



17 October 2025

Manchester City Council

By Email

Dear Sir/Madam

APPLICATION REFERENCE 143749/FO/2025

**RETROSPECTIVE APPLICATION FOR USE OF LAND AS A SELF-STORAGE FACILITY COMPRISING OF SITING OF SHIPPING CONTAINERS AND ASSOCIATED WORKS
PINK SELF STORAGE, GORTON ROAD, MANCHESTER, M11 2DZ**

I refer to your letter of 30th September in respect of the above application.

I am pleased to enclosed additional information which addresses the validation issues raised in your letter as follows:

1) Please provide a biodiversity net gain assessment including metric and this development would not be exempt. We will also require a replacement application form.

Legal Framework & Statutory Basis

Under the provisions of the Environment Act 2021, as implemented via Schedule 7A of the Town and Country Planning Act 1990, mandatory BNG applies only to new planning permissions. The requirement is enforced through a pre-commencement condition requiring submission of a Biodiversity Gain Plan to secure minimum 10% biodiversity net gain. Crucially, retrospective planning applications, where development has already commenced or is completed, fall outside the scope of this mechanism. That is because the statutory condition simply cannot be attached to permissions post-commencement.

Confirmed Exemption in Local Authority Practice

This position is reflected in Greater Manchester local authority guidance as follows:

- Stockport Council explicitly states that “biodiversity net gain does not apply to retrospective planning permissions made under section 73A”. Additionally, any application varying permissions granted before the statutory thresholds are also exempt. Stockport Council further clarifies in its dedicated guidance that “BNG will apply to new applications for planning permission, except for applications for retrospective permission.”

- Rochdale Borough Council reaffirms that BNG is not mandatory for retrospective applications, though exemptions elsewhere (e.g., de minimis habitat loss, small-scale works) are similarly recognised.

While Manchester City Council's specific guidance may not explicitly list retrospective applications as exempt, the principle is consistently upheld across the Greater Manchester Combined Authority (GMCA) area.

Professional Guidance & Pilots

Greater Manchester has actively explored retrospective BNG assessments through pilot projects. Examples include case studies such as Hopwood Hall rewetting and developments in Salford and Wigan, where the BNG metric was applied retrospectively to explore implications. These exercises were exploratory and **non-binding**, and GMCA did not formally enforce statutory BNG in those retrospective contexts.

Conclusion & Request for Validation

In light of the statutory framework and local precedent across Greater Manchester, it is not lawful to invalidate this application on the basis that a statutory BNG metric is absent. Retrospective applications are expressly exempt from mandatory BNG because these cannot legally trigger the required pre-commencement condition.

It is acknowledged that the statutory BNG framework is complex and, at validation stage, requests for biodiversity net gain assessments are sometimes raised as a matter of procedure. For clarity, this application has been reviewed against the legislative framework and professional guidance, which confirm that retrospective applications fall outside the scope of mandatory BNG. On this basis, we request the application is validated accordingly.

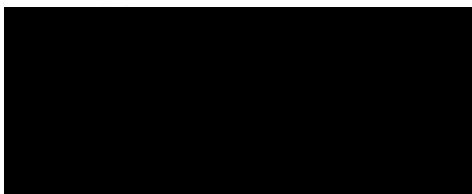
2) Please provide a transport assessment that shows how the site is serviced, how deliveries occur or how those utilising the services on site access parking.

This is addressed in the enclosed Planning and Transport Statement.

3) A replacement form will be required that changes the description of development to change of use to Sui Generis, as per advice previously given by the local planning authority.

The description has been amended to exclude reference to a use class as per correspondence with Iain Smith, which is reflected on the enclosed updated forms.

Yours faithfully



Jon Wilks
Director