

In Support of the Application for Change of Use from Surgery to Bar / Coffee Shop at 5 Square Street, Ramsbottom

Examples of Change of Use Approval with Existing Residential Neighbours in Ramsbottom Town Centre:

Levanter, ground floor 10 Square Street

Planning permission (01/37534) for creation of 1 flat at first floor level and 3 maisonettes at first and second floor levels at 10-12 Square Street was approved in 2001. Change of use (57316) from shop to shop and restaurant/café was approved in 2014. Levanter ("Tapas Bar") operated (until recently) beneath apartments 3A/B/C Smithy Street and outside on Square Street. There are no objections from Environmental Health to the approval despite the residential apartments above the business. An objection from the public was received but approval was granted.

The Vineyard, ground floor 12 Square Street

The Vineyard ("Wine Shop") is beneath apartments 3A/B/C Smithy Street and until recently, was permitted to serve customers outside these apartments on Square Street. The Council's Economic Development & Projects service has submitted a Traffic Regulation Order application to the Council's Highways Department to permanently pedestrianise this part of Square Street. Subject to approval, the application will support local businesses, including the Spice Garden licensed restaurant at 6 Square Street (which traded outside 5/6 Square Street) to trade outdoors on Square Street.

Previous community consultation that resulted in the development of the Ramsbottom Town Centre Plan identified the proposal (Public Space Project PS3: Square Street) to create a public space on this part of Square Street. This public space proposal in the Ramsbottom Town Centre Plan is in response to the community consultation and is to help facilitate the continued growth of the town's successful events programme and to continue to support local businesses provide a unique and popular experience that attracts inward investment.

Baratxuri, ground floor 1-3 Smithy Street

Change of use (58945) from shop to shop and restaurant/café at 1 Smithy Street was approved in 2015 and change of use (61414) from shop to shop and restaurant/café at 3 Smithy Street was approved in 2017. Baratxuri ("Bar and Dining Room") operated (until recently) beneath apartments 3A/B/C Smithy Street and outside on Square Street. There are no objections from Environmental Health to the approval despite the residential apartments above the business.

Cardamom Cream, 1C Smithy Street

Open Mon-Sat 5pm-11pm

Sun: 2pm-10.30

Change of use (65949) from tattoo studio to drinking establishment (Sui Generis) at 1C Smithy Street was approved in 2020. There are no objections from Environmental Health to the approval despite the nearby residential apartments at 3A/B/C Smithy Street. Objection from a resident was received but approval was granted.

The Ram Bar, 38 Bridge Street

Open Mon-Wed 3pm-11pm

Thu: 3pm-12am

Fri-Sat 12pm-1am

Sun: 12pm-11pm

Planning application (47550) for conversion of first and second floor offices to accommodation over shop premises at 38-44 Bridge Street was approved in 2007. In 2020, change of use (65299) of ground floor from shop to bar at 38 Bridge Street was approved. The Ram Bar adjoins apartment 40a Bridge Street. There are also neighbouring apartments at 42a, 34a and 30a Bridge Street. Unlike this application, customers use the rear yard of The Ram Bar. There are no objections to the proposal from Environmental Health despite The Ram Bar's use of the rear of the property as a 'beer garden' / smoking area and later opening hours. There is an apartment joint to The Ram Bar and apartments which overlook the rear of the property, but the Council did not object to the proposal. This conflicts with the EHO's objections to this application ie,

"I have been out to the site yesterday to have a look around the location and have noticed there are nearby residential apartments and one which will be joint to the bar and flats which overlook the rear of the property.

After consideration I have objections to the proposal for the following reasons:

- Noise pollution stemming from music and people talking and shouting affecting the adjoining apartment. Due to the bars late opening hours, I believe this would have serious impact on the amenity of this residential occupier and nearby residents.
- I also have concern for the noise which would stem from the emptying of glass bottles at the end of the night for recycling. As stated in the planning application the waste bins will be situated in the yard of the bar. This is where neighbouring residential apartments window look over. The noise from the glass bottles can be extremely intrusive, especially in the late evening and in the mornings."

Ramsbottom Social, 50 Bolton Street

Open Wed-Thu 4pm-11pm

Fri-Sat 10am-1am

Sun: 10am-11pm

Change of use (64866) from retail to restaurant and installation of extraction flue to rear was approved in 2020. An extraction flue to rear is not included in this application. There are nearby residential apartments which overlook the rear of Ramsbottom Social ("Restaurant and Bar") at Flats 1-9, Callender Court. There are also neighbouring apartments at 56 and 56a, 58 and 58a and 60 and 60a Bolton Street. There are no objections to the proposal from Environmental Health despite the installation of extraction flue to rear, later opening hours and nearby residential apartments.

Northern Whisper, 2 Market Place

Open Wed: 1pm-10pm

Fri: 2pm-11pm

Sat: 12pm-11pm

Sun: 1pm-9pm

Change of use (91/26031) from offices to residential at first and second floor levels at 2-4 Market Place was approved in 1991. There is no application listed with the Council to change from residential since. Change of use (58314) from shop to café at 2 Market Place & 57-59 Bridge Street was approved in 2015. There are

no objections from Environmental Health to the approval despite the residential apartments above the business. Northern Whisper (“Tap Room”) has operated as a bar at 2-4 Market Place & 57-59 Bridge Street since 2020.

Tre Ciccio, 16-18 Market Place

Open Mon, Wed, Thu 12pm-9pm

Fri-Sat 12pm-10pm

Sun: 12pm-8pm

Planning application (62958) including 1st floor extension at rear to replace existing conservatory was approved in 2018. This replacement included installation of a retractable roof to provide an open-air terrace. There are no objections to the proposal from Environmental Heath despite the nearby apartments at Adderstone Mansion which overlook the rear of this licensed restaurant.

Grape to Grain, 43 Bridge Street

Open Thu: 5pm-11pm

Fri: 5pm-12am

Sat: 12pm-12am

Sun: 12pm-8pm

Formerly estate agent’s offices, Grape to Grain (“Wine Merchants, Beer Cellars”) has operated as a bar since 2017. There is no listing with Planning for this property but there is an apartment adjoining Grape to Grain at 45 Bridge Street. Grape to Grain is also opposite the apartment adjoining 5 Square Street.

Irwell Works Brewery, Irwell Street

Open Tue-Thu 4pm-11pm

Fri: 12pm-12am

Sat: 11am-12am

Sun: 11am-11pm

Change of use (52311) from light industrial to micro-brewery was approved in 2010. The Brewery has operated as a bar since. There are no objections to the proposal from Environmental Heath despite the nearby houses at 8-18 Cross Street and later opening hours.

The above are examples of approval for change of use to licensed hospitality where there were existing adjoining and/or neighbouring residential properties.

In Response to the EHO’s Objections provided 12 May:

The Officer’s view does not reflect the plan for the business. Music would be background for customers to talk/work and no one is expected to be “shouting”. It is hoped that customers will meet at and/or work from the business during the day and it would close by 11pm with the last drinks served at 10.40, as stated in the existing licence issued by the Council. Customers would not use the rear of the property. The adjoining neighbour at 3A Square Street (who has objected to this application) lives opposite Grape to Grain which is open until 11pm on Thursdays and midnight on Fridays and Saturdays. The other commentator to this application lives opposite The Oaks pub which is open until 11pm on Thursdays and Fridays and midnight on

Saturdays. This business would not impact the amenity of the adjoining neighbour or any other resident any more than the existing hospitality businesses in the vicinity. Cardamom Cream and Northern Whisper are also open until 11pm, Grape to Grain and Irwell Works are open until midnight and The Ram Bar and Ramsbottom Social are open until 1am – all these businesses have and had residential neighbours when change of use was approved.

