DELEGATED REPORT

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Report by Jennie Townsend	**Date of report:** 05/08/2026	**Ref**:73229/CONDIS
Registration: 20/05/2026	**LDFC:** 22/06/2026	**Expiry Date:** 15/07/2026
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 condition 9 (drainage scheme) on planning permission 72790

Location: Chamberhall Business Park, Magdalene Road, Bury, BL9 0ES

Description
Application to discharge condition 9 (drainage scheme) on planning permission 72790

Relevant Planning History
72790 - Erection of office HQ with ancillary sport facilities (use class E(g)(i)) and mixed-use employment units (use classes B2, B8 and E(g)(ii) and (iii)) including associated parking, access and landscaping - Approved 22/4/26

Publicity
n/a

Statutory/Non-Statutory Consultations
Borough Engineer - Drainage Section - No objection
United Utilities (Water and waste) - No objection

Pre-start Conditions - Not relevant

Development Plan and Policies

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 9 - Drainage

The Local Lead Flood Authority have no objection to the discharge of condition 9

United Utilities
Further to review of the submitted documents, Drawing 24312-PWA-00-XX-DR-C-1002, Rev P04 - Dated 15.01.25 , United Utilities has no objection to condition 9 being discharged.

24312-PWA-00-XX-LTR-C-1001 P02 letter by PWA Group dated 13th July 2026
24312-PWA-00-XX DR C 1002 P04 - Proposed drainage plan
24312-PWA-00-XX DR C 2000 P02 - Proposed external works

Recommendation: Approve

Conditions and Reasons:

1 The following condition is discharged -
Condition 9 - Drainage

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Subject to the implementation of the approved details and any remaining requirements of the condition

24312-PWA-00-XX-LTR-C-1001 P02 letter by PWA Group dated 13th July 2026
24312-PWA-00-XX DR C 1002 P04 - Proposed drainage plan
24312-PWA-00-XX DR C 2000 P02 - Proposed external works

Case Officer Date	Sign off Officer Date
JT 5/8/26	HL 06/08/2026