

Planning

Growth & Development

Delegated officer report for planning application

Application no. 128658/FH/2020

Date registered valid: 20 November 2020

Proposal: Erection of a single storey front porch and a single storey rear extension.

Address: 11 Commonwealth Avenue, Manchester, M11 3NN

Ward(s): Ancoats & Beswick Ward

Applicant: Ms Thuy Nguyen 11 Commonwealth Avenue, Manchester, M11 3NN

Agent (if any): Mr Gooding YMP Limited LDM House, 46 Great Ancoats Street, Manchester, M4 5AB

Case officer: Sue Wills
Tel: 0161 234 4524
Email: sue.wills@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 7 January 2021

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit:

Standard consultations:

Printed: 26 November 2020

Expired: 17 December 2020

Neighbour notifications

Printed: 30 December 2020

Expired: 6 January 2021

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

This application relates to a recently property following the implementation of a recent planning permission for the erection of 23 x two and three storey dwelling houses, car parking, boundary treatment and associated landscaping (112487/FO/2016 - Approved January 2017). This permission was subject to conditions including the following:

24. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no garages or extensions shall be erected onto the new build properties within the development hereby approved other than those expressly authorised by this permission.

The application property is a 2 storey dwellinghouse with a long rear garden , which is screened by 1.8m high close boarded fencing. The front of the property comprises light buff brickwork with red brickwork above. The house benefits from a front garden , and front driveway set behind a low brick wall with piers, and railing boundary treatment to Commonwealth Way.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The dwellinghouse is located within a predominantly residential area, and is bounded to all sides by residential properties

Description of development

It is proposed to erect a single storey porch to the front of the dwellinghouse and a single storey extension to the rear of the property. The front porch has been redesigned to form a shallow

depth pod feature similar in design to the rectangular bay window features to nos. 15 and 17 Commonwealth Way, which would be 1m in depth and 2.77m in width. The proposed rear extension would have a pitched roof and would project 3.0 metres in depth from the existing rear elevation, and extend across the rear façade by 4.17m. The submitted forms indicate materials would match the existing house.

Consultations & Notification Responses

Local residents- No comments received.

Environmental Health - recommend conditions relating to construction hours and the submission of the details of, and installation of a gas membrane.

Highway Services - The proposed single storey front porch and rear extension will be sited within the red line boundary of the site and will not impinge onto the adopted highway. In-curtilage parking for one vehicle will remain. Clarification is sought to confirm the driveway space will continue to provide a minimum of 3.0m x 6.0m in line with MCCs standard minimum dimensions.

No boundary treatments are noted in the application.

It is expected that refuse servicing will continue as present, bins will be stored within the sites curtilage and presented to the highway on waste collection days.

The applicant should be advised that any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams.

Issues

POLICIES

Relevant policies in connection with the proposed development are the National Planning Policy Framework (February 2019) Paragraph 8 - Achieving sustainable development ; Manchester Core Strategy Development Plan Document 2012-2027 , policy SP1 (Spatial Principles) , policy EN1 (Design Principles and Strategic Character Areas) and policy DM1 (Development Management) ; and saved UDP policies DC1.1 , DC1.2 and DC1.3

Principle of development

It is considered that the development would allow the provision of additional residential accommodation for the occupier of the existing house to meet changing residential needs, and that the proposal would represent a proportionate addition to the existing house. It is therefore considered that the proposed development responds positively to Core Strategy policies SP1, DM1 and EN1 and saved UDP policy DC1.

Residential Amenity

Approval is sought for the erection of a single storey front extension to form a porch and a single storey extension to the rear of the house. The proposed porch would be only one metre in depth , and as such the proposed glazing to the frontage when combined with the distance to the houses to the northern side of Commonwealth Drive , would not give rise to the potential for significant overlooking issues. The proposed rear extension is 3m in depth which would leave a retained rear garden depth of 12.46m . Given the rear garden is screened to all boundaries with a 1.8m close boarded fence , there should be no loss of privacy to the adjoining occupiers .

A condition, however is recommended to ensure that only approved windows are incorporated into the proposed building. On this basis, it is considered that development responds positively to Core Strategy policies DM1 and SP1 and saved UDP policy DC1.

The original approval for the wider residential development , within which this house is located was subject to a condition to prevent the erection of any extensions without the need for planning permission, as many of the properties have small rear gardens. However, that is not the case with this dwellinghouse.

Visual Amenity

It is considered that the revised proposal would not detract from the character and appearance of the existing house, due to the context, siting, and use of matching materials for the rear extension. In regard to the porch, it is considered that the use of a grey brick may be more appropriate given the grey framework to the square bay designed frontage to nos.15 and 17 Commonwealth Avenue. It is therefore proposed that a condition be attached to any approval to require the submission of materials for consideration before any above ground works are commenced.

