

DELEGATED REPORT

Report by Helen Pressley	Date of report: 03/07/2026	Ref: 73159/FUL
Registration: 21/05/2026	LDFC: 16/06/2026	Expiry Date: 16/07/2026
Site Visit: 24/06/2026	Site Notice: N/A	Press Date: N/A
Objections: 2	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: COUS

Proposal: Change of use of 72 Kings Road from residential dwelling (Class C3) to synagogue (Class F1(f)); two storey side extension to link to existing synagogue at 74 Kings Road and external alterations

Location: 72-74 Kings Road, Prestwich, Manchester, M25 0LN

Description

The application relates to an existing detached synagogue (No. 74) on the corner of Kings Road and Mowbray Avenue, and a semi-detached dwelling house (No. 72) which is sited to the east of the existing Synagogue. The properties both face Kings Road.

Planning permission is sought for the change of use of 72 Kings Road from residential dwelling (Class C3) to synagogue (Class F1(f)) with a two storey extension to link the existing synagogue at 74 Kings Road. The proposed extension would project approximately 1170mm infilling the space between the two properties. Internal alterations to No. 72 to enable to change of use are also proposed.

The application follows previous consents at the property for a change of use of No. 72 Kings Road and for single storey extensions to link the two properties. Although not annotated on the plan, or included within the description of development the proposed floor plans replicate the extent of the ground floor extensions approved under application 71848.

Relevant Planning History

53455 - Single storey extension at rear - Approve with Conditions 04/02/2011

70360 - Change of use of 72 Kings Road from residential dwelling (Class C3) to synagogue (Class F1(f)) with single storey side extension to link to existing synagogue at 74 Kings Road and external alterations - Withdrawn by Applicant 20/03/2024

71419 - Change of use of 72 Kings Road from residential dwelling (Class C3) to synagogue (Class F1(f)) with single storey side extension to link to existing synagogue at 74 Kings Road and external alterations - Approve with Conditions 07/02/2025

71848 - Variation of condition 2 (approved drawings) of planning permission 71419 to increase size of single storey extension - Approve with Conditions 03/06/2025

Publicity

Letters sent to neighbouring properties 22/05/2026.

2 objections received in relation to:

- Given the pressure on the availability of residential housing in the area, particularly for families, it doesn't seem appropriate to add to the problem by reducing potential housing stock and re-appropriate it for non-residential purpose.
- Multiple applications since late 2023 show gradual expansion of proposals.

DELEGATED REPORT

- Approved layout includes a large “cloakroom” space that appears impractical. Belief that this space is intended as an extension of the worship area.
- Overall concern in relation to progressive expansion of worship space towards shared boundary.
- No evidence provided showing current space for women's gallery is insufficient.
- Existing first floor already functions independently as office space.
- Structural work is disproportionate for minor comfort improvements.
- Submitted acoustic report is largely unchanged from earlier application.
- Assumes offices next to party wall, not updated for new layout.
- Proposed scheme introduces worship space closer to shared wall.
- Existing gap between buildings provides noise buffer.
- Synagogue operates daily (07:00–23:00) with significant noise levels (66–77dB).
- Applicant claims works not visible from public realm. Drawings show new infill and roof clearly visible from Kings Road.
- Closes gap between semi-detached properties, introducing bulky, incongruous roof form and creating terracing effect inconsistent with street character.

Statutory/Non-Statutory Consultations

Traffic Section Recommend that the proposal is refused as there is insufficient car parking provided within the site to comply with the Council's parking standards in respect of the proposed development.

Environmental Health - Pollution Control The noise assessment states that there will be no amplified sound so this sound be a condition as the assessment did not take this into account.

The mitigation in the conclusion of the report states that additional Hush panel acoustic lining to the party wall.

The assessment states that the synagogue open from 07:00 -23:00 whereby people coming and going could raise noise levels out of the normal working day hours 08:00 -18:00.

