

Statement Regarding Planning Objections

Reasons and requirements for art studio

As discussed in the application and at our meeting the reason for the art studio is to move work that is currently being done in the home into the garden in order to make more room for domestic living. There will be no change in use, access, parking, noise or anything due to the move, work will simply be moved to the bottom of our garden. The requirement is a building with plenty of space to work and store equipment. The space must feel light and airy with a minimum of clutter to help with the creative process. It must be warm and well insulated to provide a comfortable working space throughout the year as well as having the ability to create a through draft during the summer months so that it is not too hot.

There is insufficient space within the home to do this work as both adults do home based working in the home and they have 7 children between them who require all the spare rooms although there are rarely more than 5 children in the house at one time due to other ex-partners.

Although the art business is well established it does not make sufficient profit to rent space externally and working externally would lead to reduced hours due to needing to be at home for the children which would make renting even more impractical and lack of space is already substantially limiting the ability to earn and fair living within the household.

Moving to a larger house with more space is financially impractical at this point.

An initial plan was drawn up detailing ideal space requirements but without a clear knowledge of planning rules and underestimating objections to the development. Having now met with planners and analysed neighbour concerns plans have now been revamped to take as much of this into account and address it without overly compromising on satisfying the requirements.

The supplier

We have spent months researching a professional supplier that is both able to supply and build this building. A key part of this search process was to ensure that we could obtain something that is not only a practical space to work in but also looks nice both for us and for our neighbours who living in close proximity in a terraced road will have to overlook. We were keen to obtain a building made only of the highest quality materials and from a company that has many years of supplying such buildings for exactly the purpose that we require it and with experience of building it in situations very like our own. We found a company call Keops (www.logcabins.co.uk) who seemed to tick all the right boxes and then we visited a fellow artist who has already purchased a cabin, albeit a little larger than this one, and we were able to examine the cabin first hand and discuss Keops and their service in detail and they received nothing but praise. We looked at several products that they have available and although a larger product with a higher roof would be much more practical we have tried to compromise between the ideal requirement and what we believe would blend in better with the surroundings. This is the 'classic' style an example of which can be seen at http://www.logcabins.co.uk/images/c_bailey_b.jpg. The supplier has confirmed that they will be able to lay the base in 1 day, build the cabin in a 2nd day a few days later causing minimal disruption.

We have agonised over objections that have been raised over recent weeks and hope that in our revised plans submitted today and in the notes below have addressed and hopefully alleviated many of the concerns raised

Objection To Use As Gallery / Shop

It has been outlined in planning what this studio is to be used for – a working artist studio. We have not asked for this to be a gallery. There is absolutely no commercial incentive to use the studio as a gallery or shop. Visiting www.lucygell.com/exhibitions it is clear that Lucy sells work through personal selling at exhibitions around the country as well as through 3rd party galleries and her website. There would not be the volume of customers locally nor facilities to use the studio as a gallery or shop as it will be full of working artist equipment and stock storage. We understand that under planning guidelines we are able to develop a building to work from home as long as it does not lead to disturbance of neighbours or attract regular visitors which this will not.

Objection To Use To Host Art Classes

This studio has not been designed to host art classes. It would need to be much bigger to host these as art classes only really work financial in this industry with around 6-8 participants per workshop and in schools with larger volumes. Whilst Lucy runs workshops these are a very small part of her business and they are run from other premises which lend themselves much better to this as you can see at <http://www.lucygell.com/print-workshops/>. Lucy's studio will only have desks for her own work not students and will be too full of her own equipment and stock to consider running any of these type of workshops from home. She does not have the space, the facilities and would not wish to cause any disturbance to her neighbours by having large volumes of visitors to the premises. Lucy would, however, need 'occasional' visitors to the premises. This could be the odd guest for perhaps 1-1 tuition maybe once every few months and perhaps an odd visit here and there from other people that sell her work for short business meetings. These visitors would park off site, access would be through Lucy's house to her cabin and meetings would take place in a cabin with 56mm thick wooden walls and double glazing usually during business hours which would mean neighbours would not be disturbed. We would understand that this would be a simple requirement of any home based business and not outside of planning rules.

Objection To Noise

Lucy's tools are pencils, paper, inks, scissors, rollers, manually presses etc. All of these are silent pieces of equipment. Her work will be housed in a building made of 56mm thick high quality Scandinavian logs with all windows and doors double glazed. There will be no external noise from her working processes as there isn't already in the home and as discussed above there will be very few visitors indeed with all access gained through Lucy's house. The only noise likely is during what we have been assured is a 2 day build.

Objection Regarding Security Light

It has been suggested that a security light would be placed facing a child's bedroom and an objection raised on that basis. Security is obviously a concern and so a security light was shown on the plans. If a light was added in that position it would be aimed at the garden area directly in front of the building not up towards a bedroom and if aimed upwards it would clearly affect our own children as well as our neighbours neither of which would be acceptable to us. We have therefore reviewed the situation and realised we have a security light already attached to the house pointing down the garden that is currently broken that could be easily be repaired instead.

Objection Regarding The Use As Habitable Rooms

It has been suggested that this structure might be used as habitable rooms. It is clear that we are not applying for building regs and there is no plumbing in this structure. A planning department visit to see the equipment that will be used in this studio including 3 desks, computer and printer, 2 printing presses, screen printing machine, paper, ink, tools, frames, exhibition stands, framed and unframed picture stock, card stock and much more will clearly show that the area could not possibly be lived in as well as worked in. By moving all of this equipment outside, however, we will be releasing 1 bedroom back to habitable use in the home and clearing clutter from equipment that is scattered throughout the home making the home very cramped and considerably limiting Lucy's productivity and right to earn a reasonable living.

Objection Regarding Subsidence

This land was stepped over 10 years ago and has had garages stood on foundations still present on the land where the studio will be stood. It is our understanding that the ground was filled with rubble and protected on both sites to prevent any movement. Nothing has moved at 4 Cresswell St in this time and it is our understanding from discussions with Keops that by putting a 4 inch concrete base down for the structure will spread the weight of the building so that the pressure per square inch created is less than half the weight of a person stood on that ground! We are paying for a professional foundation from Keops and assume that this will come with certain assurances with this respect. Keops website suggests experience of laying foundations in situations far more challenging than ours.

Objection Too Close Proximity To Boundaries and Maintenance

We have been advised by Keops that we need 400mm space around the cabin for maintenance. As the space available to build is very long and thin in order to make this a practical workspace we need to build as wide as possible otherwise the space will not work for the creative processes that it is intended for in tunnel format. The building therefore has been designed into the plans making the building 440mm from the boundaries on 3 sides. If this is sufficient distance to maintain our own building we do not see how that is not sufficient space to maintain the wooden fence panels which simply slot in and out and are in place on 3 sides. One side is our responsibility and we have no concerns over maintaining that.

Objection To Loss Of Privacy For No 6

There has been an objection to loss of privacy for no 6 Cresswell St. As there is a 6ft fence along the boundary between no 4 and no 6 are not sure how relevant this objection is?. We can only assume it is due to the letter box windows just below ceiling level in the studio which look above this fence? These are designed to let light into the studio not to look out of. They would be difficult to look out of as they are above head height and all that would be seen from the studio would be sky not the neighbour's property, someone would need to stand on something as they would have to look above the fence outside of the cabin. We are, however, concerned about privacy ourselves and will be adding opaque glass in order to maintain privacy within the studio but natural light is key to creative work area. Opening windows are, however, necessary on multiple sides to create a through draft to provide ventilation in a wooden structure that may get very warm inside on hot sunny days.

