

DELEGATED REPORT

Report by Helen Leach	Date of report: 11/06/2025	Ref: 71851/CONDIS
Registration: 10/04/2025	LDfC: 13/05/2025	Expiry Date: 05/06/2025
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections:	Con Area:	Adv Type: N/A
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: NREQ

Proposal: Application to discharge conditions on planning permission 70222: Condition 14 (archaeological evaluation), condition 20 (lighting impact assessment), condition 21 (badger survey), condition 27 (highways), condition 29 (travel plan), condition 30 (highways maintenance)

Location: Former Mondri/Holcombe Mill, Bridge Street, Ramsbottom, Bury, BL0 0BS

Description

The applicant seeks the discharge of conditions 14 (archaeological evaluation), 20 (lighting impact assessment), 21 (badger survey), 27 (highways), 29 (travel plan) and 30 (highways maintenance) of permission 70222.

Relevant Planning History

70222 - Erection of 57 no. dwellings, the retention of a chimney and the demolition of 3 existing buildings, together with engineering operations to create a development platform, public car park, substation, public open space, landscaping, drainage, the layout of internal estate roads and footways and other associated works at former Mondri/Holcombe Mill, Bridge Street, Ramsbottom. Approved with conditions - 30 September 2024.

Publicity

None required.

Statutory/Non-Statutory Consultations

GM Archaeological Advisory Service - No objections to condition 14 being discharged.

GM Ecology Unit - No objections to conditions 20 and 21 being discharged.

Traffic Section - No objections to conditions 27, 29 and 30 being discharged.

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within the adopted Bury Unitary Development Plan (UDP), together with other relevant material planning considerations.

The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP and PfE Policies will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

The elimination of discrimination, harassment and victimisation;

The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;
The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, it is concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

Condition 14 (archaeological evaluation) - An updated report detailing the mitigating stage of archaeological works undertaken at the site (CFA Archaeology, March 2025) has been submitted. A separate report on the building recording element of the scheme of works has also previously been approved by GMAAS.

Copies of the finalised reports have been lodged with the GM Historic Environment Record, and CFA Archaeology have confirmed that a summary statement of results will be prepared for later publication in Post Medieval Archaeology journal's 2025 annual roundup of fieldwork, which in this case will satisfy the dissemination aspect of the planning condition.

GM Archaeology Advisory Service has no objections to condition 14 being discharged.

Condition 20 (lighting impact assessment) - The proposed lighting contour plans indicate no significant lighting spillage on the one retained structure the chimney, the mill goit or the East Lancs Railway, with no effect on the River Irwell. GM Ecology Unit has no objections to the discharge of condition 20.

Condition 21 (badger survey) - An updated badger survey has been provided and no evidence of badgers was recorded. GM Ecology Unit has no objections to the discharge of condition 21.

Condition 27 (highways) - In relation to the works on the adopted highway, this is being progressed by various meetings on site in addition to the information submitted. These discussions are at an advanced stage and the Traffic Section have no objections to the

condition being discharged, subject to the approved details being implemented.

GM Fire Service have confirmed that the proposed private secondary emergency access would be acceptable and would need to be a minimum width of 3.7 metres.

The bus stop arrangements have been agreed for the stop on the southern side of Bridge Street. Discussions are ongoing for the bus stop on the northern side and these discussions are at an advanced stage. As such, the Traffic Section have no objections, to this element of the condition being discharged.

The TRO is being progressed and the Traffic Section has no objections to this element of the condition being discharged.

Therefore, the proposed development would not be detrimental to highway or pedestrian safety and the condition can be discharged.

Condition 29 (travel plan) - A travel plan has been submitted, which would be acceptable.

Condition 30 (highways maintenance) - A statement has been submitted as part of the discharge application, which would be acceptable. The Traffic Section has no objections to the discharge of this condition on the basis that the vast majority of the estate roads proposed would not be eligible for adoption or form part of the Section 38 agreement that the applicant has entered into.

Recommendation: Approve

Conditions and Reasons:

1 The following conditions have been approved:

Condition 14 - Archaeological evaluation, dated March 2025

Condition 20 - Lighting impact assessment, Proposed lighting & installation design layout - sheet 1 of 1 (dwg no. 25920-D-01), Proposed lighting & installation design layout - sheet 1 of 1 (dwg no. 25915-D-01), Proposed lighting & installation design layout - sheet 1 of 4 (dwg no. 25925-D-01 A), Proposed lighting & installation design layout (dwg no, 25930-D-01 A

Condition 21 - Badger survey, dated March 2025

Condition 27 - Proposed lighting & installation design layout - sheet 1 of 4 (dwg no. 25925-D-01 A), Proposed lighting & installation design layout - sheet 1 of 1 (dwg no. 25915-D-01), Proposed lighting & installation design layout (dwg no, 25930-D-01 A), Standard level 2m M1 type guardrail panel (dwg no. STD 2M1), Email from Manchester Fire Service, part 8 - technical note, Existing highway works (22076/106/1 rev C), Offsite bus stop works Bridge Street/Garden Street (S50-0100-001 B)

Condition 29 - Travel plan, dated February 2025

Condition 30 - Highways management & maintenance statement

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HL	11/06/2025	DM	13/06/25