

**SPEAKERS PANEL
(PLANNING)**

6 September 2017

Commenced: 10.00am

Terminated: 11.50am

Present: Councillor McNally (Chair)
Councillors Dickinson, P Fitzpatrick, Kinsey, D Lane, Sweeton,
Travis, Ward and Wild

Apologies for absence: Councillors Glover, S Quinn and Ricci

8. DECLARATIONS OF INTEREST

There were no declarations of interest submitted by Members.

9. MINUTES

The Minutes of the proceedings of the meeting held on 26 July 2017 having been circulated, were taken as read and signed by the Chair as a correct record, with the following amendment to Minute 7:

RESOLVED

- (i) That approval be given to the variation of a Section 106 Agreement entered into following the grant of planning permission subject to condition and prior signing of the said Section 106 agreement in respect of Application 15/00631/FUL, as follows:
- ‘to refund the Bond on the date upon which the first dwelling is built and substantially completed in accordance with the definition set out in the agreement, as the site will no longer be available form employment purposes.’ Substantially completed being defined as:*
- (a) *Completed so that the relevant works can be used for the purpose and operate in the manner for which they were designed; and*
- (b) *Fitted out so that they are available for occupation.*
- (ii) That the delegation of such matters be drafted into Section 106 agreements of a similar nature / circumstance going forward to dispense for the need for a formal Panel decision.

10. OBJECTIONS TO PROPOSED OFF STREET PARKING PLACES AMENDMENT (NO 1) ORDER 2017 ASHTON-UNDER-LYNE: AREA OF LAND ON EAST SIDE OF SWAN STREET, 23M SOUTH OF FLETCHER STREET

The Assistant Executive Director (Environmental Services) submitted a report which explained that the Council had received a request to incorporate within the car park order an informal small parcel of Council owned land, currently used for unrestricted parking which was located adjacent to the Old Cross Street car park. The parcel of land measured 12m x 7m and was positioned 23m south of Fletcher Street on the east side of Swan Street, Ashton-under-Lyne.

Following the closing date of the advertised order, two objections were received, however one had subsequently been withdrawn. The objection was that the proposal would remove the availability of convenient, free parking and leave no other viable alternative and would result in undue hardship having to park outside an alternative address not covered by parking restrictions or

financially by paying for a parking permit in the adjacent car park. The objector had suggested that previously available unrestricted parking on Swan Street was hardly used and therefore this new proposal was unfair. Should the proposal go ahead, the objector suggested that the residents affected should be given a free pass to park in Old Cross Street.

The officer response stated that this location was perhaps unique in that it was extremely unusual that unrestricted free parking was available so close to a town centre. It was understood that the taxi rank was requested to avoid congestion building up on Swan Street and that it was still required for this purpose. Although free passes would not be considered for this location, monthly payments for a permit would be looked on favourably in this location.

Having considered the content of the report including the objection, officer response and arrangements that could be put in place to offer a flexible monthly car park permit, and the Council's statutory duty under S122 of the Road Traffic Regulation Act 1984 set out in the report it was –

RESOLVED

That authority be given for the necessary action to be taken in accordance with the Road Traffic Regulation Act 1984 to seal the Tameside Metropolitan Borough (Off Street Parking Places Amendment No 1) Order 2017.

11. PLANNING APPLICATIONS

The Panel gave consideration to the schedule of applications submitted and it was:-

RESOLVED

That the applications for planning permission be determined as detailed below:-

Name and Application No	17/00524/FUL Gritstone Crossfit Ltd
Proposed Development:	Change of use from industrial unit to a gymnasium – retrospective. Unit 7A, Albion Trading Estate, Mossley Road, Ashton-under-Lyne.
Speaker(s)/Late Representations:	A statement was submitted against the application. Mr Hill – spoke in support of the application
Additional Information:	The Head of Planning explained that the application sought retrospective, full planning consent for the change of use from an industrial unit to a gymnasium. The application was for a change of use only with no physical external alterations proposed to the building. Because of the potential for significant impact on residential amenity through noise the development was not acceptable and it was considered it was not possible to make it acceptable through the use of conditions. The proposal thereby failed to comply with policies 1.12, S8 and S9 of the UDP and for this reason the recommendation was refusal. The Head of Planning read out in full a statement from an objector notified as part of the planning application process. The objections related in the main to disturbance caused by vibration and heavy gym equipment, and noise when the