Overall the proposal would not adversely affect the appearance of the existing dwelling or visual amenity within the area and is therefore considered to be acceptable.

Siting

The siting of the proposed porch and rearward extension is considered to be appropriate and meet the requirements of Core Strategy policies DM1 and SP1 and saved UDP policy DC1.

Design and appearance

The planning agent was asked to revise the original design of the proposed porch with a view to it being similar in design to the grey rectangular bay window arrangements at nos.15 and 17 Commonwealth Avenue, so that the design would be more in character with the street scene. Revised plans have been received which redesigned to form a shallow depth pod feature similar in design to the rectangular bay window features to nos. 15 and 17 Commonwealth Way, which would be 1m in depth and 2.77m in width. The revised design is considered to be acceptable in this location.

The single storey extension would only be visible to the properties to either side of the dwellinghouse, and to the rear for the minimal extent of the proposed building above the height of the existing high close boarded fencing with adjacent houses . The proposed design is considered to be satisfactory.

Waste Management

The existing arrangement is unaffected by the proposed development.

Car Parking

The comments from Highway Services have been noted in relation to the size of the retained off street parking space. At present the front garden has a depth of 6.58m. Whilst the proposed porch would not affect the width of the existing driveway , it would reduce the overall length of the driveway by 1m. Whilst, this is below the Highways Services preferred length of 6m , a retained length of 5.58m would enable a car to be parked off street. Furthermore, there are no parking restrictions on Commonwealth Way in regard to the occupiers of the properties using it for on street parking.

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, matters relating to the design of the porch were raised with the agent and revised plans were subsequently submitted and the appropriate conditions have been attached.

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:

plan ref: Location Plan ; PS101 (existing floor plans); PS201 (Existing elevations); PS301 (Existing 3D plans) received 20th November 2020;
PS102 rev.E (Proposed floor plans);PS202 rev.E (Proposed Elevations) and PS302 rev.E (Proposed 3D plans) received 18th December 2020

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 (2012).

3) Prior to the commencement of development appropriate and comprehensive construction designs for the installation of a proprietary gas membrane, in order to alleviate any possibility of landfill gas ingress to the building, shall be submitted for approval to the City

Council, as Local Planning Authority. The approved details shall then be implemented as part of the development.

Any further development must not compromise any existing remedial measures previously installed at the site as part of Planning Permission 066334/OO/NORTH2/02. Upon completion of the works, a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority, to ensure that the existing remedial measures have not been compromised.

Reason - The development site lies within 250 metres of a registered landfill site or in close proximity to a potential historical source of landfill gas. The existing development has had remedial measures installed as part of Planning Permission 066334/OO/NORTH2/02. The current works shall not compromise the protection afforded by these earlier measures, pursuant to policy EN18 of the Manchester Core Strategy (2012).

4) Prior to any above ground works in relation to the rear extension and front porch that are hereby approved, samples and specifications of all materials to be used on all external elevations of the extension and porch shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the approved materials.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, pursuant to policy DC1 of the saved Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy (2012).

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking and re-enacting that Order with or without modification), no openings, including windows and doors, shall be inserted within the elevations of the rear extension, other than those shown on the approved drawings, unless Planning Permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of the neighbouring dwellinghouses, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy (2012).

6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any order revoking and re-enacting that Order with or without modification) no part of the resulting dwelling shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a).

Reason - In the exceptional circumstances of a proliferation of HMO's restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policy 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Manchester Core Strategy (2012).

Informatives

1) Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

o Monday - Friday: 7.30am - 6pm

o Saturday: 8.30am - 2pm

o Sunday / Bank holidays: No work

To safeguard the amenities of the occupiers of nearby residential properties during the construction phase

2) The applicant should be advised that any requirements for licensing, hoarding /scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Contact Manchester 0161 234 5004.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

21 Ryland Street, Manchester, M11 3NP
16 Stadium Drive, Manchester, M11 3NB
14 Stadium Drive, Manchester, M11 3NB
13 Commonwealth Avenue, Manchester, M11 3NN
15 Commonwealth Avenue, Manchester, M11 3NN
23 Ryland Street, Manchester, M11 3NP
25 Ryland Street, Manchester, M11 3NP
6 Commonwealth Avenue, Manchester, M11 3NU
4 Commonwealth Avenue, Manchester, M11 3NU
27 Ryland Street, Manchester, M11 3NP
29 Ryland Street, Manchester, M11 3NP
12 Commonwealth Avenue, Manchester, M11 3NU
10 Commonwealth Avenue, Manchester, M11 3NU
8 Commonwealth Avenue, Manchester, M11 3NU
32 Commonwealth Avenue, Manchester, M11 3NU
30 Commonwealth Avenue, Manchester, M11 3NU
28 Commonwealth Avenue, Manchester, M11 3NU
26 Commonwealth Avenue, Manchester, M11 3NU

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH2