

Planning

Growth & Development

Delegated officer report for planning application

Application no. 144248/FH/2025
Date registered valid: 3 November 2025
Proposal: Part retrospective application for outbuilding in rear garden.
Address: 71 Yew Tree Road, Manchester, M14 7BJ
Ward(s): Fallowfield Ward

Applicant: Mr Shabir Hussain
Agent (if any): Mr Subhan Saleem Saleem Architects
Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 22 December 2025

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 3 December 2025

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 18 November 2025

Expired: 9 December 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 71 Yew Tree Road within the south Manchester ward of Fallowfield. The application site relates to a semi-detached, red brick, two storey dwellinghouse. Amenity space to the front of the property is characterised by an area of paved hardstanding bounded by a low timber hit and miss style fence. Further amenity space is sited to the side and rear of the property in the form of a grassed garden and hardstanding. At the time of the site visit, a partially constructed outbuilding could be seen in the rear amenity space.

Description of area

The surrounding area is residential in nature, however directly to the east of the site sits grounds in connection with the Platt Lane Sports Complex connected to the University of Manchester.

Description of development

The current application seeks planning consent for part retrospective application for outbuilding in rear garden.

Although the applicant benefits from previous consent (see planning ref: 138623/FH/2023) for a rear outbuilding, the current proposal and the works that can be seen on site differ significantly from the outbuilding approved previously- differences include the size of the floorspace, materiality, height and the number of openings to be inserted.

The applicant can choose to under-implement the consent for 138623/FH/2023 and progress with an outbuilding through the current application.

The outbuilding could be seen on site, although the applicant confirmed on site works had ceased following instruction from colleagues in the Council's Planning Enforcement Team.

The outbuilding would have approximate dimensions, at the largest point, of Height: 4 x Length: 8.7 x Width: 6 metres.

The outbuilding would have an area of 43 square metres and would create a home office/games room.

The outbuilding would benefit from 3no. windows and 1no. door within the elevation facing in the direction of the applicant site.

Materials to be used have been listed as:

- Walls: off white K-Rend
- Windows: PVC windows to match main dwellinghouse
- Roof: tiles to match main dwellinghouse
- Composite door

Negotiations during the Course of the Application

Boundary treatment details were provided during the course of the application for consideration.

Revised plans which were accurately to-scale were provided for review.

The agent clarified that no development would exceed beyond the applicant's site edged red following previous discussions with colleagues in Enforcement, and drawings were reflected to confirm such point.

Planning History

ENF/16139/25- Enforcement- Building Works Breach.
Received 24 October 2025.

138623/FH/2023-Erection of a part single/part two storey side and rear extension together with a single storey rear outbuilding.
Approved 17 January 2024.

138136/FH/2023-Erection of a two storey side and part single/part two storey rear extension together with a single storey rear outbuilding.
Withdrawn 14 November 2023.

Consultations & Notification Responses

Local Residents

No responses were received from local residents.

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.

Draft National Planning Policy Framework (16th December 2025)

The government has published a consultation National Planning Policy Framework which is intended to improve housebuilding rates through a clearer, more predictable and faster policy basis for decision and plan making.

Of relevance to the application proposals the draft NPPF makes it clear that local planning authorities should amongst other things:

- Work with the applicant in a positive and proactive manner, where necessary seeking solutions to problems arising from initial proposals, to enable a timely decision.
- Take account of planning matters raised during any pre-application engagement, including any positive responses to this engagement, as well as representations on the proposals.
- Decisions on development proposals should apply a presumption in favour of sustainable development and this means that for development within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework.

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

- HC1: Planning for healthy communities (Chapter 16. Promoting health communities)
- DP3: Key principles for well-designed places (Chapter 14. 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. Updated March 2024 following adoption of Places for Everyone.

