 2023.
- d. Advert from the Tranquil Turtle: “Tranquil Turtle Presents Day of the Dead 29 October 7pm until Late”.
- e. Advert from the Tranquil Turtle (6 January 2023): “Evening settings in the Tranquil Gardens”;
- f. Advert from the Tranquil Turtle (25 September 2022): “Chilled Ibiza Sundays . . .relax in the Tranquil Gardens . . . DJ Set 8pm onwards”.

The loud music, noise and voices from customers emanating from the outside area and gardens of the Premises held and the after events held in the evenings after the Bottomless Brunches frequent noise nuisance. This has been exacerbated by the outside servery and covered outside area and is now happening in all weathers.

1.4 Litter nuisance and anti-social behaviour.

As a result of the use of the outside area in particular, I have on several occasions spotted and disposed of empty bottles of prosecco that have been thrown, onto the Symonds Green Common and nearby properties’ front gardens.

2 prevention of crime and disorder.

2.1 The outside servery combined with the events held at the Premises make it easier for excessive alcohol consumption to frequently occur.

2.2 Due to the location of the Premises, people pre-dominantly drive to it. I witnessed a near fatal accident in the Summer 2022, when a car leaving the Premises after one of the bottomless brunch events, at speed, narrowly missed a young child on a push scooter, their mother and myself (who were all using Symonds Green Lane lawfully). I had to jump out of the way. The driver was clearly heavily over the influence as after the incident they continued at speed, forgot to turn left into Eastbourne Avenue and had to do an emergency stop.

I am also aware that other people have witnessed and experienced similar incidents.

2.3 Litter and anti-social behaviour

As a result of the way the Premises is being traded and there being an inside and outside bar, I have on several occasions spotted and disposed of empty bottles of prosecco that have been thrown on to Symonds Green Common and nearby properties' front gardens that have clearly been taken out of the Premises after the Bottomless Brunch events.

2.4 Parking in Breach of s34 of the Road Traffic Act 1988 which makes it unlawful for a person to drive or park a motor vehicle on any common land without lawful authority and the Common Byelaws.

When large events have been held at the Premises and outside area, there are more cars than the car park for the Premises has capacity for and so people are parking on Symonds Green common in breach of section 34 of the Road Traffic Act 1988 and the Common Byelaws. This has been exacerbated by the increased capacity with the outside servery, bar and covered area.

3. The "temporary" scaffolding including cover over the external area breaches planning and conservation area consent.

It is retrospective and has been in place in breach for over 4 months.

In addition to being in breach of the existing premises licence it is in breach of planning and conversation area consent (the Premises are located in the Symonds Green Conversation area) and the ugly structure is detrimental to the special character of the area as a conversation area.

It is also used to extend the use of the external area, increasing the noise nuisance, risk to crime and disorder in all weathers. For example, it increased the capacity of the large multiple DJ music event held on 1 October 2022 (one of the adverts for which, see Appendix 3 refers to it being: "covered, enclosed and heated").

Please find attached as Appendix 2 photographs of the "temporary" scaffolding and cover of the external area.

4. Application 23/00030/LAPRE5: Not a minor variation

The application 23/00030/LAPRE5 Minor Variation of Premises Licence whilst it has been submitted as a minor variation of Premises Licence is not a minor variation. This is not a small change and goes beyond what should be dealt with as a minor variation.

5. No advert displayed for Application 23/00031/LAPRE2

In breach of licensing law no advert is being displayed for the full application 23/00031/LAPRE2. The only advert on display is for the minor variation: 23/00030/LAPRE5 Minor Variation of Premises Licence.

This representation has been made within the time period for representations.