It is the applicant's and tenant's view that the potential noise which would stem from the emptying of glass bottles has been overstated by the EHO. Coffees etc would be served in cups and draught beers and soft drinks would be served in glasses. Any glass bottles would not be emptied at the end of the night or in the late evening or early in the morning. There is no intention to cause intrusion to any neighbour and any emptying of glass bottles would take place during usual business hours. Waste would not be collected before 9am, as detailed in the attached. It should be noted that there are existing 'blue' bins and an existing commercial waste 'skip' stored behind Square Street / Silver Street whose owners may empty glass bottles into them at any time.

In Response to Public Comment Submitted 17 May:

"I live next door to and share a party wall with this property. I can clearly hear the contractors talking within the property"

Our neighbours at the Bury Hospice shop, who share the same party wall as us with the commentator, have confirmed they have not been disturbed by the works undertaken, as have our other next-door neighbours at 7 Square Street.

A sound insulation testing inspection between these two properties adjoining 5 Square Street (Bury Hospice at 70 Bridge Street and the offices at 7 Square Street) was undertaken on 20 July. The conclusion of this inspection is that sound of upwards of 100 decibels made in 5 Square Street can be "slightly heard" between the "very thick" solid stone party wall shared with the commentator and Bury Hospice. Sound below 100 decibels made in 5 Square Street cannot be heard on the other side of the party wall shared with the commentator. For context, 100 decibels are considered dangerous to human hearing and can cause hearing damage/loss. Normal conversation is about 60 decibels, and 100 decibels is 40 times louder than normal conversation. The sound insulation testing inspection report is attached.

"This is a heavily residential area"

5 Square Street is in the commercial centre of the town. The commentator's residence is on the corner of Bridge Street and Square Street and is above and adjoining business premises. All the properties on this part of Square Street contain businesses. All the properties on Bridge Street contain businesses. The access road behind Square Street is shared with parts of Bridge Street and Silver Street. The properties on this part of Silver Street also contain businesses.

In Response to Public Comment Submitted 17 May:

"There does not appear to be sufficient space within the curtilage to accommodate bottle bins, keg storage & general commercial waste."

There is sufficient space within the curtilage to accommodate storage and waste.

“Commercial waste bins should not be allowed on the access street serving at least five residential properties.”

There is already a commercial waste bin stored on the access street which serves at least eight commercial properties including Latimer Lee Solicitors, Wisteria Nails & Beauty, Slate Barbers, Aspire Data Recruitment / Crompton Investments, 5 Square Street, Bury Hospice, Caramel Hair / Fiocca, and Vintage Barbers. The commentator stores their three waste bins on the access street, as do other occupiers yet states we should not be allowed to which is obviously unreasonable.



“Deliveries – as Square Street has cars parked permanently during the day delivery vehicles will block traffic access.”

The existing businesses on Square Street ie, Ramsbottom Dental Surgery, Spice Garden Restaurant, Heathcliff Menswear / Just AV, Levanter tapas bar, The Vineyard wine shop, Latimer Lee Solicitors, Wisteria Nails & Beauty, Slate Barbers, Aspire Data Recruitment / Crompton Investments and Bury Hospice have all managed to take deliveries for many years without blocking traffic access. 5 Square Street could also use the access street at the rear for deliveries which would not affect traffic access.

“Noise – the opening hours detailed will cause distress to the residents in adjoining premises now and in the future.”

As detailed above, there is one adjoining resident and sound below 100 decibels made in 5 Square Street cannot be heard in this resident’s premises. The sound insulation between 5 and 7 Square Street is even better and so would not affect any potential future change of use from offices to residential premises.

It is anticipated that any daytime sales will be mostly coffees and daytime opening will be dependent on custom. The business would close by 11pm with the last drinks served at 10.40. The adjoining resident lives opposite Grape to Grain which is open until midnight on Fridays and Saturdays and the commentator lives opposite The Oaks pub which is open until midnight on Saturdays. This business could not impact the amenity of the adjoining resident or the commentator any more than these existing businesses.

