

Planning

Growth & Development

Delegated officer report for planning application

Application no. 142842/FH/2025
Date registered valid: 30 April 2025
Proposal: Retention of single storey rear extension
Address: 42 Marshall Road, Manchester, M19 2FQ
Ward(s): Burnage Ward

Applicant: Mr Waqas Afzal
Agent (if any): Mr V Alyas, Architek
Case officer: Sue Wills
Tel: 0161 234 4524
Email: sue.wills@manchester.gov.uk

Recommendation: Refuse
Date of recommendation: 28 July 2025

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 29 May 2025

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 15 May 2025 Expired: 6 June 2025

Site notice

No site notice has been produced

Press advert

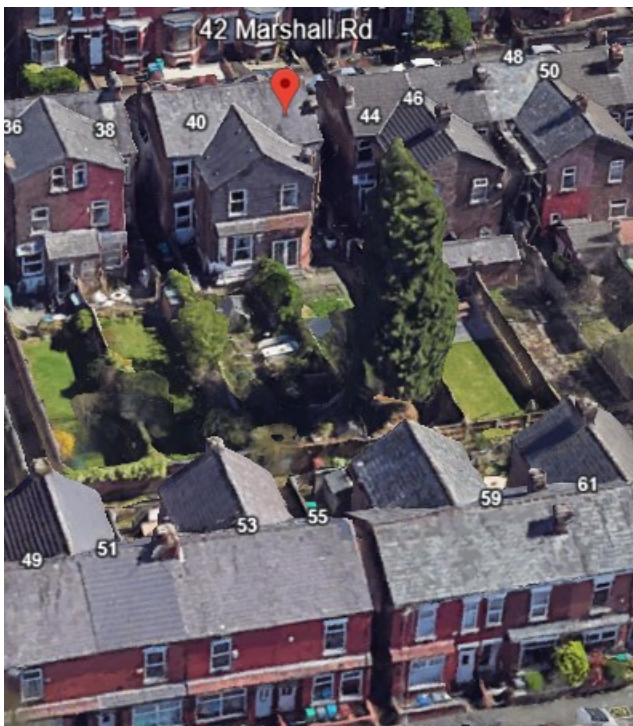
No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application site relates to part of the rear garden area associated with a two storey semi detached house at 42 Marshall Road, which has a two storey rear outrigger and a partially above ground basement forming the dwelling. The perimeter boundary treatment to the rear garden comprises a mix of wooden fencing to side garden boundaries and a high brick wall to the rear boundary.



Location of development

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The application site is situated within a predominantly residential area, largely comprising two storey terraced dwellinghouses (with some semi-detached properties), which lies to the west of Levenshulme District Centre, and north of Alma Park Primary School.

Planning History

No other planning application related to this address.

