

DELEGATED REPORT

Report by Helen Leach	Date of report: 05/05/2026	Ref: 73043/PIP
Registration: 31/03/2026	LDfC: 05/05/2026	Expiry Date: 05/05/2026
Site Visit: 13/04/2026	Site Notice: 13/04/2026	Press Date: N/A
Objections: 1	Con Area: N/A	Adv Type: PI
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIDW

Proposal: Application for permission in principle for erection of 3 no. Dwellings

Location: 31 Charnley Street, Whitefield, Manchester, M45 6BG

Description

The site relates to a series of red brick buildings, which were last in use as industrial buildings. There is a vehicular access onto Charnley Street.

There are residential properties to the west and south of the site. Moss Lane forms the boundary to the north, but is at a higher level and the Metrolink line is located to the east.

The applicant seeks a Permission in Principle (PiP) for the development of the site for 3 dwellings.

A PiP application is an alternative route for applying for planning permission for housing-led development which separately assesses the consideration of principle for proposed development 'Stage 1', from the technical detail of the development 'Stage 2'.

This application relates to the Stage 1 of the process, to establish the principle aspect of the development for residential on this site.

The submission of a valid PiP application requires a completed application form, plan which identifies the land to which the application relates and the correct fee. There are no other details or reports which are required for the submission of a PiP. The application does include a Planning Statement.

A decision must be made in accordance with relevant policies in the development plan and material considerations including the National Planning Policy Framework.

To assess PiP applications, an Local Planning Authority's (LPAs) consideration is limited to location, land use and amount of development, with other matters considered at technical details stage.

Local Planning Authorities consult anybody that would be required to be consulted in relation to an application for planning permission but matters relating to ecology, landscaping, contamination, design, transport/highways and heritage are considered in a Stage 2 Technical Details application. Any responses received can be included as informatives notes to advise the applicant of the requirements at a technical details stage.

Conditions cannot be attached to a PiP.

Relevant Planning History

53477 - Change of use from builder storage yard to internet car sales and storage of cars (Retrospective) at 31A Charnley Street, Whitefield. Approved with conditions - 2 February 2011.

Publicity

The neighbouring properties were notified by means of a letter on 13 April 2026 and site notices were posted on 13 April 2026.

1 letter has been received, which has raised the following issues:

- Object to number of properties being proposed - 3 is too many for this small site.
- Object to proposed 3 three storey (4 bedroomed) dwellings on this site.
- The proposal would impact upon residential amenity by overlooking/loss of privacy, overshadowing/loss of light, overbearing/oppressive and impact upon amenity/nuisance.
- 3 dwellings would lead to too many people/cars in an area, which is already congested
- The existing houses on Charley Street are 2 storey Victorian terrace. The proposed dwellings should be two storey.
- Proposed dwellings would be out of character, over development of the site, too high, detrimental to visual amenity and harm to existing uniform street character.

Statutory/Non-Statutory Consultations

Traffic Section - Concerned about the loss of on-street parking as a result of the proposed dropped crossings.

Waste Management - No response.

Drainage Section - No objections.

Environmental Health - Contaminated Land - No objections.

Environmental Health - Air Quality - No objections.

GM Ecology Unit - No objections.

United Utilities - No objections.

Strategic Planning & Infrastructure -

Pre-start Conditions - Not relevant.

Development Plan and Policies

H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN1	Built Environment
EN6/3	Features of Ecological Value
EN7/5	Waste Water Management
HT2/4	Car Parking and New Development
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-H1	Scale of New Housing Development
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-P1	Sustainable Places
JP-S2	Carbon and Energy
JP-S4	Flood Risk and the Water Environment
JP-S1	Sustainable Development
NPPF	National Planning Policy Framework

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.

Principle - The Permission in Principle (PiP) application seeks to establish whether in principle, the site is suitable for a residential development for 1 dwelling. Consideration of PiP applications are limited to location, land use and amount of development. Other matters are considered at technical details stage.

Consultations of the planning application can be carried out but conditions cannot be attached to a PiP approval.

The issues to establish acceptance of the proposed PiP development are analysed below.

Land use and location

Five year supply - The National Planning Policy Framework (NPPF) is a material planning

consideration in planning decisions, and emphasises the Government's objective of significantly boosting the supply of homes. The Framework states that local planning authorities should identify and update annually a supply of specific deliverable sites to provide a minimum of five years' worth of housing, with either a 5% buffer to ensure choice and competition in the market for land, or a 20% buffer where there has been significant under delivery of housing over the previous three years. As set out in NPPF paragraph 78, the supply of housing must be assessed against the housing requirement set out in adopted strategic policies where these are less than five years old.

The joint Places for Everyone Plan was adopted with effect from 21 March 2024 and sets the up-to-date housing requirement for Bury against which the deliverable supply of housing land must be assessed. PfE Policy JP-H1 sets the following stepped targets for Bury:

- 246 homes per year from 2022-2025;
- 452 homes per year from 2025-2030; then
- 520 homes per year from 2030-2039.

Bury's Strategic Housing Land Availability Assessment is an assessment of potential sites for residential development and is used to assess the housing land supply. It includes sites that have an extant planning permission, sites allocated through the joint Places for Everyone Plan and sites that have potential to obtain planning permission in the future. This shows that there are a number of sites within the Borough with the potential to deliver a significant amount of housing. However, not all of these sites will contribute to the deliverable land supply calculations as many sites will take longer than five years to come forward and be fully developed.

The Council has carried out an assessment of the housing land supply to determine whether sites meet the deliverability tests in the NPPF and can contribute to the five year supply of housing land. Based on the 2025 5-year supply statement, the Council has demonstrated a 4.3 year supply of housing land. This includes a 20% buffer (as currently required in Bury due to past under delivery) and accounts for past oversupply when assessed against the adopted PfE housing requirement. The Council is therefore currently unable to demonstrate a deliverable five-year supply of housing land against the adopted housing requirement.

Housing Delivery Test - The National Planning Policy Framework also sets out the Housing Delivery Test (HDT), which is an assessment of net additional dwellings provided over the previous three years against the homes required. Where the test indicates that the delivery of housing was substantially below (less than 75%) the housing requirement over the previous years, this

needs to be taken into account in the decision-taking process. The latest results published by the Government (the 2023 measurement published on 12 December 2024) show that Bury has a HDT result of less than 75%, and therefore, this needs to be treated as a material factor when determining applications for residential development.

Paragraph 11(d) of the National Planning Policy Framework states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless:

- i. The application of policies in the Framework that protect areas, or assets of particular importance, provide a strong reason for refusing the development proposed; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

Conclusion - Unmet Need - As a result of the lack of five-year supply and the latest

published HDT result the 'tilted balance' currently applies, and planning permission should be granted unless the above points set out in para 11(d) i or ii apply.

The site is a brownfield site in a sustainable location and as such, residential development would be acceptable in principle.

Housing

Density - The NPPF supports the efficient use of land, and PfE policy JP-H4 requires new housing development to be delivered at a density appropriate to the location, reflecting the relative accessibility of the site by walking, cycling and public transport and the need to achieve efficient use of land and high quality design. Policy JP-H4 sets out minimum densities that should be considered, with this site falling in an area where a minimum net residential density of 50 dwellings per hectare applies.

The site covers an area of approximately 0.065 hectares, so 3 dwellings would equate to 46 dwellings per hectare. Development of 0.065 hectares at 50dph would equate to 3.25 homes, which would be rounded down to 3 dwellings. Therefore, the proposed development of 3 dwellings would comply with the density required and would be in accordance with Policy JP-H4 of the Places for Everyone Joint Development Plan.

Conclusion - As the tilted balance applies, the proposed development would be acceptable in principle and the site is brownfield. The proposed development would provide 3 dwellings, which would comply with the minimum density. The site would be located in a sustainable location. Therefore, the proposed development would be acceptable in terms of the principle of land use, location and amount of development.

Response to objectors

The issues raised relate to the technical details and cannot be considered in this application. These matters would be considered in the technical details application.

Consultee responses

Strategic Planning & Infrastructure

Type, Size and Design of New Housing - In accordance with JP-H3, all new dwellings must 1. comply with the nationally described space standards (NDSS) and 2. be built to the 'accessible and adaptable standard in Part M4(2) of Building Regulations unless specific site conditions make this impracticable.

These requirements will need to be addressed at technical details stage. The accessible and adaptable standard in Part M4(2) of Building Regulations will need to be secured by condition at the technical details stage.

Highways

Concerned about the loss of on-street parking as a result of the proposed dropped crossings in an area that relies upon on-street parking.

Drainage

No objections, subject to a condition and informatives below:

Development shall not commence until details of surface water drainage proposals have been submitted to and approved by the Local Planning Authority. The scheme must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or subsequent revisions of it. This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Design details should comply with guidance contained in the Greater Manchester's Sustainable Drainage Design Guide, March 25. Details of proposed maintenance arrangements should also be provided

The site is to be drained on a separate system of drainage with surface water and foul

sewage being combined at the last manhole before connection to public sewer

Surface water discharge to be limited to existing flow from site less a minimum 40% reduction in run-off to allow for climate change to prevent surcharge of public sewerage system downstream of the proposed development Chapter 10 of the National Planning Policy Framework - Meeting the Challenge of Climate Change, Flooding and Coastal Change and Unitary Development Plan Policy EN5/1 - New Development and Flood Risk and its associated SPD 16 Design and Layout of New Development in Bury. Climate change allowance should be increased to 70% for sites which fall within Flood Zone 3

Application forms for permission to connect to the public sewer should be obtained by telephoning United Utilities PLC on 08456 020406 or online at www.unitedutilities.com

Applications for sewer requisitions should be obtained by telephoning United Utilities PLC at either Dawson House (01925 235871) or Hathersage Road (0161 609 7513)

The applicant should ensure that any proposed driveways/paved areas (in excess of 5m²) situated at the front of properties are constructed of permeable or porous materials. The applicant should refer to Dept. of Communities & Local Government publication "Guidance on the Permeable Surfacing of Front Gardens" for design & construction details.

