

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132245/FO/2021

Date registered valid: 22 November 2021

Proposal: Erection of a two storey rear and side extension with basement to an existing place of worship (Class F1(f) - mosque)

Address: 22-24 Clarendon Road, Manchester, M16 8LD

Ward(s): Whalley Range Ward

Applicant: Mr. Ishaq Muhammad, 22-24 Clarendon Road, Manchester, M16 8LD

Agent (if any): Mr Muthahar Khan, Studio Tashkeel Architecture, 89 Princess Street, Manchester, M1 4HT

Case officer: Dave Morris
Tel: 0161 600 7924
Email: dave.morris@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 17.01.2022

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 17 December 2021

Standard consultations:

Printed: 25 November 2021

Expired: 16 December 2021

Neighbour notifications

Printed: 25 November 2021

Expired: 16 December 2021

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

This application relates to a pair of three storey double fronted former semi detached houses now used as a place of worship. The properties have accommodation in the elevated basement and the roof space. The property which has been painted white has two, two storey bay windows with flat roofs and a gable above, one to either side of the frontage and there is a three storey bay again with a gable above located centrally. There is a car park to the rear with an in and out system along either side of the property and a shallow front garden.





Planning permission was granted for the use of the premises as a place of worship in November 1984 reference 022034 and subject to the following conditions

1. The development must be begun not later than the expiration of five years beginning with the date of this permission.
2. Within six months from the date of this permission the car parking provision at the rear of the property shall be marked out and improved access for cars provided from Clarendon Road in accordance with a scheme to be submitted to and approved by the City Council.
3. There shall be no provision for externally mounted equipment for the amplification of sound at the property.
4. Within six months from the date of this permission the building shall be insulated in accordance with a scheme submitted to and approved by the City Council in order to secure a reduction in the level of noise emanating from the property

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

This is a predominantly residential area. Adjoining the western boundary of the site are the rear gardens of modern two storey residential properties on Cotterdale Close. Along the eastern boundary is a very large electricity sub station. To the rear, north of the site is a modern three storey flat development. There are residential properties facing the site across Clarendon Road.

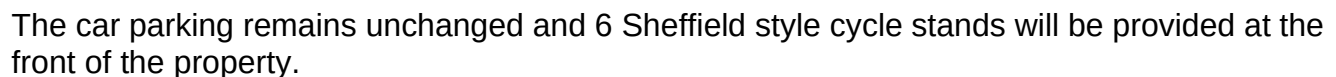


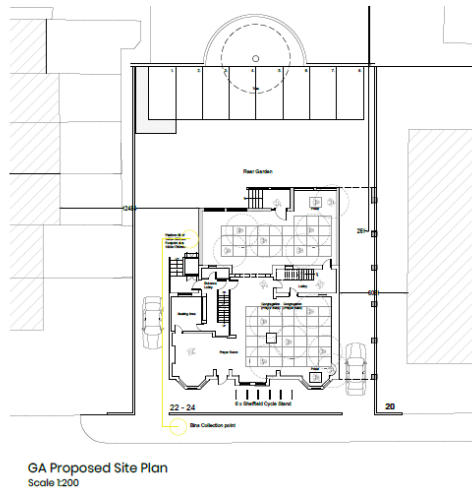
Description of development

In June 2021 planning permission reference 128789/FO/2020, was granted for the erection of a two storey rear and side extension to an existing place of worship (F1(f) - mosque). This application seeks permission for the same extensions with the addition of a basement to be used as a mortuary.

Consent is sought to erect two adjoining extensions, one two storey and the other part two part single storey, each with a dual pitch roof and a rear gable, the single storey element would have a mono pitch roof. The rear extension would include a basement. The part single part two storey extension would project 5 metres and would be set in 2.5 metres from the west side of the property. The other extension would extend across the rear of the proposed side extension which would project 3.1 metres. The side extension would be open at ground floor level to allow the drive to be continued to be used. The side extension would have a dual pitched roof with a side gable contiguous with the main roof. The extension would be finished in white render. At

The car parking remains unchanged and 6 Sheffield style cycle stands will be provided at the front of the property.





In support of the previous approved application the applicant made the following points

-The majority of the people will come by foot and in the situation of having people arriving by car and with the car parking full. In event of a full car park, the entrance will be marked with temporary cones at the entrance. As previous point, there will be a team of volunteers marshalling.

