
Appeal Decision

Site visit made on 9 February 2026 by S Manson DipTP MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 February 2026

Appeal Ref: 6002298

31 Celia Street, Manchester M8 5UB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Shahzia Rafiq against the decision of Manchester City Council.
 - The application Ref is 143304/FH/2025.
 - The development proposed is described as “retrospective consent for retention of garden annexe.”
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Decision

1. The appeal is dismissed.

Appeal Procedure and Background

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal scheme, which seeks retrospective planning permission. I am satisfied that the plans titled “proposed” accurately depict the works on site.

Main Issues

3. The main issues are the effect of the development on a) the character and appearance of the area; b) the living conditions of the occupiers of Numbers 29 and 33 Celia Street (No. 29 and No. 33) with specific regard to outlook; and the occupiers of the host dwelling with specific regard to outdoor amenity space and noise.

Reasons for the Recommendation

Character and Appearance

4. The appeal property is a modern three-storey mid-terraced dwelling, within a residential area characterised by dwellings of similar appearance and architectural form. A small access road is situated to the rear of the site which allows for a separate entrance to the rear of the property. Rear gardens are narrow and modest in size, with the exception of Number 27 Celia Street, and feature typical garden paraphernalia, including sheds and outbuildings of limited height and footprint. This consistent pattern contributes positively to the area’s overall sense of spaciousness and visual cohesion.
5. The outbuilding’s substantial footprint occupies almost the entirety of the host property’s rear garden area, leaving only a narrow passage along one side and minimal space between the structure and the host dwelling. Its considerable massing, flat roof form and unbroken height result in a large and visually assertive building that dominates the depth and width of the plot. The inclusion of windows

and a door along the side elevation reinforces an impression of an independent unit rather than a modest, subordinate garden structure. Such a scale of back land development is largely uncharacteristic within this residential context, where outbuildings are ordinarily much smaller and typical of garden structures. Its prominent visibility from both the access road and surrounding neighbouring properties accentuates its incongruity and amplifies its impact, which is to unacceptably reduce the area's otherwise open feel in respect of rear gardens. As a result, the outbuilding causes harm to the character and appearance of the area.

6. Consequently, it conflicts with Policies SP1, EN1 and DM1 of the Core Strategy Development Plan Document 2012 (DPD), and guidance set out in the Guide to Development in Manchester, Manchester Residential Quality Guidance and National Guidance 2017. These, amongst other things, seek to ensure that extensions are appropriate to their siting, in terms of scale and form, and positively contribute to creating well designed places that enhance the character and appearance of the surrounding area.

Living Conditions

7. The outbuilding sits directly along the shared boundary with No. 29. Added to that No. 29 is positioned on a slightly lower ground level than the appeal site, the structure's continuous and uninterrupted expanse of brickwork elevation creates an extended and unrelieved built form along the boundary. Its substantial and visually intrusive presence, results in an overbearing and oppressive sense of enclosure for users of the garden.
8. Similarly, although marginally set away from the boundary with No. 33 by a narrow passage, the limited separation does little to reduce the perceived bulk of the structure. The presence of windows to a bedroom and living room in this side elevation further reinforces the impression of a building of notable scale rather than a modest, ancillary garden annexe, leading to an unacceptably poor standard of outlook for users of the garden at No. 33.
9. The host dwelling is a substantial family-sized property, yet the construction of the outbuilding has removed the majority of its original rear garden. While I have been given no details of a minimum expected size for a private garden, the remaining external area is extremely limited in both size and configuration, comprising only narrow, fragmented spaces that offer little meaningful opportunity for sitting out, recreation or general domestic use. As a result of the outbuilding's scale and footprint, the dwelling is left with no functional or readily usable private garden space. This falls well below what would reasonably be expected for a family home of this size and type and unacceptably diminishes the quality of living conditions for current and future occupiers.
10. The appeal scheme therefore conflicts with Policy DC1 of the Unitary Development Plan for the City of Manchester 1995, and Policies SP1 and DM1 of the DPD which, amongst other things, seek to ensure that development does not harm the amenity of neighbouring properties.
11. The appeal before me seeks only to regularise the development as part and parcel of the existing dwellinghouse use. There is no evidence to suggest that the outbuilding is being used for anything else than what has been applied for. Should any future change of use be proposed, it would be subject to a separate planning application and assessment. Therefore, as the outbuilding is used intermittently by

an occupant of the host dwelling, any noise generated is likely to be minimal and comparable to, in this case, more predictable typical single household activity.

Other Matters

12. I am aware that the purpose for the outbuilding is to provide a separate space for one of the occupants of the dwelling due to personal circumstances. In considering my recommendation, I have had due regard to the Public Sector Equality Duty set out under section 149 of the Equality Act 2010, particularly the need to eliminate discrimination against persons with protected characteristics of age and/or disability, advancing equality of opportunity for those persons and fostering good relations between them and others.
13. However, the evidence before me does not demonstrate that the appeal development is the only means of addressing those personal circumstances. Nor has it been shown that alternative, less harmful solutions could not reasonably be pursued. While I attach moderate weight to the circumstances, they do not outweigh the significant and lasting planning harms identified. Any interference with the aims of the Equality Act is therefore proportionate, and refusal of planning permission is justified in that context.
14. With reference to the cited examples only limited information has been supplied. However, the Council provided further explanation within their delegated report to demonstrate why they were not directly comparable to the development before me. Permissions 139978/FH/2024, 139513/FH/2024, 139371/FH/2024 and 133631/FH/2022, refer to development that did not provide kitchen facilities, or had a separate access.
15. At Number 341a Wilbraham Road, the outbuilding was permitted within a notably larger garden area and without an additional access. The scale of that structure was therefore more readily absorbed into its setting. The circumstances at Number 21 Troydale Drive also differ, as the development was found not to give rise to harmful overbearing effects on neighbouring occupiers.
16. The outbuilding at Number 27 Celia Street appears to have become lawful through the passage of time. However, the presence of a similar structure that has eroded the openness of rear gardens in this area does not set a precedent for further harmful development of this nature.
17. Taking all of the cited examples together, they arise from materially different site circumstances, plot sizes, functional purposes or planning histories. Given the level of information available and the clear contextual differences, these examples do not alter my findings on the harm arising from the appeal scheme.
18. Outbuildings can be acceptable without the need to apply for express planning permission where they comply with specific criteria laid down by the permitted development regime. It is not for me to determine the lawfulness of any fallback position thereunder as far as the appeal scheme goes, but I would have reservations about considering the size, location and use of the building in this case to be acceptable as permitted development. I have no other detailed plans or suggestions before me of an alternative scheme that might be permitted development, nor is there a compelling argument suggesting that something acceptable as permitted development has a realistic prospect of being carried out. I

have, in any event, assessed the appeal scheme on the basis that it requires express planning permission.

Conclusion and Recommendation

19. For the reasons given above, the appeal proposals conflict with the development plan and material considerations do not indicate a decision other than in accordance therewith. I therefore recommend that the appeal is dismissed.

S Manson

APPEAL PLANNING OFFICER

Inspector's Decision

20. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR