

Application Ref: 21/00118/OUT

Proposal: Proposed two storey building for use associated with the mosque including residential accommodation

Site: Masjid Ghousia, 406 Gladstone Street, Millfield, Peterborough
Applicant: Mr N Khan

Agent: Mr Mohammed Iqbal

Referred by: Head of Planning Services
Reason: The application is of wider public interest

Site visit: 13.04.2021

Case officer: Ms J Wallis
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Recommendation: REFUSE

1 Description of the site and surroundings and Summary of the proposal

Site and Surroundings

The site comprises the Masjid Ghousia Mosque, constructed in the 1980's, which is located on the western side of Gladstone Street opposite the junction with Springfield Road and the junction with English Street.

The immediate surrounding area is predominantly residential in character with on street parking. The western side of the street is bounded by the rear gardens of properties within Clarence Road. To the north of the site there is a car parking area and access is served from English Street.

The building is locally listed due to its distinctive architecture which forms an important part of the street scene and serves as a local landmark building. There is a hard standing car parking area to the north of the building, with a vehicle access/exit point on English Street and Gladstone Street. Under a previous planning consent it was confirmed that there were 24 parking spaces available within this area.

Proposal

The application seeks outline planning permission for a two-storey building for use associated with the mosque to include residential accommodation. Access and scale are reserved matters for consideration under this planning application. Appearance, layout and landscaping are matters to be reserved for consideration under future subsequent applications. The proposed indicative floor plans show three Imam's bedrooms and living accommodation on the first floor, with two sitting areas, washing areas, laundry and a kitchen to the ground floor.

The application is outline with design forming a reserved matter. However, the indicative plans submitted show the building to be constructed of brick, with a flat roof (although tiles are listed as a roofing material), but also include decorative detail to the elevation tops screening the flat roof. Scale is a matter for consideration under this application, with a 2 storey high building being applied for. The building would be on land sited to the north west of the existing mosque building/site, to the rear of the residential properties 108-124 Clarence Road. The land is currently vacant, and would have originally formed part of the rear gardens of these adjacent residential properties. This land was not part of the originally approved Mosque site 03/01516/FUL. No

additional parking is proposed as part of this application.

2 Planning History

Reference	Proposal	Decision	Date
20/01260/WCPP	Variation of condition C8 (to allow the amplified call to prayer 3 times per day every day (early afternoon, late afternoon and sunset) pursuant to planning permission 03/01516/FUL (New mosque, extension to existing mosque and new brickwork facade - revised)	Refused	15/03/2021
17/01857/NONMAT	Non-material amendment (approved drawings) pursuant to planning permission 14/01319/FUL amended under previous non-material amendment application 17/01464/NONMAT	Determined	02/11/2017
17/01464/NONMAT	Non-material amendment to: Include approved plans list 94/101. 94/105. 94/106. 94/205 and 94/206 pursuant to planning permission 14/01319/FUL Proposed first floor side extension	Determined	18/09/2017
14/01319/FUL	Proposed first floor side extension	Permitted	11/09/2014
12/01185/FUL	Construction of two storey side extension (Part retrospective)	Permitted	06/09/2012
09/00569/FUL	Two storey extension, increased height and alterations to openings	Permitted	07/07/2009
08/00453/FUL	Two storey extension, increased height and alterations to openings	Permitted	26/06/2008
08/00260/FUL	Alterations to existing window to form new door	Permitted	08/04/2008
03/01516/FUL	New mosque , extension to existing mosque and new brickwork facade - revised	Permitted	15/12/2003
02/00469/FUL	Erection of mosque with associated parking	Permitted	30/10/2002
98/00494/FUL	New Mosque building (incorporating existing Mosque)	Permitted	18/01/2000
P0745/84/R	First floor extension to mosque	Permitted	11/10/1984

3 Planning Policy

Decisions must be taken in accordance with the development plan policies below, unless material considerations indicate otherwise.

Peterborough Local Plan 2016 to 2036 (2019)

LP01 - Sustainable Development and Creation of the UK's Environment Capital

The council will take a positive approach that reflects the presumption in favour of sustainable development within the National Planning Policy Framework. It will seek to approve development wherever possible and to secure development that improves the economic, social and environmental conditions in the area and in turn helps Peterborough create the UK's Environment Capital.

LP13 - Transport

LP13a) New development should ensure that appropriate provision is made for the transport needs that it will create including reducing the need to travel by car, prioritisation of bus use, improved

walking and cycling routes and facilities.

LP13b) The Transport Implications of Development- Permission will only be granted where appropriate provision has been made for safe access for all user groups and subject to appropriate mitigation.

LP13c) Parking Standards- permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

LP13d) City Centre- All proposal must demonstrate that careful consideration has been given to prioritising pedestrian access, to improving access for those with mobility issues, to encouraging cyclists and to reducing the need for vehicles to access the area.

LP16 - Urban Design and the Public Realm

Development proposals would contribute positively to the character and distinctiveness of the area. They should make effective and efficient use of land and buildings, be durable and flexible, use appropriate high quality materials, maximise pedestrian permeability and legibility, improve the public realm, address vulnerability to crime, and be accessible to all.

LP17 - Amenity Provision

LP17a) Part A Amenity of Existing Occupiers- Permission will not be granted for development which would result in an unacceptable loss of privacy, public and/or private green space or natural daylight; be overbearing or cause noise or other disturbance, odour or other pollution; fail to minimise opportunities for crime and disorder.

LP17b) Part B Amenity of Future Occupiers- Proposals for new residential development should be designed and located to ensure that they provide for the needs of the future residents.

LP19 - The Historic Environment

Development should protect, conserve and enhance where appropriate the local character and distinctiveness of the area particularly in areas of high heritage value.

Unless it is explicitly demonstrated that a proposal meets the tests of the NPPF permission will only be granted for development affecting a designated heritage asset where the impact would not lead to substantial loss or harm. Where a proposal would result in less than substantial harm this harm will be weighed against the public benefit.

Proposals which fail to preserve or enhance the setting of a designated heritage asset will not be supported.

LP30 - Culture, Leisure, Tourism and Community Facilities

LP30a) Development of new cultural, leisure and tourism facilities will be supported in the city centre. Facilities elsewhere may be supported in accordance with a sequential approach to site selection.

LP30b) Development proposals should recognise that community facilities are an integral component in achieving and maintaining sustainable development. Proposals for new community facilities will be supported in principle.

LP30c) The loss via redevelopment of an existing community, cultural, leisure or tourism facility will only be permitted if it is demonstrated that the facility is no longer fit for purpose, the service provided can be met by another facility or the proposal includes a new facility of a similar nature.

4 Consultations/Representations

PCC Pollution Team

Air conditioning units -More information is needed on the proposed air conditioning units, including

number, operation times and exact location to determine impact in accordance with BS 41422014, together with details of the background noise levels to allow comparison.

Imam Residential Units -It is not clear whether there are to be permanent residences or temporary over-night accommodation to be used as the need arises, and whether residential occupancy will be restricted to Imams, or for persons associated with the operation of the Mosque, or as future rented accommodation for general occupancy. In addition is not clear whether the Imam occupants will be permitted to use the residential premises during the day time, and if they are, whether they will be impact by the noise from the mourners using the venue below. The proposed AC units for the ground floor are likely to have an impact on the residential units above, and as such require assessment, for both day and night.

Odour -The comments regarding the kitchen are noted. Any intensification of use above what would be considered normal domestic use would need to be controlled by condition and require the installation of additional plant.

On submission of additional information;

additional clarification and specifications are still required to be able to determine impact on amenity. There are concerns regarding the impact of this development on occupants of nearby residential properties and the proposed residential units particularly in relation to;

Noise from AC plant on the proposed development affecting existing residential:

Imam Residential units

Noise from AC plant on Mosque

In addition, where industrial and/or commercial noise is present on the site (it is likely this would include the mosque AC units) and is considered to be "dominant" (i.e. where the impact would be rated as adverse or greater (subject to context)) then regard should be had to the guidance in BS4142:2014.

Therefore, an assessment of the site should be undertaken to determine the noise climate of the site, taking into account both day and night-time noise levels is required.

Where external noise levels are at such a volume that to meet the sound insulation requirements windows would have to remain closed, to facilitate rapid ventilation and cooling, the room must be fitted with a noise attenuated mechanical ventilator unit to an approved specification unless adequate ventilation can be provided in an alternative manner. The mechanical ventilation system installed must comply with the Noise Insulation Regulations 1975 (including acoustic ventilation units incorporating fans for insertion in external walls) and the Approved Document F. Alternatively, a 'whole house' ventilation system could be used. Acoustic trickle ventilators will not provide adequate ventilation for these purposes.

All the noise and ventilation related conditions as detailed in previous comments still apply.

PCC Peterborough Highways Services

Object. The addition of a new two storey building and lack of sufficient on-site parking facilities would lead to a greater demand for parking in an area where on street parking is over capacity. This will lead to an increase in vehicles parking in unsafe locations so impeding the free flow of other road users and increasing the risk of accidents and endangering pedestrians and other highway users.

Whilst appreciated that the application is outline, it cannot be supported. The Highway Authority have raised concerns on the previous application for extensions to the Mosque buildings (08/00453/FUL, 09/00569/FUL and 14/01319/FUL) due to insufficient on-site parking facilities and the level of excessive on street parking congestion in the surrounding area.

The proposed two storey building will result in 238sqm of additional floor area plus 3 separate

dwelling which is a significant increase. As there is not sufficient space within the site to increase the number of parking spaces, the parking requirements of the proposed two storey building cannot be provided.

On submission of additional information; The highway authority have advised that even though the supporting information states that the number of users will not increase, the additional floor area, which is of a significant size, has the potential to increase future users which would consequently result in additional vehicles travelling to/from the site.

In accordance with minimum parking standards the new dwellings also require onsite parking provision of which none has been made. The LHA would ask the question as to where would the residents of the new dwellings park?

The LHA has previously raised concerns regarding the level of on street parking congestion in the surrounding area and would not wish to exacerbate an existing situation.

In view of the above the LHA's comments submitted on the 17.04.21 still stand.

PCC Conservation Officer

No objection. Masjid Ghousia is a Locally listed building that contributes positively to the streetscene for both Gladstone Street and English Street. The proposed building will be seen clearly from both roads in direct association with the Locally Listed Mosque. As such, it is required to be subservient to, and form a positive relationship with the host building.

The proposed position and massing is not considered to be contrary to these requirements, however the proposed design will also be important. The indicative plans do have some positive aspects, however there are concerns that the detailing is not sufficiently reflective of the positive character of the Mosque. This could be rectified at the Full Plans stage.

At a minimum the full plans should show:-

- Similar banding to the Mosque and external walls on the elevations
- The northern elevation to English Street has a more active elevation
- The ground fenestration should match that of the Locally Listed Mosque

There would be no objection if the proposed plans were for a grander design befitting an associated structure to the Mosque within the massing size proposed. For instance, replicating the entrance arches for the portal as a row of three glazed elevations.

Local Residents/Interested Parties

Initial consultations: 32

Total number of responses: 0

Total number of objections: 0

Total number in support: 0

No public or neighbour representations have been received.

5 Assessment of the planning issues

The main considerations are:

- Principle of Development
- Visual Impact and Heritage Assets
- Residential Amenity
- Access, Parking and Highway Implications

This outline application seeks permission for the principle of a two storey building to be used in

connection with the mosque, including residential accommodation along with the access and scale of the building. Appearance, landscaping and layout of the building are reserved for future consideration.

Principle of Development

The site is within the curtilage of an existing community facility. Policy LP30 of the Local Plan supports the development of new cultural and community facilities. The application proposes to provide additional space for the mosque so that at times of death relatives and family-friends are able to attending Ghousia Masjid to pay their respects to the deceased family without affecting prayer times and other community facilities that are taking place at the same time.

A supporting statement submitted with the application states that the purpose of the proposed ground floor use is that people attending are separated from the other services that are taking place. As some families are not able to control their grief and this is to prevent any disturbance to the other users.

The proposed use of the first floor is purely for the Imam's, as presently, the employed Imam's are living in rented accommodations and having to travel on a daily basis to and from the Masjid Ghousia. The Masjid Ghousia Committee's aim is to provide the residential accommodation for the full time permanent Imam's, so that they are not required to travel to and from the Masjid Ghousia on a daily basis and the accommodation is to provide a facility for the Imam's.

As an extension to an existing community facility the principle of the development is in accordance with Policy LP30 of the adopted Peterborough Local Plan subject to a detailed assessment of the impact of the proposal.

Heritage Assets and Visual Impact

Policy LP16 states development proposals should contribute positively to the character and distinctiveness of the area.

The existing mosque is a locally listed building which positively contributes to the streetscene and as such the site is a non-designated heritage and falls to be considered in accordance with policy LP19.

Planning permission is sought for a two storey detached building to be sited to the northwest of the existing mosque. The indicative plans show a rectangular building constructed in brick with decorative detailing to the elevation top to screen the flat roof. The proposed building will be clearly seen from Gladstone Street and English Street directly in association with the Locally Listed Mosque.

The Conservation Officer has not objected to the proposed position or massing of the building in terms of its impact on the local listed building or streetscene, but has expressed some concerns with regards to the design of the building. However, the design of the building is not a consideration of this outline application with its appearance reserved for future consideration.

There are concerns regarding the design of the building proposed. However, as the application is in outline and the plans submitted are indicative only, it is considered that these issues could be resolved at the subsequent reserved matters stage. As such, although not sufficient to approve, the design does not fall to be considered at this stage.

Residential Amenity

Policy LP17 seeks to ensure that development would not result in an unacceptable loss of privacy or natural daylight and would not be overbearing or cause noise or other disturbance, odour or other pollution to existing occupiers. It also seeks to ensure that new residential development be designed and located to ensure that they provide for the needs of the future residents.

The proposed two storey building is to be sited to the northwest of the existing mosque to the rear

of residential properties on Clarence Road. The application is in outline, with access and scale for approval at the outline stage. Indicative plans have been submitted showing the proposed building with a footprint measuring 21.5m by 12m, which fills the majority of the application site identified, and a height of 5.95m with decoration features above.

The proposed building would only be separated from adjoining residential properties on Clarence Road by 3.75m and would stand at a height of just under 6m. The siting and scale of such a building would result in a significant overbearing, overshadowing and over dominant impact on the occupants of properties to the west, to the detriment of their residential amenity.

It is acknowledged that the appearance of the building is reserved for future consideration and the elevation plans submitted are indicative. The indicative plans show a relatively blank facade facing the rear of Clarence Road with two high level windows. Even if the elevation were to be designed with no windows facing the neighbouring properties the expanse and mass of the two storey building would result in the loss of light and would have an overbearing and over dominant impact on these properties.

Furthermore, the application proposes first floor accommodation for occupation by the Imam's which would have an outlook onto the side of the existing mosque, resulting in a poor outlook and limited sunlight/daylight to the accommodation to the detriment of the occupants of these rooms.

Our Pollution Control colleagues have also expressed concerns with regards to noise and that an assessment of the site should be undertaken to determine the noise climate of the site, taking into account both day and night-time noise levels is required. Insufficient information has been submitted with the application to determine the impact of the proposal on residential amenity.

Overall, the proposals would be harmful to the residential amenities of occupiers of existing neighbouring dwellings and would fail to provide a high level of amenity for the future occupants of the residential accommodation proposed. As such the proposal is contrary to Policy LP17 of the Peterborough Local Plan.

Access, Parking and Highway Implications

Policy LP13 requires new development to reduce the need to travel by car, requires safe access for all user groups and appropriate parking provision for all modes of transport is made in accordance with standards.

The Local Highway Authority objects to the proposed planning application. The additional building proposed and the lack of on-site parking facilities (the building itself would further reduce potential parking areas) would lead to a greater demand for parking in an area where on street parking is already over capacity. As such, more vehicles could park in unsafe locations, impeding the free flow of traffic and other road users and increasing the risk of accidents.