	<p>shutter doors were open including music being played, particularly in the morning and late in the evening.</p> <p>The applicant addressed the Panel and advised that he had opened the business two and a half years ago. At that time he had been advised that full permission was in place as it had previously operated as a gymnasium for over three years.</p> <p>The business was currently operating 3 to 4 hours each day providing a health and fitness facility for local residents. He had supplied a Noise Management Plan suggesting a number of means by which noise disturbance could be ameliorated.</p> <p>The Head of Environmental Services advised that noise recording had been made at the objector's house. These recordings registered audible music and also voices from the gymnasium. Whilst the noise levels registered did not constitute noise nuisance at that property, if any residents in the houses directly opposite the gymnasium were to complain there was a definite possibility that they could suffer statutory nuisance from noise.</p> <p>The applicant responded to questions from members of the Panel relating to operating hours, the possibility of the roller shutter doors remaining closed during operating hours, and the Noise Management Plan.</p>
Decision:	<p>The decision was to go against officer recommendation to refuse planning permission and authorise enforcement in respect on unlawful use. Members considered that the concerns raised were not significant enough to justify refusal given the location of the site and the details of the submitted application.</p> <p>The application was approved subject to the following conditions:</p> <p>(1) The use permitted shall not be outside the hours of 06.45 to 21.30 Monday to Friday and 08.00 to 15.00 Saturdays and Sundays.</p> <p>(2) The development shall be carried out in accordance with the following plans: the Local Plan and the Noise Management Plan dated 24 May 2017 received with the application.</p>

Name and Application No:	<p>17/0044/FUL</p> <p>New Charter Housing</p>
Proposed Development:	<p>Creation of a car park.</p> <p>Grass verge at Platting Grove, Ashton-under-Lyne.</p>
Speaker(s)/Late Representations:	<p>Paul Hadfield – New Charter Housing – spoke in support of the application.</p>
Decision:	<p>Approved subject to the conditions as set out in the report.</p>

Name and Application No:	17/00241/FUL
Proposed Development:	<p>Erection of a new industrial building (2,950 square metres) comprising 3 no. units for Use Class B1 (Business) and B8 (Storage/Distribution) purposes together with the laying out of associated car parking spaces</p> <p>Land at the site of Denton Hall, Oakden Drive, Denton</p>
Speaker(s)/Late Representations:	No speakers.
Decision:	Approved subject to conditions as set out in the report.

Name and Application No.	<p>16/00533/FUL</p> <p>Mr P Eade</p>
Proposed Development:	<p>Retrospective planning permission for 2 no semi-detached houses to regularise height difference with neighbouring property and alternative roof design (following grant of planning permission 14/00721/FUL).</p> <p>87 Town Lane, Denton.</p>
Speaker(s)/Late Representations:	<p>Councillor Warrington – spoke against the application</p> <p>Helen Russell – spoke against the application</p> <p>John Barnes – Architect – spoke in support of the application</p> <p>P Eade – applicant – spoke in support of the application</p>
Additional Information:	<p>The Head of Planning introduced the report providing background to the application. Members recalled a previous application reported to Speakers Panel in May 2017. This application was refused due to Members’ concerns regarding the incorporation of twin gables and the roof design together with roof volume which they considered constituted poor design which failed to respect the character and appearance of existing residential properties in the area.</p> <p>The current proposal had sought to address these concerns by revising the scheme to incorporate a twin gabled roof to the rear elevation giving a more balanced appearance to the roof.</p> <p>The objectors who attended commented that they appreciated the applicant had submitted a new application and noted the revisions to the roof design. However, they remained concerned that current proposals would be the same overall ridge height as the previously approved scheme and would remain much taller than neighbouring properties. In addition, they raised concerns regarding the layout and car parking provision.</p> <p>The Applicant’s agent spoke on behalf of the applicant and discussed how this situation had arisen and put the case forward for the revised design. The agent stated that the current proposal was for the overall ridge height of the roof to remain as previously approved but with an amended design to</p>

	<p>create twin, front and rear facing gables, to reduce the apparent bulk and mass of the roof and better reflect the character of the local area.</p> <p>Members listened to the arguments for and against the application and sought further information on the proposed measurements of the amended design particularly as the originally submitted drawings were found to be inaccurate and had shown the roof of the neighbouring property to be much higher than was actually the case.</p> <p>In determining the application, Members considered the changes to the scheme and whether there was an improvement to the visual appearance of the building over the previously approved scheme.</p> <p>Whilst matters of highways safety and car parking issues were raised by neighbours, it was not considered that any new issues of highway safety were raised by the proposals and the previous application was not refused on the basis of any such concern.</p>
Decision:	Approved subject to the conditions as set out in the report.

12. URGENT ITEMS

The Chair advised that there were no urgent items of business of consideration by the Panel.

CHAIR