

DELEGATED REPORT

Report by Tom Beirne	Date of report: 16/04/2026	Ref: 72923/CONDIS
Registration: 04/03/2026	LDFC: 03/04/2026	Expiry Date: 29/04/2026
Site Visit: 14/04/2026	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 4 (construction traffic management plan CTMP) on planning permission 70983

Location: 399 Bass Lane, Summerseat, Bury, BL9 5NR

Description

The application relates to a two storey stone built semi-detached house at the eastern end of Bass Lane. The proposal, approved in 2024 related to the demolition of the existing garage and attached conservatory and replacing with a new garage with additional accommodation in the roof space.

The existing access would be closed off and a new residential access formed using the existing access from Bass Lane into the adjacent paddock. The new access track would be in the form of a 'cart track' and run through a new five bar timber gate.

Condition 4 of the approval required a Construction Traffic Management Plan to be submitted.

Relevant Planning History

02964/E - Construction of replacement garage, attic extension to same and relocation of vehicular site access - Enquiry completed 16/05/2024
44922 - CONSERVATORY AT SIDE - Approve with Conditions 16/08/2005
70983 - Replacement two storey garage; rear dormer and PV panels to roof and create new vehicular access - Approve with Conditions 17/10/2024

Publicity

N/A

Statutory/Non-Statutory Consultations

Traffic Section - No objection to discharge.

Pre-start Conditions - N/A

Development Plan and Policies

H2/3 Extensions and Alterations
SPD6 Supplementary Planning Document 6: Alterations & Extensions

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 discharge - The Traffic management Plan as submitted is considered to be acceptable and as such, there are no objections to a full discharge from the Council's traffic team.

Recommendation: Approve

Conditions and Reasons:

The condition listed below is discharged:

Condition 4 - Construction Traffic Management Plan (CTMP)

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<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	16/04/2026	DM 16.04.2026	