

Planning

Growth & Development

Delegated officer report for planning application

Application no. 143949/NMC/2025

Date registered valid: 11 September 2025

Proposal: Non Material Amendment to planning permission 142394/FH/2025 to allow movement of outbuilding

Address: 49 White Moss Avenue, Manchester, M21 0XS

Ward(s): Chorlton Park Ward

Applicant: Mr N Ahmed

Agent (if any): Mr Dean King, NK Architectural

Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 6 October 2025

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Standard consultations:

No consultations have been printed and sent.

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

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

The application site relates to 49 White Moss Avenue within the south Manchester ward of Chorlton Park. The application site relates to a semi-detached, two storey, red brick dwellinghouse with a hipped roof and in built porch area, and a previous part single, part two storey rear extension (see planning ref: 092975/FH/2010/S1). Amenity space to the front of the property consists of hardstanding which extends along the side of the property. Amenity space to the rear is characterised by a grassed garden. At the time of the site visit, a detached garage previously at the site had been demolished.

Description of area

The immediate area is residential in context.

Description of development

The site is subject to the permission of 142394/FH/2025 for the erection of a single storey outbuilding in rear garden, approved 16 May 2025.

The outbuilding approved would at the largest point, have approximate dimensions of Height: 3.5 x Length: 6.8 x Width: 4.7 metres. The outbuilding is marked on the plans as an outhouse with a toilet and as confirmed by the agent via email on 12 May 2025, the outbuilding would be used for a store and home gym. The proposal would involve the insertion of double doors and surrounding windows within the primary elevation, a personnel door in the side elevation and an obscure glazed window within the rear elevation.

Materials to be used would include:

- Brickwork to match existing
- Concrete roof tiles to match existing
- Proposed anthracite PVCu double glazed windows
- Anthracite external door

Through the current non-material change application, consent is required to move the position of the outbuilding. The position of the outbuilding would be sited closer to the rear boundary of the applicant site, with a 500mm gap between the outbuilding to the rear boundary (see Figure 1). Further, the width of the outbuilding would reduce from 4.7 metres to 4 metres.



Figure 1, Site layout approved under 142394/FH/2025 (left hand image) and site layout proposed through 143949/NMC/2025

Further Planning History

092975/FH/2010/S1- Erection of part single, part two storey rear extension to form additional living accommodation. Approved 19 May 2010.

Consultations & Notification Responses

N/A.

Issues

POLICY

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):

- a) an economic objective
- b) a social objective and
- c) an environmental objective.

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

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

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.

The Core Strategy is the key document in Manchester's Local Development Framework. It 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. Of relevance are:

Policy DM1 (Development Management),
Policy SP1 (Spatial Principles) and
Policy EN1 (Design Principles and Strategic Character Areas).

Unitary Development Plan Saved Policies

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

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 the 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 a street scene;
- e. The effect of the loss of any on-site car parking.

DC1.2 states that extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan 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 original buildings);
- b. They do not create 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 scene by virtue of design, use of materials or construction details.
- d. they would not result in the loss of off-street car-parking, in a situation where there is so severe an existing on-street parking problem that unacceptable additional pressures would be created.

DC1.3 Notwithstanding the generality of the above policies, the Council will not normally

approve:

- a. rearward extensions greater than 3.65m (12 ft) in length;
- b. 2-storey extensions with a flat roof, particularly those which would be visible from the public highway;
- c. 2-storey extensions to terraced properties which occupy the full width of the house;
- d. flat roofed extensions to bungalows;
- e. extensions which conflict with the Council's guidelines on privacy distances (which are published as supplementary guidance).

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007.

The Guide aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The guidance is grouped under seven key principles recognised by CABI as being those urban design characteristics which create successful places. These are: character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability. It advises that high quality design is a vital attribute of successful neighbourhoods. Of relevance are paragraph 2.7, paragraph 2.14 and paragraph 2.16.

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 Plan and its policies are now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given full weight in the planning balance.

The following policies are relevant:

JP- S1- Sustainable development

ISSUES

Section 96A of the 1990 Act (as inserted on 1st October 2009 by sec.190 of the Planning Act 2008) allows a local planning authority in England to make a change to any planning permission relating to land in its area if it is satisfied that the change is not material. In deciding whether a change is material, the authority must have regard to the effect of the change, together with any previous non-material changes, to the planning permission as originally granted.

The non material change application is related to approved planning application ref: 142394/FH/2025 for the erection of a single storey outbuilding in rear garden, approved 16 May 2025.

Through the current non-material change application, consent is required to move the position of the outbuilding, and to reduce the width of the outbuilding. The position of the outbuilding would be pushed close to the rear boundary of the applicant site, with a 500mm gap (see Figure 1). The width of the outbuilding would reduce from 4.7 metres to 4 metres.

Whilst such change in location would be usually dealt with via s73 variation application, it is noted the resultant harm of the outbuilding would be reduced as the outbuilding would be sited

further away from no.51 White Moss Avenue's rear amenity space than previously approved. Such siting would further reduce any minimal overbearing feature that would be caused from its original position. This is further mitigated by the small reduction in the width of the outbuilding which would reduce the overall massing of the proposal.

However, such location change would result in the outbuilding being sited 500mm off the southern boundary of the site. This would result in the bathroom window being sited against the boundary. Although such window was conditioned within the initial approval as being obscure glazed (condition 4 attached to 142394/FH/2025), such location of the window would result in a poor relationship with the southern boundary of the applicant site. Further, as per the site visit for the 142394/FH/2025 application undertaken on 30 April 2025, it was possible to view into the southern neighbours' rear garden (property no.260 Kings Road) (see Figure 2).



Figure 2, View into no.260 Kings Road garden from rear of applicant site (photo taken 30 April 2025))

As such, it is considered the proposed bathroom window would give rise to the perception of overlooking due to its position close to the boundary and so could give rise to adverse privacy implications, contrary to Policy DC1 of the UDP and Core Strategy policies SP1 and DM1.

As such, the City Council is not satisfied that the changes put forward as part of the application, would not have a detrimental impact upon the residential amenity of neighbouring occupiers. For this reason, it is considered that the application is refused on this basis.

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 policies 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

N/A.

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

1) The submitted plan proposes a non-material amendment to planning permission 142394/FH/2025 to allow movement of outbuilding and reduce width of outbuilding. The outbuilding would be sited 500mm from the rear boundary of the site (see Figure 1). The width of the outbuilding would reduce from 4.7 metres to 4 metres.

2) Following an assessment of the details submitted, it is confirmed that the proposed amendment would result in material change to the development. The City Council considers that the proposed change would have an impact on the amenity of neighbouring residents. As such the proposal cannot be determined as non-material under section 96A of the Town and Country Planning Act 1990.

Appendix 1 – List of consultees & neighbours notified

264 Kings Road, Manchester, M21 0XQ
258 Kings Road, Manchester, M21 0XQ
Flat 44, Aylesby Court, 487 Wilbraham Road, Manchester, M21 0US
Flat 42, Aylesby Court, 487 Wilbraham Road, Manchester, M21 0US
Flat 39, Aylesby Court, 487 Wilbraham Road, Manchester, M21 0US
Flat 37, Aylesby Court, 487 Wilbraham Road, Manchester, M21 0US
38 White Moss Avenue, Manchester, M21 0XT
51 White Moss Avenue, Manchester, M21 0XS
47 White Moss Avenue, Manchester, M21 0XS
262 Kings Road, Manchester, M21 0XQ
260 Kings Road, Manchester, M21 0XQ
Flat 45, Aylesby Court, 487 Wilbraham Road, Manchester, M21 0US
Flat 43, Aylesby Court, 487 Wilbraham Road, Manchester, M21 0US
Flat 41, Aylesby Court, 487 Wilbraham Road, Manchester, M21 0US
Flat 40, Aylesby Court, 487 Wilbraham Road, Manchester, M21 0US
Flat 38, Aylesby Court, 487 Wilbraham Road, Manchester, M21 0US

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Area Team Boundary - Name: SOUTH AREA