

Report of Director of Planning and Regeneration

Wollaton House , 43 Radford Bridge Road

1 Summary

Application No: 22/00055/PVAR3

Application by: Mr Rehmat Khan

Proposal: Permanent variation of condition 2 of planning permission reference 12/01800/PVAR3. Variation of Hours of Use to 06:30 to 23:00 daily (subject to seasonal variation and core hours between 09:00 to 21:00), excluding Ramadan (with 6:30 to 09:00am and 21:00 to 23:00 being for prayer only)

The application is brought to due to the significant level of public interest.

To meet the Council's Performance Targets this application should have been determined by 8th March 2022. An Extension of Time has been agreed up to the 30th April 2022.

2 Recommendation

GRANT PLANNING PERMISSION subject to the conditions listed in the draft decision notice at the end of this report.

Power to determine the final details of the conditions to be delegated to the Director of Planning and Regeneration.

3 Background

Site and Surroundings

- 3.1 Wollaton House is a large two storey property that has a central glazed link joining what were originally two separate buildings. The property, formerly a Council owned children's home, is residential in appearance with the front elevation being brick at ground floor and white render at first floor. To the front of the building, accessed off Radford Bridge Road is a car park containing approximately 20 marked out spaces. The building has been used as learning and prayer centre since approximately March 2012.
- 3.2 The surrounding area is primarily residential although there are some industrial premises to the south and the Crown Public House is situated adjacent to the junction with Radford Bridge Road and Wollaton Road (Crown Island). To the north west of the site is a playground which is accessed via a footpath that connects with

Radford Bridge Road to the immediate north of the application site and links through to Seaford Avenue.

- 3.3 Radford Bridge Road is the sole vehicular access serving Charlbury Road, Peppercorn Gardens, Marsant Close, Lambie Close, the Westhay Court residential complex and the Loach Court industrial units.

Recent Planning History

- 3.4 In June 2011 planning permission (11/00083/PFUL3) was granted to use the site as a learning and prayer centre on a temporary basis expiring on 30 June 2012. The condition restricting the permission to one year only was imposed to allow an opportunity to observe the operations of the centre and to assess the impact in highway terms and on residential amenity. Conditions were also imposed restricting hours of operation (09.00-21.00 Monday-Friday & 10.00-20.00 Saturday & Sunday) and requiring that the site shall be used solely as a learning and prayer centre with ancillary accommodation, to prevent a permitted development change to other uses within Use Class D1. Further conditions relating to landscaping/boundary treatment and the provision of parking spaces were also imposed.
- 3.5 In May 2013 planning permission was granted (12/01800/PVAR3) to remove condition 1 of the previous planning permission to allow permanent use of the site as a learning and prayer centre. The condition restricting hours of operation on the original permission was replaced with a condition that exempted the Ramadan period from restriction and also brought the hours of use at the weekend in line with the hours permitted during the week, namely 09.00-21.00.
- 3.6 In July 2017 planning permission was granted (17/00982/PFUL3) for a single storey side extension, to provide ancillary residential accommodation.
- 3.7 In August 2017 planning permission was granted (17/01595/PFUL3) for the retention of a detached single storey outbuilding. A site visit in 2020 by officers confirmed its use solely for storage.
- 3.8 In 2018 a planning application (18/02406/PVAR3) was submitted to extend the hours of opening from 4:00am (subject to seasonal variation) to 11pm daily, with the exception of the Ramadan period. This application was subsequently withdrawn.
- 3.9 In 2021 the applicant submitted a revised Travel Plan which Highways considered to be acceptable. Condition 1 of the original consent (12/01800/PVAR3) was subsequently discharged in February 2021.
- 3.10 In April 2021 planning permission was granted for a temporary one year period (20/00563/PVAR3) to vary condition 2 of planning permission ref: 12/01800/PVAR3 extending the hours of opening from 6:30am to 11pm daily (subject to seasonal variation). This temporary planning permission expires on 11th May 2021. An additional condition was added at the request of Planning Committee to control the number of attendees for the extended hours, which read as follows:

“The number of attendees to the Learning and Prayer Centre during the period to which this temporary permission relates, with the exception of Ramadan, shall be limited as follows, unless otherwise first agreed in writing by the Local Planning Authority:

06:30am to 09:00am - up to 10 attendees

09:00pm to 11:00pm - up to 15 attendees”

- 3.11 At the request of Planning Committee further discussion took place with the Centre with a view of exploring whether an appropriate limit on the number of attendees could be applied for the period of Ramadan. However, it was concluded by officer that this would be neither practical nor enforceable.

