

DELEGATED REPORT

Report by Sam Summers	Date of report: 30/04/2025	Ref: 71683/LDCP
Registration: 03/03/2025	LDFC:	Expiry Date: 28/04/2025
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections:	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: NREQ

Proposal: Lawful development certificate for proposed dual use of the premises as a school (Class F1) and place of Worship (Class F1)

Location: Bury Hebrew Congregation, Sunny Bank Road, Bury, BL9 8ET

Description

Lawful development certificate for proposed dual use of the premises as a school, which similarly falls under Class F1 and place of Worship. The existing property is Synagogue (place of worship) and Community Centre Class F1

Relevant Planning History

47574 - 2.4m HIGH PERIMETER SECURITY FENCE - Refuse/Refused 16/03/2007
71685 - Lawful development certificate for proposed Internal mezzanine floor to create internal first floor area - In progress

Publicity

None

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - None

Development Plan and Policies

Issues and Analysis

The building has been in use as a synagogue and community centre since at least 1967. Google street view images confirm that the use as a solicitor was maintained from at least 2008 through to the present day. There is no evidence of any intervening use. This establishes the lawful use of the building as Class F1(f). The applicant proposes to use the building for both a school (Class F1(a)) and a place of worship (Class F1(f)).

The Town and Country Planning (Use Classes) Order 1987 has been amended by the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 which came into force on the 1st September 2020. It created a new use class, Class F1 - Learning and non-residential institutions. The permitted change of use of part of the building from a place of worship (Class F1(f)) to a school (Class F1(a)) would be lawful as both the uses fall within the same use class and as such would not constitute development within the meaning of Section 55 of The Town and Country Planning Act 1990.

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Recommendation: LAWFUL

Conditions and Reasons:

- 1 The proposal, described in the First Schedule, is not deemed to constitute development within the meaning of Section 55 of the Town & Country Planning Act 1990 (as amended) and therefore would be lawful.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
SS	30/04/2025	DM	02/04/25