

Request

Planning Application: A/23/96090/FULL The Heaton Group - Eckersley Mill, Swan Meadow Road, Wigan

Please provide a copy of the full minutes and all supporting documentation taken from the planning committee meeting held on 12th March 2024 which approved this application.

Response

The minutes (and all other documentation) for the meeting can be found on the web here:

[Agenda for Planning Committee on Tuesday, 12th March, 2024, 2.00 pm \(wigan.gov.uk\)](#).

- Also attached: (anonymised) draft notes taken at the time
- Presentation

A/23/96090/FULL:

Location:

Ward:

Applicant:

Decision:

Representations against the application had been received in relation to: ...

Conditions

1. ...

Reasons:

1. ...

NOTES

Officer A talked through both applications as one presentation.

Updates since publication, condition 5 & 6, reference, allowed to speak, wording as included in the officer report, application called-in by Cllr Dawber, raised concerns on behalf of residents. Cllr Dawber didn't object as stated in the C'ttee Report.

Normally daily operations, Friday, Saturday & Sunday – users for normal hours will use a noise limiter, no more than once a month, 12 times a year, event defined in noise management plan, DJ's may use external sound systems, may be slightly louder, restricted further, must finish at 11pm. Further restricted, 12 more of those events, documented in noise management plan – accept officers' recommendation.

Use began before application submitted, worked with them to address the issues. Not as part of wider master plan – however no baring on officers' assessment. Wigan Pier – acknowledged.

Member of the Public A –

Thanks for allowing to speak, elected on behalf of residents to speak, noise disturbances, since October when Feast opened its doors, being elected as a representative, visited the Feast, personal level finds it quite exciting, Castlefield/Manchester, impact on residents, probably closest resident to the actual building, fair to say sound can be impacted ways depending upon how it is being heard, conditions weather etc. at the time, summer sound travel more easily, recently had a meeting with Mr Heaton, developer, and his project managers with local Councillors, very pleased at tone of meeting, lengths that they were going to to address the issues, sound limitations etc., cause for concern however with the ticketed events, sound levels have reduced, residents were not reporting great

disturbances, last few weeks however, residents have been contacting that sound levels are increasing, one gentlemen at the mill, unable to watch television due to the noise level. In conclusion, in the event that the application is approved, all residents are really asking that are in the process, sound levels, Mr. Heaton and project managers will take into account local residents' needs.

Member of the Public B –

Paul Butler associates, agent for this scheme. Heaton Group have been working with Council for 6+ months, appreciate that concerns have been raised on potential impact, they have met with the residents to address their concerns, so there is no adverse impact. Additional noise monitoring, use of in-house PA system, noise limiter, frequency of events, preparation of a noise management plan, in addition, venue holds premise licence, conditions in this to avoid public nuisance, future amenity issues – benefit of the proposal is will provide amenity, food etc. to local areas, enjoyment scheme will provide planning benefits, re-use of buildings, improved appearance, disproposal of future generation, contribute to creation of destination, mixed usage within site, provision of activity. Venue operates by Heaton hospitality, scheme provides employment benefits, local traders, 20 jobs and uses local suppliers, close collab., statutory outsiders, police etc., Council worked with to address concerns, local and planning policy adhered to, will provide benefits etc.

TECHINAL QUESTIONS –

Sharratt: had quite a few businesses in the past number of years. Outdoors, what's the capacity? How many is it insured for?

Officer B: dealt with through the licensing act and provision, not controlling any numbers etc., done a lot of work with environmental health, Therese alluded to work on noise management plan, licensing concerned with that side.

Sharratt: noise does travel more at night, hopes it will be monitored – live bands etc. once a month, own equipment, much louder – really needs to be looked at very closes

Officer C: worked on noise management plan quite a lot, specified levels for normal operations, and termed events, during in an event, noise levels would be higher, but at 11pm they will end. During normal operations should be inaudible, will work alongside licensing to ensure this is adhered to.

Collins: guest artists, will they adhere to restrictions? What happens after the three years?

Officer C: noise management plan has specified noise limit, if in breach then enforcement action can be taken – we as a Council can take that action through several arrangements to ensure there is no nuisance.

Officer A: 3 years, works ceased and be removed at that time, applicant could submit to extend, however as officers very much aware of the wider aspirations of the applicant which can be seen in the previous permissions granted (2022) Mill 1 –

works underway. Is in place, wider masterplan under hybrid plan – regeneration of whole site, current site occupied by Feast is apart of that, don't think given the aspirations that this is likely but could,

Hurst: residents raised concerned, aware that these issues are ongoing? Residents are aware they complain?

Officer C: complaints to licensing for several month since open, noise management plan only signed off yesterday, if adhered to then this should be acceptable, can't answer question as to whether they know how to complain.

Debate –

Chair: 2 applications, so will be two votes.

Officer B: 2 applications, one for temporary planning condition and one for LB consent – due to works 2 motions are needed.

Sharratt: can't see any reason to refuse, recommend approval, but – stressing, if complaints start to come in then action is taken very quickly, if complaints are given, then act very quickly.

Blay: very nice to see applicant, residents and Council working together to achieve a suitable outcome for all. Good temporary use for the area, not concerned about the noise so.

Chair: clarify – moving motion for 1 or 2? Or Listed Building Consent.

Sharratt: moves both,

Blay: seconds both.

Vote: 1st vote, unanimous.

Vote: 2nd vote, unanimous.

(Councillor Dawber declared that he had fettered his discretion in respect to this application, due to his prior involvement in calling the application in as a Ward Member and as such, left the committee seating area for the consideration of this application)

A/23/96090/FULL & A/23/96091/LB

Eckersley Mill 1, Swan Meadow Road, Wigan

Proposal: Listed Building Consent and Retention of internal/external works and reuse of the former boiler house structures for food and drink use (Class E b) for a temporary 3-year period, including provision of toilet and bin store facilities.

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Details of the proposal



Known as 'Feast at the Mills', the proposed use involves the provision of temporary food and beer stalls (Planning Use Class E b) and stage platform for live music, tables and seating.

A temporary bin store and portable toilets are also proposed.

The use is proposed to operate Friday and Saturday 12pm to midnight and Sunday/Bank Holidays 12pm to 10pm.

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Update following publication of Committee Report



Following the publication of the committee report, amendments, which are outlined in red below, have been made to the Officer's recommendation as follows:

5. The use of the development hereby approved shall be undertaken in accordance with the Noise Management Plan (NMP) (dBx Acoustics Limited, ref:22099D-R02D-SW, dated 6 March 2024). The NMP shall be followed and complied with for the lifetime of the development hereby approved.

6. Music from "Normal Operations" at the hereby approved development, as defined within the approved Noise Management Plan (ref:22099D-R02D-SW) through condition 5 of this permission, is only permitted between the following hours:

- Friday, 17:00 to 24:00;
- Saturday, 12:00 to 24:00; and
- Sunday/Bank or Public Holiday 12:00 to 22:00.

Music from "Events" at the hereby approved development, as defined within the approved Noise Management Plan (ref:22099D-R02D-SW) through condition 5 of this permission, is only permitted between the following hours:

- Friday, 17:00 to 23:00;
- Saturday, 12:00 to 23:00; and
- Sunday/Bank or Public Holiday 12:00 to 22:00

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Update following publication of Committee Report



