



Barbarellas
7 the Quadrant
Buxton
SK17 6AW

t. 01298 71392
w. www.barbarellaswinebar.co.uk

11 September 2012
Chief Planning and Listed Building Officers
Town Hall
Buxton SK17 6EL

Dear Sirs,

HPK 2010/0617-8
Barbarellas wine bar - 7 The Quadrant

Please find the enclosed:

1. Application for approval of details reserved by condition numbers 4 & 5 on planning consent HPK2010/0617 - fee £85
2. Application for approval of details reserved by condition number 2 on listed consent HPK2010/0618 - no fee included
3. Application to vary condition 3 on HPK2010/0617 - fee £170

I would like to add the following comments:

i. Condition 4 - HPK2010/0617

A stainless steel grill (450mm square) mounted externally at the rear of the building discharges kitchen fumes via an Elta fan unit between 11.00 and 21.00 hours only. I am willing to accept a conditional consent limiting use to these hours of operation.

ii. Condition 5 - HPK2010/0617

• An air conditioning unit served the ground floor of the building up until June 2012 when it became unusable and was removed. The location of this unit, before its removal, was the same as that shown on sketch DR2 11 September 2012.

• All the necessary air conditioning equipment has already been fitted internally to serve the cellar, ground and first floors. To date the only external fitting in place is the cellar cooling unit. This unit is an Acme Blizzard ICU55 which has a noise rating (NR) of 47. A copy of the manufacturer's specification is enclosed and the noise level was measured as part of the report referred to below.

Still to be fitted externally are an air conditioning unit serving the ground floor and a further unit serving the first floor. Both have an NR of the same value.

• The issue of the noise level of the cellar cooling unit was considered in section 5 of a report by ENS consultants and a further copy is enclosed. At paragraph 5.06, the report states: "at no stage was the .. chiller audible in the bedroom .. in the daytime .. although (at night) .. the resultant noise level from the chiller is likely to be relatively low)". Accordingly I am willing to accept a conditional consent limiting the hours of use of the:

- cellar cooling between 07.00 and 00.00
- ground and first floor a.c to 11.00 - 23.00 (Sunday to Thursday) and 11.00 - 00.00 (Friday & Saturday)

I am willing to provide written confirmation from a suitably qualified installer that a device has been permanently installed which limits use to the above hours.

iii. Variation of condition 3 on HPK2010/0617

You are aware that opening of the wine bar has prompted complaints from the occupier of the second floor flat and I write to inform you that she has moved out of the flat which has been vacant for the past two months. Consequently any new tenant of the flat will be taking occupation in the knowledge of the permitted use of the premises below.

Whilst I acknowledge that you are concerned to protect the amenity of the occupier of the flat, I would respectfully suggest that given:

- the sound report referred to above
- my due diligence in all aspects of managing the premises especially in relation to noise and nuisance, just one example being the fitting of soft foam pads to chair and table legs
- the checks and observations made by various council and licensing officers

the above applications would not be to the detriment of the amenity of the occupier of the flat or the surrounding area. On the contrary, approval would be to the benefit of the commercial life and leisure opportunities of the locality.

Yours sincerely,



N Watterson