
Appeal Decision

Site visit made on 31 October 2025

by **S. Hartley BA(Hons) Dist.TP (Manc) DMS MRTPI MRICS**

an Inspector appointed by the Secretary of State

Decision date: 05 November 2025

Appeal Reference: APP/B4215/D/25/3369483

4, Rigton Close, Manchester, M12 4WW

- 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 Mr Farooq Ahmed against the decision of Manchester City Council.
 - The application reference is 142181/FH/2025.
 - The development proposed is a double storey rear and side extension, single storey front extension and a dormer to the rear roof slope of the existing house.
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Decision

1. The appeal is allowed and planning permission is granted for a double storey rear and side extension, single storey front extension and a dormer to the rear roof slope of the existing house at 4, Rigton Close, Manchester M12 4WW in accordance with the terms of the application reference 142181/FH/2025, subject to the following conditions: -
 - (1) The development hereby permitted shall begin no later than three years from the date of this decision.
 - (2) The development hereby permitted shall be carried out in accordance with the following plans: GM397767 (location plan) and drawing No. RIG-01-20 (proposed plans and elevations).
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matter

2. On my site visit, I was able to see that some extensions to the property were underway to the side and rear of the host property, but with no walls generally greater than to first floor level.
3. My attention has been drawn to an earlier planning permission¹ for a mainly two storey side and rear extension, and which appears to accord with the development underway. I have not been presented with any evidence or assertion that the work carried out is not lawful in terms of the earlier planning approval. The approved plans for the earlier approval show the first floor level for the rear elevation to be set

¹ Planning permission reference 127112/FH/2020

in by approximately two metres from the ground floor below. In addition, the approved two storey side elevation reverts to a single storey, set in by two metres where it meets the front elevation of the house.

4. I attach significant weight to the earlier approval in the decision making process and where I have been provided with the detailed drawings.
5. The appeal proposal before me again includes the two storey side and rear extension with the same widths and depths but with certain changes. The two storey rear extension would now not be set in at first floor level but would be built directly above the ground floor beneath it. In addition, the single storey part of the side extension would be brought forward to lap round to meet a single storey front extension. Alterations to the existing roof are also proposed so as to permit the residential use of the roof space and to include a dormer window to the rear facing elevation.

Main Issues

6. The main issues are the effect of the proposed rear elevation upon (i) the character and appearance of the area when seen from Tarrington Close, (ii) the living conditions of the occupiers of No. 21 Tarrington Close in respect of outlook, and (iii) whether the development accords with policy DC1 of the Unitary Development Plan for the City of Manchester 1995 (UDP) which seeks to control development within gaps between properties.

Reasons

Character and appearance

7. The character and appearance of the area is one of two storey dwellings constructed out of brick with a common colour and with double pitched roofs and amenity spaces to fronts and rears.
8. The appeal property forms a row of dwellings with comparable, but not exact, dwellings generally have amenity spaces to building lines which include No. 2, Rigton Close on one side and No. 21, Tarrington Close on the other. However, Tarrington Close is a separate cul-de-sac to Rigton Close. The effect is that, while the appeal property has its front elevation facing west, No. 21, Tarrington Close, and other properties in the cul-de-sac aligned with it, have their main elevation facing east. ie in the same direction as the proposed two storey rear elevation of the appeal property.
9. The occupiers of No 21, Tarrington Close and those occupiers on the same side of the Close, being in a line with the host property, would not look directly onto the proposed rear extension or the amended roof design including the dormer.
10. Properties located on the other side of Tarrington Close would only look obliquely onto the rear elevation and the amended roof and dormer, if at all. On my site visit, I was able to note that the nearest property giving the most visible view of it was likely to be No. 19, Tarrington Close, but here such views would be at an angle and where it would be masked currently by a tree in its front garden.

11. I do not have before me any objections to the proposed development from any neighbour.
12. While I appreciate that the proposed rear elevation without the first floor set back, as approved earlier, plus the proposed amended roof and dormer would add additional bulk to the host property to that already approved, I do not consider, for these reasons, that the proposed development, when considered as a whole would have a significantly adverse effect upon the character and appearance of the area when viewed from Tarrington Close, and that it would assimilate satisfactorily within it. .
13. Therefore, I conclude that the proposal would accord with the design requirements of policy DC1 of the UDP, policies EN1, SP1 and DM1 of Manchester's Local Development Framework Core Strategy Development Plan Document 2012 (CS), and chapter 12 of the National Planning Policy Framework 2025 (the Framework), all of which aim to ensure that development takes into account and accords with the local character and appearance of the area.

Living conditions of No. 21 Tarrington Close

14. While the rear elevation, when viewed from No 21, Tarrington Close, would not extend outwards further than the earlier approval, the current appeal proposal is not to inset the first floor by some two metres, as was the earlier proposal. However, the main habitable windows to No.21, Tarrington Close do does not face the proposed extension, nor do they face the proposed amendments to the roof and the proposed dormer window. Side windows are not main habitable windows. For these reasons , I do not consider that the proposal would have a significantly adverse effect upon the living conditions of the occupants of No. 21,Tarrington Close in terms of outlook.
15. For the above reason, I conclude that the proposal would accord with the requirements of policies SP1 and DM1 of the CS and saved UDP policy DC1 and the guidance within the Framework.

Policy DC1 of the UDP

16. The part single, part two side storey extension would be similar to the previously approved scheme. However, there would be a window to a ground floor shower room and a window to a first-floor bathroom to the gable on the shared boundary with No. 2 Rigton Close.
17. Policy DC1.4 of the UDP states that, in considering proposals for 2-storey side extensions the Council will seek to ensure that '*the development potential of the gap between detached and semi-detached houses is capable of being shared equally by the owners or occupiers of the two properties concerned*'.
18. However, in this case, planning permission has already been granted for the two storey part of the side extension. The length of the two storey extension and its position on the gable is little or no different to the earlier planning approval and to which it would seem that a start has been made to its construction. There is no dispute before me to indicate that the start is not lawful in terms of the earlier approval.
19. Therefore, I conclude that, in this instance and bearing in mind the apparent commencement of the earlier approval, while there is conflict with policy DC1.4 of

the UDP relating to gaps between properties, such conflict does not warrant the dismissal of the appeal.

Conditions

20. I have imposed the standard time condition and, for the avoidance of doubt and in the interests of certainty, a condition relating to the approved plans. In the interests of good design, it is necessary to impose a condition relating to external materials.

Conclusion

21. There are no material planning considerations (including the appellant's desire for increased accommodation) that indicate that the application should be determined other than in accordance with the development plan. Therefore, the appeal should be allowed.

S. Hartley

INSPECTOR