MANCHESTER CITY COUNCIL

Town & Country Planning Act 1990 (as amended)

Refusal of Planning Permission

Applicant

Mr N Lowrey
12 Woodfield Road
Rochdale
M24 1NF

Agent (if used)

Mr Andrew Chapman
Synergy Design Concepts Ltd
1 Kearstwick Cottage
Kearstwick
Kirkby Lonsdale
LA6 2EB

Part 1 – Particulars of the application/development

Proposal: Erection of two storey side extension, single storey rear extension, single storey front extension and works to rear terrace including the new stepped access and installation of balustrade.

Location: 43 Wilson Road, Manchester, M9 8BQ

Date of application: 25 June 2025

Application number: 140881/FH/2024

Part 2 – Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been **Refused** in accordance with the application and plans submitted for the reason(s) listed below.

Article 35 Declaration

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance officers have worked with the applicant in a proactive manner, but no revised scheme was provided for review to overcome the concerns raised with the application proposals.

Reason(s) for decision

1) The proposed two storey side extension and single storey front extension by reason of its height, scale, massing, materiality, proximity to the common boundary with property no.45 Wilson Road and lack of setback would give rise to an extension which: is not subservient to the host property, in turn creating an overly large and bulky feature; does not allow the development potential of the gap between houses to be shared equally by the owners or occupiers of numbers 43 and 45 Wilson Road; the potential result of building the extension could be the creation of a terracing effect, which would

be unsympathetic to the character of the street as a whole. As such the proposal is contrary to the City Council's Planning Policies SP1 and DM1 of the Manchester Core Strategy (2012), saved policy DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester (1995), the Guide to Development in Manchester SPD and the National Planning Policy Framework.

2) The proposed enlargement of the rear raised terrace area including the new stepped access and installation of balustrade by reason of its projection, height, materiality and proximity to the boundaries with properties at no.45 Wilson Road, no.41 Wilson Road and no.44 Hertford Road would give rise to adverse impacts in terms of overlooking and a resultant loss of privacy . As such the proposal is contrary to the City Council's Planning Policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012), saved policy DC1.1 of the Unitary Development Plan for the City of Manchester (1995), the Guide to Development in Manchester SPD and the National Planning Policy Framework.

3) The submitted information contained within the application site plan drawing is not accurate in that the incorrect scale reference is used.
Therefore, given the quality and accuracy of the submitted information, and the uncertainty of how the proposal may affect the amenities of neighbouring residents, the City Council is unable to support this application, as it conflicts with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) part 7(1c)(ii) and part 7(2), policies SP1 and DM1 of the Manchester Core Strategy and saved policy DC1 of the Unitary Development Plan for the City of Manchester.

Date: 19 August 2025

Signed: 

Julie Roscoe
Director of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Notes

1. This decision relates only to that required under the Town and Country Planning Act 1990 does not include any consent or approval under any other enactment, byelaw, order or regulation.

2. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, they may appeal to the Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990 within 12 weeks of the date of the notice of this decision. However, if an enforcement notice has been served for the same or very similar development within the previous 2 years, the time limit is:

- 28 days from the date of the LPA decision if the enforcement notice was served before the decision was made yet not longer than 2 years before the application was made.
- 28 days from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the appeal period beyond 12 weeks).

The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the gov.uk website – www.gov.uk/appeal-householder-planning-decision. The Inspectorate will publish details of your appeal on the internet. Alternatively If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal.

3. The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70(1) and 72(1) of the Act.

4. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990

5. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to them. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.