Pre-start Conditions - Not relevant

Development Plan and Policies

CF1/1	Location of New Community Facilities
H3/1	Assessing Non-Conforming Uses
EN1/2	Townscape and Built Design
EN7/2	Noise Pollution
HT2/4	Car Parking and New Development
JP-P1	Sustainable Places
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-S2	Carbon and Energy
JP-C2	Digital Connectivity
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework

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.

Principle (Community Use)

The NPPF advocates the objectives to achieve sustainable development, one such objective is to support strong, vibrant and healthy communities by fostering well-designed and safe built environments with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.

Chapter 8 - Promoting healthy and safe communities, states that policies and decisions should aim to achieve healthy, inclusive and safe places which, amongst things, promote social interaction, are safe and accessible and enable and support healthy lifestyles. Account should also be taken to support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community.

UDP Policy CF1/1 - Location of Community Facilities gives regard to factors including impact on residential amenity, traffic generation and parking, scale and size of development, accessibility to shops and services, suitability of the chosen location, public transport and needs/requirements of those with a physical disability.

UDP Policy H3/1 - Assessing Non-Conforming Uses in primarily residential areas assess proposals, including the change of use, in consideration of factors including noise, vibration, smell, visual intrusion, traffic generation, parking arrangements and hours of operation.

PfE Policy JP-P1 that states that all development, where appropriate should be socially inclusive:

- A. Responding to the needs of all parts of society;
- B. Enabling everyone to participate equally and independently;
- C. Providing opportunities for social contact and support; and
- D. Promoting a sense of community.

The applicant has confirmed that the existing synagogue at No. 74 is a Shtiebel which are traditionally served as places for prayer and community gatherings. The existing building however has become overcrowded and therefore unsuitable for the needs of the community already utilising the facility.

The application seeks to create a two storey infill extension. The proposed ground floor of the extension would provide additional accommodation for the ground floor main Shul, the proposed first floor would provide additional floor area for the Ezras Noshim.

As set out within the previous consents at this site, it is considered that the proposal would provide improved facilities for the local community, and would be readily accessible by end users who are already utilising No. 74. The proposal would be located within a mixed use locality with residential, and commercial uses within the vicinity of the site and as such the proposed change of use would not impact on the character of the local area. As such it is considered that the proposal would provide an improved community facility that would be acceptable in principle subject to consideration of the issues below.

Layout and Design

In addition to the policies set out above UDP Policy EN1/2 - Townscape and Built Design seeks to protect the character and townscape of the boroughs towns. PfE Policy JP-P1 Sustainable Places aims to promote a series of beautiful, healthy and varied places.

Due to the nature of the proposal, attached to an existing semi-detached dwelling and with dwellings to the front and rear it is considered that UDP Policy H2/3 and associated SPD 6 are also relevant to this proposal when assessing design. 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.

The row within which the site is located is largely depicted by two storey detached, and semi-detached properties. This style of property is also replicated on the residential street to the rear of the site (Mowbray Avenue). The properties are set back from the main highway, and there are areas of amenity space the rear of the residential properties. The commercial properties to the east of the site are also semi-detached or detached although it is acknowledged that there is an infill extension between No. 80 and No. 82 Kings Road. The gaps between the properties tend to be relatively narrow however these gaps contribute to a strong character and this design remains intact within the row.

The proposal seeks to introduce a two storey infill extension, that mirrors the eaves and ridge heights of No's 72 and 74 and is in line with the principal front and rear elevations. This would effectively create a terracing effect linking the three properties from No. 70 - 74.

Whilst single storey link extensions were previously considered to be acceptable, they would retain the gap at first floor creating a legibility between the properties. The proposal would entirely close the gap resulting in a cramped and overly dominant appearance in the row.

In conclusion, it is considered that the gaps to the properties are an importance feature in the row and the addition of a first floor side extension would result in a development that is considered to be out of character and an incongruous feature in the street. It would be harmful to the character and appearance of the properties and the general visual amenity of the area and would therefore be contrary to the Policies listed above.

Amenity

In addition to UDP Policy H3/1, UDP Policy EN7/2 seeks to restrict development that would lead to an unacceptable noise nuisance to nearby occupiers and/or amenity users. Due to the nature of the proposal which creates additional first floor accommodation and is attached to an existing semi-detached dwelling, and has residential dwellings to the front and rear, it is considered that UDP Policy H2/3 would also be relevant.

Policy H2/3 seeks to reduce the impact of proposals on the residential amenity of neighbouring properties. There are no adopted aspect standards for extended commercial properties however, Supplementary Planning Document 6 provides guidance on aspect standards between residential properties and overbearing relationships and as such, would be a reasonable guide in this case given the proximity to residential properties.

The proposed extension would not project beyond the principal front and rear elevations of the neighbouring property. The proposed first floor rear windows would be located 7.15 metres from the directly facing boundary complying with the required aspect standard of 7 metres. The proposed front window would be separated from the directly facing property by a highway. As such the addition of a first floor over and above what was previously approved would not have a detrimental impact on the neighbouring residential properties in terms of overbearing relationships and overlooking.

No. 72 is currently a semi-detached dwelling attached to No. 70 which is also occupied as a dwelling. The introduction of a non-residential use therefore has the potential to impact the amenity of the immediately attached neighbours. The applicant has therefore submitted a Noise Impact Assessment to support the proposal.

The noise assessment includes the proposed plans, which currently includes a cloakroom at ground floor and offices at first floor adjacent to the shared wall with No. 70 which is as previously approved. The noise assessment states that there would be no amplified sound within either the existing or proposed extended synagogue.

The assessment assumes that the main worship area abuts the party wall and states they have assumed a worst-case methodology when, for example, a door is opened to the cloakroom at ground floor level. It is also assumed within the assessment that the noise levels in the first-floor offices will be similar to those in the main worship. These are the same assumptions that were made for the noise assessment for application 71419. It is unclear if the assessment has been re-evaluated to consider the cumulative impact of the main worship area (ground floor) and the increased first floor Ezras Noshin as whilst the floor plans have been amended within the submitted assessment the assumptions in relation to a worse case methodology appear to have been retained.

The noise assessment that has been submitted suggests additional hush panels would be sufficient as mitigation in relation to noise disturbance however the amended proposal would now introduce additional communal space at first floor that would be linked to the adjacent residential property where previously the first floor communal space was detached preventing noise from being able to travel from this space. The floor plans also show windows retained between the proposed first floor extension and the existing property. It is

unclear why these windows have been retained or what impact they may have on noise distribution through the property, for instance would the be openable? would they be converted to doors to allow access to the office area and have the potential to be left open?

It is acknowledged that the planning statement states that the proposal seeks to accommodate existing demand, and does not seek to increase membership numbers or attract new worshipers however the floor area of the Ezras Noshim would increase 47 percent as a result of the proposal, and restricting the numbers of users by condition would not be enforceable. This is a significant increase in space at first floor which would now be connected to the first floor of No. 70 where bedrooms are located. Given the opening hours proposed (07:00–23:00), which would lead to comings and goings at first floor outside of normal working hours this has the potential to have a detrimental impact on the amenities of the adjoining residential property.

Overall, it is considered that the cumulative impact of the proposed and approved extensions would lead to an over intensive use of the site that would have a detrimental impact on the amenities of the attached property at No. 70 Kings Road through general noise and disturbance that would be contrary to the Policy considerations set out above.

Highways and Parking

Policy EN1/2 requires the consideration of the design and appearance of access, parking and service provision. PfE Policies JP-C5 and JP-C6 require streets to be well designed and managed to make a significant positive contribution to the quality of place and support high levels of walking, cycling and public transport.

Policy JP-C8 requires new development to be located and designed to enable and encourage walking, cycling and public transport use and to reduce the negative effects of car dependency. In terms of parking standards, in addition to Policy JP-C8 and Policy HT2/4 requires all applications for development to make adequate provision for their car parking and servicing requirements. Supplementary Planning Document 11 provides parking standards for developments.

Car parking in the locality relies on, on street parking, and the introduction of an additional floor space would impact on availability of on street parking for existing residential units.