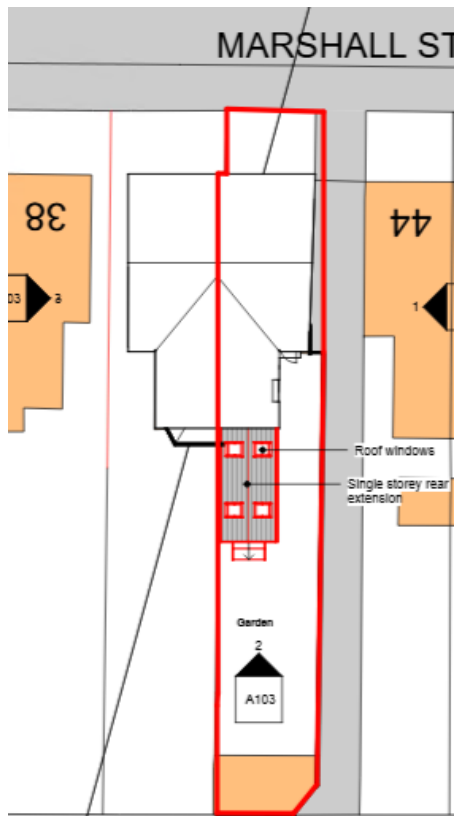
Description of development

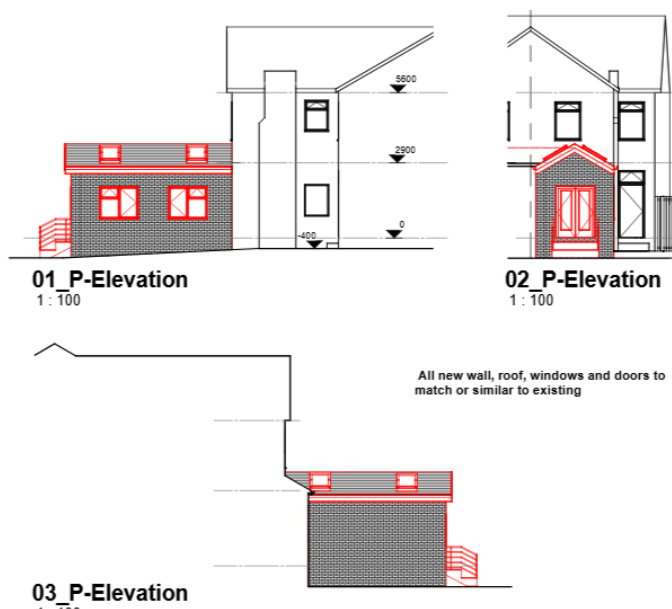
Consent is sought for the retention of a single storey rear extension to the existing rear outrigger at the property. The extension has a maximum rearward projection of 6.0 m from the rear façade of the outrigger to the rear of the dwellinghouse and is 3m in width.

The northern elevation has a consistent height to eaves of 3.2m and 4.37m to the ridge of the roof. However, the height to eaves varies from 2.95m to 3.25m, and the associated height to ridge of the roof varies from 4.1m to 4.3m, along the southern elevation, due to the variation in ground levels in the rear garden.

The internal floor level within the extension is set at the internal ground floor level of the existing house, which is set above a basement, which lies partially above external ground levels. This has necessitated the incorporation of stepped access to the rear elevation, which serve a set of double doors.

Two windows are present in the southern elevation which serve a lounge area. There are 4 roof lights, two in each roof slope of the rear extension.





Negotiations during the course of the application

During the course of the application, the LPA advised that the originally submitted plans did not accurately reflect the extension which had been built, and clarification was sought in relation to the scheme the local planning authority was being asked to consider. At that time, the planning agent was advised that the scheme as submitted gave rise to concerns in relation to resultant impacts to visual and residential amenity for the adjoining occupiers. Revised plans were subsequently submitted which reflected the as built scheme, and the concerns over the resulting visual and residential impacts were reiterated to the planning agent. No further revisions responding to the matters raised have been received.

In this instance it is not considered that the revised scheme under consideration overcomes the concerns raised, without significantly amending the scheme.

Consultations & Notification Responses

Local residents – 2 emails have been received objecting to the application on the following grounds:

- Work started in May 2024. No notice of commencement of work has been given.
- Concerns over size of building and quality/safety of work undertaken.
- Concerns that no attempt has been made to repair the existing broken rainwater goods which cause excessive overflow onto other properties when it rains. The new gutters which have been installed have been fixed incorrectly, and not connected to existing gutters causing excessive overflow onto other properties when it rains.
- Building materials that have not been cleared/removed have washed into adjacent properties.
- The floor level of the garden has been raised (mainly by excess building material that has not been removed) above the base level of the boundary fencing. Material is now in contact with the wooden fence panels (above concrete slab/gravel board) and prevents removal for any maintenance/repair of the wooden panels. This is having a detrimental effect on the condition of the fence.
- Raised floor level in garden causes the resident's head height to be well above the height of 1.8m fence between properties resulting in a loss of privacy to adjacent occupiers.
- 2 windows have been incorporated into the southern elevation overlooking the adjacent property.

- The extension by reason of its size, depth, width, height and massing would have an unacceptably adverse impact on the amenities of the properties immediately adjacent to the site and the surrounding area by reason of overshadowing and loss of light. The tall, narrow and long nature of the extension has significantly diminished levels of light to properties and gardens. The siting and orientation of the extension acts a tall and long barrier to light. Furthermore, the conditions are considerably worse in winter times when access to light is more limited.
- The extension would have an unacceptably adverse impact on the amenities of the properties immediately adjacent to the site and the surrounding area on the basis of emanating and accentuating noise and smells due to the location of the proposed rooflights in proximity to first floor windows in adjacent properties.
- The proposed extension, by reason of its size, siting and design would represent an unneighbourly form of development, detrimental to the amenities of the occupiers of adjoining residential property, particularly by reason of the overbearing effect. Residents express feelings of have been penned in and dwarfed by the new structure.
- Residents express concerns related to overshadowing.

Policy Context

Places for Everyone

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: i.JP- S1- Sustainable development

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. Section 4. Decision Making' 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.
- ii. Chapter 12. Achieving well-designed places. 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 wellbeing, 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. Paragraph 139 states further that 'Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes'.

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.

Relevant Core Strategy policies include: -

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.

Policy EN1 (Design Principles and Strategic Character Areas) - All development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and listed above and have regard to the strategic character area in which the development is located. Opportunities for good design to enhance the overall image of the city should be fully realised, particularly on major radial and orbital road and rail routes. character and context, continuity, and enclosure, ease of movement, quality of the public realm, diversity, legibility and adaptability.

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.

Saved Unitary Development Plan policies

Large elements of the UDP have been superseded by the Manchester Core Strategy (2012). 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 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 CABE 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.

Issues

Principle

The submitted development application is for the retention of single storey rear extension, with raised steps. Extending a residential property, via extensions including two storey rear extensions in order to provide additional living accommodation is usually acceptable in principle. However, in these circumstances, the scheme is considered to constitute harm to the surrounding properties due to the bulk, massing. The LPA believe the rearward projection would need to be significantly reduced and windows to the southern elevation removed or obscured glazed. No revised plan showing such amendments was supplied by the agent to overcome concern raised. The development is therefore not acceptable, as the benefits to the applicant do not outweigh the potential harm in relation to visual/residential amenity and design and appearance.

Visual/ Residential Amenity

Impacts to nos.40 and 44 Marshall Road

The 6.0m single storey pitched roof rear extension is sited in close proximity the common boundary with no.40 Marshall Road. Due to the elevated nature of the extension to enable it to line through with the internal floor levels in the existing property (which above an existing partially above ground basement in the host property), and that no.40 Marshall Road lying directly to the north of the rear extension, the extension gives rise to overshadowing of the adjacent garden and to the ground floor room in the rear outrigger of no.40 Marshall Road. At The extension is also considered to be overbearing due to the overall length of 6.0m of the extension along the boundary with the adjacent occupiers.



Views of partially built northern elevation of extension

Whilst noting that the rearward projection of the extension is the length of single storey extensions permitted through the prior approvals process for as larger home extensions, this is an as built structure which cannot be considered through that process. Furthermore, the rearward projection is in excess of guidance in the saved UDP policy DC1.3.

It is considered that the adverse impacts to residential and visual amenity of the occupiers of no.40 Marshall Road due to the length of the as built extension, in conjunction with height of the structure above ground level and the proximity to the northern boundary, would be of sufficiently adverse nature to warrant refusal of permission.

The as built extension has two windows in the southern elevation, which lie 2.4 m from the southern boundary of the property. Due to the internal floor level of the rear extension lining through with the host dwelling, window openings serving the lounge area are in an elevated position which enables overlooking above the boundary fence and into the neighbour's rear garden. There is already a high close boarded wooden fence along the boundary with no.44 Marshall Road, but the existing fencing does not fully screen views from the windows, and it is considered that an increase of height of fencing on this boundary would create an unacceptable feeling of enclosure for the occupiers of no.44 Marshall Road.



View of southern side elevation of rear extension



Views from the as built extension looking south





Views from the as built extension looking south



Relationship of extension to southern boundary



Relationship to the northern boundary and associated change in levels

Car Parking

There are no existing off street parking arrangements.

Waste Management

The existing arrangements would be unaffected. Adequate space remains for bins to be retained within the private side and rear amenity space.

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

Officers have communicated their concerns about this proposal to the applicant during the course of the planning application, but these concerns have not been overcome. The proposal is considered to be contrary to the development plan and therefore refused in a timely manner.

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

1. The single storey rear extension by reason of its form, scale, height, projection and massing, and proximity to the common boundary with no.40 Marshall Road creates an overbearing feature and overly dominant impact, reducing the sense of openness the neighbours of no.40 could reasonably expect to enjoy. The insertion of 2no. windows within the lounge facing in the direction of no.44 Marshall Road gives the perception of overlooking, to the detriment of privacy and residential amenity. As such, the proposal is considered contrary to the City Council's Planning Policies SP1 and DM1 of the Manchester Core Strategy (2012), saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995), the Guide to Development in Manchester SPD, policy JP- S1 of Places for Everyone and the National Planning Policy Framework.

2) The single storey rear extension by reason of its form, scale, height, projection, resultant roof form and massing forms an overly bulky and visually obtrusive feature, which is out of character with, and fails to contribute positively to, the local area. The proposal would therefore have an

unduly harmful impact in relation to design and appearance, which is contrary to the City Council's Planning Policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012), saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995), the Guide to Development in Manchester SPD, policy JP- S1 of Places for Everyone and the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

44 Marshall Road, Manchester, M19 2FQ
43 Marshall Road, Manchester, M19 2EG
37 Marshall Road, Manchester, M19 2EG
46 Marshall Road, Manchester, M19 2FQ
40 Marshall Road, Manchester, M19 2FQ
65 Forest Range, Manchester, M19 2ES
63 Forest Range, Manchester, M19 2ES
59 Forest Range, Manchester, M19 2ES
61 Forest Range, Manchester, M19 2ES
57 Forest Range, Manchester, M19 2ES
41 Marshall Road, Manchester, M19 2EG
39 Marshall Road, Manchester, M19 2EG
45 Marshall Road, Manchester, M19 2EG
55 Forest Range, Manchester, M19 2ES
38 Marshall Road, Manchester, M19 2FQ

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA