

DELEGATED REPORT

Report by Tom Beirne	Date of report: 07/07/2026	Ref: 73092/CONDIS
Registration: 16/04/2026	LDFC: 27/05/2026	Expiry Date: 11/06/2026
Site Visit: 09/06/2026	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area:	Adv Type: N/A
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: NREQ

Proposal: Application to discharge condition 11 (landscaping details) and condition 13 (construction traffic management plan (CTMP)) on planning permission 68988

Location: Sunny Bank, Arthur Lane, Radcliffe, Bolton, BL2 5PN

Description

Application includes a construction traffic management plan and a landscape plan and requests the discharge of condition 11 (landscaping details) and condition 13 (construction traffic management plan (CTMP)) on planning permission 68988 - a scheme to convert stables to a home office/gym.

Condition 11 - No development shall take place until details of landscaping have been submitted to and approved in writing by the local planning authority. The details shall include replacement hedging and additional planting along boundaries and planting schedule. The landscaping shall be carried out in accordance with the approved details.

Condition 13 -No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and approved by the Local Planning Authority and shall confirm/provide the following:

- Hours of operation and number of vehicle movements;
- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site;
- Parking on site of operatives' and demolition/construction vehicles together with storage on site of demolition/construction materials;
- Measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations

The approved plan shall be adhered to throughout the construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the demolition and construction periods. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of demolition/construction materials.

Relevant Planning History

68988 - Change of use and conversion of existing stable building with single storey rear extension to form an office/home gym. - Approve with Conditions 20/04/2023

Publicity

N/A

Statutory/Non-Statutory Consultations

Traffic Section - No objection to discharge.

Pre-start Conditions - N/A

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.

Discharge -

Condition 11 - Landscaping. A detailed landscaping plan has been submitted in response to

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condition 11 is considered acceptable and can be discharged.

Condition 13 - The construction traffic management plan submitted with the application is acceptable and can be discharged.

Recommendation: Approve

Conditions and Reasons:

The conditions listed below are approved and discharged:

Condition 11 - Landscaping plan

Condition 13 - Construction Traffic Management Plan

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	07/07/2026	DM 7/7/26	