Yours faithfully



Appendix 1:

- a. Photograph of the existing outside bar in breach of the existing premises licence.**
- b. Photograph of the existing outside area in breach of the existing premises licence.**





Appendix 2: "temporary" Scaffolding Area and cover over external area:

- a. Photograph taken on 30 September 2022**
- b. Photograph of the front of the Tranquil Turtle showing the structure**



Appendix 3: Advertisements for Events at the Tranquil Turtle

a. Adverts for the large, multiple DJs garage and R&B extremely noisy music festival attended by hundreds of people on 1 October 2022:

The screenshot shows an email advertisement for 'Sound Suite UK'. At the top left, there is a small '2022' badge. The main heading is 'Sound Suite UK' in a large, bold font. Below it, the event details are listed: 'Tranquil Turtle, Stevenage, United Kingdom • 1 October 2022 20:00 - 2 October 2022 01:30' and 'Garage • R&B • Soul'. To the right of the heading, there is a small red and white graphic with the text 'Part' and 'Don't miss the next one'. Below this is a button that says 'Join Mailing List'. In the middle of the email, there is a section titled 'Past' with a paragraph of text: 'You won't have already seen this, join our Mailing List and we will keep you up to date with priority access to tickets, discounts and exclusive deals & offers via email'. To the right of this text is a small image of a DJ setup. Below this is another 'Join Mailing List >' button. Further down, there is a section titled 'Sound Suite Festival Uk Reunion' with a paragraph: 'After a hugely successful event on the island of Sardinia, we invite you to an exclusive event in the sublime surroundings of The Tranquil Turtle.' This is followed by another paragraph: 'Our resident DJ's Brian Jay and DJ Batch are joined by Pete Precise and DJ Lawless bringing you the best in Soulful Vocal House, RnB, Pioneering Garage and our signature Suite Sounds from the island!'. Below this is a line of text: 'TICKET PURCHASE ENTERS YOU INTO A PRIZE DRAW FOR TWO FULL WEEK WRISTBANDS TO SOUND SUITE FESTIVAL 2023!'. Underneath that is 'LAST ENTRY MIDNIGHT.' At the bottom left, there is a '2022' badge. At the bottom right, there is a small red and white graphic with the text 'Part' and 'Don't miss the next one', and a 'Join Mailing List' button.



Festicket



SATURDAY 1 OCTOBER 2022 8PM-LATE WWW.SOUNDSUITE.CO.UK

Sound Suite UK (SARDINIA reunion) STEVENAGE 1/10/22

Sat 1 Oct 2022 8:00 PM - 1:30 AM EDT The Tranquil Turtle, SG1 2NF

After a hugely successful event on the island of Sardinia, we invite you to an exclusive event to witness our reuniting at The Tranquil Turtle, Stevenage.

The Tranquil Gardens, Conservatory and Lounge (covered, enclosed and heated) and inside the venue (after 11.30pm) provide the perfect backdrop for our event.

Our resident DJs Brian Jay and DJ Batch are joined by Pete Precise and DJ Lawless bringing you the best in Sardinian soul-jazz, RnB, Pioneering Garage and our signature Sardinia Sounds from the island!

ADVANCE TICKET PURCHASERS ENTERS YOU INTO A FREE DRAW FOR TWO FULL WEEKENDS TO SOUND SUITE FESTIVAL 2023. No cash alternative. Names of winners must be confirmed within one month of announcement. Open 18+ only at Festival events.

[Join waiting list](#)

[View this event](#)

[We'll call you if you accept](#)

[Contact the event organiser](#)

b. Shisha in the Tranquil Gardens (with DJs)



c. Examples of Bottomless Brunch events





Bottomless Brunch
NAUGHTY'S 00
DJ Panico
Millennium Era of Music.
Saturday 14th January
 2PM - 4PM
2 HOURS BOTTOMLESS
2 COURSE SHARING PLATTER
£50 PER PERSON

BOOK NOW
 CALL US ON 01273 501000 OR VISIT US ON WWW.NAUGHTYS00.CO.UK
 THROUGH OUR ONLINE PLATFORM £53.50PP



TRANQUIL TURTLE
2023 Brunch Dates
RESERVE NOW
 Due to high demand, we have now released our 2023 brunch dates


- Saturday 14th January
- Saturday 4th February
- Saturday 4th March
- Saturday 1st April

£50pp - Live Entertainment -
 Themed Events - Pre-Bookings available

d. Advert Tranquil Turtle: Day of the Dead 29 October 2022



e. Advert from the Tranquil Turtle (6 January 2023)

 **_tranquilturtle** is at **_tranquilturtle**. ...
6 January at 16:00 · Stevenage · 🌐

Evening settings in the Tranquil Gardens 🍷 Are you joining us this weekend?

Reservations:
www.Tranquil-Turtle.co.uk
01438 576 300... See more



f. Advert from the Tranquil Turtle (25 September 2022)

The advertisement features a sunset background with a large sun in the upper left corner. The text is centered and reads: "TRANQUIL TURTLE RESORTS" at the top, followed by "CHILLED IBIZA SUNDAYS" in large, bold letters, and "DJ SET 8PM ONWARDS" at the bottom.

Introducing Chilled Ibiza Sundays, our DJ nights every Sunday from 8pm till late. Unwind in our Tranquil Garden 🌴🌊

Reservations:
www.tranquilturtle.co.uk
01438 576 300... [See more](#)

Appendix D
Representations from Local Residents

viii)



Alex Marsh

From: [REDACTED]
Sent: 26 January 2023 14:15
To: Env. Health; PlanningPolicy_SBC
Subject: [External] Official objection to Minor and Full Variation of licensing and planning for Tranquil Turtle for attention of Ben Marsh

Categories: Jackie

Good afternoon,

Official objection to Minor and Full Variation of licensing and planning for Tranquil Turtle Symonds Green

Please accept this email as an official objection to the Minor LAPRE 2 variation and the Full Variation to vary license/planning based on the points below.

The Tranquil Turtle is trying to legitimise current unplanned and unlicensed activities which are causing material stress and hardship for those who live around it (Residents, retired and working, children, Wildlife, and pets). This includes the structure they erected to the side of the building with extensive scaffolding and coverage to hosting music events and the bar and shisha area, which was constructed without planning (they are trying to legitimise this further). Adding further fencing and fixed seating will have a detrimental "modern and unfitting" aesthetic to what is a preserved and historical look as dictated by the Symonds Green Management Plan - the building upgrades, including copious LED lighting, have already made this a move in the wrong direction - further development needs to stop. Having an outside bar will only cause further noise complaints in warmer weather as the business neglects any sensible approach to sound levels it imposes on nearby residents.

The venue was also promised not to be a dance/entertainment venue (Julie Dwan to [REDACTED] yet continues to operate more in this direction and further away from being a high-tier restaurant, and the latest changes, if allowed, will enhance this further. Through the process, the council are happy to look at further detrimental changes they wish to make instead of rectifying where the business has already fallen foul of expectations regarding the due process of planning. A human error was made on their license granted initially - could you tell me what was/has been done to fix this?

With many noise complaints and calls to the police being made officially to the council (Env Health), it is clear to see the impact further changes on the outside activity would have on the neighbourhood. The main concerns are:

- Noise (highly documented)
 - Anti-social behaviour (numerous police calls already documented)
 - Inadequacy of parking (cars are now being parked on the green during night and day events)
 - Design and appearance of materials (the unplanned structure is hideous and is ruining the landscape of the protected area)
 - Highway safety
 - Nature Conservation – There is a wide range of wildlife in the area which have been affected – muntjac deer, rabbits. Protected Bats are affected by light and high volume, which is illegal. This business is affecting the natural aesthetics of the Symonds Green Common. This is Stevenage's conservation area, and wildlife should be at the centre of all decisions taken on the green.
 - Previous license obligations are being ignored by the owners related to the previous management.
 - Promotion of high alcohol intake with the promotion of Bottomless Brunches. (Drink as much as you like!) to attract business.
- Lastly - the business has decided to liquidate its previous limited company wiping out debts owed to numerous other local businesses whilst opening under a new entity with the same people behind it. It has lost the good faith of its local community. The disrespect in the face of the council bodies, which we have been assured have visited them on numerous occasions to speak about noise and other issues, yet they still operate in the same way regardless.
- Many tenants moved to this area for its serenity, a protected area that is safe and quiet to bring up our families. The Tranquil Turtle has made this anything but peaceful for us and is causing us continued stress and anxiety and ruining our enjoyment of the area's surroundings.
- We urge the council to do the right thing in not granting the requested planning and license changes and acting on the noise reports many residents, including myself, have submitted. Taking swift action on the points mentioned where they have already breached the planning process.
- Kind Regards,