4 Details of the proposal

- 4.1 The application seeks to permanently vary condition 2 of planning permission ref: 12/01800/PVAR3 relating to the opening hours of the Centre, which are currently as follows:

“With the exception of the Ramadan period the learning and prayer centre use hereby permitted shall not be open to the public outside the hours of 09.00 hours - 21.00 hours on any day.”

- 4.2 The Centre is seeking to extend the hours of opening from 6:30am to 11pm daily (subject to seasonal variation), with the exception of the Ramadan period.
- 4.3 The extended opening hours would allow the Centre to continue to open for morning prayer during the winter months only, which is one of the five obligatory daily prayers for the Muslim faith. Morning Prayer has to be prayed 15 minutes before sunrise and lasts half an hour. As the time for sunrise changes throughout the year so does the timing of the morning prayer. As a general guide, the seasonal timings for prayer would be as follows:

January	7.00am – 9:00pm
February	6.30am – 9:00pm
March	9.00am – 11.00pm
April	9.00am – 11.00pm
May	9.00am – 11.00pm
June	9.00am – 11.00pm
July	9.00am – 11.00pm
August	9.00am – 11.00pm
September	9.00am – 11.00pm
October	6.30am – 11.00pm
November	6.30am – 9:00pm
December	7.00am – 9:00pm

At the earliest, the Centre would open at 6.30am in February, October and November, and at 7.00am in January and December for early prayer. The Centre have made the decision not to seek extended hours to open for morning prayer during the summer months, which would have involved a 4.00am opening to correspond to morning prayer. The Centre would open 15 minutes before prayer and then close afterwards, re-opening for general use at 9am.

- 4.4 The last prayer of the day takes place 2 hours after sunset. For four months of the year when daylight hours are shorter, the last prayer would take place before 9pm, the current closing time of the Centre. However, for the remaining 8 months of the year (March to October) the closing time of the Centre is proposed to be extended until 11pm, to allow the last prayer to take place. During this 8 month period a

further prayer would take place at 9.30pm, followed by the final prayer at 10:30pm. The Centre would stay open between the two prayers to allow people to attend both prayers and to engage in private study or prayer.

- 4.5 In support of the planning application the applicant has submitted attendance sheets for Fajir (the Morning Prayer) for October, November, December, January and February 2022, which illustrates that at most 5 people attended this prayer. Details of a neighbour consultation exercise concerning parking management, which included a consultation event and a letter to local residents along with a form for them to complete and return (carried out as part of the approved Travel Plan) have also be submitted.

5 Consultations and observations of other officers

Adjoining occupiers consulted:

142 neighbouring properties have been individually notified including residents on Radford Bridge Road, Seaford Avenue and Westhay Court.

8 objections have been received from local residents. The following concerns are summarised below:

- Concern regarding noise disturbance and light intrusion from cars arriving and leaving the Centre late at night and early in the morning.
- Information on the application and its supporting documents are misleading. For example, the applicant calls the place Wollaton House instead of the Muslim Cultural Centre. So many residents who have received the notification letters may not even know what it concerns. The application description with seasonal variation and Ramadan is also confusing.
- The neighbour notification letter from the Planning Department requested feedback by email or online portal only. They consider this to be discrimination against many residents who are not using the email or internet.
- The Centre applied for the permanent extension of the operating hours on 10 January 2022. This was 4 months before the end of their temporary planning permission on the 11 May 2021. Yet, it is claimed they met all conditions and managed traffic/parking and noise during the trial period, so they should be allowed to extend the hours permanently. The resident believes this is untrue, and residents stand witness that there are continuous problems. They believe that this application should not have been validated until after the trial period.
- Planning Committee approved a temporary trial extension of the operating hours, but they required 12 months of detailed monitoring of the impact on the neighbours. A resident believes that no one carried out detailed monitoring despite the requirements described in the minutes from the Planning Committee meeting (17 March 2021). A 12 month period has also not taken place due to the Covid lockdown. Committee can therefore not take an informed decision.
- One resident comments that neighbours have noticed the use of the Centre out of hours and numbers in excess of the condition. The Centre have recorded only an alleged number of attendees, and for some months only but not the exact times they come and leave.

- Concern that the numbers of attendees during the Ramadan period were not restricted as part of the temporary planning permission, which has continued unrestricted with over 200 attendees at peak times.
- One resident objects to the bad precedent this would set allowing opening time during unsociable hours. They request if the Council is minded to grant approval that conditions be attached as per the 2021 temporary permission, but should also be extended to include Ramadan.
- Since the beginning of the Centre's operation in 2011/12, our problems have been ongoing and have caused major problems for the residents nearby, especially to residents on Radford Bridge Road. These include traffic/parking issues, noise from car engines and slamming doors, noise from gatherings in the Centre's car park but also in the streets, loud prayers as well as antisocial and intimidating behaviour from the Centre users as well as some staff. If approved it would exacerbate an already difficult situation leading to further upset of neighbours and is not good for community cohesion.
- The Travel Plan is not being followed and at least double the number of cars they declared in the supplementary information have been parked both in the car park and on the street. Since last year the double yellow lines on Radford Bridge Road have not stopped attendees from parking on them and causing dangerous conditions and congestion. This is at various times, including afternoons and evenings, when parents bring and collect their children. The supplementary information submitted with the application does not support the case that the traffic and parking are being managed by the Centre and is considered misleading.
- One resident refers to the neighbour consultation survey carried out by the Centre as part of its Travel Plan. They state they were not contacted.
- This is an unsuitable location for the Muslim Centre and there is no obligatory requirement for early and late prayers to take place at the Centre.
- Lack of transparency.
- When the property was originally up for sale residents were not consulted on what they would like the building to be used for.

A petition has also been received signed by 71 local residents. Their comments are summarised below:

1. The neighbour notification letter from the Planning Department requested feedback by email or online portal only. They consider this to be discrimination against many residents who are not using the email or internet. Some of the immediate neighbours are the Westhay Court pensioners, where there are 54 flats.
2. Those who object have a number of issues with the centre's activity, including ongoing problems with noise, traffic/parking and antisocial behaviour, particularly at unsociable hours in the evening.
4. Information on the application and its supporting documents is misleading. For example, the address of the property is stated to be Wollaton House, instead of the Muslim Cultural Centre. Many residents who have received the notification letters may not know what it concerns. The application description with seasonal variation and Ramadan is also considered to be confusing.
5. The consultation period should be extended as the trial of the extended hours finishes at the end of April 2022, and Ramadan is about to start; hence many neighbours will have a lot of observations by the end of April.
6. Concerns relating to inappropriate behaviour experienced by some neighbours when trying to monitor and gather evidence of ongoing traffic/parking problems.

Other individual comments in addition to those stated above refer to the travel plan not being adhered to; the Centre not serving the community as originally proposed; dangerous and obstructing parking on the pavement; car engines left running during pick up; car parking obstructing access to the adjacent elderly persons complex (Westhay Court); the impact of car lights at night; and the extended hours not being suitable for the Centre's location next to Westhay Court.

7 representations have been received expressing support for the Centre to permanently incorporate early morning and evening prayer. One local resident considers the extended hours to be acceptable, subject to noise levels being kept low during the extended hours. Previously this was not the case.

One resident has commented that in the past they have raised serious concerns about traffic and noise nuisance caused by attendees to the centre that have affected residents on Seaford Avenue. The close had basically been used as an overflow car park for the centre causing access and other problems. They consider that the Council has taken these problems seriously and has worked with Wollaton House to control traffic and noise to a much greater degree. As a result over the past year or so the situation has been much improved, with far fewer visitors parking on Seaford Avenue and a much lower disruption as a result. In relation to the permanent application, their only concern is whether things could return to how they were before ie. will there still be some monitoring or assurances that the improved situation will continue? If so, then they would not raise any objections. They would like to thank the Centre and the Council for all the improvements made, which have improved their quality of life on Seaford Avenue.

Environmental Health and Safer Places (EHSP): Further to the history of complaints and planning issues at this location, EHSP have made the following comment on the application:

- a) **Complaints:** During 2021 the Environmental Health and Safer Places team received two emails, from a local resident, alleging noise disturbance from Mosque users approaching or leaving the Mosque, on 14 April and 6 May 2021. These alleged incidents were during the Ramadan period which was outside the scope of this particular application.
- b) **Monitoring Attempts:** In response to the Committees decision, EHSP contacted the principal complainant and offered the use of the Council's calibrated noise recording equipment in order to substantiate any concerns about noise arising from the change in hours of use. The equipment was offered for either their use or any of their neighbours, for up to three periods, each of up to a two week period. These installations would be at times of their choosing over the next year prior to the reconsideration of the planning permission.

One date for this monitoring to commence was arranged but was cancelled at the request of the complainant. No other dates have been requested. Furthermore, at the request of the principal complainant EHSP contacted another neighbour who is known to have concerns about disturbance from the Centre and offered them the noise recorder. They refused to use the equipment and said it was unlikely to catch a problem within the timescale it would be present in their property.

- c) **Altered Hours of Operation:** Following the two complaints mentioned above EHSP has received no additional complaints of noise disturbance from any

resident or requests for their noise monitoring equipment relating to the periods during which the altered hours have been operating.

In the light of this lack of evidence EHSP do not feel that they can sustain the objection made to the original application 20/00563/PVAR3.

Highways: No objections. At the end of 2021 parking restrictions were introduced along Radford Bridge Road to formalise parking for residents in the area. Since the introduction of the traffic scheme there has been no recorded complainants. Highways therefore conclude that the proposal is unlikely to be detrimental to the public highway. They acknowledge this was during the Covid lockdown period and may not be a true reflection of the use of the Centre and its traffic/parking generation.

6 Relevant policies and guidance

National Planning Policy Framework (2021)

The NPPF advises that there is a presumption in favour of sustainable development and that applications for sustainable development should be approved where possible.

Criteria f of Paragraph 127 of the NPPF states that planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Aligned Core Strategies (ACS) (September 2014)

Policy 10 - Design and Enhancing Local Identity

Policy 14 - Managing Travel Demand

Land and Planning Policies (LAPP) (January 2020)

Policy DE1: Building Design and Use

Policy IN2: Land Contamination, Instability and Pollution

Policy TR1: Parking and Travel Planning

7. Appraisal of proposed development

Main Issues

- i) Impact on Residential Amenity**
- ii) Highway Considerations**

- 7.1 The principle of the prayer and learning centre has been established by previous planning permission 12/01800/PVAR3, which at the time considered its impact on residential amenity and traffic/parking. The current proposal is seeking to extend the opening hours of the Centre for prayer only so consideration is required as to the impact that this will have on residential amenity and traffic/parking issues during

the extended opening hours only.

i) Impact on Residential Amenity (Policy 10 of the ACS, Policies DE1 and IN2 of the LAPP)

