MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	143792/FH/2025
Date registered valid:	21 August 2025
Proposal:	Retrospective application for the erection of a single storey rear extension
Address:	16 Anfield Road, Manchester, M40 3NS
Ward(s):	Moston Ward
Applicant:	Mr Daniel Pechev
Agent (if any):	Miss Robyne Marsden, Plans 2 Extend Ltd
Case officer:	Steven McCoombe Tel: 0161 234 4607 Email: steven.mccoombe@manchester.gov.uk
Recommendation:	Decline to Determine Application
Date of recommendation:	9 October 2025

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: September 2025

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 2 September 2025 Expired: 23 September 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 site relates to a two storey, semi-detached dwellinghouse, incorporating front and rear garden areas. To the rear is a large, single storey rear extension for which retrospective planning permission is sought as part of this application.

The property forms one of six semi-detached properties set around a crescent, fronted by a lawned area.

The property does not include any off-road parking area.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The immediate area is predominantly residential in character, largely comprising two storey, semi-detached and terraced dwellinghouses.

To the rear of the property boundary is a linear area of informal open space which incorporates a public right of way that runs parallel with the property.

Description of development

Retrospective planning permission is sought for the erection of a single storey rear extension.

The application follows the refusal and subsequent dismissal at appeal (see below history) for a recent, earlier proposal involving the rear extension, albeit not in associated with the previously proposed change of use of the property from dwellinghouse (Class C3) to 6-bedroom house in multiple occupation (Class C4).

The proposed extension projects 4.3 metres to the rear and would lead approximately 25 sqm of rear garden space. While the external design and footprint remain identical to the previously refused scheme and later dismissed at appeal, the internal layout has been revised, replacing the formerly proposed bedroom with an office/study.

Consultations & Notification Responses

Local Residents/Occupiers – No representations received

Planning History

142035/FO/2025

Retrospective application for a change of use from dwellinghouse (Class C3) to 6-bedroom house in multiple occupation (Class C4) together with the erection of a single storey rear extension. *Refused 6 March 2025. Dismissed on Appeal 28 July 2025 (APP/B4215/W/25/3364975)*

Background

Planning permission was refused on 6 March 2025 for a change of use from dwellinghouse (Class C3) to 6-bedroom house in multiple occupation (Class C4), together with the erection of a single storey rear extension (Ref: 142035/FO/2025).

The refusal of permission was subsequently dismissed at appeal on 28 July 2025 (Ref: APP/B4215/W/25/3364975).

The current proposal is a resubmission, excluding the previously proposed change of use from a dwellinghouse to a house in multiple occupation. The single-storey extension, which was previously deemed unacceptable, has been resubmitted with an identical external design. However, the internal layout has been revised, replacing the previously proposed bedroom with an office/study.

Policy

Local Development Framework

The principal document within the framework is the Manchester Core Strategy which sets out the spatial vision for the City and includes strategic policies for development during the period 2012 – 2027.
'The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development.

A number of UDP policies have also been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must

therefore be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'

The following policies within the Core Strategy are considered relevant:

Core Strategy policies

Policy SP1 (Spatial Principles) - refers to the key spatial principles which will guide the strategic development of Manchester together with core development principles. It is stated that developments in all parts of the city should create well designed places which enhance or create character, make a positive contribution to the health, safety and well-being of residents, consider the needs of all members of the community and protect and enhance the built environment. Further, development should seek to minimise emissions, ensure the efficient use of natural resources, reuse previously developed land wherever possible, improve access to jobs, services and open space and provide good access to sustainable transport provision.

Policy DM1 (Development Management) - states that new development should have regard to more specific issues for which more detailed guidance may be given within supplementary planning documents. Issues include: the appropriate siting and appearance of development, the impact upon the surrounding area, the effects on amenity, accessibility, community safety and crime prevention, health, the adequacy of internal accommodation and amenity space and refuse storage/collection.

Unitary Development Plan for the City of Manchester, 1995 (Saved Policies)

The below saved policy of the Unitary Development Plan is also considered relevant:

Saved policy DC1 (Residential Extensions) provides criteria to be considered in determining applications for extensions to residential properties.

Policy DC1.1 states that in determining planning applications for extensions to residential properties, the Council will have regard to:

a. the general character of the property;
b. the effect upon the amenity of neighbouring occupiers;
c. the desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs;
d. the overall appearance of the proposal in the street-scene;
e. the effect of the loss of any on-site car parking.

Policy DC1.2 states further that extensions to residential properties will be allowed subject to compliance with other relevant policies of the UDP and the following criteria;

a. they are not excessively large or bulky (for example, resulting in structures which are not subservient to original houses or project out too far in front of the original buildings);
b. they do not create an undue loss of sunlight, daylight or privacy;
c. they are not out of character with the style of development in the area or the surrounding street scene by virtue of design, use of materials or constructional details;
d. they would not result in the loss of off-street car-parking, in a situation where there is a severe existing on-street parking problem.

The Guide to Development in Manchester (SPD) (2007)

The Guide to Development in Manchester is a supplementary planning document which contains core principles to guide developers. The document offers design advice and sets out the City Council's aspirations and vision for future development and contains core principles to guide developers to produce high quality and inclusive design. The principles that development should seek to achieve, include, character and context, continuity, and enclosure, ease of movement, quality of the public realm, diversity, legibility and adaptability.