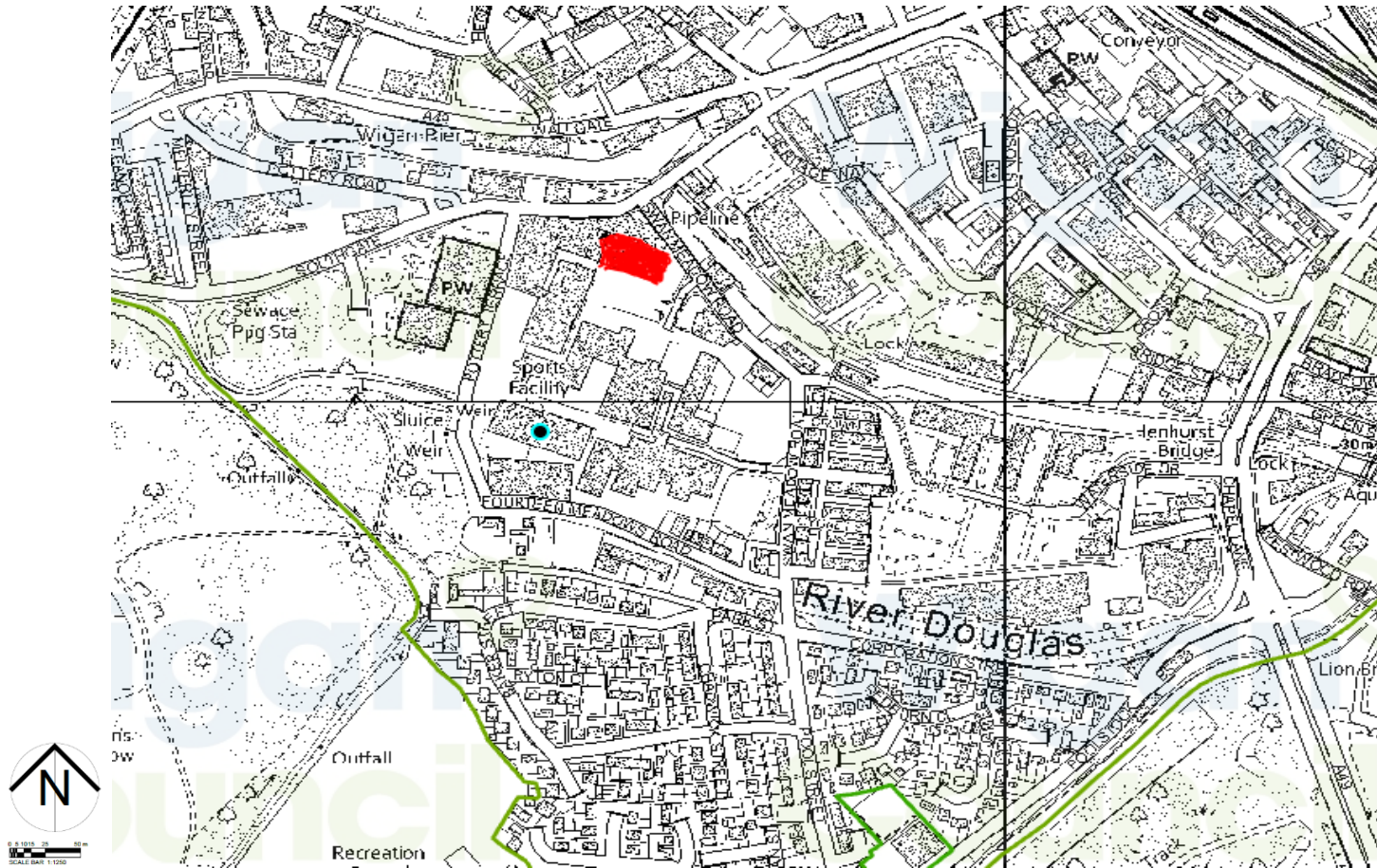
Following the publication of the committee report, I wish to draw Members attention to how Cllr. Dawber's comments have been reported. Within the report it is stated that Cllr. Dawber has objected to these applications; however, Cllr Dawber did not object but raised concerns on behalf of himself, Cllr. Draper and local residents.