- 7.2 Policies 10 of the ACS and DE1 of the LAPP both seek to ensure that development would provide a satisfactory level of amenity for occupiers of neighbouring properties. In assessing this, consideration will be given to issues (amongst others) of noise, disturbance and nuisance. Policy IN1 of the LAPP also seeks to resist development where air, noise or light pollution would cause significant detriment to users of the development or adjoining land, and seeks to ensure that the effects of pollution are minimised to an acceptable level, to avoid an adverse impact on health or quality of life.
- 7.3 In this instance the Centre is located within an area which is predominantly residential in character and is surrounded by residential properties. There are other businesses located further to the south on Radford Bridge Road but the immediate context of the Centre is a typical suburban street. In such a residential context the type of low level noise and disturbance associated with the operation of the Centre has the potential to have a detrimental impact on immediate residents in the early morning, late evening and at weekends, when back ground noise levels and traffic are largely at their lowest.
- 7.4 In this case, the religious needs of the local Muslim community need to be balanced against potential impact on the amenities of neighbouring residents.
- 7.5 For this reason the previous 2021 planning permission was granted for a temporary one year period and was subject to conditions which limited the number of attendees and restricted the extended hours for prayer only.
- 7.6 It is evident that the Centre has historically caused problems for neighbours in terms of noise, parking and general disturbance from people entering and leaving the centre by car and on foot. These have resulted in periodic complaints to Planning and EHSP. Of particular concern to residents has been the opening of the Centre outside of its permitted opening times and the resulting impact on their amenities, health and quality of life. Some of the concerns of neighbours cannot be controlled by the planning system (in particular noise/disturbance from the street) but are a consequence of the Centre.
- 7.7 The current application seeks permanent permission for the Centre to operate from 6.30am to 11pm (with seasonal variation), but for prayer only outside of the core hours of 9am to 9pm. In light of previous concerns, the Centre are only seeking permission to open for the early prayer during the winter months of October to February, when sunrise is later. They do not seek to open in the summer months when sunrise is at 4:00am. Evening opening times seek to allow worshippers to attend the last prayer at sunset, which would result in the Centre being open for prayer up to 11.00pm for 8 months of the year between March and October. The last prayer is for 15 minutes and would be concluded at 10:45pm, then allowing worshippers to vacate the Centre by 11pm.
- 7.8 Based on historic allegations and general disturbance from the Centre, EHSP recommended refusal of the 2021 planning application, which was subsequently granted permission for a temporary one year period. In responding to the current planning application EHSP now do not feel that they can sustain their objection.

This is based on a minimal number of complaints of noise disturbance from residents and the lack of take-up for noise monitoring equipment from May 2021 to March 2022.

- 7.9 The applicant has submitted attendance sheets for Fajir (Morning Prayer) for October, November and December 2021, and January and February 2022, which indicate that at most 5 people attended morning prayer. Attendance sheets have not been submitted for evening prayer as during this period sunset was before 9pm and within the approved hours of opening for the Centre.
- 7.10 Officers have also carried out some limited monitoring and in both the early morning and late evening periods before Ramadan, no attendees were recorded visiting the Centre. In April 2022 two visits took place during Ramadan where it was observed that in the early morning the number of attendees was low. All parking was contained within the car park and all attendees had left the Centre by 6:30am. As to be expected during Ramadan, the number of attendees for the last evening prayer was much greater with the car being fully occupied and on street parking within the vicinity of the Centre extensive. The Centre's car park assistant was present and successfully managed the arrival and departure of attendees, who began to leave at 10:30pm and had all departed by 10:45pm.
- 7.11 Whilst it is recognised that the 12 month monitoring period will to an extent have been affected by Covid infections and restrictions, the Centre has been open for a large amount of this period and both the Planning and EHSP departments have had no contact from residents or received any complaints. Furthermore, the extensive neighbour consultation exercise has not resulted in reference to any specific incidents or evidence from residents of noise disturbance, or a breach of the conditions during this period.
- 7.12 Having balanced the interests of residents and attendees of the Centre against the evidence gathered throughout the 12 month period of the permission, and having regard to the nature and volume of representations received, it is concluded, on balance, that it would not be justified in planning terms to refuse permission for the extended hours or to impose a further temporary permission. To do the latter would likely result in a 'temporary permission' condition that may not satisfy the legal test under the Act and relevant guidance on planning conditions.
- 7.13 It is therefore recommended that the Centre be granted permanent permission for the proposed extended hours of opening (with seasonal variation), subject to the extended hours being for prayer only. It is considered that the proposal accords with Policy 10 of the ACS and Policies DE1 and IN2 of the LAPP.