Objection To Loss Of Light No 6 and That It Is An Unnecessary Height

By choosing a structure with a pitch of 19 degrees rather than a pitch of 30 degrees which would provide valuable loft storage space we have designed a structure that creates minimal impact on our neighbours. There is be slight light loss and some view obstruction from parts of the garden of number 6 but it is our understanding of planning rules that this alone is not grounds for refusal as we have been sensitive to this in our design. It has been suggested that we do not need planning permission to build to 2.5 metres in height. As the garden in no 6 is 30 cm above the garden in no 4 and our request is to build to 3.105 cm this creates a relative height to no 6 of 2.805 i.e. just above the point needed for planning permission. That height is also only at the highest point with the majority of the roof area being at a relative height of 2.5 metres or less to no 6. We did consider a 2.5m flat roof which we currently understand does not need planning permission but were put off by the idea of creating a claustrophobic oppressive environment which would not be conducive to the creative processes for which this space is being designed and would have considerably reduced natural light. We also read an article at <http://www.iobuild.co.uk/garden-office-planning-permission/> which states the following which kind of sums up our feelings on this having already compromised from a 30 degrees roof in order to minimise how the space would affect our neighbours

"1. You may be uncomfortable if it's under 2.5m tall.

A building less than 2.5m tall isn't tall enough to put a generous amount of insulation in the floor and ceiling to keep you warm in winter, cool in summer and leave enough headroom for you to be able to stand on tip toes or stretch your arms above your head."

We therefore feel that the objection that the building is an 'unnecessary height' is not valid with regards to these proposals and feel that we have attempted to compromise on height whilst still maintaining a fitness for purpose. We have also been led to believe that High Peak Council favour pitched to flat roofs and it is our own belief that a pitched roof will be much better in keeping and create a structure which will look much better both to us and our neighbours.

It should also be noted that light to several properties on Cresswell St including no 2, 4 and 6 is restricted by very large beech trees nearby. When the sun is at that side light is blocked by the trees before our studio before it gets to no 6. Once the sun is high in the sky it will have moved over so that it is not obscured by the studio it will come from a different side.

Objection To No 6 That We Have Not Asked For Right Of Access

No 6 have been aware of plans to build a studio in no 4 for some time and at no time before planning permission was sought have they expressed concerns. We went to planning to check that we can build what we want to build before wasting our time discussing any of the practicalities in detail with any neighbours but understand that the process is a recognised way of sharing our plans and providing them with a platform to consider their opinions in the process. We asked for a planner to visit to discuss this informally before entering the process but this did not prove easy and would have created significant delays and expense at a time of limited budget when we need to build ASAP due to accommodation issues within the home. It was our understanding that the building process would have minimal impact on no 6. Keops have, however, suggested that it is possible to build the structure from entirely within our own land. We have not asked for permission as we do not need access to build, however, we would of course discuss access if it became evident that it was needed.

Objection To Size Of Building As 'Purely A Studio'

The studio has been designed to provide the necessary space for an accomplished artist with all the tools and storage required for their profession. We do not see that any of our neighbours are really qualified to say what is and what isn't the required size but we are happy to list for planning all the equipment that is required and demonstrate that the space requested is not excessive for its purpose. We are also happy to provide testimonial from other artists working in a similar fashion. We have understood the planning rule from the beginning about not covering more than 50% of the external garden area and despite claims to the contrary suggesting we were using over 50% of our garden our initial plans clearly indicated using significantly less than the allotted 50% and our revised plans clearly indicate significantly less again. We have been able to revise our plans by removing key storage space in the building which we will have to find space for elsewhere and incur this inconvenience.

Objection From Bates Regarding Structure 4 metres Taller Than Their Path

We feel that this figure has been manipulated in order to give a false impression. Although the garden at no 4 Cresswell St is flat the parking area bordering on it at 1 Cresswell Avenue is sloped. The ground at the left side of the boundary looking from no 4 Cresswell St is level with the ground at No 1 Cresswell Avenue making the eaves 2.5m above their path. At the right hand side of their boundary, however, their ground is 60cm below no 4 Cresswell St meaning that the eaves at that side would be 3.1 m above them. This means that the high point of the structure will start 30cm above their land and as it rises to 3.105 in height would be 3.405 above their land not 4 metres. This is, however, overlooking a parking area not their buildings or domestic garden area. It is the eaves and left side of the structure only that overlook a small garden area.