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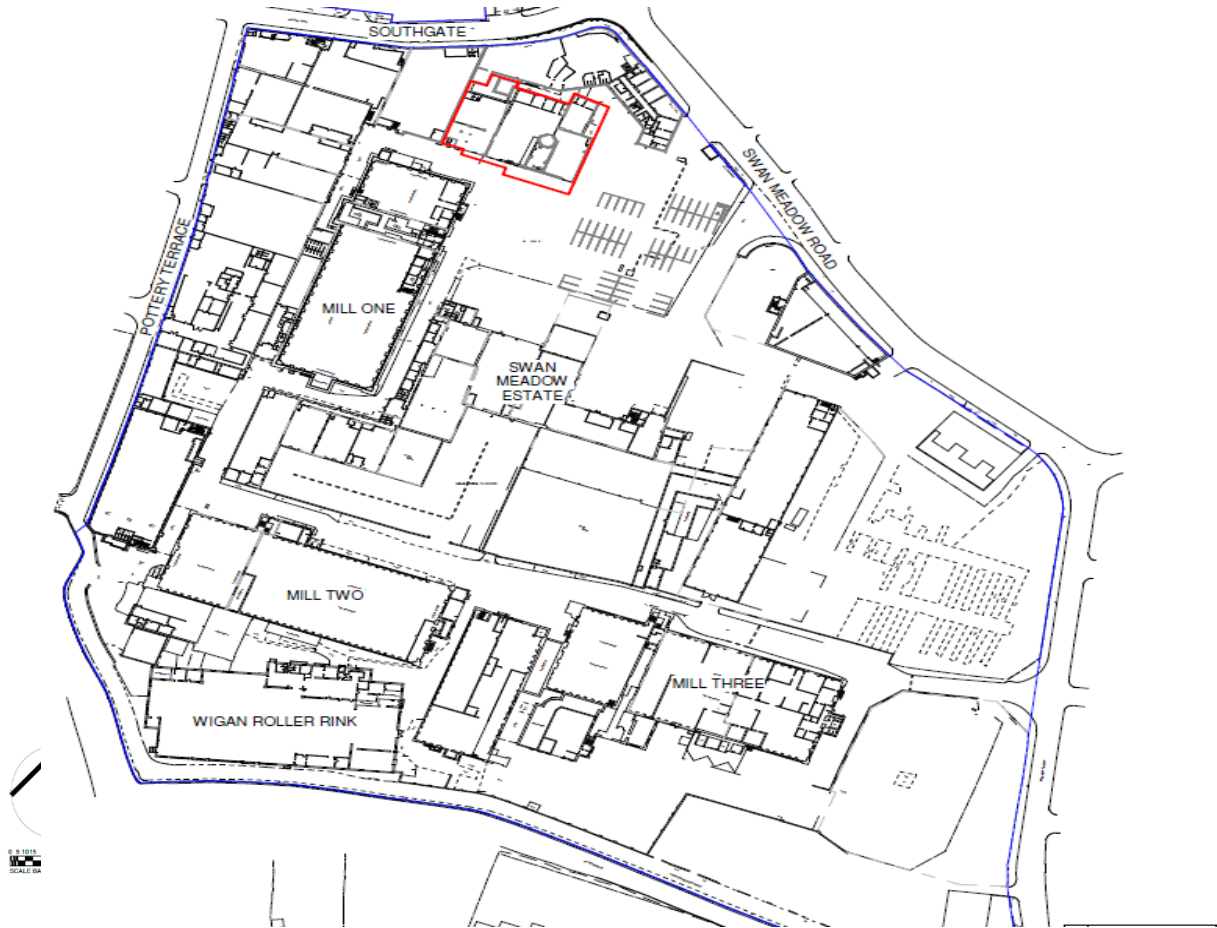
Site Location – Local context



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Site Location – Wider context

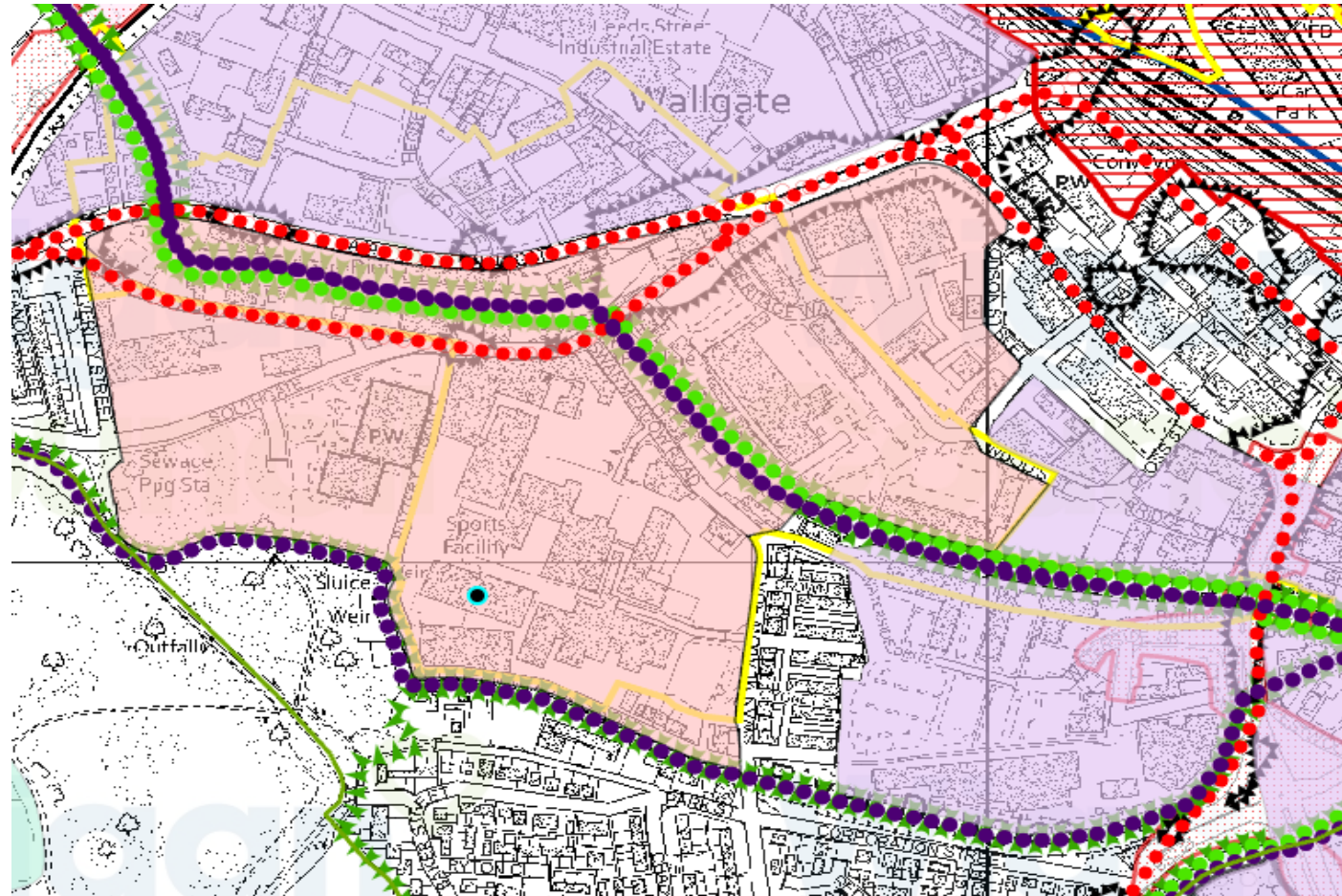
Aerial Image



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Photographs:

Aerial



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Photographs: Access



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Photographs: The site



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Photographs:
Alley way to rear of houses on Shakerley Road



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**Photographs:
Footbridge to north of site**



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**Photographs:
Footbridge to north of site**



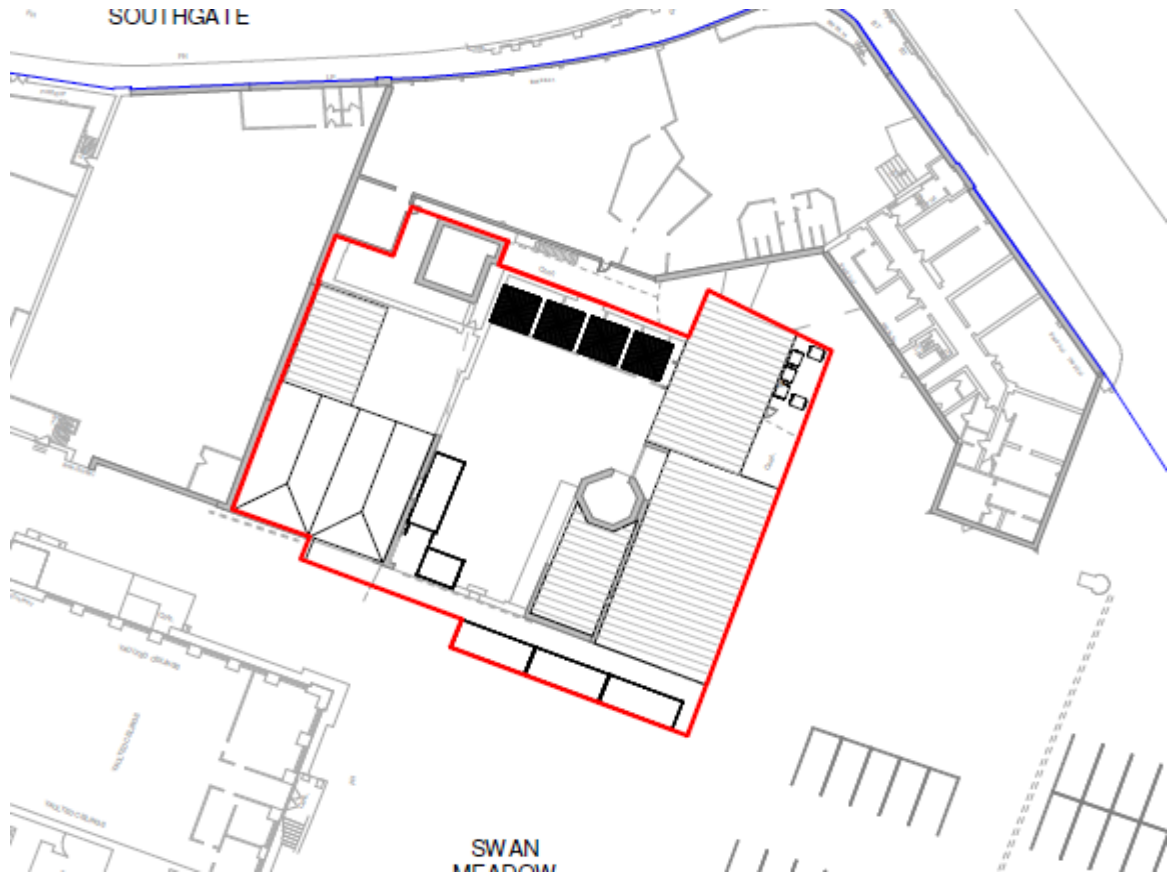
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Development proposal