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

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

ISSUES

Principle of Development

The submitted development application is for the part retrospective application for outbuilding in rear garden. Although the applicant benefits from previous consent (see planning ref: 138623/FH/2023) for a rear outbuilding, the current proposal and the works that can be seen on site differ significantly from the outbuilding approved previously- differences include the size of the floorspace, materiality, height and the number of openings to be inserted. The applicant can choose to under-implement the consent for 138623/FH/2023 and progress with an outbuilding through the current application. Whilst it is noted that the outbuilding exceeds the initial consent, consideration has been given to the fallback position available through permitted development rights and the differences between the outbuilding already on site and the outbuilding that was approved through 138623/FH/2023. In this instance, the principle of development can be supported. However, consideration must be given to the proposal's appearance, impact on the visual amenity of the area and impact on the neighbouring properties' residential amenity. As the property is to remain a single family dwellinghouse it is not considered that the proposed extension would give rise to any significant additional waste or car parking pressures.

Comparison between the outbuilding approved through 138623/FH/2023 and the current proposal

- Use: The proposed use remains the same- a home office/ games room
- Size of the outbuilding: The floor area of the outbuilding approved was 38 square metres, this now increases to 43 square metres.
- Materiality: The previous application approved materials to match the host property. The current application proposes a K-rend off white system.
- Height: The total height of the outbuilding would be 4 metres. The previous outbuilding had a height of 3 metres.
- Number of openings to be inserted: 3no. windows and 1no. door to be inserted within the elevation facing in the direction of the applicant site. Previously, 1no. window and 1no. door was proposed.

Residential Amenity

The proposed outbuilding is sited to the rear boundary of the site. Although the outbuilding would be sited against the shared boundary with no.69 Yew Tree Road and would be sited due south, due to the dense trees that are located to the rear of the site and given this part of the neighbour's garden would likely be used less than the parts closest to the neighbour's property, any loss of light from the proposal would not be significant to no.69 Yew Tree Road.

Given the outbuilding would sit to the north of the non- adjoining property no. 73 Yew Tree Road, any loss of light to this neighbour would not be significant.

It is noted that the proposal results in 2no. additional window openings than previously approved. As existing the boundary treatment separating the applicant property with the two closest neighbours is in a poor condition and no real sense of privacy or separation is created. As such, concern was raised that the additional openings could give rise to a sense of overlooking to no.69 and no.73 Yew Tree Road. To overcome this, the applicant will provide 1.8 metre timber fencing to be sited along the two boundaries and details of such timber fencing was provided during the course of the application and would be conditioned within any approval granted. It is noted that the extent of the timber fence extends up to the extension already approved, although not built. If it were the case that the scheme of 138623/FH/2023 is never implemented, the extent of timber fencing proposed would still be considered to reduce any possible sense of overlooking from the outbuilding and so would be considered acceptable.

The outbuilding is annotated as being a home office/games room and would be ancillary to the use of the main dwellinghouse. This is considered acceptable to ensure no adverse implications occur in terms of over-intensification of the site and a condition to this effect would be attached to any approval granted.

When colleagues in Enforcement viewed the outbuilding on site, the rear of the outbuilding overhung the land to the rear of the applicant site relating to the Platt Lane Sports Complex. The applicant agreed to alter the form of the roof so that all development sits within the applicant's ownership. This is shown on the submitted revised plans and such plans would be conditioned accordingly within any approval granted. As such, it is not considered that the proposal would give rise to any amenity implications to the sports ground to the rear.

Visual Amenity

Although the outbuilding would be partially screened by a 1.8 metre timber fence, the height of the outbuilding would be 4 metres at the highest point (previously 3 metres approved). The size of the outbuilding would also increase, although marginally by 3 square metres. Whilst it is noted that the increase in scale of the outbuilding will increase from the previous approval, given what was previously approved on the site it would not create such a significant level of harm and so would not warrant a refusal on the scheme.

It is also noted the outbuilding would be covered in an off white K rend system. It is noted that this would be in contrast with the materials used for the host dwelling and so would result in a more prominent feature in the rear of the garden. However, permitted development rights for residential outbuildings under Class E does not specify the materials need to match those used within the host property. As such, whilst it would be the LPA's preference for the materials to match, it would be unreasonable to refuse consent for this reason.

On balance, it is considered any harm in terms of visual and residential amenity would not be so severe to warrant a refusal on the scheme and would be in the broad thrust of policies DM1 and SP1 of the Core Strategy and UDP policy DC1.

Scale, Design and Appearance

Outbuildings can be achieved through permitted development rights which can allow outbuildings of a substantial size as long as the 50% rule is adhered to, in addition to other stipulations. As such, the overall size of the outbuilding could be achieved through permitted development, although the height of 4 metres would exceed that possible through permitted development (2.5 metres). However, given previously a 3 metre height outbuilding was approved, the additional 1 metre would not give rise to such an overly dominant structure to

warrant a refusal on the scheme. Further, the proposed boundary treatment would help screen some of the height of the outbuilding.

As stated previously, whilst the proposed off white K rend system would contrast the materials of the host property, such materials could be chosen through permitted development and so it would be unreasonable to refuse consent for this reason.

On balance, the proposed design and appearance of the development would not be so harmful to warrant a refusal on the scheme and so accords with Core Strategy Policies DM1 and EN1.

Car Parking

No change to car parking would occur as a result of this proposal.

Bin Storage

No change to bin storage would occur as a result of this proposal.

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: Approve

Article 35 Declaration

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance officers have

worked with the applicant in a positive and proactive manner, and issues arising during the course of the application have been addressed. Appropriate conditions have been attached to the approval granted.

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

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

-Application Form, stamped as received by the City Council as Local Planning Authority on 13 October 2025.

-Drawing- Location Plan, numbered Sheet 1, stamped as received by the City Council as Local Planning Authority on 13 October 2025.

-Drawing- Proposed- Floor Plans, numbered Sheet 3 REV C, stamped as received by the City Council as Local Planning Authority on 21 December 2025.

-Drawing- Proposed- Elevations, numbered Sheet 4 REV C, stamped as received by the City Council as Local Planning Authority on 21 December 2025.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

3) The materials used in the external surfaces of the development hereby approved shall be as follows:

-Walls: off white K-Rend

-Windows: PVC windows to match main dwellinghouse

-Roof: tiles to match main dwellinghouse

-Composite door

Reason - In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with policies SP1 and DM1 of the Core Strategy and the requirements of the National Planning Policy Framework.

4) The outbuilding hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as no. 71 Tew Tree Road, Manchester, M14 7BJ .

Reason - In the interests of visual and residential amenity, pursuant to policy SP1 and DM1 Core Strategy for the City of Manchester

5) The boundary treatment works shown on the approved 'Drawing- Proposed- Floor Plans, numbered Sheet 3 REV C' and 'Drawing- Proposed- Elevations, numbered Sheet 4 REV C' shall be installed prior to the first use of the development hereby approved and be retained thereafter whilst the outbuilding is in use.

Reason - In the interest of visual amenity and security of the site pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

Appendix 1 – List of consultees & neighbours notified

67 Yew Tree Road, Manchester, M14 7BJ
84 Yew Tree Road, Manchester, M14 7BL
65 Yew Tree Road, Manchester, M14 7BJ
92 Yew Tree Road, Manchester, M14 7BL
90 Yew Tree Road, Manchester, M14 7BL
88 Yew Tree Road, Manchester, M14 7BL
86 Yew Tree Road, Manchester, M14 7BL
82 Yew Tree Road, Manchester, M14 7BL
Platt Lane Complex, Yew Tree Road, Manchester, M14 7UU
69 Yew Tree Road, Manchester, M14 7BJ
75 Yew Tree Road, Manchester, M14 7BJ
73 Yew Tree Road, Manchester, M14 7BJ

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Flood Zones Type 2 (low to medium risk) -
Flood Zones Type 2 (low to medium risk) -
Flood Zone Plus Climate Change -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA