

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138097/FO/2023
Date registered valid: 12 December 2023
Proposal: Erection of a single storey extension to the Victory Street elevation.
Address: Shajalal Mosque, 1A Eileen Grove, Manchester, M14 5WE
Ward(s): Moss Side Ward

Applicant: Mohammed A Miah
Agent (if any): Philip Holmes PHA Architects Ltd
Case officer: Janet Lawless
Tel: 0161 234 4535
Email: janet.lawless@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 6 February 2024

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 8th January 2024

Standard consultations:

Printed: 21 December 2023

Expired: 14 January 2024

Neighbour notifications

Printed: 21 December 2023

Expired: 14 January 2024

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

The building that is the subject of this application is identified as the Shajalal Mosque (1A Eileen Grove). The proposal is actually proposed for the Victory Street elevation. The Mosque is constructed of red brick with buff brick detailing and minarets. It occupies a roughly rectangular footprint, with a staggered elevation to the Eileen Grove frontage. There is a small amount of in curtilage parking for use by the Mosque this is shared with the with the building that operates the Shahjalal Mosque Funeral Services. The remainder of the parking is reliant on the availability of on street spaces.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The immediate area is a combination of residential properties of differing ages and community buildings, and Platt Fields Park and Plat Lane complex are in close proximity..

Description of development

The proposal is for the erection of a single storey extension to the Victory Grove elevation of the building to provide for a covered entrance way leading through to the Prayer Hall. It would have a hipped roof and would be in materials to match the existing building. The extension would square off the irregular elevation as currently viewed from Victory Street and Eileen Grove.

Consultations & Notification Responses

Local Residents were informed- no representations have been received

Greater Manchester Police Design For Security were consulted- no representations have been received.

Rusholme, Moss Side and Fallowfield Civic Society were consulted- no representations have been received.

Policy

Local Development Framework

The principal document within the framework is the Manchester Core Strategy which sets out the spatial vision for the City and includes strategic policies for development during the period 2012- 2027.

'The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long- term strategic planning policies for Manchester's future development.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'

The following policies within the Core Strategy are considered relevant:

Policy SP1 refers to the key spatial principles which will guide the strategic development of Manchester together with core development principles. It is stated that developments in all parts of the city should create well designed places which enhance or create character, make a positive contribution to the health, safety and well-being of residents, consider the needs of all members of the community and protect and enhance the built environment. Further, development should seek to minimise emissions, ensure the efficient use of natural resources, reuse previously developed land wherever possible, improve access to jobs, services and open space and provide good access to sustainable transport provision.

Policy DM1 states that new development should have regard to more specific issues for which more detailed guidance may be given within supplementary planning documents.

Places for Everyone Plan - The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan.

To date, five consultations have taken place in relation to the Plan. The Examination of the Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation. The City Council's Executive agreed the Main Modification on 4 October 2023 and endorsed an 8 week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023. Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on

the proposed Modifications before finalising the examination report. Given the stage the Plan has reached and level of public consultation and scrutiny it has received, the Plan and its policies are now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance.

Issues

Principle

The principle of the single storey extension to the Victory Street elevation is considered acceptable however, assessment must be made on the proposals in terms of impacts upon the residential and visual amenity of the neighbouring properties and the character of the building itself or the area within which it is located.

In this case, given the proposed use, coupled with its design and position within the street scene, there would be no significant impact and therefore the proposal complies with policies DM1 and SP1 of the Manchester Core Strategy.

Residential and Visual Amenity

The building is already in use as the Shajalal Mosque and the erection of the single storey building is to provide covered access into the main hall, it is not to increase the capacity of the Mosque but to enable it to function better by providing a secondary covered entrance point. At single storey the modest extension would not result in a detrimental impact on the residential amenity currently enjoyed by the neighbouring properties.

The main impact will be as a result of the change in the aesthetic of the Victory Street elevation. The extension is proposed as a single storey with a simple elevation it has been hipped to keep the height down. Keeping the design simple does not detract from the aesthetics of the original building including the minarets.

Given the location of the proposed extension, it is not considered that the proposal would have a detrimental impact upon the building itself, or the area within which it is located. As such the proposed development is considered acceptable.

Design

Whilst the proposed extension does not contain the elevational detailing that the host building presents, this enables it to assimilate with the existing building presenting a functional use without detracting from the Mosque itself. The design is considered acceptable.

Materials

The materials to be used would match those of the existing property and are considered acceptable.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance there were no additional negotiations required, and the application has been determined in a timely manner.

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:

F01/AS/03- Proposed Ground Floor Plan

F01/AS/04 Rev A -Proposed Elevations

F01/AS/06- Location Plan

F01-AS-07 -Proposed Rear Elevation

All received 12th December 2023

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 on the approved application form, and shall match those of the existing building including patching in.

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) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no windows or doors shall be inserted into the elevations of the extension hereby approved other than those shown on the approved plans.

Reason - In the interests of visual amenity pursuant to Policy DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy policy SP1 and DM1 Core Strategy for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

Greater Manchester Police
Rusholme, Fallowfield & Moss Side Civic Society

3 Eileen Grove, Manchester, M14 5WE
5 Eileen Grove, Manchester, M14 5WE
1 Eileen Grove, Manchester, M14 5WE
2 Summer Place, Manchester, M14 5AD
Trinity House, Grove Close, Manchester, M14 5AA
32 Victory Street, Manchester, M14 5AE
68 Platt Lane, Manchester, M14 5NE
66 Platt Lane, Manchester, M14 5NE
34 Victory Street, Manchester, M14 5AE
70 Platt Lane, Manchester, M14 5NE

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 AREA