National Planning Policy Framework

The central theme to the revised NPPF is to achieve sustainable development. The Government states that there are three dimensions to sustainable development: an economic role, a social role and an environmental role.

Section 4 provides guidance on the decision-making process and mirrors legislation in stating that planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Section 12 relates to achieving well-designed Place. Of particular relevance, Paragraph 135 states:

Planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Issues

Decline to Determine

This application follows the refusal of planning permission and the subsequent dismissal of a related planning appeal for a similar proposal, specifically, the retention of a single-storey rear extension.

In this instance, the City Council has exercised its discretionary powers to decline to determine the current application.

There has been no change in Development Plan policies or any material change in circumstances since the appeal was dismissed. To discourage the submission of repeat applications intended to gradually overcome opposition to the development, the City Council has chosen to invoke its powers under planning legislation to decline to determine the application.

Under Section 70A of the Town and Country Planning Act 1990, a Local Planning Authority may decline to determine a planning application if, within the two years preceding the application, the Secretary of State has dismissed an appeal against the refusal of a similar application, and in the Authority's opinion, there has been no significant change in the development plan or other material considerations since that refusal or dismissal.

Retrospective planning permission was refused on 6 March 2025 for the change of use from a dwellinghouse (Class C3) to a six-bedroom house in multiple occupation (Class C4), along with the erection of a single-storey rear extension (Ref: 142035/FO/2025). A subsequent appeal was dismissed on 28 July 2025 (Ref: APP/B4215/W/25/3364975).

The current application was registered on 21 August 2025, falling within the two-year period specified under Section 70A. Although the change of use element has been omitted, the proposed rear extension, previously found to be unacceptable, remains unchanged.

The City Council maintains that the footprint of the extension, which is already in place, has resulted in a significant reduction of the rear garden area. What remains is a narrow strip of outdoor space wrapping around the extension, parts of which is indicated as being designated for bin and cycle storage.

While the Council does not prescribe minimum amenity space standards in policy, it is considered that the remaining garden area is inadequate for a family-sized dwellinghouse.

The rearward projection and overall scale of the extension is deemed excessive and lacking in subservience to the host property. Consequently, the development results in a garden area that is both insufficient in size and functionally compromised, failing to provide usable amenity space proportionate to the dwelling.

At paragraphs 22-26 of the subsequent appeal decision, the Inspectors notes:

> *22. The proposed development includes a single storey rear extension which is already constructed. It takes up the vast majority of the rear amenity space of the property, leaving only a narrow strip of land to its side and rear, some of which is to be used for bin and cycle storage.*
>
> *23. The LPA concedes that it has no policy specifying a minimum requirement for the amount of amenity space. Notwithstanding this, CS policy DM1 requires that new development must have regard to the adequacy of external amenity spaces, while the LPA's Guide to Development Supplementary Planning Document (SPD) states that residents should be able to enjoy private amenity space and that such space should be fit for purpose.*
>
> *24. In this instance, the proposed extension leaves little space for occupiers of the premises for example to sit out, dry washing or for landscaping and gardening. This would apply whether the premises were to be used either as a family home or aas an HMO. Neither would it provide a sufficient area for children to play.*

25. I acknowledge that there is close nearby, other open space, but this lacks the control and privacy applicable to private amenity space.

26. Therefore, I conclude that the extension would conflict with the requirements of policy DM1 of the CS, and with the SPD, and would also not accord with paragraph 12 of the Framework which requires development to achieve good design with a high standard of amenity.

Given the above, as there has been no change to circumstance or relevant, Development Plan policy, the City Council is able to exercise its discretionary power to decline to determine the application.

In order to prevent the applicant wearing down opposition to the change of use and the use of modifications in order to make the use more acceptable, the City Council as Local Planning Authority has declined to determine the application pursuant to Section 70A of the Town and Country Planning Act 1990. An appropriate entry will be made in the planning register to reflect this decision.

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: Decline to Determine Application

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

1) The City Council has exercised its powers to decline to determine the application, pursuant to Section 70A of the Town and Country Planning Act 1990.

Under Section 70A of the Town and Country Planning Act 1990 (as amended), a Local Planning Authority may decline to determine an application for planning permission, if the Secretary of State has dismissed an appeal against the refusal of a similar application in the two years prior to the submission of that application.

In the opinion of the Local Planning Authority, the proposal forming this planning application as set out in the submitted documents and associated plans, is similar to a previous planning application (Ref: 142035/FO/2025) that the Local Planning Authority refused on 6 March 2025 and the Secretary of State subsequently dismissed at appeal (Ref: APP/B4215/W/25/3364975) on 28 July 2025.

As the Council have already deemed the development to be unacceptable, and there has been no material change in circumstances in the intervening period;, then pursuant to Section 70A of the Town and Country Planning Act 1990 (as amended), the Council as Local Planning Authority, hereby declines to determine the application and the appropriate entry will be made in the planning register to reflect this decision.

Appendix 1 – List of consultees & neighbours notified

20 Anfield Road, Manchester, M40 3NS
14 Anfield Road, Manchester, M40 3NS
18 Anfield Road, Manchester, M40 3NS
12 Anfield Road, Manchester, M40 3NS

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Area Team Boundary - Name: NORTH AREA