MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	143899/FH/2025
Date registered valid:	4 September 2025
Proposal:	Replacement roof to side extension and addition of side dormer and installation of rear dormer and roof lights
Address:	26A Derby Road, Manchester, M14 6UW
Ward(s):	Withington Ward
Applicant:	Mr James Henry
Agent (if any):	Mr Simon James Simon James Arq Ltd
Case officer:	Jake Walther Tel: 0161 234 1632 Email: jake.walther@manchester.gov.uk
Recommendation:	Refuse
Date of recommendation:	**21/10/2025**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 01/10/2025

Standard consultations:
Printed: 12 September 2025 Expired: 3 October 2025

Neighbour notifications
Printed: 12 September 2025 Expired: 3 October 2025

Site notice
No site notice has been produced

Press advert
No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building
The application relates to a two-storey semidetached class C3 dwellinghouse on Derby Road. The house is finished in red brick with black concrete roof tiles. The property has been extended at the side with a two-storey flat roof extension and at the rear with a single storey flat roof extension.





Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area
Derby Road is a predominantly residential street within the Withington Ward. It is comprised of a range of house types such as detached, semidetached, low-rise apartments and a mixture of single-family dwellings and HMOs. To the rear of the site there is a Jehovah's Witnesses Hall.

Description of development
The applicant is seeking permission for the replacement of flat roofs to pitched roofs, with side and rear dormers and insertion of roof lights.

Relevant Planning History
143369/FH/2025 – 01.09.2025 - Replacement roof to side extension, flat roof to hip and installation of rear dormer and roof lights - **Application Refused**

ENF/15911/24 - 14.11.2024 - Unauthorised change of use of property to a boarding house (Use Class C1) – **Notice Issued**

21/02555/ENF - 28.10.2021 - Appeal against Enforcement Notice – **Appeal Dismissed**

131841/LE/2021 - 06.10.2021 - Certificate of Lawful Existing Use for a C4 House in Multiple Occupation – **Application Returned**

ENF/14945/20 - 14.09.2020 - Unauthorised change of use to a house in multiple occupation (Use Class C4) – **Notice Issued**

102931/LE/2013/S1 - 04.07.2013 - Certificate of Lawful Development for existing use as 7-bedroom house in multiple occupation (sui generis) together with a two-storey side extension and single storey rear extension – **Application Refused**

Enforcement History and Current Status

Records indicate that the property was first used as a House in Multiple Occupation (HMO) under Class C4 from 7 October 2011, which predates the implementation of the Council's Article 4 Direction. This use continued until late 2019, at which point the property was used for temporary or short-stay accommodation. Subsequently, it reverted to use as a Class C4 HMO.

The temporary/short-stay accommodation was initially considered to fall under Class C3. However, during the appeal process, the agent argued that the use was more appropriately classified as a Class C1 Guesthouse. The Inspector agreed with this interpretation and removed reference to Class C3 from the Enforcement Notice.

As a result, there was an unauthorised change of use from Class C4 HMO to Class C1 Guesthouse, followed by a further unauthorised change back to Class C4 HMO. Planning enforcement action was taken in relation to the latter change. Due to the intervening Class C1 Guesthouse use (against which no enforcement action was taken) there was no lawful use to revert to following the notice. The property is currently considered to have no lawful use, and any future use will require planning permission.

Consultations & Notification Responses

Neighbours, as per appendix 1 – 5no. Objectors to the proposal, reasons for objection have been summarised as follows:

- Dormer windows provide more overlooking into neighbour's gardens than the existing roof
- With added bedrooms, and the history of ground floor 'study' and 'guest room' and 'living rooms' being used as bedrooms the property would have 11 bedrooms, which a small semidetached family house cannot
- Construction was started without any planning consent
- The additional living space will only increase the utilisation of the small property, further exacerbating parking and amenities, the size of the house is not suitable for the scale of renting that has been happening.
- The area is working to rebalance with a more mixed community, encouraging more families and restricting HMO's, the number of potential bedrooms in such a house goes against these attempts.
- Waste and refuse management has been an ongoing issue at this property when used as an HMO, increasing the size of the property would exacerbate this.
- Misleading to describe this house as a home, since it changes multiple transient occupants regularly.
- Failure to comply with the Party Wall Act.