ii) Highways Considerations (Policy 14 of the ACS, Policy TR1 of the LAPP)

- 7.14 Residents continued concerns regarding traffic congestion and on-street parking relate to use of the Centre during its core hours of opening and specifically to the comparatively short period of time associated with Friday afternoon prayer, the dropping off and picking up of children for religious education and during the Ramadan period. Whilst this continues to generate a significant number of cars and brings the potential for periodic conflict, the applicant had taken steps to manage the situation during peak usage with the implementation of its approved Travel Plan. The new parking restrictions along Radford Bridge Road have further contributed towards the easing of parking problems along the street. This has been reflected in

some positive comments from local residents and the lack of complaints to Highways since parking restrictions were introduced.

- 7.15 Given the low level of vehicular activity associated specifically with the extended opening hours, it is not considered that the proposal would have any material impact on traffic congestion or on-street parking during these periods. Highways have also raised no objection to the extended opening times on grounds of highway safety.

8. Sustainability / Biodiversity

None.

9 Financial Implications

None.

10 Legal Implications

In April 2021 planning permission was granted for a temporary one year period (20/00563/PVAR3) to vary condition 2 of planning permission ref: 12/01800/PVAR3 extending the hours of opening from 6:30am to 11pm daily (subject to seasonal variation). A temporary permission is permitted under s 72(1)(b) of the TCP Act 1990 and can be used where there has been strong objection to a proposed development and the temporary permission enables the proposed development to be tested, so that it becomes clear during the life of the permission whether or not the impact of the development is acceptable in planning terms. If not, then at the end of the term, another planning permission without a similar condition can be granted.

It will rarely be justifiable to grant a second temporary permission except in cases where changing circumstances provide a clear rationale.

Section 73 of the TCPA 1990 enables an applicant to apply to the Local Planning Authority (LPA) to vary a condition attached to an earlier planning permission, as the applicant has done here. In such cases the LPA can only consider matters relevant to the varied condition, rather than revisit other considerations associated with the original permission. The current proposal is seeking to extend the opening hours of the Centre for prayer only so consideration is required to be limited solely to the impact that this will have on residential amenity and traffic/parking issues during the extended opening hours only. It should be noted that a successful application under section 73 results in a new stand-alone planning permission, sitting alongside the original permission, which remains intact and un-amended.

11 Equality and Diversity Implications

The religious needs of the local Muslim community needs to be balanced against potential impact on the amenities of neighbouring residents.

12 Risk Management Issues

None.

13 Strategic Priorities

None.

14 Crime and Disorder Act implications

None.

15 Value for money

None.

16 List of background papers other than published works or those disclosing confidential or exempt information

1. Application No: 22/00055/PVAR3 - link to online case file:

<http://publicaccess.nottinghamcity.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=R5JA4DLYFON00>

17 Published documents referred to in compiling this report

Aligned Core Strategies (2014)

Land and Planning Policies (2020)

Contact Officer:

Mrs Jo Bates, Case Officer, Development Management.

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Key

-  City Boundary
-  Planning Applications - Polygons

Description
Wollaton House

My Ref: 22/00055/PVAR3 (PP-08540319)
Your Ref:
Contact: Mrs Jo Bates
Email: development.management@nottinghamcity.gov.uk



**Nottingham
City Council**

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Mr Rehmat Khan
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Date of decision:

**TOWN AND COUNTRY PLANNING ACT 1990
APPLICATION FOR PLANNING PERMISSION**

Application No: 22/00055/PVAR3 (PP-08540319)
Application by: Mr Rehmat Khan
Location: Wollaton House , 43 Radford Bridge Road, Nottingham
Proposal: Permanent variation of condition 2 of planning permission reference 12/01800/PVAR3. Variation of Hours of Use to 06:30 to 23:00 daily (subject to seasonal variation and core hours between 09:00 to 21:00), excluding Ramadan (with 6:30 to 09:00am and 21:00 to 23:00 being for prayer only)

