

REF: HPK/2015/0192 AND HPK/2015/0409

160 Leek Road

3<sup>rd</sup> Copy sent to HPBC.

Ladmanlow

Buxton

SK17 6UQ

WITHOUT PREJUDICE

1<sup>st</sup> September 2015

Dear Sir/Madam

We write to object to the above listed planning application and would respectfully request that the following is taken into consideration when decisions are made with reference to the current planning application and this piece of land. We would like also to address the Development Committee to offer further clarification and information in reference to this land. The content of this letter is to the best of our knowledge and belief.

- (a) The area is renowned for being Countryside, of significant landscape and natural beauty. It is border-line with the Peak District National Park. Ladmanlow is a Hamlet of Buxton. Housing development is sparse. Consideration for all types of Development has always been rigidly controlled by HPBC.
- (b) We offer no objection to any individual choosing to use leisure facilities that encourage and maintain necessary management of their health. In deed we ourselves have accessed the HPBC facilities in Buxton over the years.
- (c) Our Cottage and garden is located directly next to the land which the units 3B 3A are situated upon. We also have a Cabin which is deemed as accommodation ancillary to our property that backs onto this land. Due to ill-health we mainly reside and sleep in the Cabin, whereby we have witnessed frequent excessive noise disturbances arising from music, the heavy gym equipment used within the unit crashing to the ground, foul language and rowdy conduct, roller-shutter doors being banged to close, vehicular movement, car-horns being sounded, by some of the visitor's to this unit upon entering and leaving the site. The unit 3B has been occupied by CrossfitBuxton since January 2015, who has been in breach of the planning conditions that HPBC have stipulated for these units. ( Previously this unit was listed as Jet-Tec drainage services whose planning application was approved with the current conditions attached) Jet-Tec never was in occupancy as they went into liquidation, according to the information held by Companies House.
- (d) The units are advertised for lease of which we can only assume would or should specify the hours and days allowed for opening when agreement is reached to hire the units with the letting agent or at the very least the landowner who is in full possession of those facts from the past planning applications of his land. Therefore Crossfit Buxton would have been aware that the units were" unsuitable for their type of business before they agreed" to take on the lease!
- (e) The design and construction materials used for these buildings appear to be inadequate in particular for the sound-proofing aspect. They were built with the intention to house B1@ light industrial or B8 storage or distribution. The current conditions attached do stipulate this. Roller-shutter doors are noisy in closure and they do not offer protection from internal

noise to individuals on the outside of the building, in particular towards residents when they are in their gardens. These have been left open, along with the windows and the door to the unit on occasions of hot weather, thus allowing for noise escape. The 24 parking spaces referred to in the application" were intended for the current car-wash unit". The turning circle space is often unusable due to the parking, on or around it by voluminous amounts of vehicles in attendance at the competitions held by Crossfit Buxton, please see attached proof.

- (f) In addition Unit 2A have partly sectioned off the land in front of their unit to work outside their unit, whereby vehicular movements could be restricted in passing each other. Defeating the purpose of the turning circle! This may present a safety hazard to pedestrians for which there are" no footpaths for them to walk upon" on this land, only the road.
- (g) The land abuts the A53 road which becomes congested with traffic at peak times and Bank Holidays. Properties situated on this road are mainly set back from it and are double-glazed which affords some sound protection to the residents.
- (h) At all other times the A53 is a quiet road, such that it would not be noticed it was there, if not for the street lighting to identify it!
- (i) Background noise levels for these units are not the A53; the units are located backing onto open fields occupied by sheep! Bridge House farm is also adjacent to the units and 168 Leek Road does have an extended garden bordering this land. It has "not been used as a railway since over 50 years ago" yet applications list it as a railway on the plans!
- (j) Crossfit Buxton appear to not be in occupancy during the daytime on a weekday, but arrive as early as 05.15 hours returning at 17.00 hours whereby they remain until leaving often at 22.00 hours and later (We believe this is because they are engaged elsewhere with" additional employment) Groups of gym users can regularly be seen running up the A53 in the direction of Leek at these times. They will often congregate outside our Cottage's window and lean on our gate, whilst regaining their composure at 05.30am and 10pm! This is a nuisance and a blatant disregard for local residents.
- (k) It is known locally that Crossfit Buxton were previously housed in buildings located on the Industrial estate on the Fairfield area of Buxton, of which one being a gym, that financial reasons was the reason for their move. We are of the opinion the Fairfield location was no further to travel to than the current location.
- (l) No car journeys have therefore been reduced by the relocation of Crossfit sBuxton.
- (m) An application for 40 houses was refused by the HPBC and later again at appeal to the Secretary of State for this land. The explanation in Paragraph 2 of this letter was considered and formed part of those decisions.
- (n) There is extensive history of applications and blatant breaches of the conditions laid down for this land recorded by the past and present Planning and Enforcement officers.
- (o) The current planning conditions attached do consider the residents. They were set in place to protect residents and the local environment. "Removal or adjustment of these conditions would be detrimental" and would also "set a precedent for the other units" to apply for the same. The quiet enjoyment of residents properties, gardens and the tranquillity of their surroundings are being affected by the occupants and visitors to these units. These units are unsuitable as leisure facilities in their current state!

If not restricted now, this land could become a large scale development within a residential area and countryside. There are "covenants on this land with reference to non-excavations and extraction of the mineral waters.

Therefore we ask HPBC to refuse the current application in its present form.

Yours sincerely

Mr and Mrs A E Davies