The applicant has submitted a further supporting statement with the application stating that the use of the building is to separate existing activities taking place in the mosque and as a result the existing number of users attending the Masjid Ghousia is not changing and will not require any additional on-site parking facilities for this use. They have further stated that Masjid Ghousia already have a long term agreement with the Gladstone Park Community Centre that at times when there is a funeral, big event or on Friday prayers the visitors will park their vehicles at the Gladstone Park Community Centre, this has been taking place for number of years and is not changing. Furthermore the supporting statement states that, "having looked at the accident data, in the last 10 years there has not been a single incident that has occurred that relates to Masjid Ghousia. Therefore, this will have no bearing on increase in vehicles parking in unsafe locations, or impeding the free flow of other road users and increasing the risk of accidents and endangering pedestrians and other highway users. The use of the first floor is purely for the Imam's, as presently, the employed Imam's are living in rented accommodations and having to travel on a daily basis to and from the Masjid Ghousia. The Masjid Ghousia Committee's aim is to provide the residential accommodation for the full time permanent Imam's, so that they are not required to

travel to and from the Masjid Ghousia on a daily basis and the accommodation is to provide a facility for the Imam's.". The applicants have also confirmed that the storage containers will be removed from the site.

This additional information has been reviewed by the Local Highway Authority who have advised that existing on-site parking provision and manoeuvring space could be lost as a result of the proposals and even though the supporting information states that the number of users will not increase, the additional floor area, which is of a significant size, has the potential to increase future users which would consequently result in additional vehicles travelling to/from the site. Furthermore, in accordance with minimum parking standards the new dwellings also require onsite parking provision of which none has been made and it is not clear where the residents of the proposed accommodation would park.

The application is in relation to a detached two storey building with a proposed floor area of 238 sqm. Therefore, the proposal is required to be judged on the proposed increase in floor area of the site and the need to provide adequate parking for the resultant building size and use. Whilst it is noted that the building is proposed to be used in connection with existing activities in the mosque and the applicants consider that that this would not increase the number of users to the site, there is potential in freeing up space within the existing mosque by adding this new building, that the capacity for additional visitors to the whole site could be increased and there would be no way of controlling this once the building has been constructed.

As such, the proposed building would result in the increase in demand for parking in an area where on street parking is already over capacity and as such would result in on street parking to the detriment of highway safety. As such the development is contrary to policy LP13 of the adopted Peterborough Local Plan.

6 Conclusions

The proposal is unacceptable having been assessed in light of all material considerations, including weighing against relevant policies of the development plan and for the specific reasons given below.

The development is considered would be detrimental to the amenity of existing residential properties and any future occupiers. The siting and scale of the building would result in an overbearing and over dominant impact on the occupants of properties to the west to the detriment of their residential amenity and would fail to provide a high level of amenity for the future occupants of the residential accommodation proposed. As such the proposal is contrary to Policy LP17 of the Local Plan.

The proposal would also result in insufficient parking facilities and would lead to a greater demand for parking in an area where on street parking is over capacity and would therefore lead to an increase in vehicles parking in unsafe locations and so impeding the free flow of other road users and highway safety. As such the proposal is contrary to Policy LP13 of the Local Plan.

It is acknowledged that the proposed building would provide additional space and accommodation in connection with an established community facility, the principle of which is supported under Policy LP30 of the Local Plan. However, on balance the impact of the development upon the residential amenity of adjoining properties and highway safety outweighs any benefits and the proposal is therefore recommended for refusal.

7 Recommendation

The Executive Director of Place and Economy recommends that Outline Planning Permission is **REFUSED for the following reasons:**

- R 1 The proposed development, by virtue of its scale and siting, would result in an overbearing and over dominant impact on the occupants of properties to the west, to the detriment of their residential amenity. Furthermore, the application proposes first floor accommodation for occupation by the Imam's which would have an outlook onto the side of the existing mosque, resulting in a poor outlook and limited day light to the detriment of the occupants of these rooms. Overall, the proposals would be harmful to the residential amenities of occupiers of existing neighbouring dwellings and would fail to provide a sufficient level of amenity for the future occupants of the residential accommodation proposed. As such the proposal is contrary to Policy LP17 of the Local Plan.
- R 2 The proposed development would result in the increase in demand for parking in an area where on street parking is already over capacity. This would lead to an increase in vehicles parking in unsafe locations and impeding the free flow of other road users and increasing the risk of accidents and endangering pedestrians and other highway users, to the detriment of highway safety. As such the development is contrary to policy LP13 of the adopted Local Plan.

Copies to Councillors: Ansar Ali. Shazia Bashir. Mohammed Haseeb

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