MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	144545/PDE/2025
Date registered valid:	17 November 2025
Proposal:	Prior notification of proposed larger home extension projecting 6m to the rear with a maximum height of 4m and a height at eaves of 3m.
Address:	66 Saddlecote Close, Manchester, M8 5EG
Ward(s):	Crumpsall Ward
Applicant:	Dana Faiq
Agent (if any):	Mr Saghir Hussain Create It Studio Architects
Case officer:	Angelina Ward Tel: 0161 234 4206 Email: angelina.ward@manchester.gov.uk
Recommendation:	Turn Away - Legislative

Date of recommendation: 18 December 2025

Application details

Type of application: General Permitted Development-Extensions

Development type: Notifications

Date of site visit:

Standard consultations:
Printed: 19 November 2025 Expired: 19 November 2025

Neighbour notifications
No neighbour notifications have been printed and sent.

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: N/A

Conservation area: N/A

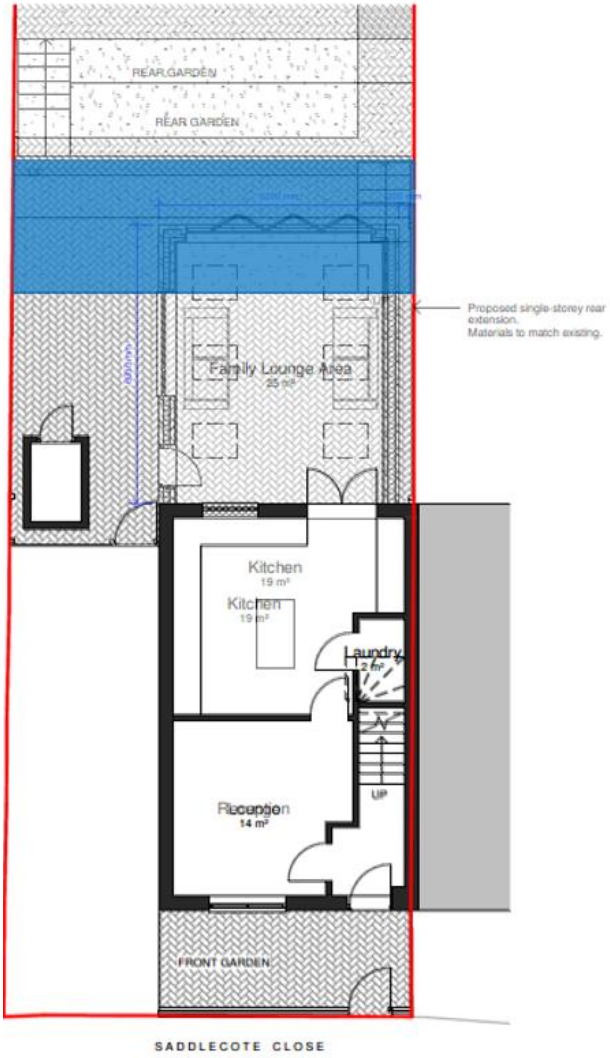
Tree Preservation Order: N/A

Issues
When assessing the criteria of the larger homes extensions under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), the proposal must comply with all of the requirements to be permitted development; this includes all conditions, limitations or restrictions.

In this instance, the proposal is for a 6m long full-width rear extension, that is to have a maximum height of 4m and an eaves height of 3m. The property is a new build, which is part of a wider housing development (ref. 115139/FO/2017), and was first occupied from December 2020.

Whilst officers have not undertaken a site visit, it is clear from Google Earth images that the rear gardens on this part of the development slope steeply uphill from the rear of the house and each of the rear gardens feature a terrace, with approximately 4 steps from the lower to upper level. These are identified on the below image, with the application site edged in red. In addition, the existing and proposed plans show steps from the lower rear garden to the upper rear garden.

At 6m long, the proposed extension will extend beyond the existing retaining wall and, as part of the development, significant volumes of material will need to be excavated from the rear garden, before the construction of a new retaining wall. The approximate area of excavation is shown by overlaying the existing and proposed plans, together with the position of the new retaining wall:



Section 55 of the Town and Country Planning Act 1990 (as amended) defines development as *"…the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land."*

Whilst there is a lack of a description of what constitutes an "engineering operation" in Section 55 of the Act, in practice it applies to activities altering the profile of land by excavation, embanking or tipping, or alternatively those which change the character of the surface of land. It has been held in the Courts that that the term engineering operation should be given its ordinary meaning in the English language. It must mean operations of the kind usually undertaken by engineers, i.e., operations calling for the skills of an engineer. This does not mean that an engineer must actually be engaged on the project, simply that it is the kind of operation on which an engineer could be employed.

In this instance, the erection of the extension will require the excavation of significant amounts of material and the building of a new retaining wall and steps, which will be higher than the existing given the steep slope of the site towards the rear boundary. Class A of the GPDO can be reasonably interpreted to mean that permission granted for "the enlargement, improvement or other alteration of a dwellinghouse" would normally include such excavation as is required for footings for walls. But in this instance, the required excavation works and erection of a new retaining wall would go beyond merely forming footings or foundations. In addition, the proposal includes bi-fold doors across the full width of the rear elevation of the extension, which means that the excavation is required because the existing ground levels would be higher than the bottom of the glazing/doors.

There is no class of the GPDO that permits the carrying out of an engineering operation within the curtilage of a dwellinghouse and, as such, the proposed development requires planning permission.

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: Turn Away - Legislative

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

The above application was submitted to us on 17 November 2025.

When assessing the criteria of the larger homes extensions under Schedule 2, Part 1, Class A of the above Order, the proposal must comply with all of the requirements to be permitted development; this includes all conditions, limitations or restrictions.

In addition, Section 55 of the Town and Country Planning Act 1990 (as amended) defines development as *"…the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land."* Whilst there is a lack of a description of what constitutes an "engineering operation" in Section 55 of the Act, in practice it applies to activities altering the profile of land by excavation, embanking or tipping, or alternatively those which change the character of the surface of land.

In this instance, at 6m long the proposed extension will extend beyond the existing retaining wall and, as part of the development, significant volumes of material will need to be excavated from the rear garden, before the construction of a new retaining wall.

There is no class of the GPDO that permits the carrying out of an engineering operation within the curtilage of a dwellinghouse and, as such, the proposed development requires planning permission.

Appendix 1 – List of consultees & neighbours notified

No neighbour notifications have been sent

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
Area Team Boundary - Name: NORTH AREA