Withington Civic Society – Object to the proposal, objection as follows:

- The side extension can hardly be described as a "dormer". It is more like a 2nd floor extension as it is built on top of the first floor (i.e. it is not within an existing roof) and has front back and side walls.

The elongation of the roof over the side extension would make the pair of semi's look unbalanced due to the additional width and bulk.

The setbacks at the front, back and sides do not help -they make the proposed side extension look messy. However, the basic problem is the height and length of the extension. It would look incongruous to the original building.

There is a history of problems associated with the property, and the Planning Officer is urged to review the same particularly as set out in the enforcement proceedings and appeal when all manner of issues were considered, including waste management and fire hazards.

Councillor Gavin White, Objects to the proposal, objections as follows:

- This application is a gross overdevelopment of the current site resulting in a proposed 11-bedroom property with all the resulting issues of noise, waste, ASB and other neighbourhood issues.

  The proposed extension design is incongruous and doesn't follow the other established building lines or massing of adjacent properties. The extension will lead to a loss of residential amenity, and is not in accordance with policy that seeks to encourage family dwellings in Fallowfield and across the city

Withington Ward Councillors Chris Wills and Becky Chambers, join objection as follows:

- This application appears to supersede the previous application, ref 143369/FH/2025, which was refused on 1 September 2025. A copy of the letter from a local resident who has been corresponding with us, and with the Planning Enforcement team, is attached. Aside from the various concerns and objections outlined in the resident's letter, the manner in which these works have been carried out, and the fact that Planning Enforcement have had to repeatedly intervene, is a cause for significant concern.

Policy

The Manchester Core Strategy Development Plan Document 2012-2027 –
The City Council adopted the core strategy on July 11, 2012. It is the key document in the Manchester Local Plan. The plan determines how Manchester will grow and forms the framework that planning applications are assessed against. We consider the following Core Strategy Policies relevant to this proposal.

- Policy DM1 – Development Management
- Policy SP1 – Spatial Principles
- Policy EN1 – Design Principles and Strategic Character Areas
- Policy EN19 – Waste
- Policy H11 – Houses in Multiple Occupation

Extant Unitary Development Plan (UDP)
The Core Strategy replaced much of the UDP, but some UDP Development Control policies are extant (remain). The following extant policy is still considered relevant to this proposal.

- DC1 - Residential Extensions

Places for Everyone
Places for Everyone (2022-2039) – Places for Everyone is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024.
The following policies are relevant:

- JP-S1- Sustainable development

The National Planning Policy Framework (December 2024)
The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- an economic objective
- a social objective and
- an environmental objective.

The following specific policies are considered to be particularly relevant to the proposed development:

- Chapter 8. Promoting healthy and safe communities.
- Chapter 12. Achieving well-designed and beautiful places.

Previous Scheme
This planning application follows on from the application 143369/FH/2025 which was refused on 01/09/25, four days prior to this application being received on 04/09/2025. The previous application was refused on visual amenity basis, an extended hipped roof and large rear dormer with no reduction in ridge height was considered to be overbearing and was not subservient to the host dwellinghouse.

Between the last scheme being refused on the 1st and the new scheme being submitted on the 4th no pre application advise was sort.

The new scheme has provided setbacks and a slightly reduced ridge height, but the proposed side dormer sitting on top of the flat roof would still fail to overcome visual amenity concerns as it does not blend with the existing roof form or overall design of the property.

Principle
This application seeks planning consent for the replacement of existing flat roofs, rear dormer and side dormer. Extending a residential property, via extensions including dormers and side extensions in order to provide additional living accommodation is usually acceptable in principle. However, in these circumstances, the proposed side dormer would result in a development that is visually incongruous to the host dwelling and prominent in the street scene, therefore the principle of development cannot be supported due to adverse implications in terms of visual amenity.

Visual Amenity
The replacement flat roof on the ground floor rear extension would have little to no impact on the visual amenity of the area and is therefore considered acceptable.

The proposed side dormer introduces a visually intrusive and incongruous addition to the property. Positioned above the existing flat roofed two-storey side extension, it projects significantly from the hipped roof form and is clearly visible from the street scene. Its scale, position, and design (pitched roof) fail to integrate with the character of the host dwelling and adjoining semi and appears discordant within the established roofscape of the surrounding semis.

In combination with the large rear dormer which spans the full width of the main roof beyond the existing roof, the development results in an excessive and unbalanced massing that overwhelms the original roof form. The cumulative impact of both dormers constitutes overdevelopment of the roof space and causes harm to the visual amenity of the property and the wider street scene.

As such, the proposal is considered contrary to saved Policy DC1 of the Unitary Development Plan for the City of Manchester, Policies SP1 and DM1 of the Manchester Core Strategy, and the design principles set out in Chapter 12 of the National Planning Policy Framework.

Sitting, Scale and Mass
The proposed side dormer would project out by a maximum of 2830mm, set back from the front of the house by 1810mm, and the back of the house 1510mm. The side dormer sits above the existing flat-roofed two-storey side extension and incorporates a pitched roof. The rear dormer would span the entire width of the main house, and without the side dormer would span beyond the side slope of the hipped roof. Combined, the two dormers result in a disproportionate addition to the roof, representing overdevelopment of the roof space. Their combined massing and scale appear visually dominant and unsympathetic to the hipped roof form of the semis, which detracts from the character and the wider street scene.

The proposal is therefore considered to conflict with the principles set out under saved Policy DC1 of the Unitary Development Plan for the City of Manchester, Policies SP1 and DM1 of the Manchester Core Strategy, and Chapter 12 of the National Planning Policy Framework.

Residential Amenity
The proposed rear dormer would be positioned on the rear roof slope and set in from the eaves by 240mm. Although it would extend up to the shared boundary with the adjoining property, it is not considered to result in any significant harm to neighbouring amenity in terms of overshadowing, loss of light, or outlook, due to its siting and orientation.

The replacement of the flat roof on the single-storey rear extension would not significantly alter the existing massing or visual appearance of this element. As such, it would have no impact on the residential amenity of neighbouring occupiers and is deemed acceptable.

The proposed side dormer above the existing flat roof two-storey side extension would result in an increase in built form along the boundary with No. 28. However, given that No. 28 is a taller property with no side-facing windows, the increase in roof height is not considered to result in any excessive overshadowing or overbearing impact. This element of the proposal is therefore also considered acceptable in terms of residential amenity.

Parking
The proposal makes no changes to the current waste storage arrangements.

Waste Storage
The proposal makes no changes to the current waste storage arrangements.

Conclusion
While certain elements of the proposal, such as the replacement of the flat roof on the single-storey rear extension, are considered acceptable, the overall development results in a visually incongruous and bulky addition that fails to respect the character and appearance of the host dwelling. The larger dormers, which spans both the main house and existing side extension appear overly dominant and disrupt the coherence of the existing roof form. This causes harm to the visual amenity of the property and the surrounding street scene. As such, the proposal is contrary to policies SP1, DM1, and EN1 of the Manchester Core Strategy, saved policy DC1 of

the Unitary Development Plan, and the design principles set out in chapter 12 of the National Planning Policy Framework. Planning permission is therefore refused.

Other Legislative Requirements
Equality Act 2010
Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

Human Rights Act 1998 considerations
This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved polices of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Refuse

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. The application has been considered to be contrary to the development plan.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1. Visual Amenity
The proposed side dormer, by reason of its scale, design, and positioning, fails to integrate with the host dwellinghouse. It appears as an incongruous and visually intrusive addition that does not blend with the existing roof form or overall design of the property. The resulting harm to the character of the building and the visual amenity of the street scene is considered unacceptable. As such, the proposal is contrary to saved Policy DC1 of the Unitary Development Plan for the City of Manchester, Policies SP1 and DM1 of the Manchester Core Strategy, and the design principles set out in the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Withington Civic Society

Kingdom Hall Of Jehovahs Witnesses, Beaconsfield, Manchester, M14 6UP
Flat 6, 9 Beaconsfield, Manchester, M14 6UP
7A Derby Road, Manchester, M14 6UN
Flat 6, 8 Beaconsfield, Manchester, M14 6UP
11 Beaconsfield, Manchester, M14 6UP
Flat 6, 34 Derby Road, Manchester, M14 6UW
Flat 5, 34 Derby Road, Manchester, M14 6UW
Flat 4, 34 Derby Road, Manchester, M14 6UW
Flat 3, 34 Derby Road, Manchester, M14 6UW
Flat 2, 34 Derby Road, Manchester, M14 6UW
Flat 1, 34 Derby Road, Manchester, M14 6UW
Flat 4, 5 Derby Road, Manchester, M14 6UN
Flat 1, 5 Derby Road, Manchester, M14 6UN
Flat 3, 8 Beaconsfield, Manchester, M14 6UP
Flat 5, 10 Beaconsfield, Manchester, M14 6UP
Flat 2, 10 Beaconsfield, Manchester, M14 6UP
Flat 3, 22 Derby Road, Manchester, M14 6UW
Flat 4, 9 Beaconsfield, Manchester, M14 6UP
Flat 1, 9 Beaconsfield, Manchester, M14 6UP
Flat 3, 7 Beaconsfield, Manchester, M14 6UP
Flat 7, 34 Derby Road, Manchester, M14 6UW
Flat 7, 5A Derby Road, Manchester, M14 6UN
Flat 5, 5 Derby Road, Manchester, M14 6UN
32 Derby Road, Manchester, M14 6UW
Flat 10, 32 Derby Road, Manchester, M14 6UW
Flat 9, 32 Derby Road, Manchester, M14 6UW
Flat 8, 32 Derby Road, Manchester, M14 6UW
Flat 7, 32 Derby Road, Manchester, M14 6UW
Flat 6, 32 Derby Road, Manchester, M14 6UW
Flat 6, 5A Derby Road, Manchester, M14 6UN
Flat 5, 5A Derby Road, Manchester, M14 6UN
Flat 4, 5A Derby Road, Manchester, M14 6UN
Flat 3, 5A Derby Road, Manchester, M14 6UN
Flat 2, 5A Derby Road, Manchester, M14 6UN
Flat 1, 5A Derby Road, Manchester, M14 6UN
5A Derby Road, Manchester, M14 6UN
5 Derby Road, Manchester, M14 6UN
Flat 5, 32 Derby Road, Manchester, M14 6UW
Flat 4, 32 Derby Road, Manchester, M14 6UW
Flat 3, 32 Derby Road, Manchester, M14 6UW
Flat 2, 32 Derby Road, Manchester, M14 6UW
Flat 1, 32 Derby Road, Manchester, M14 6UW
24 Derby Road, Manchester, M14 6UW
Flat 1, 10 Beaconsfield, Manchester, M14 6UP
Flat 5, 9 Beaconsfield, Manchester, M14 6UP
Flat 3, 9 Beaconsfield, Manchester, M14 6UP
Flat 2, 9 Beaconsfield, Manchester, M14 6UP
Flat 5, 7 Beaconsfield, Manchester, M14 6UP
Flat 4, 7 Beaconsfield, Manchester, M14 6UP
Flat 2, 7 Beaconsfield, Manchester, M14 6UP

Flat 1, 7 Beaconsfield, Manchester, M14 6UP
Flat 3, 5 Derby Road, Manchester, M14 6UN
Flat 2, 5 Derby Road, Manchester, M14 6UN
Flat 5, 8 Beaconsfield, Manchester, M14 6UP
Flat 4, 8 Beaconsfield, Manchester, M14 6UP
Flat 2, 8 Beaconsfield, Manchester, M14 6UP
Flat 1, 8 Beaconsfield, Manchester, M14 6UP
Flat 4, 10 Beaconsfield, Manchester, M14 6UP
Flat 3, 10 Beaconsfield, Manchester, M14 6UP
Flat 5, 22 Derby Road, Manchester, M14 6UW
Flat 4, 22 Derby Road, Manchester, M14 6UW
Flat 2, 22 Derby Road, Manchester, M14 6UW
Flat 1, 22 Derby Road, Manchester, M14 6UW
20 Amherst Road, Manchester, M14 6UQ
9 Derby Road, Manchester, M14 6UN
22 Amherst Road, Manchester, M14 6UQ
11 Derby Road, Manchester, M14 6UN
7 Derby Road, Manchester, M14 6UN
28 Derby Road, Manchester, M14 6UW
26 Derby Road, Manchester, M14 6UW
24A Derby Road, Manchester, M14 6UW
30 Derby Road, Manchester, M14 6UW

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Flood Zones Type 3 (high risk) -
Flood Zone Plus Climate Change -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH AREA