Whilst the Highways Note considers that the site is in a sustainable area, that most members live within walking distance of the site and that it is not intended to increase the number of people attending the site the Highways Note provided is from 2024 and has not been updated to reflect the current proposal and references the parking standards in the previously approved SPD 11 from 2007 which was superseded in June 2025.

A zonal approach for parking standards has been included within the updated SPD 11. The zones have been derived based on local evidence, consideration of Places for Everyone Policy JP-H4: Density of New Housing and by using Greater Manchester Accessibility Levels (GMAL)3 which measure the accessibility of locations across Greater Manchester by walking and public transport. The updated and adopted SPD11 confirms that the site is located within Zone 4. Zone 4 locations are considered to be the least accessible.

For Use Class F1(f) in Zone 4 a site should provide 1 parking space per 30 square metres of public floor space. An additional 6% of capacity or 3 spaces whichever is greater should be provided as disabled car parking. No car parking has been proposed. 1 space per 200sqm (minimum of 2 spaces) should be provided for cycles.

In this instance the applicant has failed to demonstrate that a lesser provision, contrary to the considerations set out within SPD 11 is acceptable for the proposal submitted.

Carbon and Energy

PfE Policy JP-S2 - Carbon and Energy sets out the steps required to achieve net zero

carbon emissions.

The applicant has confirmed that the proposed build will comply with Part L of the building regulations. The PfE Statement also states additional air conditioning units will be installed to serve the new spaces created by the extension. No details of these air conditioning units have been supplied with the application to allow them to be assessed in terms of visual amenity or noise.

Digital Connectivity

JP-C2 - Digital Connectivity - this policy requires development to have full fibre to premises connections unless infeasible or unviable, with multiple-ducting. The policy supports the provision of free, secure, high-speed public wi-fi connections, particularly in the most frequented areas. The building has fully functioning fibre.

Biodiversity Net Gain

While every grant of planning permission in England is deemed to have been granted subject to the biodiversity gain condition, commencement and transitional arrangements, as well as exemptions, mean that certain permissions are not subject to biodiversity net gain.

The proposed change of use would occupy an existing building, with an extension linking two properties that would not lead to more than 25 square meters of habitat being lost and therefore the de-minimis exemption applies.

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

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Refuse

Conditions and Reasons:

- 1 The proposed extension would result in a loss of space between the dwellings which would be out of character with the surrounding street scene, and would therefore be seriously detrimental to the visual amenities of the area. The proposed development therefore conflicts Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and CF1/1 - Location of New Community Facilities of the of the Bury Unitary Development Plan and Places for Everyone Joint Development Framework Policy JP-P1 Sustainable Places.
- 2 The development would be seriously detrimental to the residential amenities of that attached dwelling at No. 70 Kings Road by reason of the noise, disturbance and general activity associated with the proposed first floor extension. The proposed development therefore conflicts with Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, H3/1 - Assessing Non-Conforming Uses, CF1/1 - Location of New Community Facilities, EN7/2 - Noise Pollution and Places for Everyone Joint Development Framework Policy JP-P1 Sustainable Places.
- 3 The applicant has failed to demonstrate that the lack of car parking proposed would be acceptable at this location in accordance with the provisions set out within Supplementary Planning Document 11. The proposed development therefore

conflicts with Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, HT2/4 - Car Parking and New Development, Places for Everyone Joint Development Framework Policies JP-C5 - Streets for All, JP-C6 - Walking and Cycling, JP-C8 - Transport Requirements of New Development, JP-P1 - Sustainable Places and the National Planning Policy Framework and Supplementary Planning Document 11: Parking Standards in Bury.

- 4 The applicant has failed to demonstrate that the proposed air conditioning units would not be seriously detrimental to the visual amenity and character of the area or the residential amenities of nearby occupiers, by reason of noise and disturbance. The proposed development therefore conflicts with Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, H3/1 - Assessing Non-Conforming Uses, CF1/1 - Location of New Community Facilities, EN7/2 - Noise Pollution and Places for Everyone Joint Development Framework Policy JP-P1 Sustainable Places.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HP 03/07/2026		HL 3/7/26	