-The community will be providing activities with services starting in 2021, including health awareness to and educational lectures mainly.

Times for community activities will be organized at non prayer times to avoid overcrowding. Most of them will be in the morning between 8:00 - 13:00

-Currently, there is no demarcation in the car park. We will demarcate and keep one for disabled access (as per the site plan attached) Therefore instead of 9 car park spaces we will have 8 car park being one for disabled with the dimension of 3.6x6 meters

On a daily basis, the car park never become full and usually, a maximum of 3 car park spaces are occupied

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The proposed car park is a one way system, entering through the area closer to 20 Clarendon Rd, the system will work as the existing arrangement and the rear extension will keep a minimum of 6 meters behind the car parking spaces for manoeuvre.

On Friday and Eid a marshalling system will be implemented, a team of volunteer marshals will oversee the management of vehicles as well as pedestrians.

-The mosque will work for community awareness, particularly before Friday prayers there will be announcements to ask the residents in the vicinity to attend the mosque by walk in addition to the points above.

Consultations & Notification Responses

Local Residents

One letter has been received objecting to the proposed development. The issues raised are summarised below.

- Parking and traffic is already a huge problem at different times of the week. Few seem to walk to the mosque, many drive and our end of the street is parked with poorly parked cars. Residents often find it difficult to park and on many occasions people going to the mosque park across driveways.

-Building on the car park surrounding the mosque will increase this problem and in addition to this there are major developments planned to the British Muslim Heritage centre down the road will make it even worse.

Clarendon is already used as a through road with no real attempts to calm this. As residents we will have to put up with either a rat run or a parking lot outside peoples homes

Highways

- The approved planning application 128789/FO/2020 has conditioned a requirement for a Construction Management Plan as well as on-site car and cycle parking.
 - The waste management arrangements for this application were considered acceptable and are unaffected.
- For this application, the extension to the basement is to allow for additional funeral storage (for mortuary use, washing purposes etc.), and it has been made clear in the application that the mosque will not undertake funeral services from this location.
- The revised pedestrian access arrangements associated with basement access are acceptable from a highway perspective. -On this basis, Highways have no objection to these proposals.

Environmental Health

- The use of the proposed mosque extension should be for prayer or community activities only and should not include the use of loudspeakers.
- They recommend that hours of use are agreed.
- They have no comments regarding waste & recycling as it is understood that there would be no increase in numbers of users of the mosque.

Policy

Core Strategy

The relevant Core Strategy policies are SP1 and DM1

Policy SP1 sets down the spatial principles that guide development in the City. These include the creation of neighbourhoods of choice.

Policy DM1 seeks to protect the amenity of an area from the adverse impact of development.

Unitary Development Plan

The relevant saved UDP policy is DC26 which seeks to protect the amenity of an area from the adverse impact of development.

Issues

Principle

This application differs from the previously approved scheme in that there is a basement beneath the rear extension, outwardly it appears the same save for the addition of small windows at ground level to provide light to the basement. The principle of the extension is therefore considered acceptable.

Scale

This is a substantial building and it is considered that the proposed extension projecting between 5 and 7.3 metres at the rear is not considered overly large in the circumstances. Similarly the two storey side extension sits comfortably, infilling the space between the building and the boundary adjacent to the much lower electricity sub station. On balance it is considered that the scale of the proposed extension is appropriate to the building in its current use.

Design

The proposed extension at first floor level is quite simple whilst the ground floor with its arches gives some hint at the use of the premises. On balance the design of the building is considered acceptable

Parking

The proposed extension is to improve facilities for the users of the mosque and is not specifically intended to facilitate an increase in numbers. The parking remains unchanged from that originally provided. On balance the parking remains acceptable.

Cycling

The development has been amended to include provision for the secure parking of cycles. This is considered to be a positive move.

Residential Amenity

There are residential properties facing the site to the south to the west and the north. The side extension is located adjacent to a sub station and will not impact on the residential amenity in terms of overbearing impact. The rear extension closest to the residential properties on Cotterdale Close to this end the width of the extension was reduce and the single storey element is now 12.5 metres from the rear face of the building and the two storey element a further 2.5 metres. In that the extension projects on 5 metres at this point it is not considered that it would have a significant overbearing impact. There will be no overbearing impact on the properties to the rear which are approximately 19 metres away.

In terms of privacy all new windows are in either the front or rear elevations. At the rear there is approximately 19 metres between windows which is unlikely to lead to any significant loss of privacy.

Noise the original permission included a condition prohibiting the use of speakers outside the property. It is considered prudent to repeat that condition on this application

Invariably mosques generate a great deal of comings and goings which can impact on the amenity of an area. This is however a well established premises and the aim is to improve facilities rather than attendance.

On balance it is considered that the proposed development will not have a significant impact on amenity.

Hours

No hours condition was imposed on the original consent, one cannot be retrospectively imposed on the original building, and an hours restriction on part of the building would be unenforceable. An hours condition is therefore considered to be inappropriate on this occasion.

Refuse

Environmental Health have raised no issues with the refuse storage arrangements.

Conclusion.

Outwardly the proposed extension appears the same as that previously approved save for the basement level windows. On that basis it is considered that the proposed development remains acceptable.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to issues arising from the consideration of this application.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

1904105_PL_004 revision B received 16 November 2021

1904105_PL_005 revision B received 16 November 2021

1904105_PL_006 Revision A

1904105_PL_007 received 16 November 2021

Waste Management Strategy received 18 November 2021

Design and Access Statement received 22 November 2021

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

3) The development hereby approved shall be constructed using the materials specified in the application forms and approved drawings.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

4) A Construction Management Plan shall be submitted to and approved by the Council. This will contain a Noise & Vibration section (in addition to a dust emission section) that shall base the assessment on British Standard 5228, with reference to other relevant standards. It shall also contain a community consultation strategy which includes how and when local businesses and residents will be consulted on matters such out of hours works. Any proposal for out of hours works (as below) will be submitted to and approved by this section, the details of which shall be submitted at least 4 weeks in advance of such works commencing.

Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

Reason - To safeguard the amenities of the occupiers of nearby residential and commercial properties during the construction/demolition phase. pursuant to Core Strategy policy DM1

5) The parking shown on the approved drawings shall be surfaced, demarcated and available for use prior to the extension hereby approved being brought into use.

Reason To ensure that there are satisfactory arrangements for the parking of cars pursuant to Core Strategy policy DM1

6) Before the extension hereby approved is first occupied the cycle storage facilities shown on the approved drawings shall be put in place and then be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with policies SP1, T1 and DM1 of the Core Strategy.

7) There shall be no provision for externally mounted equipment for the amplification of sound at the property.

Reason To protect the amenity of residents from the harmful effects of noise pursuant to Core Strategy policy DM1 and saved Unitary Development Plan policy DC26

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Flat 31, Burford Court, Cotterdale Close, Manchester, M16 8EA
Flat 34, Burford Court, Cotterdale Close, Manchester, M16 8EA
Flat 38, Burford Court, Cotterdale Close, Manchester, M16 8EA
Flat 35, Burford Court, Cotterdale Close, Manchester, M16 8EA
43 Cotterdale Close, Manchester, M16 8EG
37 Cotterdale Close, Manchester, M16 8EG
Flat 30, Burford Court, Cotterdale Close, Manchester, M16 8EA
12 Clarendon Road, Manchester, M16 8LD
31 Clarendon Road, Manchester, M16 8LB
25 Clarendon Road, Manchester, M16 8LB
Flat 32, Burford Court, Cotterdale Close, Manchester, M16 8EA
Flat 36, Burford Court, Cotterdale Close, Manchester, M16 8EA
Flat 39, Burford Court, Cotterdale Close, Manchester, M16 8EA
Flat 37, Burford Court, Cotterdale Close, Manchester, M16 8EA
45 Cotterdale Close, Manchester, M16 8EG
41 Cotterdale Close, Manchester, M16 8EG
39 Cotterdale Close, Manchester, M16 8EG
35 Cotterdale Close, Manchester, M16 8EG
Flat 33, Burford Court, Cotterdale Close, Manchester, M16 8EA
Flat 29, Burford Court, Cotterdale Close, Manchester, M16 8EA
10 Cotterdale Close, Manchester, M16 8EG
29 Clarendon Road, Manchester, M16 8LB
27 Clarendon Road, Manchester, M16 8LB
23 Clarendon Road, Manchester, M16 8LB
21 Clarendon Road, Manchester, M16 8LB
19 Clarendon Road, Manchester, M16 8LB
8 Cotterdale Close, Manchester, M16 8EG
Basement Flat, 25 Clarendon Road, Manchester, M16 8LB
Flat 28, Burford Court, Cotterdale Close, Manchester, M16 8EA

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH