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To: [Planning Comments \(HPBC\)](#)
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Application Reference No. : HPK/2024/0318
Site Address: 103 Green Lane Buxton Derbyshire SK17 9DH Buxton
Comments by: Prof Simon Rogerson Mrs Anne Rogerson

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Submission: Objection

Comments: The change of use of 103 Green Lane from a residential house to an office to carry out any operational or administrative functions has undergone several changes since its initial approval (Class E: g (i)). There is concern that these changes are occurring little by little and, where possible, using the Non Material Amendment route so that it limits consultation. This latest amendment requires much greater scrutiny as it potentially opens the door to a significant change in the use of 103 Green Lane which must be opposed.

Related to the original application, the Delegated Decision Report 12/08/2021 states that 'Whilst there is likely to be a change in the overall function of the building with regards to comings and goings of staff, the fact that the staff will continue to utilise the existing car park means that the neighbouring property will not experience any adverse impacts with regards to any intensification noise or disturbance associated with the proposed office use. The submitted application form confirms that the building will be in use between 0830 - 1900, 7 days a week. However, as the building will be used for office purposes, which is a quiet activity and a compatible use with the adjacent residential dwelling, it is considered that there would be no harm the amenities of this neighbour. As such, it is considered that the proposed use would not result in any adverse harm to neighbouring residential amenity.'

This analysis led to the decision to approve the application with three conditions. The third condition states, 'This permission is for the use of the building solely for purposes of office accommodation (Class E (g) (i)) and for no other purposes in Class E of the Town and County Planning (Use Classes Order) 1987 (as amended).'

The current application contravenes the original analysis and associated conditional approval. Given the application is for a change in use to include commercial food preparation, 103 Green Lane can no longer be classified as 'Class E. Commercial, Business and Service (g) for (i) an office to carry out any operational or administrative functions'. It would seem it now has to be classified as 'Class E. Commercial, Business and Service (g) for (iii) any industrial process, being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit'. This change of classification is unacceptable for a building which is in a residential area and has a long history of itself being a residential property.

The application states that the change of use is 'to provide low key support to the adjacent catering operations within the Poole's Cavern Visitors Centre, by way of the preparation of soups and cakes in the previously approved kitchen area - there will be no sale of goods from this location.' Given the current history of making

little by little application of new changes of use by BCA, it is imperative that this current application is rejected as it opens future possibilities for the food preparation operation to be expanded piecemeal. Such expansion would contravene the condition of E (g) (iii) not to have a detrimental effect on the residential area through noise, smell and fumes.

It should be noted that the original plans were for offices and so the inclusion of toilets and a staff kitchen are perfectly acceptable. The offices would provide more space for BCA to administer its operation. The small office vacated in Poole's Cavern Visitors Centre seems to be the ideal place to accommodate the preparation of soups and cakes for the café in the same premises. There is no mention in the application of any consideration of food safety and kitchen hygiene for which there are extensive regulations. For example, staff should wash their hands in basins that are used just for washing hands. They should never wash their hands in a sink used for cleaning equipment or a sink used for washing food. Equipment should be cleaned in a sink used just for that purpose (ref Guidance on Food Safety and Kitchen Hygiene HS10.2). Has the office kitchen (as approved in original application) got two sinks for this purpose?

There are offices on the ground floor and first floor of 103 Green Lane. Inevitably, staff will move between these offices to undertake their work. The only way they can do this is by going through the kitchen. Furthermore, staff working in offices on the first floor will have to go through the kitchen to access the only toilet which is on the ground floor. The movement of these staff through a kitchen, which is proposed to be used for commercial food preparation, is inappropriate.

To conclude, we totally object to this application as it fundamentally contravenes the original conditional approval, changes classification of use to industrial, does not adhere to food hygiene regulations and offers future potential expansion of food preparation beyond the acceptable.

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