Nottingham City Council as Local Planning Authority hereby **GRANTS PLANNING PERMISSION** for the development described in the above application subject to the following conditions:-

Time limit
. There are no conditions in this section.
Pre-commencement conditions (The conditions in this section require further matters to be submitted to the local planning authority for approval before starting work)
There are no conditions in this section.
Pre-occupation conditions (The conditions in this section must be complied with before the development is occupied)
There are no conditions in this section.
Regulatory/ongoing conditions (Conditions relating to the subsequent use of the development and other regulatory matters)

1. With the exception of the period of Ramadan, the Learning and Prayer Centre shall not be open to the public outside the following hours:

January	7.00am - 9:00pm
February	6.30am - 9:00pm
March	9.00am - 11.00pm
April	9.00am - 11.00pm
May	9.00am - 11.00pm
June	9.00am - 11.00pm
July	9.00am - 11.00pm
August	9.00am - 11.00pm
September	9.00am - 11.00pm
October	6.30am - 11.00pm
November	6.30am - 9:00pm
December	7.00am - 9:00pm

Between the hours of 06:30am to 09:00am and 9:00pm to 11:00pm the Learning and Prayer Centre shall only be used for the purposes of prayer.

Reason: To protect the residential amenities of the occupiers of surrounding properties in accordance with Policy 10 of the ACS and Policies DE1, LS5 and IN2 of the LAPP.

2. Notwithstanding the provisions of any Town and Country Planning Use Classes Order and any Town and Country Planning General or Special Development Order for the time being in force relating to "permitted development", the site shall not be used for any purpose other than as a Learning and Prayer Centre with ancillary residential accommodation, without the prior express permission of the Local Planning Authority.

Reason: To protect the residential amenities of the occupiers of surrounding properties in accordance with Policy 10 of the ACS and Policies DE1, LS5 and IN2 of the LAPP.

Standard condition- scope of permission

- S1. Except as may be modified by the conditions listed above, the development shall be carried out in complete accordance with the details described in the forms, drawings and other documents comprising the application as validated by the council on 11 January 2022.

Reason: To determine the scope of this permission.

Informatives

Where a condition specified in this decision notice requires any further details to be submitted for approval, please note that an application fee will be payable at the time such details are submitted to the City Council. A form is available from the City Council for this purpose.

Your attention is drawn to the rights of appeal set out on the attached sheet.

RIGHTS OF APPEAL

Application No: 22/00055/PVAR3 (PP-08540319)

If the applicant is aggrieved by the decision of the City Council to impose conditions on the grant of permission for the proposed development, then he or she can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

Any appeal must be submitted within six months of the date of this notice. You can obtain an appeal form from the Customer Support Unit, The Planning Inspectorate, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Phone: 0117 372 6372. Appeal forms can also be downloaded from the Planning Inspectorate website at <http://www.planning-inspectorate.gov.uk/pins/index.htm>. Alternatively, the Planning Inspectorate have introduced an online appeals service which you can use to make your appeal online. You can find the service through the Appeals area of the Planning Portal - see www.planningportal.gov.uk/pcs.

The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay.

The Secretary of State need not consider an appeal if the City Council could not for legal reasons have granted permission or approved the proposals without the conditions it imposed.

In practice, the Secretary of State does not refuse to consider appeals solely because the City Council based its decision on a direction given by him.

PURCHASE NOTICES

If either the City Council or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. This procedure is set out in Part VI of the Town and Country Planning Act 1990.

COMPENSATION

In certain limited circumstances, a claim may be made against the City Council for compensation where permission is refused or granted subject to conditions by the Secretary of State. The circumstances in which compensation is payable are set out in Section 114 of the Town & Country Planning Act 1990.