In Response to the LPA's View provided 16 June:

It is the applicant's and tenant's view that the potential for "noise and disturbance" has been overstated by the LPA. 5 Square Street is a small venue which does not have capacity for large numbers of customers. Customers would not use the rear yard. They would enter/exit via Square Street and this part of the street consists of commercial premises, including existing licensed hospitality businesses. The tenant hopes to run a successful business and causing disturbance to neighbours is not conducive to this.

The resident of the adjoining apartment has informed the LPA that he would be willing for noise monitoring equipment to be put in his apartment and he was provided with the applicant's contact information by the LPA on 21 June. The tenant also provided the resident with his contact information on 27 June. His downstairs neighbours at the Bury Hospice shop also provided him with the applicant's contact information on 11 July. There was no response to any of these requests for contact.

Senior Planning Officer, Claire Booth is incorrect in her understanding that the property has been kitted-out in a different layout than shown on the submitted plans. As Ms Booth has not inspected the property, it is not known how she has established this opinion. This work was undertaken pending the change of use (69269) and planning (69538) applications after considering the other licensed hospitality businesses on Square Street, Smithy Street, Bridge Street, Bolton Street etc, the pedestrianisation of Square Street for use by local businesses to trade outdoors and the Council's Public Space Project PS3: Square Street.

The LPA's view of this application is at odds with the Council's Ramsbottom Town Centre Plan and is contrary to the precedents set in the examples of change of use to bars approval with existing residential neighbours detailed above.

21 July 2023

Mark Ainsworth
Venezia Ltd

Venezia Ramsbottom collections

From: Ross Allen (ross.allen@ismwaste.co.uk)

To: ainsproperty@aol.com

Date: Thursday, 20 July 2023 at 12:11 BST

Hi Mark,

Confirmation of waste collections from Venezia, I can confirm we will not empty the bins earlier than 9AM as per your request.

The driver will have a constant note on his schedule not to empty early AM.

Kind regards,

Ross Allen

Transport/Operations

Phone: 01706 823001

Web: ismwaste.co.uk

Email: ross@ismwaste.co.uk

ISM Waste & Recycling

Kenyon Street Works, Kenyon Street, Ramsbottom, Bury, BL0 0AB



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Venezia waste collection confirmation

From: Ross Allen (ross.allen@ismwaste.co.uk)

To: ainsproperty@aol.com

Date: Tuesday, 13 June 2023 at 11:05 BST

Hi Mark,

Confirmation of waste collections from Venezia, 5 Square Street, Ramsbottom, BL0 9BE.

The lockable 1100ltr General waste & 240ltr bottle bin will be placed behind the bar in the cobbled courtyard.

The bins will be wheeled to the truck and emptied which reverses down Smithy Street to the rear of the businesses every Monday Morning around 8AM.

We already empty other business's bins on that row so there will be no issues with the collections.

All the best for the opening of Venezia.

Kind regards,

Ross Allen

Transport/Operations Manager

Phone: 01706 823001

Web: ismwaste.co.uk

Email: ross@ismwaste.co.uk

ISM Waste & Recycling

Kenyon Street Works, Kenyon Street, Ramsbottom, Bury, BL0 0AB



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Reg'd Office: Irwell Street Metal Co. Ltd. Registered Waste Carrier: NSO/543866/CB. Licenced Special Waste Transfer Station: RD/LIC/255/82.

(No subject)

From: Sam Millard (sam.millard@c80solutions.co.uk)

To: ainsproperty@aol.com

Date: Thursday, 20 July 2023 at 12:18 BST

Hi Mark

Please see report attached, everything passed easily.

Kind regards,

Sam Millard
07549017736

Energy Consultant
Air Permeability Engineer
Acoustic Engineer



T: 0113 258 8445

W: www.c80solutions.co.uk

O: Leeds & London

★★★★★ 4.9/5 [Google Reviews](#)

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