

Dear Fiona,

I'm writing to you on behalf of my wife Bel Graham and friend Amanda Hewitt, having seen the objections raised online to their planning application (referenced above).

As the architect involved in this application, we would like you to liaise with the planning officer concerned and pass on our comments for his consideration.

Conflating the "objections" raised in both letters, there are five points we would like to present that we believe address all concerns.

Although some of the issues raised aren't really planning issues, I have included responses to these for the sake of completeness.

1) **2 St.james' terrace; previous status, current status and planning application** -

There seems to be some confusion here within the objections raised.

- The building, and the 5 x flats therein used to be commercial use only.
- Historically, planning permission was granted to convert flats 1-4 to residential use, but refused for flat 5 which remained commercial use only (and was used by the previous owner as an office). In addition to the approval of 4 flats, six parking spaces were approved (clearly outlines within the deeds of the property. One space specifically for each of the 4 residential flats, and 2 additional spaces for visitors of any of the tenants. This is the current status of the property.
- Amanda Hewitt and Bel Graham purchased flat 4 (residential use) and flat 5 (commercial use), and by re-opening an internal doorway, the two flats can effectively be used as one. The planning application seeks to permit the flat to become "mixed residential and commercial use".

In summary -

- a) It is claimed that 2 St. James' Terrace is an exclusively residential building. This is untrue. 2 St. James' Terrace flat 5 is "commercial use only".
- b) Given that flat5 has a "sub-lease" connected to flat 4, and access to flat 5 is available through an internal door from flat 4, the property purchased is effectively one duplex flat, and the new owners are seeking to "regularise" the use. (I.e. rather than the lower floor being residential only, and the upper floor being commercial use only, the application seeks to make the entire duplex mixed use).

2) **Renovation works conducted-**

Flats 4 & 5 clearly had not been renovated since the 1970's, and as you know, over a 10 week period, the following work was completed:

- a) Removal of : 2 x kitchens and 2 x bathrooms / 1 large 1970's style brick fireplace (surround and hearth) and stud walls - (only 1 skip was used, not several- a license was obtained and remained in situ outside the property for a 6 week period).
- b) New kitchens and bathrooms have been installed, new stud walls have been installed, all walls and ceiling have been re-plastered and painted. (No plumbing was altered, the same lay-out to both bathrooms and kitchens was retained. There are no additional kitchens nor additional bathrooms, existing kitchens and bathrooms were merely replaced with new).

N.B. As part of building regs requirements when flats1-4 were created, there exists significant sound insulation between flats 3 and 4/5.

One of the objectors infer that "heavy steel work" was taken into the property. This is, (as you know), blatantly untrue.

During the renovation we spoke with both the planning department and building regs, explaining what we were doing.

The building regs officer was invited to visit the property, but was satisfied that there was no need.

The planning officer was happy that there had been no breach of planning.

As it stands currently, the property is now effectively a 5 bedroomed duplex flat with 2 x kitchens, 2 x bathrooms and 1 x reception room.

3) **Parking-**

As indicated above in point 1, within the deeds there are 6 parking spaces at 2 st.james terrace.

Within the last three months since work has been undertaken at the flat, the 2 x spaces indicated on the deeds by the "hatched areas" have never been used by anyone other than our subcontractors.

There is street parking available outside, and public car parking available within 200 yards of the property.

4) **Fire regs-**

There is no need for an external fire escape route.

The current, interlinked fire alarm system in place meets all fire regs for the building in its current form (1 flat commercial use, 4 flats residential use, 30 minute fire doors to each flat creating a safe fire escape via the main internal staircase).

In the event that the planning application is successful, there would be no additional requirements.

5) **"Mixed use" of the property-**

It appears that the objectors misunderstand how flats 4& 5 would be utilised should the planning application be successful.

Both Amanda Hewitt (the deed-holder) and my wife are professional counsellors. They practice in different locations across the Northwest, and hope to be able to extend this practice to Buxton for 2 or 3 days per week at st.james' terrace.

Clients seeking counselling services and counsellors themselves, seek peaceful, discrete locations to practice, away from the noise and stress of daily life.

My wife might see 3 clients in one day, but it is not a conveyor belt process. Certainly, no counsellor would work from 8am to 10pm !

The objectors are simply referring to the hours permitted for therapeutic practice within the deeds to the property (see below)- these do not indicate the working hours of a counsellor, but rather reflect the needs of some clients.

Whilst some clients are able to seek therapy between the hours of 9am-5pm, many clients work full time, and are only able to book evening appointments.

As you are aware, we are applying for "mixed use".

The notion that there might be "500 vehicle movements per week" is frankly ridiculous.

In any event, and in addition to my comments on parking within point 3, there are clear restrictions within the deeds that prevent mis-use of the carpark, or indeed any additional noise caused by any visiting clients (see below).

In summary, Mrs.Graham and Mrs. Hewitt simply seek permission to use the property not just as residential within the first floor of the flat, and commercial within the second floor, but as mixed use, specifically limited to "therapeutic practices" that cause no additional noise or disturbance to Neighbours.

Many thanks in advance for your help and assistance Fiona

Kind regards,

Simon Graham

Detail in deeds:

1. The Flat can be used as residential accommodation and rooms available for therapeutic practice with the following limitations;

- (a) The Flat can only be used between the hours of 8.00am and 10.00pm for the therapeutic practices;
- (b) The therapeutic practices shall not cause any additional noise that will cause annoyance to other leaseholders;
- (c) The Flat shall be limited to therapeutic practices such as counselling in order to limit the noise.
- (d) The third floor office space incorporated into the Lease within a Deed of Variation dated shall be used as the residential lounge space incorporating physiotherapy and therapy sessions.