Appendix D
Representations from Local Residents

ix)



Alex Marsh

From: [REDACTED]
Sent: 29 January 2023 13:24
To: Env. Health
Cc: [REDACTED]
Subject: [External] Opposition to Minor Variation of Premises Licence - Tranquil Turtle SG1 2HP

Categories: Jane

Dear Sir/Madam,

RE:
Tranquil Turtle Tranquil Turtle Symonds Green Lane Stevenage Herts SG1 2HP
Ref. No: 23/00030/LAPRE5 | Status: Open for Consultation | Applicant Name: Greene King Retailing Limited

Tranquil Turtle Tranquil Turtle Symonds Green Lane Stevenage Herts SG1 2HP
Ref. No: 23/00031/LAPRE2 | Status: Open for Consultation | Applicant Name: Greene King Retailing Limited

I wish to register my opposition to the above plans.
Apart from these applications being particularly vague in detail (I have been unable to find any detailed plans and there are no links to these in the notices). I also take issue with how they were made available to the public. Previous notices could be seen on a lamppost in Symonds Green. However, these are on a board right outside the premises, in a place where you wouldn't normally walk past and you can barely see from the road. I only found out as a neighbour physically pointed it out to me.

I live in Minehead Way , close to Symonds Green.
This premises' previous form of outdoor "events" has shown their complete lack of consideration for the surrounding area and residents. Unfortunately I see an expansion of the outside area as an opportunity for more of these events.
Last summer there were a number held where unacceptable levels of noise (music) was banging out all afternoon and into early hours of next morning. We could not enjoy time in our own back gardens, let alone Symonds Green itself. Stevenage Environmental health were informed and subsequently attended. I see nothing in the application stating what their plans are regarding noise controls.
I don't see how anyone can consider the middle of a housing estate is a sensible place for an events venue. Some traffic to and from the premises have also not considered the road through Symonds Green is also for pedestrians.

The mentioned 'temporary' scaffolding is hardly temporary. It has been in place has been there 4 or more months already and not used for actual building works as I initially (and wrongly) assumed.
How long is the intention to keep this in place, surely it is more than "temporary" already? None of this is mentioned in the applications/plans I've been able to find on stevenage.gov.uk website. Apart from being a hideous eyesore I don't believe is a safe place to have guests underneath - I understand laws regarding scaffolding use requires checking of scaffolding every 7 days while it's up to make sure it's safe , from the point of public safety is this being adhered to?

Thank you for your time.

[REDACTED]

Appendix D
Representations from Local Residents

x)



Alex Marsh

From: [REDACTED]
Sent: 31 January 2023 15:56
To: Plan Devcon; Licensing; Env. Health; Jackie Hollywell
Subject: [External] OBJECTION TO VARIATION OF LICENSE AT THE TRANQUIL TURTLE, SYMONDS GREEN LANE, STEVENAGE

[REDACTED]
29 January 2023

OBJECTION TO THE VARIATION OF PREMISES LICENCE REF 23/00031/LAPRE2.

Dear Sir

I'm writing to you to formally object to the above licence variation in respect of the Tranquil Turtle in Symonds Green Lane, Stevenage which I feel is inappropriate for the following that apply.

