

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 20/05/2026	Ref: 72882/CONDIS
Registration: 10/03/2026	LDfC: 03/04/2026	Expiry Date: 05/05/2026
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 3 (contaminated land works), condition 4 (remediation strategy), condition 5 (verification report), condition 10 (fencing details), condition 12 (nesting birds method statement), condition 13 (bird boxes), condition 14 (surface water drainage proposals), condition 15 (external elevation materials), condition 16 (habitat management & monitoring plan HMMP), condition 18 (storage of construction materials), statutory BNG condition on planning permission 72236

Location: Coach House, Knowsley View, Knowsley Road, Ainsworth, Bolton, BL2 5PT

Description

Application to discharge condition 3 (contaminated land works), condition 4 (remediation strategy), condition 5 (verification report), condition 10 (fencing details), condition 12 (nesting birds method statement), condition 13 (bird boxes), condition 14 (surface water drainage proposals), condition 15 (external elevation materials), condition 16 (habitat management & monitoring plan HMMP), condition 18 (storage of construction materials), statutory BNG condition on planning permission 72236

Relevant Planning History

72236 - Change of use from coach house to 3 no. 2 bed apartments; Raising ridge height on existing extension; Single storey front extension; Single storey side extension - approved 19/11/25

Publicity

n/a

Statutory/Non-Statutory Consultations

Traffic Section - No objection

Borough Engineer - Drainage Section - No objection

Environmental Health - Contaminated Land - No objection

Conservation Officer - No objection

United Utilities (Water and waste) - No response received

Greater Manchester Ecology Unit - 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 3 - Site Characterisation

Condition 4 - Remediation Strategy

Phase 2 Geo Investigation Lk Consult ref LKC21777 dated 23/4/26

Condition 5 - Remediation Verification

Site investigation works and subsequent risk assessment has identified no remedial actions. As such the Environmental Health Section have recommended conditions 3, 4 and

5 for discharge.

Conditions 6 (unexpected contamination) remains extant throughout the build.

Condition 7 (imported soil) remains extant throughout the build.

Prior to first use, confirmation should be provided that no contamination was encountered during the works or if unexpected contamination was encountered, the appropriate reporting and assessment should be provided as per condition 6. If soil is imported for garden use, filling or level raising then the aspects of condition 7 will require addressing prior to the development being brought into use.

Conditions 6 and 7 cannot be discharged at this time.

Condition 8 (RADON)

A BGS report has been submitted which stated that the property was not in a radon affected area. As such condition 8 is not warranted and it can be recommended for discharge.

Condition 10 - Fencing

Timber post fence as detailed in email to applicant dated 29/4/26.

Condition 12 - Nesting Birds

A method statement has been provided to cover the eventuality that work commence during the bird nesting season. GMEU have no issues with the method statement provided and therefore have no issues with the condition being regarded as discharged subject to the works being in compliance with the method statement.

Condition 13 - Bird Boxes

The proposals are more than adequate

Condition 14 - Drainage

Revised drainage plan TDS-25-196-19 received 30/4/26.

The LLFA have confirmed this is acceptable to discharge condition 14.

Condition 15 - materials - revised schedule

Bricks - Wienerberger red engineering brick

Slate - Sobrano slate

Fascia and rainwater goods

Windows and cills - as approved on site 16/5/26 (photos documented)

Patio tile - Gardenstone Raj or Gladstone Autumn Brown

Condition 16 - Habitat Management & Monitoring Plan

The HMMP applies at present to the urban tree planting with a target of moderate condition. There is however an outstanding issue with the metric that was postponed to discharge of conditions in that the line of trees that are retained was not included in the metric which is dependent on the baseline habitat being regarded as vegetated garden as currently shown in the metric. This is debatable as the previous land use was a residential care home and therefore the land surrounding the buildings better regarded as amenity space. However, as a 20m native hedge would more than achieve the required number of units, a non-distinctive habitat, GMEU are satisfied it can be assumed that the HMMP will apply only to the trees.

An HMMP and several appendices have been provided. Whilst not going in to great detail on how the trees will be planted, this is reasonable as a straight forward activity. GMEU have no issues with the proposed trees or monitoring schedule and therefore have no objection to the discharge of condition 16, subject to resubmission as part of the discharge

of the statutory biodiversity gain condition

Statutory BNG condition

The applicant has confirmed the application includes the proposal to discharge the statutory BNG condition.

The submitted HMMP therefore applies.

Condition 18 - storage of construction materials

Proposed Construction Management Plan TDS-25-196-20

Highways have confirmed no objection to the discharge of condition 18

Recommendation: Approve

Conditions and Reasons:

The following conditions are discharged -

Condition 3 - Site Characterisation
Condition 4 - Remediation Strategy
Condition 5 - Remediation Verification
Condition 8 - Radon
Condition 10 - Fencing
Condition 12 - Nesting Birds
Condition 13 - Bird Boxes
Condition 14 - Drainage
Condition 15 - Materials - revised schedule
Condition 16 - Habitat Management & Monitoring Plan
Condition 18 - storage of construction materials

Phase 2 Geo Investigation Lk Consult ref LKC21777 dated 23/4/26

Revised drainage plan TDS-25-196-19 received 30/4/26.

Timber post fence as detailed in email to applicant dated 29/4/26.

Materials - revised schedule.
Bricks - Wienerberger red engineering brick
Slate - Sobrano slate
Fascia and rainwater goods
Windows and cills - as approved on site 16/5/26 (photos documented)
Patio tile - Gardenstone Raj or Gladstone Autumn Brown

Proposed Construction Management Plan TDS-25-196-20

Precautionary Working Method Statement for nesting birds - Fieldology Works
10/3/26
Tree planting schedule
Statutory BNG Metric - Technical Annex 1
BNG metric 27/10/25
Appendix 2 - site context plans
Appendix 3 - habitat plan
Appendix 4 - BNG proposals plan June 2025
Biodiversity net gain report 27.10.25
Appendix 1 HMMP 17.02.26 01

Biodiversity Gain Plan

Proposed external plan - excluding proposed fencing details (see timber post detail for condition 10)

The conditions are discharged subject to the implementation of the approved details and any remaining requirements of the conditions.

Conditions 6 and 7 cannot be discharged at this time -

Conditions 6 (unexpected contamination) and condition 7 (imported soil) remains extant throughout the build.

Prior to first use, confirmation should be provided that no contamination was encountered during the works or if unexpected contamination was encountered, the appropriate reporting and assessment should be provided as per condition 6. If soil is imported for garden use, filling or level raising then the aspects of condition 7 will require addressing prior to the development being brought into use.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JT	20/5/26	DM	22.05.2026