Proposed Site Plan



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Development proposal

Saltburn: Plots 11 and 37



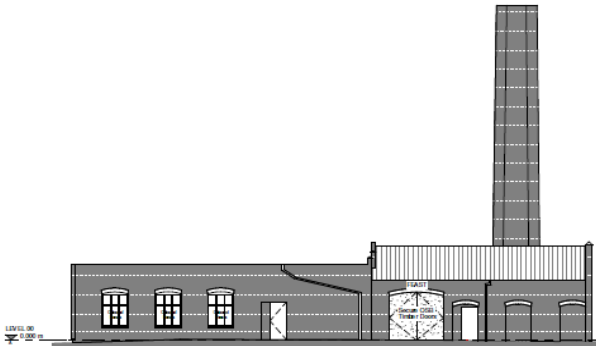
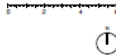
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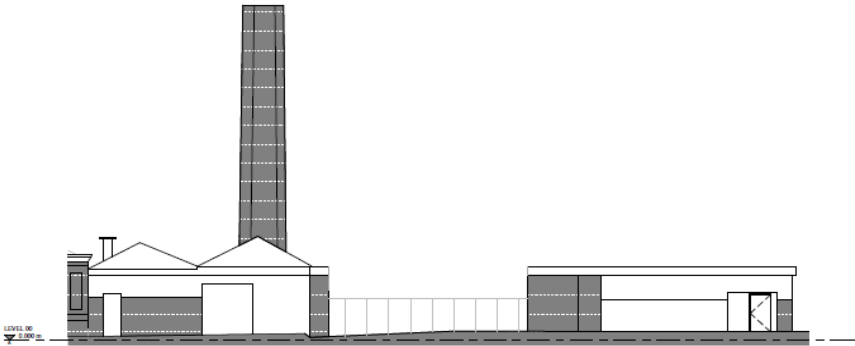
Our Future

Development proposal

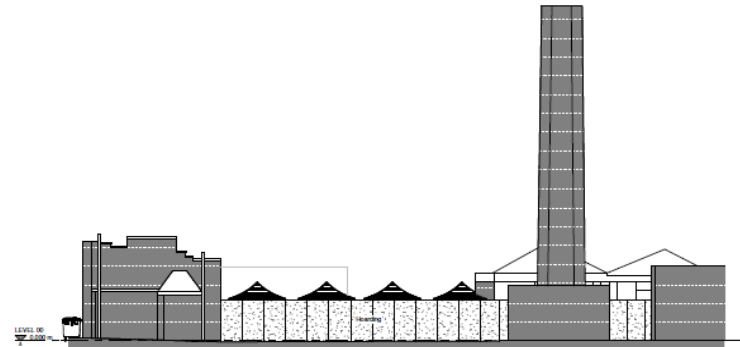
Leadmill: Plots 1-6



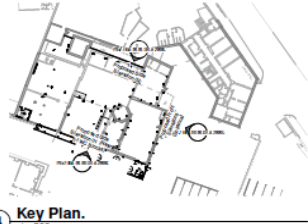
1 Proposed Front Elevations (Entrance)
1:100



2 Proposed Side Elevation 01
1:100



3 Proposed Side Elevation 02
1:100



4 Key Plan.
1:500

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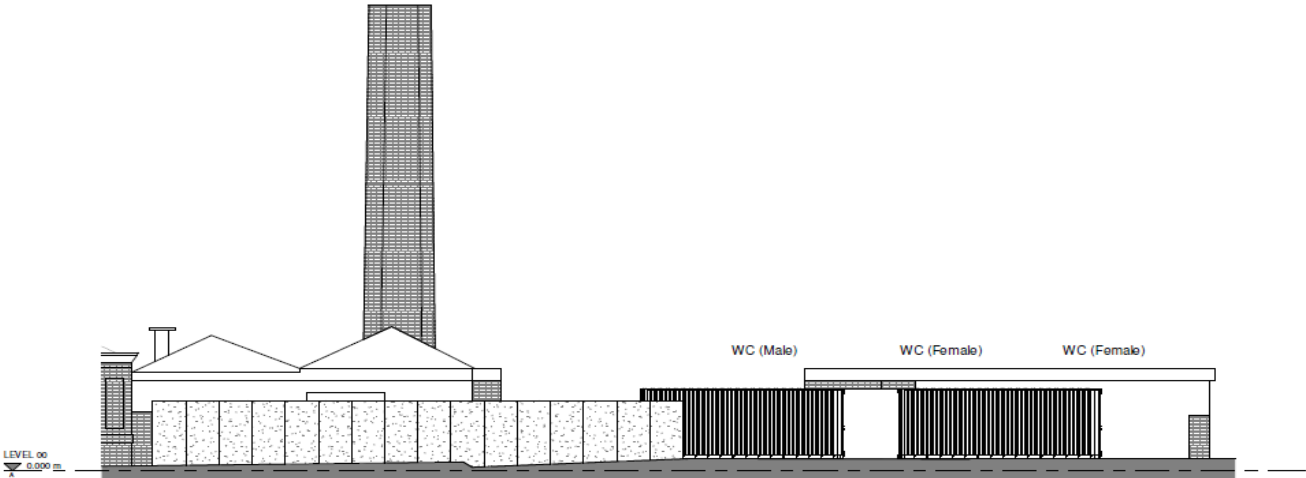
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Development proposal

Proposed side elevation



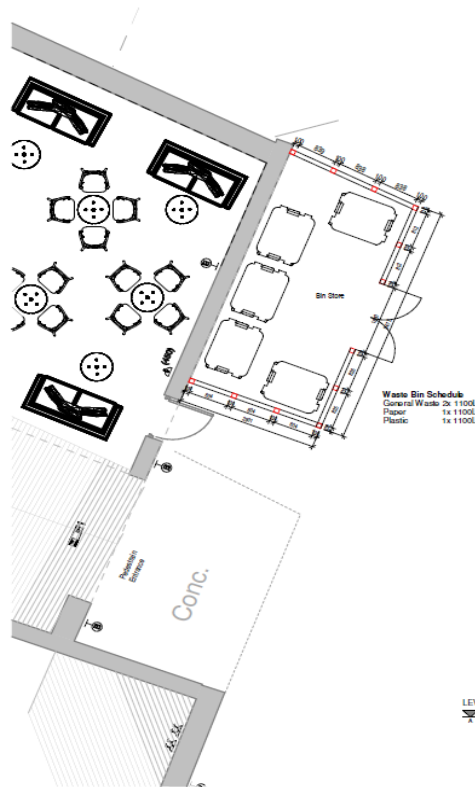
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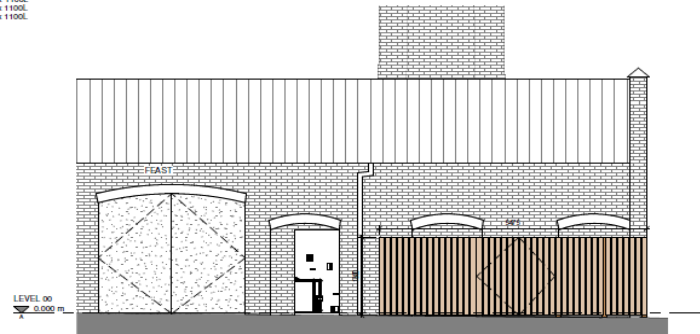
Our Future

Development proposal

Conniston: Plots 12, 17, 18, 19, 20, 30, 31, 36



1800mm 'Hit and Miss' Timber High Fence



2 LEVEL 00 - Proposed Bin Store Plan
1:50

3 Proposed Bin Store
1:50

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7 representations of objection were received up to 4th March 2024.

The summarised points of objection are as follows:

- Impact on local residents due to noise from amplified and live music.
- Operating without planning permission.
- An open-air soundstage in this area is of no benefit to the local community.
- The operators did not lower the noise levels when asked to do so.
- Increase in litter, broken glass in surrounding streets and anti-social behaviour.
- The benefit of the development as a whole can be seen but this was not part of the original plans for the site.
- Wigan Pier was closed due to the impact on local residents.

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Councillor Matt Dawber raised the following concerns:

- Whilst we support the wider development of this area in principle, these operations have commenced without planning permission.
- Under the Planning (Listed Buildings and Conservation Areas) Act 1990, it is a criminal offence to carry out any works to alter or extend a listed building in any manner which would affect its character as a building of special architectural or historic interest.
- Contact has been made by over 20 local residents who have raised concerns about high levels of noise from the venue when it opened.
- Staff were allegedly unwilling to reduce the noise levels when asked to by local residents.
- Conditions are needed to ensure that sufficient noise reduction in and around the venue which could be in the form of soundproofing and/or limiting the operating of the hours of the venue.

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- **Sustainable Development** – Site lies the Wigan Pier Quarter and close to the Town Centre in compliance with Policy SD1 of the Core Strategy and UDP Policy EM1H.
- **Scheme benefits** – Temporary economic benefits to the area; reflects the applicant’s long-term goal for the wider site as outlined in the approved developments for Mill 1 (food hall/bar and offices) and Mill 3 (residential) and the proposed development contained within the hybrid application (A/23/95983/MAJES) which is currently pending; temporarily retains some heritage assets which have been approved for demolition.

- **Design and layout** – The temporary operational works are acceptable to facilitate the change of use of the land. The removal of the works are required by the condition attached to the full application.
- **Highways, access and parking provision** – Sustainable location, use of existing access is acceptable and suitable parking provision available.
- **Heritage** – Impacts are acceptable; the buildings involved have been identified for demolition to enhance the setting of the area generally due to the wider masterplan for the site.

- **Noise/Amenity Issues** – Noise Management Plan submitted which identifies normal operations (live band or recorded music connected to the in-house PA system which is fitted with a noise limiter) should cease at midnight on Friday and Saturday and 10pm on Sundays. A maximum of once a month, the venue will host “an event” (for example a theme night) where the artist can use they own sound system and as such the music must cease at 11pm on Friday and Saturdays and 10pm on Sundays. No concerns subject to conditions.
- **Flooding and Drainage** – Site is within Flood Zone 3. Submitted Flood Risk Assessment identifies suitable mitigation and both surface and foul water will connect to existing systems.

- *Operating without planning permission:*

In accordance with national guidance, the Council has worked proactively with the applicant whilst taking account of the concerns of local residents and have now reached a point where proposal is considered to be acceptable, subject to conditions and for a limited period only.

- *The benefit of the development as a whole can be seen but this was not part of the original plans for the site:*

Officers acknowledge that this proposal was a late addition to the wider masterplans publicised by the applicant. However, each case must be assessed on its own merit and the timing of the introduction of this element of the wider redevelopment of the site is not material to the Officer's assessment of the proposals.

- *Wigan Pier was closed due to the impact on local residents.*

The historic impact of the uses contained within the Wigan Pier buildings on the amenities of local residents is known. However as above, each case must be based on its own merits and Officers are satisfied that there are suitable mitigation measures in place to ensure such issues will not be repeated in this instance.

- Proposals assessed on its merits against national and local policy
- No significant or unacceptable issues subject to the conditions listed in the main report.
- The 3-year time period will be controlled by a condition listed on the full application only.
- Materials considerations indicate the application should be approved as it is line with the development plan when taken as a whole
- It is recommended that Committee resolve to grant temporary planning permission and listed building consent subject to the conditions contained and reasons detailed within the report.

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