

Minutes of: PLANNING CONTROL COMMITTEE

Date of Meeting: 28 July, 2015

Present: Councillor S Southworth (In the Chair)
Councillors J Black, S Briggs, M D'Albert, J Harris, R
Hodkinson, D Jones, A Matthews, E O'Brien, A Quinn, R
Skillen and Y Wright

Public attendance: 16 members of the public were in attendance

**Apologies for
absence:** Councillor C Preston

PCC.227 DECLARATIONS OF INTEREST

Councillor Southworth declared a personal interest in respect of planning application 58732 as Chair of Governors of The Ark school. Councillor Hodkinson declared a personal interest in respect of planning application 58702 as an owner of a business within the locality and as a member of Ramsbottom Business Group. Cllr Jones declared a personal and prejudicial interest in respect of planning application 58732 as he had chaired the Licensing and Safety Panel which determined the Premises License application for the site. Cllr Jones left the room whilst this application was being considered.

PCC. 228 MINUTES

Delegated decision:

That the Minutes of the meeting held on 23 June, 2015 be approved as a correct record and signed by the Chair.

PCC.229 PLANNING APPLICATIONS

A report from the Development Manager was submitted in relation to the applications for planning permission. Supplementary information was also submitted in respect of application numbers: 58587; 58702; 58732; 58767 and 58801.

The Committee heard representations from applicants and/or objectors in respect of the applications submitted. This was limited to three minutes for each speaker.

Prior to the Committee meeting, Site Visits had taken place in relation to Planning Applications 58499, 58587 and 58702.

Delegated decisions:

1. That **Approval** be given to the following applications in accordance with the reasons put forward by the Head of Development Management in the report and supplementary information submitted and subject to the conditions included:

58499 Irwell Bridge Works, Kenyon Street, Ramsbottom - Ramsbottom & Tottington - Ramsbottom Ward

Change of use of part of existing yard from waste recycling to mixed use for waste recycling and commercial vehicle wash (Retrospective)

58615. Burrswood House, Newton Street, Bury - Bury East - Moorside Ward

Proposed extension to enclose lift

58662 Ashton Lodge, Great Eaves Road, Ramsbottom, Bury - Ramsbottom & Tottington - Ramsbottom Ward

Erection of single storey building to house boilers

58702 Units 5 & 5a, Kay Brow Yard, Kay Brow, Ramsbottom, Bury - Ramsbottom & Tottington - Ramsbottom Ward

A. Retrospective change of use of industrial units (5 and 5A)(Class B1) to shop (Class A1) and music rehearsal venue (Class D2)

B. Change of Use of industrial unit 5A to Music Bar (Class A4)

(Note: The Officer Recommendation was a Split Decision - to Approve with Conditions Part A: Retrospective change of use of industrial units (5 and 5A)(Class B1) to shop (Class A1) and music rehearsal venue (Class D2) and to Refuse Part B: Change of Use of industrial unit 5A to Music Bar (Class A4). The Committee debated a proposal to approve both Part A and Part B subject to additional conditions. The recommendation to Approve both Part A and B with additional conditions was proposed by Councillor Harris, seconded by Councillor Hodgkinson and agreed unanimously by the Committee).

The decision to **Approve with Conditions Part A and Part B** of the application is subject to the following Conditions:

1) The A4 bar use relating to Unit 5A hereby granted is for a limited period only, namely for a period expiring 12 months from the date of this decision notice. At the end this period, the use is required to be immediately discontinued to the satisfaction of the Local Planning Authority unless a further planning application for its continuance has been submitted (prior to the end date).

Reason. In order to retain control of the use of the premises in the interests of residential amenity pursuant to UDP Policy EC4/1 Small Businesses, S2/6 Food and Drink and EN7/2 Noise Pollution.

2) This decision relates to the drawings received on 07/05/15 and 30/06/15(revised) and the development shall not be carried out except in accordance with the drawings hereby approved.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.

3) The A4 bar use hereby permitted in Unit 5A shall be operated by the applicant, Mr Patrick Duggan only and by no other person.

Reason. The permission has only been granted given the particular circumstances of the applicant and to protect the residential amenities of nearby residents pursuant to UDP Policies EC4/1 Small Businesses, S2/6 Food and Drink and EN7/2 Noise Pollution.

4) Before the use of the rehearsal room (Unit 5A) commences, an acoustic report, including an assessment of the potential noise outbreak from the building and recommendations for any noise insulation if required, shall be submitted to and approved in writing by the Local Planning Authority. Following approval of the report, any recommendations required shall be implemented in full before the use commences.