Objection From Bates Regarding Fire Hazard

We would question the idea that this artist work is any more flammable than any other home / office structure or indeed any domestic shed or workshop area. Yes artists use lots of paper in their processes but in order to maintain the quality of the work it all has to be stored in airtight containers

and behind glass frames etc. Inks and white spirit for example may be deemed as flammable but due to their cost and perishability these store are purchased in small quantities and stored in robust air tight containers posing no more threat than say a litre of oil in a domestic garage. We raised the concern with Keops and their response was

“ the structure itself will be made of very high quality 56mm thick Scandinavian logs. The 56 mm log being a dense grain timber has an inherent fire resistance, the burn rate is 0.7 mm/minute. So the 56 mm log takes 84 minutes to burn through, and the worst Building Regulations can demand is 30 minutes resistance so this is a very good feature of safety.”

This is not a material that would easily catch fire. It is used to build many structures for studios, recreation and habitation by Keops who are building this and is the same material that is used for structure that have to meet very stringent building regulations. The building will, however, be fitted with a fire alarm and access to the building for emergency vehicles is exactly the same as it is for access to all the houses on Cresswell Avenue which is not currently deemed a problem by the fire service.

Objection By Bates That A Business Should Not Be Allowed To Operate From Here

It is our understanding of planning rules that a building can be erected in order to work from home in the building if the business is quiet and unobtrusive. We also understand that High Peak Council actively encourage people to work from home. As we have demonstrated in our plans and this document the business is quiet, there will be next to no noise and very infrequent visitors who will gain access through the house only.

Objection By Townsend Regarding Patio Area

It is our understanding that the patio area at the foot of the Townsend garden has been dug down lower than the main garden to reach road level. This has unfortunately led to the planned studio appearing artificially higher than it is. The patio area will still be able to catch sunshine throughout a large part of the day unhindered by the studio in no 4. Sunshine could, however, possibly be blocked very late in the evening for a couple of months in the high summer. This is regrettable, however, we have exhausted all other avenues to avoid building the studio and have placed the studio in the area of the garden where it is most practical and will caused least disruption. We have taken on board concerns and feel that reducing the height of the studio beside the sunken patio with a 19 degree roof will make very little difference to sunshine in no 2, however, we have reduced the length of the studio which should make a substantial reduction to the amount of sunshine lost. We would also like to state that this building is being built out of necessity on our own land. Plans have been compromised to consider neighbours and the building will be in use 8 hours a day 5 days a week all year around.

Across the rest of our garden we have a 4ft fence in place on the boundary between us and no 2 in order to maximise the light received by no 2 whose garden is 2ft below us.

The area in our property previously housed a garage around the area of the proposed studio until a few years ago.

We do, however, feel in light of comments from the planners that the length of our previous plans would have produced an overbearing structure on no 2 which is why we have revised our plans and

considerably reduced the length of the structure to a length that would not be considered overbearing.

Objection By Townsend Regarding Windows

We added 2 windows to the studio on the Townsend side of the studio on the original plans. This was to bring necessary light into the space not to look into the neighbouring property. The windows are were above the height of the 4ft fence and the garden drops 2ft below the studio along some of its length and 4ft at the back of the studio where the planned storage area is. From a seated position we would not be able to see down into the garden and would not wish to and the studio will predominantly be in use during working hours when the neighbours will be at work. We have, however, taken on board the objection and decided to remove the 2 large windows and instead replace them with head height letter box windows in opaque glass. This will considerably reduce the amount of natural light and ventilation within the studio therefore we have been forced to add 2 velux roof windows rather than the 1 previously planned. These windows are considerably more expensive but we feel are important to address neighbour privacy issues.

Objection From Townsend Regarding Devaluing Property And Noise

We feel that the objection regarding property value has no clear evidence to substantiate it. Our studio will be constructed professionally and using only high quality products and will be designed to fit well within the space. It will be well maintained and will contain no noise or disturbance to neighbours. Perhaps our reduced footprint will help to dispel this idea.