

DELEGATED REPORT

Report by Amanda

Date of report: 23/07/2025

Ref:72000/FUL

Uhunmwagho

Registration: 03/06/2025

LDFC: 24/07/2025

Expiry Date: 29/07/2025

Site Visit: 27/06/2025

Site Notice: N/A

Press Date: 03/07/2025

Objections: 0

Con Area: MARY

Adv Type: CA

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Garage conversion in rear garden with pergola

Location: Eastholme, St Anns Road, Prestwich, Manchester, M25 9LD

Description

The property is a large previously extended semi detached house located within St Mary's Conservation Area and where an Article 4 Direction is in place. The site is set well back from the main road with a drive and mature gardens. To the rear part of the elevation projects out two storey and there is a single storey extension to the party wall side. Westholme is the adjoining property and also projects at the rear two storey. The section where the properties adjoin is set back and separated by a brick wall and hedges. The rear garden of the site borders the rear garden to 26,28 & 30 Prestwich Park Road South which are screened by the site planting. An Area Tree Preservation Order (No.48) covers the site and a large part of the surrounding area. There is a detached garage and parking area to the rear of the site as well as parking to the front of the property.

The proposal is to convert the detached garage at the rear of the site and add a pergola to the side. The overall size of the garage would not change and it would be converted into a garden room, disabled shower/wc and a store room. There would be full length windows to the front elevation and patio doors to the side for access to the pergola. The pergola would measure 4m x 5.4m and the roof would be the same height as the eaves of the garage. There would also be a canopy erected at the front of the building which would cover a garden kitchen.

Relevant Planning History

- 00069/E - Conversion of house to form 5 flats - Recommendation complete 04/07/2005
- 64924 - Single storey extension at rear - Approve with Conditions 16/01/2020
- 68762 - Part single/Part two storey extension at rear; Extended driveway - Approve with Conditions 01/12/2022
- 02828/E - Proposed rear extension to form new hydro pool for a disabled individual - Enquiry completed 31/03/2023
- 69549 - Single storey rear extension to form new level access changing room facility and hydrotherapy pool building with associated plant equipment - Withdrawn by Applicant 16/05/2023
- 69648 - Two storey rear extension with new link to hydrotherapy pool building and changing room facilities; External works to adapt the existing driveway to form accessible driveway for adapted vehicle - Approve with Conditions 30/06/2023
- 70209 - Non-material amendment following grant of planning permission 69648 for Two storey rear extension with new link to hydrotherapy pool building and changing room facilities: To move the extension away from the boundary with Westholme by 1.5m - Approve with Conditions 23/11/2023
- 70304 - Two storey rear extension to include 2 no. windows to rear elevation and 1 no. window to existing side elevation with new link to hydrotherapy pool building and

changing room facilities; External works to adapt the existing driveway to form accessible driveway for adapted vehicle; New air conditioning unit installed at parapet wall level to the rear elevation - Approve with Conditions 07/02/2024

- 70960 - Tarmacaum driveway with block paved edging installation - (approved application 70304 Heritage paving) - Withdrawn by Applicant 03/09/2024

Publicity

5 neighbours notified on 17/06/2025 - No comments or objections received.

Press notice - 26/06/2025

Site notice - 27/06/2025

Statutory/Non-Statutory Consultations

Conservation Officer - No objections.

Pre-start Conditions - Not relevant.

Development Plan and Policies

EN2/1 Character of Conservation Areas

EN2/2 Conservation Area Control

H2/3 Extensions and Alterations

SPD6 Supplementary Planning Document 6: Alterations & Extensions

NPPF National Planning Policy Framework

PFE Places for Everyone

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within the adopted Bury Unitary Development Plan (UDP), together with other relevant material planning considerations.

The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP and PfE Policies will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

The elimination of discrimination, harassment and victimisation;

The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;

The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, it is concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

Visual amenity, design and impact on the Conservation Area -

SPD 6 and UDP Policy H2/3 seek to achieve a high standard of design that compliments the original building, and does not have a detrimental impact on the character and appearance of neighbouring properties and the general street scene.

UDP Policies EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control seek to preserve or enhance the character and appearance of these areas. Development will only be acceptable if it preserves or enhances these areas with regard to the nature of the development in terms of bulk, height, materials, design, relationship to the surrounding area, and impact of a new use on the character of the surrounding area. Proposals where appropriate should seek to implement measures to retain, replace, restore features of architectural interest, retain and enhance landscaping features, promote environmental enhancement and promote design guidelines to ensure sympathetic development.

Apart from the change from the garage door to windows on the front elevation and patio doors to the side the only change would be that the walls would be rendered. The building is set well back in to the site and would not be readily visible from St Ann's Road to the front of the site and it is heavily screened from views from the side and rear due to mature trees and other planting along the boundaries. It would remain in-keeping with the dwelling on site.

The pergola would be to the side of the building for access to the garden area and steps leading down to the dwelling. It would be built with materials that would be considered acceptable in this location.

As the position or the size of the building would not be changed and the resulting appearance would remain very similar to how it is currently it is considered that the garage conversion and pergola would preserve the character of the conservation area and would not have any significant detrimental impact on visual amenity in this area.

Taking the above into account it is considered that the proposal conforms to Bury UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of visual amenity.

Residential Amenity -

- As the size of the garage building would not change and there would not be any windows to the side and rear elevations adjacent to the site boundaries there would be no significant detrimental impact on residential amenity at neighbouring properties and

their gardens.

- Although the conversion of the garage would reduce parking on site by 2 spaces the site is very large and there would still be ample room to park several vehicles to the front and side of the house.
- The position of the pergola would not interfere with parking arrangements within the site.

The proposal conforms to UDP Policy H2/3 - Extensions and Alterations and the requirements of Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of separation distance to the surrounding properties.

Parking -

The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The parking arrangements would remain as existing where there is parking to the drive at the front and side of the main dwelling.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions and Reasons:

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2 This decision relates to drawings numbered EH/PL/25/001, EH/PL/25/002 and EH/PL/25/003 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of visual amenity, and Places for Everyone Joint Development Plan listed.
- 3 The external finishing materials for the proposal hereby approved shall be render as stated on the application form
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 23/07/2025		DM - 23/07/2025	