Contaminated Land

The site has been in commercial use (aerial imagery indicates a builders storage yard/building services, car sales and a fire extinguisher and fire protection company) as such there is the potential for contamination to be present. Furthermore, a sensitive end use is proposed. As such, to avoid pre-commencement conditions sufficient information must be submitted at Stage 2, Technical Details Consent stage, to demonstrate that no remedial measures are required or to agree such measures. Further information regarding Land Contamination and the planning process can be found in Bury Council's Developers Guide and on the Planning Portal.

Air Quality

On site parking is indicated. The site is not located within an Air Quality Management Area, but is in the near vicinity of one. Due to the scale of the proposed development, it is considered very unlikely that the proposed development could create an increase of more than 500 AADT (annual average daily traffic). Therefore, in line with the EPUK Guidance, an air quality assessment will not be required.

Bury Council has been identified by DEFRA as an area requiring to significantly improve air quality. To support the principles of the Greater Manchester Clean Air Plan in reducing levels of nitrogen dioxide and in order to manage current and future levels of air pollution Bury Council is encouraging the use of cleaner vehicles. As such and in line the requirements of the Building Regulations (The Building Regulations 2010, Approved Document S, Infrastructure for the charging of electric vehicles), as part of the Stage 2, Technical Details Consent stage, the developer should provide information regarding Electric Vehicle Infrastructure to the following specification:

- 1 no. electric vehicle (EV) charging point (minimum 7kW*) per dwelling/parking space.

*Mode 3, 7kW (32A) single phase, or 22kW (32A) three phase, and for 50kW Mode 4 rapid charging may be required. British Standard BS EN 61851-1:2019 to be used.

Further information regarding minimum standards can be found at <https://www.gov.uk/transport/low-emission-and-electric-vehicles>.

Certification and photographic evidence of the installation of the agreed electric vehicle charge points will be required to be submitted to Local Planning Authority for approval prior to the development being brought into use. The infrastructure shall be maintained and

operational in perpetuity.

GM Ecology Unit

No ecological information appears to have been submitted for this PIP application. Based on this, GMEU have the following comments:

Desk Based Review - From a review of recent satellite imagery and Google Street View, it appears that the site comprises hardstanding and multiple garages/buildings, with a small area of scrub to the north of the site. There are trees adjacent to the site. The site overall is likely to some hold ecological value and may support protected species such as (but not limited to) bats, nesting birds and small mammals. Provided that the relevant ecological surveys are undertaken and provided, we don't believe there would be a reason to refuse the application.

Ecological Survey Recommendations - Should the proposal be forwarded to 'Technical Details Consent' stage, we would expect ecological constraints and impacts to protected species to be considered, with the below advised:

- A Preliminary Ecological Appraisal (PEA) to identify any impacts the proposal may have on protected/priority species and nearby designated sites and to inform further surveys, mitigation and enhancement measures. This should include a Preliminary Roost Assessment to identify the roosting suitability for the buildings to be demolished.
- If the above assessment identifies the need for further survey work, this will be required, along with appropriate mitigation measures, when the Technical Details Consent application is submitted.

GMEU advise that the ecologically valuable habitats present (such as the trees) are retained where feasible, and that the application demonstrates how the mitigation hierarchy has been applied.

Biodiversity Net Gain (BNG) - Biodiversity Net Gain assessments are now a mandatory requirement, with a minimum of 10% BNG to be achieved for all developments unless it meets any exemptions. If not exempt, we would expect a full BNG assessment to be submitted as part of the planning application including both a statutory metric and accompanying BNG report. The baseline information would be gathered from a site visit encompassing a UK Hab survey which can be carried out alongside the PEA survey. The BNG must demonstrate how the proposal will achieve a minimum of 10% BNG either on-site or off-site.

Contributing to and Enhancing the Natural Environment - Section 15 (paragraph 187) of the NPPF 2024 states that planning policies and decisions should contribute to and enhance the natural and local environment. Wherever possible measures to enhance the site for biodiversity should be secured as part of this planning application and could include the integration of a bat and bird box onto each new dwelling. Planting of native shrubs and trees is also recommended.

Summary

Whilst we have no objection to this Permission in Principle application, the site is likely to be of some ecological value and may support protected species. Therefore, we would expect that the above assessments are carried out should detailed 'Technical Details Consent' be sought, in line with current planning policy and relevant legislation

Recommendation: Approve

Conditions and Reasons:

The Principle of Permission hereby granted is for a period of 3 years from the date of this decision. This is the prescribed period as set out in the Town & Country

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Planning Act 199, Town and Country Planning (Permission in Principle) Order 2017 as amended. The "Notes to Applicant" below provides guidance on what the detailed proposals should include at the Technical Details Stage.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HL - 05/05/2026		DM 05.50.2026	