Reason. To safeguard the amenities of the occupiers of nearby residential accommodation and to secure a reduction in the level of noise emanating from the property pursuant to UDP Policies EN7/2 Noise Pollution, EC4/1 Small Businesses and H3/1 Assessing Non-Conforming uses.

5) Unit 5 shall be used for guitar sales only and for no other purposes, including any other purpose in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or as subsequently amended.

Reason. In order to retain control of the use of the premises in the interests of residential amenity pursuant to UDP Policy EC4/1 Small Businesses and S4/1 Retail Development Outside Town and District Centres.

6) The bar (A4) and rehearsal room (D2) uses hereby permitted in Unit 5A shall not be open to customers outside the following times: 09.00 to 23.00hrs.

Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to UDP Policies S2/6 Food and Drink and EN7/2 Noise Pollution.

58729 Park Lodge, Manchester Road Park, Manchester Road, Bury - Bury East - Redvales Ward

Change of use from dwelling (Class C3) to training facilities at ground floor (Class D1) with ancillary first floor offices; New door, level access, external step lift and security gate at rear; Mesh covering to windows and doors

58732 Land Adjacent To The Ark, Albert Road, Whitefield, Manchester - Whitefield & Unsworth - Besses Ward

Creation of 8 no. new car parking spaces and ramped access from the disabled car parking bay

58754 Land at rear of 131-133 Holcombe Road, Tottington, Bury - Ramsbottom & Tottington - Tottington Ward

Change of use from open land to form extension to residential curtilage

58767 Land at side of 25 Booth Way, Tottington, Bury - Ramsbottom & Tottington - Tottington Ward

Erection of 1 no. attached dwelling; New vehicular access for both properties and new porch to the existing property

58801 8 Glebelands Road, Prestwich, Manchester - Prestwich - Holyrood Ward

Change of use from 2 no. flats to 1 no. dwelling; Single storey extension at side/rear with first floor balcony; New first floor window at front, first floor french doors, juliet balcony and second floor window at rear; Render to front/side elevations

2. That the Committee be **Minded to Approve** the following application in accordance with the reasons put forward by the Head of Development Management in the report and supplementary information submitted and subject to the conditions included:

58587 Land off Lowes Road, Bury - Bury East - Moorside Ward

Residential development for 24 no. dwellings, memorial/community forest and wider public open space with associated infrastructure (resubmission)

The decision to be **Minded to Approve** the application is subject to an additional Condition 24, to read as follows:

Condition (24): Deliveries to and from the site shall be restricted between the hours of 8am and 6pm Mondays to Fridays.

Reason. In the interests of residential amenity pursuant to Unitary Development Plan Policy EN1/2 - Townscape and Built Design.

PCC.230 DELEGATED DECISIONS

A report from the Development Manager was submitted listing all recent Planning application decisions made by Officers using delegated powers.

Delegated decision:

That the report be noted.

PCC.231 PLANNING APPEALS

A report from the Head of Development Management was submitted which presented a list of recent planning appeal lodged against the decision of the authority and of a recent Planning Appeal decision. The report included copies of the Planning Inspectorate's decisions in respect of Planning Applications 57676, 57678, 58134, 58291 and 58340. Councillor Black expressed concerns at the Planning Inspectorate's decision in respect of Planning Application 57676 commenting on the number of taxis which park for a substantial period of time outside the shop. Ian Lord, Highways Officer gave an assurance that the issues raised would be passed on to the Highways Enforcement Team for further investigation.

Delegated decision:

That the report be noted.

PCC.232 DEVELOPMENT MANAGEMENT PERFORMANCE

The Head of Development Management submitted an annual update report detailing the key matters and changes that affect the Development Management team and processes and by default, the Planning Control Committee. It was reported that most of the changes were as a result of new legislation being introduced nationally by Government. The Chair, Councillor Southworth invited questions and comments from Members of the Committee. Councillor Jones noted from the report that fees are down

and enquired if these could be amended or if they were set nationally. It was reported that fees are set nationally as there had been a variance in fees set by local authorities. A reduction in fees often reflected a decrease in the number of major applications being submitted. Members were informed that some fees are being lost through changes to legislation. Bury had seen an increase in the number of major applications recently. A further update would be provided to the Committee in December 2015. Councillor Harris asked if a change of use from retail to take away use could be made to premises without the need to apply for planning permission. The Head of Development Management confirmed that this could be the case but only for a temporary period of 2 years.

Delegated decision:

That the report be noted.

**CHAIR
COUNCILLOR SUSAN SOUTHWORTH**

(Note: The meeting started at 7.00 pm and ended at 8.20 pm)