- adequacy of parking, loading, and turning
- archaeology
- conflict with planning policies
- design appearance and material
- disabled access
- effect on listed building and conservation area
- hazardous materials
- highway safety
- landscaping
- loss of privacy
- loss of trees
- nature conservation
- noise and disturbance resulting from use
- road access
- smells
- traffic generation
- visual amenity (but not loss of private view)

The application appears to be retrospective and seeks to regularise the current situation, with the additional variation added on. Scaffolding was erected around the middle of 2022 and covered with polythene on the sides with a metal roof. On asking I was informed this was to allow work to be undertaken to the side of the building, although the building had only been refurbished in 2021 before it opened. The fact that this structure is clad in polythene appears to be a fire and health and safety issue, as well as an eyesore in a conservation area.

During last summer 'events' took place, which involved the bringing in outside DJs with their own following. Unfortunately, as these events take place under the scaffolding but outside of the main building, noise was a major issue. On this occasion the police were called later, as residents phoning the premises were not able to speak to anyone inside the premises. The

noise was excessive, starting at 2pm and continuing all day up until around midnight, and families were not able to relax, enjoy their gardens or go to sleep. (I'm also aware of an assault last November, in which the Police were called, such incident appearing in the local Comet newspaper). This also meant there was an increase in cars, day, and night, along Symond's Green Lane, which is a single bridleway, not well lit and not suitable for substantial traffic flows. Pedestrians leaving were also not quiet on exit, thus passing houses with residents being disturbed. During the day people are walking along that bridleway with children and animals. I and my dog have had to move off the road to avoid being taken out, as some drivers do not slow down when they see pedestrians. Allowing an external bar surgery to operate from 11.00 AM until 22.30 daily will only give rise to more noise and "events" in the general vicinity, which is unwelcome, accompanied or not by music. During an event last year, cars were parked on Symonds Green common in direct contravention of the by-laws advertised on a sign situated thereon.

The Tranquil Turtle was originally put forward as a restaurant and cocktail bar to bring the London pizzazz to the locals. However, these "event" occasions are advertised further than the local area, and are hash tagged as far as Enfield, Broxbourne, Luton, Epping, Essex, Watford, St Albans, Buntingford and other areas on Instagram, and will attract traffic and people that are not local. Due to the premises having a late licence in the week and a later one at the weekend then it stands to reason there will be traffic movement late at night, into the morning with associated noise and inconvenience to the locals and maybe intoxicated drivers. I cannot see how the premises can operate as a restaurant when you have Ibiza style beach events taking place at the same time on the other side of the wall. It would hardly seem a place to go for a romantic meal and in the summer, I expect more events will be happening if this variation goes ahead. Why can't it just be a restaurant and cocktail bar as was the intention or was it.

This property is in a conservation area and the appearance of this scaffolding, is unsightly and excessive noise it will give off does not seem conducive to the status of conservation nor the wildlife who are not able to speak for themselves. The enjoyment and tranquillity of the area has been affected, and I wonder what will happen next should this go through uncontested. This is a residential area and has been for many years, it is made-up of elderly people and people with families and young children. I think it is most unfair and disrespectful that they should have to put up with this change in circumstances. I'm already dreading it should these proposals go through, and my anxiety levels are rising. There are probably people who are unaware of these applications and who would object if they knew about them. Personally, I have not seen any notices attached to lamp posts, indeed the only notice I have seen has been affixed to a board outside the premises off the highway, which people walking by would not see, and a tiny one in the Comet. An all-day outside servery would do nothing for the local area and cause distress to the residents with constant background noise and traffic movements. This is not the right area for this type of venture.

For the reasons above, I object to the Minor and Full Variation of the License, and to the continued existence of the scaffolding, all of which is out of keeping with the surroundings. I also find it odd that we are being asked to comment on a variation of a license that includes a temporary structure that shouldn't be being used in the manner it is in the first place. People have paid a lot of money for their houses and ongoing council tax and should not have to endure this intrusion.

Kind Regards

