

**From:** Kate Simons  
**Sent:** 30 Aug 2022 15:03:23 +0000  
**To:** 'Premises Licence'  
**Cc:** Licensing  
**Subject:** RE: Luckes at No.40

Dear Ian

I hope you had a good weekend.

I have now had a chance to go through your email as below with my manager. Although the points below under 'Noise from music' are noted, without knowing the potential noise breakout from the proposed use of the building it is not possible for our department to be confident that the mitigation suggested is sufficient. The application should be accompanied by a noise impact assessment which will determine the potential for noise impacts at nearby noise sensitive receptors. Given that the applicant has applied for the premises to be open until 0100 hours there is potential for night time noise to be disturbing to neighbours (noted to be located close to the premises).

As we have discussed, there may be implications from a planning/listed building point of view relating to the application and it is likely that a noise impact assessment may be required to accompany any future planning application if found to be necessary.

We are therefore unable to withdraw our objection to the application based on the information submitted so far.

Best regards  
Kate



**Kate Simons**

Senior Environmental Protection Officer  
Environmental Protection  
Chichester District Council

Ext: 21160 | Tel: 01243521160 | [ksimons@chichester.gov.uk](mailto:ksimons@chichester.gov.uk) | Fax: 01243776766 |  
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**From:** Premises Licence <[premiseslicence@innpacked.com](mailto:premiseslicence@innpacked.com)>  
**Sent:** 25 August 2022 12:37  
**To:** Kate Simons <[ksimons@chichester.gov.uk](mailto:ksimons@chichester.gov.uk)>  
**Subject:** FW: Luckes at No.40

Hi Kate

Good to speak today.

As discussed I will make Melanie aware of planning's comments regarding the listed building status of the premises.

Regarding noise management .

**Extraction:**

We plan to use free standing commercial fridges and not have a cold room so no ventilation will be required.

We plan to use a mega vent over the oven which is attached to the free standing oven. We do not deep fat fry. If any further extraction is needed we plan to vent it up the existing open chimney stack in the kitchen area which would extract three stories up at the top of the chimney.

**Noise from music:**

I would suggest the following conditions could be added to the application

- A noise limiter must be fitted to any musical amplification system set at a agreed level, so as to ensure that no noise nuisance is caused to local residents or businesses.
- The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be affected without prior knowledge of an authorised Officer of the Environmental Health Service.
- No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

**Customer Noise**

- The premises licence holder shall ensure that any patrons using the outside area of the premises do so in an orderly manner and ensure that there is no public nuisance.
- Staff shall be trained to remind customers exiting the premises to respect the needs of local residents and businesses and leave the area quietly.

I hope these will allow your department to support the application. Please let me know if you require anything further

All the best

Ian

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**From:** Kate Simons <[ksimons@chichester.gov.uk](mailto:ksimons@chichester.gov.uk)>  
**Sent:** 23 August 2022 12:55  
**To:** Premises Licence <[premiseslicence@innpacked.com](mailto:premiseslicence@innpacked.com)>  
**Cc:** Licensing <[Licensing@chichester.gov.uk](mailto:Licensing@chichester.gov.uk)>  
**Subject:** RE: Luckes at No.40

Dear Ian

I have discussed the responses received regarding the above with my colleague and given the scale of the proposals it is requested that a noise impact assessment is provided with the application. There are a number of residents adjacent to the premises and given the proposed times of opening (until 0130 hours daily), noise from the following needs assessment to enable our team to comment fully on the application;

- Noise from heating/ventilation/extraction plant to be installed within bars/kitchens/restaurant areas
- Noise from patrons using the lawn to the east of the building and also late night noise from people accessing/egressing from the premises – plus potential vehicle noise in St Cyriacs car park affecting neighbouring residents.
- Music noise (live and recorded) including from special events.

It is noted that a number of noise control measures were listed in the application however a more detailed assessment is required in order to make informed comments on the application. Please contact me if you would like to discuss this further.

Our department is unable to be supportive of the application without this additional information. I have copied the licensing team to this response.

I look forward to hearing from you in due course.

Best regards

Kate

### **Kate Simons**

Senior Environmental Protection Officer  
Environmental Protection  
Chichester District Council

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**From:** Premises Licence <[premiseslicence@innpacked.com](mailto:premiseslicence@innpacked.com)>

**Sent:** 23 August 2022 12:02

**To:** Kate Simons <[ksimons@chichester.gov.uk](mailto:ksimons@chichester.gov.uk)>

**Subject:** RE: Luckes at No.40

Hi Kate

I will ask my client for a response but as you will no doubt be aware planning and licensing are distinctly separate legislations but we do make clients aware that they may need planning permission and to ensure they have it.

All the best

Ian

Regards

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**From:** Kate Simons <[ksimons@chichester.gov.uk](mailto:ksimons@chichester.gov.uk)>  
**Sent:** 23 August 2022 11:47  
**To:** Premises Licence <[premiseslicence@innpacked.com](mailto:premiseslicence@innpacked.com)>  
**Subject:** RE: Luckes at No.40

Dear Ian

I have been discussing the application with my planning colleagues and I thought it would be helpful to mention that given that the building is listed – there may be listed building consents and/or planning consents that will need to be applied for. I believe ventilation/extraction plant for kitchens or chillers within the bar that are to be sited externally to the building are likely to need planning permission. I presume the applicant has made enquiries in this regard or is planning to do so.

Could you confirm if such matters have also been considered with respect to this application please.

Many thanks  
Kate

**Kate Simons**

Senior Environmental Protection Officer  
Environmental Protection  
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**From:** Premises Licence <[premiseslicence@innpacked.com](mailto:premiseslicence@innpacked.com)>

**Sent:** 23 August 2022 09:07

**To:** Kate Simons <[ksimons@chichester.gov.uk](mailto:ksimons@chichester.gov.uk)>

**Subject:** Luckes at No.40

Hi Kate

Good to speak to you yesterday.

I have spoken to my client regarding your questions.

**Number of guests on site.**

Inside 97 covers maximum and exterior 30 maximum. It is worth mentioning that the business model is based on food sales so the front exterior of the premises would be used for dining during the day and pre-meal drinks in the evening, weather permitting!

**Wood burners**

There are three open fireplaces within the property which we propose to use in the winter.

Please let me know if you require any further information.

All the best

Ian

*Regards*

*Innpacked Premises Licensing Team*

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