

DELEGATED REPORT

Report by Helen Leach	Date of report: 05/05/2026	Ref: 72969/CONDIS
Registration: 16/03/2026	LDfC: 20/04/2026	Expiry Date: 11/05/2026
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections:	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: NREQ

Proposal: Application to discharge condition 6 (surface water drainage proposals) on planning permission 71000

Location: Eton Business Park, Eton Hill Road, Radcliffe

Description

The applicant seeks the discharge of condition 6 (surface water drainage) from permission 71000.

Relevant Planning History

71000 - Erection of 17 no. small light industrial units (Class B2) with associated servicing and car parking at Eton Business Park, Eton Hill Road, Radcliffe. Approve with conditions - 18 September 2025.

Publicity

None required.

Statutory/Non-Statutory Consultations

Drainage Section - No objections.

United Utilities - No response.

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 6 - A drainage plan, external works plan and calculations have been submitted as part of the application to discharge the condition relating to surface water drainage. Further details were provided during the course of the application, including external works plan, drainage maintenance and management report and exceedance flow plan of the exceedance flow was provided. The Drainage Section has no objections to the condition being discharged.

Recommendation: Approve with Conditions

Conditions and Reasons:

1 The following condition has been discharged:

Condition 6

3672 05 A

D27426_EXT_101 P5

D27426-DR-101 P7

D27426-DR-102 P1

Drainage calculations, dated 30/06/2025

Drainage maintenance and management report, dated 16/04/2026

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HL	05/05/2026	DM	05.05.2026