

# NOTICE OF PLANNING PERMISSION

## Town and Country Planning Act 1990 Town and Country Planning (Development Management Procedure) (England) Order 2015

**To:**

Mr Bitan  
Debtal Architecture Ltd.  
72 Bury New Road  
Prestwich  
M25 0JU

**On Behalf Of:**

Mr Kahn  
Kollel Heichal HaTorah  
45 Bury Old Road  
Bury  
Prestwich  
M25 0EY

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### PART 1 - Particulars of Application

**Application Number:** 68172

**Date of Registration:** 04/03/2022

**Proposal:**

Variation of condition 5 following approval of planning permission ref. 65456; to allow the property to be used on Saturdays and religious festival days for prayer

**Location:**

45 Bury Old Road, Prestwich, Manchester, M25 0EY

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### PART 2 - Particulars of Decision

Bury Metropolitan Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that permission has been **GRANTED** for the carrying out of the development referred to in Part 1 hereof in accordance with the application and plans submitted subject to the following conditions:-

- 2 This decision relates to location plan and drawings RBS-20/1979/001, DA1964.001/3, DA1964.401/A, DA1964.402/ DA1964.403, DA1964.1.018, DA1964.003/6 and DA1964.002 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 Unitary Development Plan listed.
- 4 No noise shall be audible above existing background noise levels in the habitable rooms of the adjacent property, No.43 Bury Old Road, when measured against the operational hours of the premises. All activities shall be carried out in accordance with criteria set out in the Acoustic Report from Braiden Acoustics Ltd. The approved noise control mitigation measures within the report shall be maintained in situ.  
Reason. To safeguard the amenities of the occupiers of the adjacent property, No.43 Bury Old Road, pursuant to Bury Unitary Development Plan Policies EC4/1 - Small Businesses, CF1/1 - Location of New Community Facilities, EN1/2 - Townscape and Built Design and EN7/2 - Noise Pollution.
- 5 The of property shall be used predominantly for educational study purposes and only for community worship on Saturdays and religious festival days, as set out in email

received 04/05/2022, and for a limited period of 12 months from the date of this decision notice.

Reason. In the interests of residential amenity pursuant to UDP Policy EN7/2 Noise Pollution.

- 6 The centre hereby approved shall not be used outside the following times:  
0900hrs to 1930hrs daily  
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to UDP Policies EN7/2 Noise Pollution, H3/1 Assessing Non-Conforming Uses.
- 7 In relation to the use hereby approved, the measures set out in the Travel Plan to promote more sustainable travel to and from the site by staff and students/visitors and reduce the reliance on private vehicle use, shall be implemented in full and thereafter maintained whilst the study centre is in operation.  
Reason. In order to encourage sustainable travel pursuant to the NPPF and UDP Policy HT4 New Development.
- 8 The development hereby approved shall not be brought into use unless and until the vehicular access alterations indicated on approved plan reference DA19064/001.3, incorporating the formation of the proposed footway crossing off Kings Road and reinstatement of the redundant footway crossing to adjacent footway levels at the junction with Bury Old Road, have been implemented to an agreed specification and to the written satisfaction of the Local Planning Authority.  
Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway, in the interests of highway safety pursuant to UDP Policy HT2 Highway Network.
- 9 The turning facilities within the proposed car parking area indicated on approved plan reference DA19064/001.3 shall be provided before the development is brought into use and shall subsequently be maintained free of obstruction at all times.  
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to UDP Policy HT2/4 Car Parking and New Development.
- 10 The car and cycle parking indicated on approved plan reference DA19064/001.3 shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the development hereby approved being brought into use and thereafter maintained at all times.  
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to UDP Policy HT2/4 Car Parking and New Development.
- 11 The proposed boundary railings and gates shall be powder coated black.  
Reason. In the interests of visual amenity pursuant to UDP Policy EN1/2 Townscape and Built Design.

#### **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.

**The following policies of the Bury Unitary Development Plan, National and Regional Government were considered relevant:**

EN1/2 EN1/2 - Townscape and Built Design  
H2/3 H2/3 - Extensions and Alterations  
CF2 CF2 - Education Land and Buildings  
HT2/4 HT2/4 - Car Parking and New Development  
SPD11 Development Control Policy Guidance Note 11 - Parking Standards in Bury  
SPD6 Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.  
NPPF National Planning Policy Framework  
CF1/1 CF1/1 - Location of New Community Facilities  
EN7/2 EN7/2 - Noise Pollution  
H3/1 H3/1 - Assessing Non-Conforming Uses

This decision relates only to the Town and Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

**Applicant Plan Numbers:**

**NOTES TO APPLICANT**

Not Applicable

Signed:



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On behalf of the Council

**Date of Decision:** 05/05/2022