

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134400/FO/2022

Date registered valid: 1 August 2022

Proposal: Erection of two storey extension and side porch extension to existing mosque to create ancillary accommodation (Class F.1 (f))

Address: 96-98 Heywood Street, Manchester, M8 0DT

Ward(s): Cheetham Ward

Applicant: Mr S Mohammad, 96-98 Heywood Street, Manchester, M8 0DT

Agent (if any): Mr Umar Faruque, Lumitekton Ltd, 275A Upper Brook Street, Manchester, M13 0HR

Case officer: Janine Renshaw-Livesey
Tel: 0161 234 4555
Email: janine.renshaw-livesey@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 24 November 2022

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 15/8/2022

Standard consultations:

Printed: 31 October 2022 Expired: 7 November 2022

Neighbour notifications

Printed: 31 October 2022 Expired: 7 November 2022

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

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

The proposal site is located in the Cheetham Hill area of North Manchester. The site is a rectangular shaped plot, measuring approximately 706 square metres. The site is bounded by highways to three sides; the Western boundary abuts Heywood Street; the northern boundary abuts Kelvin Grove, whilst the Southern boundary abuts Wordsworth Avenue. To the east of the site are residential dwellings. The proposal site sits in a predominantly residential area with further terrace bungalows located on the opposite side of Heywood Street.

The mosque building is two storeys high, with a pitched roof and is constructed of facing brickwork with a metal sheet roof. There are windows to the west facing elevations at the first-floor level, and none at the ground level. The south facing elevation has a single storey canopy which runs along the length of this elevation; there are large windows and a double door for access, all with security shutters along this elevation. There are no windows or other structural openings to the North and East facing elevations of the existing building.

The site has no boundary treatment. Vehicular access is taken off Wordsworth Avenue which leads to an open hardstanding area which provides parking for approximately seven cars.

Proposed Development

The applicant is applying for planning permission to extend the existing mosque at the site by way of a first-floor extension supported by brick columns, as such the existing hardstanding area at ground level would be retained. The small size of the site means that the mosque has

limited space to extend. Changes are also proposed to the approved porch area to the side which has extant planning permission under ref; 122299/FO/2019. The proposed porch would be better designed with improved fenestration.

The existing use of the site as a place for public worship F1(f) would be retained and approved under planning reference number 112047/FU/2016/N1, whilst the proposed extension would provide a small office, meeting room, and a library/study, these would all be ancillary uses and two classrooms for children to learn and study. A maximum of 10-12 children would study in each classroom.

Consultations & Notification Responses

The occupiers of the surrounding properties were consulted, and no representations were received.

Environmental Health-were consulted and recommend hours of construction be restricted and an informative has been added to the consent. EHO also request a noise attenuation and an external plant and equipment, and a refuse condition be attached to the consent.

The Flood Team- Requested a sustainable drainage condition be attached to the consent.

The Highways Team- Requested a travel plan, event management plan, and a CMP.

Greater Manchester Police- requested security measures be incorporated into the scheme and an informative has been added to the consent.

Issues

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. The following specific policies are considered to be particularly relevant to the proposed development:

Chapter 8: Promoting health and safe communities

91. Planning policies and decisions should aim to achieve healthy, inclusive and safe places which: promote social inclusion, are safe and accessible and enable and support healthy lifestyles.

Chapter 12: Achieving well-designed places

124: The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

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.

There are no site specific policies relating to the application site. The following policies within the Core Strategy are considered relevant:

Policy SP1 (Spatial Principle) 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 (Development Management) states that new development should have regard to more specific issues for which more detailed guidance may be given within supplementary planning documents. Issues include: the appropriate siting and appearance of development, the impact upon the surrounding area, the effects on amenity, accessibility, community safety and crime prevention, health, the adequacy of internal accommodation and amenity space and refuse storage/collection.

Policy EC1 (Employment and Economic Growth in Manchester) looks to ensure priorities for economic growth, the Council will support significant contributors to economic growth and productivity including health, education, retailing, cultural and tourism facilities, and other employment generating uses.

Policy T2 (Accessible Areas of Opportunity and Need) states that the Council will actively manage the pattern of development to ensure that new development: is located to ensure good access to the City's main economic drivers, including the Regional Centre, the Oxford Road Universities and Hospitals and the Airport and to ensure good national and international connections. Is easily accessible by walking, cycling and public transport; connecting residents to jobs, centres, health, leisure, open space and educational opportunities. Particular priority will be given to providing all residents access to strategic employment sites.

Policy EN19 (Waste) states that the Council will require all developers to demonstrate the proposals consistency with the principles of the waste hierarchy (prevention, reduction, re-use, recycling, energy recovery, and disposal). Developers will be required to submit a waste management plan to demonstrate how construction and demolition waste will be minimised and recycled.

Policy C3 North Manchester District Centre- Cheetham Hill and Harpurhey
States that other uses than retail that support vitality during the day be supported and development which brings a broader range of commercial and public uses to Cheetham Hill will be supported.

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

Policy DC26 (Development and Noise) states that the Council intends to use the development control process to reduce the impact of noise on people living and working in the City. In particular, consideration will be given to the effect of new development proposals which are likely to be generators of noise.

Principle

Having regard to the existing planning policy framework, City Council policy and national planning guidance, the principle of the development is considered acceptable.

The proposed development will lead to the continual use of a building within a mixed-use area which will contribute to the community by providing a community facility for local residential population. Furthermore, other uses than retail within the District Centre such as this type of use that supports vitality during the day such as this community facility should be supported, as this type of development brings a broader range of commercial and public uses to Cheetham Hill area that should be encouraged. On this basis the proposal is considered acceptable and complies with saved policy DC26 of the UDP, policies DM1, SP1, C3, and T2 of the Core Strategy and guidance contained within the National Planning Policy Framework (NPPF). The most pertinent planning issues are outlined below.

Residential Amenity

Policy DM1 of the Core Strategy states that regard should be had to the amenity of residents in considering development proposals, whereas policy SP1 seeks to protect the well-being of residents. Saved Policy DC26 of the Unitary Development Plan states that the Council should consider the effect of new development proposals which are likely to be the generators of noise. In comparison to the building being used as a Mosque, it is considered that the proposed use will not generate any significant impact to the living conditions or more so than the commercial uses that are situated within the area. The proposed use will take place within the inside of the building which is situated approximately 30 metres away from residential properties and the entrance to the facility is on the opposite side to where the residential dwelling houses are sited. Therefore, any noise as a consequence of people entering and leaving the building is relatively contained and unlikely to be detectable. Whilst it is evitable, nearby residents will suffer some disruption throughout the day, particularly in terms of pedestrian and vehicular activity, any impact would be for a limited period and at times of day that the majority of residents will probably be leaving or arriving for work. It is therefore believed that in the current context of the site which includes some commercial uses, coupled with the relatively short periods of disruption during the day, any impact upon the living conditions of nearby residential occupiers is not so significant to warrant refusal of the application. Furthermore, Environmental Health has requested noise and external noise attenuation measures be incorporated into the scheme. The acoustic report has been assessed by environmental health and further details are required for analysis. Along with noise conditions attached to the consent the hours of operation of the development are to be agreed. To minimise the impact of on surrounding residential amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

Visual Amenity

The host building is of a bland architectural character and presently makes a neutral contribution to the character of the area and appearance of the street-scene. The proposed extension would be finished in red brick to match the existing walling. The roof design was

altered during the planning process to improve the appearance of the flat roof by adding four apexes. Aluminium windows would be installed. Render is also proposed for place inscription which would provide variation. The design of the extension is simple following the character of neighbouring buildings. The main side elevation facing Heywood Road will have significant changes by way of bespoke openings at first floor level and the erection of the proposed porch. Therefore, the implementation of this proposal is considered to improve the appearance of the site and is acceptable on this basis. A materials condition has been attached to the consent 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, EN1 and DM1 of the Core Strategy for the City of Manchester.

Car Parking and Highway Issues

Policy T2 of the Core Strategy states that all new developments should provide appropriate car parking facilities and also that the circumstances of each proposal should be taken into account to establish what level of parking is appropriate. Policy DM1 requires that adequate parking should be provided for all new development and consideration should be given to traffic generation and road safety, whereas policy SP1 goes on to state that new developments should improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Trip generation indicates that around 10 to 12 students will attend each classroom, which is a total of 20 to 24 students in the building, approximately 5 vehicle trips for child drop-off and pick-up may be generated by the proposed madrassa and it is considered unlikely to generate any significant increase in vehicle trips. That being, highways considers that the relatively small scale of the development, coupled with the likelihood that a high proportion of customers would arrive at the building on foot as the site is located within a residential area and is acceptable in principle from a Highways perspective. Furthermore, the ongoing monitoring of the site will ensure that the collective impact of the existing and proposed use do not have a detrimental impact in terms of car parking within the area.

Car Parking and Access

Car parking will be for 4 vehicles. Confirmation is sought that any car park bays are a minimum 2.4m wide by 4.8m long and separated by a 6.0m aisle width. The arrangements for accessible parking should also be confirmed - it is recommended a minimum of 1 space is accessible and is 3.6m wide x 6.0m length. A car parking layout condition has been added to the consent.

Highways recommends continual monitoring of parking demands that maybe generated on the highway network. Sustainable travel to and from the site should be fully endorsed for both staff and visitors to the site. Therefore, a car park management plan and a travel plan has been attached to the consent.

Cycling

A cycle facility for 12 spaces will be provided on site. Highways would strongly prefer to see an increase in cycle storage therefore a cycling condition has been attached to the consent.

Furthermore, the introduction of a Travel Plan and cycle store provision which is a requirement of attached planning conditions will encourage travel by means than by private car, particularly for staff and as on-site parking is limited.

Waste Management

A waste and recycling condition has been attached to the consent.

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 officers have worked with the agent in a positive and proactive manner by requesting further information relating to the scheme and appropriate conditions to the approval have also been attached.

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:

190-PL01 and the Design and Access Statement, stamped as received on the 18 July 2022,
190-PL05, stamped as received on the 25 July 2022,
Transport Statement by AMNI Transportation, stamped as received on the 26 July 2022,
Waste Management Strategy, stamped as received on the 1 August 2022,
Acoustic Report by Clement Acoustics, stamped as received on the 16 September 2022,

190-PL03E and 190-PL04 C, stamped as received on the 31 October 2022,

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) Prior to the commencement of development, samples and specifications of all materials to be used on all external elevations of the development, external surfaces and boundary treatment shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be fully implemented in accordance with the approved details, which shall be maintained in situ thereafter.

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, EN1 and DM1 of the Core Strategy for the City of Manchester.

4) Development shall not begin until a surface water drainage layout for the site, based on sustainable drainage principles has been submitted to and approved in writing by the local planning authority. The development shall be constructed and completed in accordance with the approved details and details provided of how the scheme shall be maintained and managed after completion.

Reason: To prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policy EN17 of the Core Strategy.

5) a) The premises shall be acoustically insulated and treated to limit the breakout of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 5dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63HZ and 125Hz octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB (Leq,5min), respectively

b) Prior to occupation of the development a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that acceptable criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of on surrounding residential amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

6) a) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location.

Prior to commencement of the use hereby approved the scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

b) Prior to the operation of the scheme a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of on surrounding residential amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

7) a) Before the development commences a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority.

New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

b) The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - To ensure adequate refuse arrangement are put in place for the development pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

8) A Construction Management Plan should be provided by the applicant prior to any construction works beginning. Confirmation is sought on proposals for construction and internal fit-out of the building in terms of vehicular activity (type and frequency) and means of access where there is impact on the highway, (including appropriate swept-path assessment) of satisfactory routing both within the site and on the adjacent highway, site hours, details of contractor parking and wheel wash facilities.

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy (2012).

9) No part of the development shall be occupied until space and facilities for bicycle parking have been provided in accordance with details to be submitted to and approved in writing by the City Council as local planning authority. The approved space and facilities shall 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.

10) Within one month from the date of this permission, details of a traffic management plan with the purpose of reducing on-street car parking within the vicinity of the site, implementation and

monitoring of effectiveness, shall be submitted to and approved in writing by the City Council as local planning authority. The management plan shall outline the monitoring procedures and review mechanisms that are to be put in place to ensure that the strategy and its implementation remains effective. The management plan shall then be implemented within one month of approval. The results of the monitoring and review processes shall be submitted in writing to the local planning authority within a timescale to be agreed and any measures that are identified that can improve the effectiveness of the management of car parking, associated with the use in the vicinity of the site, shall be adopted and implemented.

Reason - In accordance with the provisions contained within Planning Policy Guidance and to enable the use and activity to be monitored and to assess the impact on the general amenity of the area with particular regard to traffic generation, pursuant to policies DM1, SP1 and T2 of the Manchester Core Strategy.

11) The development hereby approved shall be carried out in accordance with the Transport Plan by AMNI, stamped as received by the City Council, as Local Planning Authority, on the 26 July 2022.

In this condition a Travel Plan means a document which includes:

- i) the measures proposed to be taken to reduce dependency on the private car by those living at the development.
- ii) a commitment to surveying the travel patterns of residents/staff during the first three months of the first use of the building and thereafter from time to time
- iii) mechanisms for the implementation of the measures to reduce dependency on the private car
- iv) measures for the delivery of specified travel plan services
- v) measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car

Within six months of the first use of the building, a Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority. Any Travel Plan which has been approved by the City Council as Local Planning Authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel for residents, pursuant to policies T1, T2 and DM1 of the Manchester Core Strategy (2012).

12) The development hereby approved, shall be used for religious instruction and the education of young people in the Islamic faith and for no other purpose (including any other purpose in (Class F.1 (f)) of the Schedule to the Town and Country Planning (Use Classes) Order 2015 as amended, or in any provision equivalent to that class in any statutory instrument revoking and re-instating that order.

Reason - To safeguard residential amenity, pursuant to policies DM1 and SP1 of Manchester Core Strategy.

13) Within one month from the date of this permission, full details of hours of operation relating to class times relating to the education of young people have been agreed in writing by the City Council as local planning authority. The approved hours shall then be implemented for as long as the development remains in use.

Reason - In order that the local planning authority can achieve the objectives both of protecting the amenity of local residents and ensuring a variety of uses at street level in the redeveloped area in accordance with saved policy DC 26 in accordance with the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

14) Notwithstanding the car parking layout, as indicated on drawing number 190-PL03 E stamped as received on the 31 October 2022, by the City Council as Local Planning Authority. Prior to the occupation of the development details of the dimension of the car parking layout, shall be provided and made available. The car parking layout shall be retain and maintained for as long as the development remains in use.

Reason - To ensure sufficient car parking is available for the development pursuant to policies SP1, T1, and DM1 of the Manchester Core Strategy (2012).

15) No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before ^IN;. Development shall be carried out in accordance with the approved details and shall thereafter be retained.

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 in order to comply with saved policy E3.3 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

Informatives

1) * Any new external fittings (i.e. shutters, windows or doors, cycle storage) should be certified to Secured by Design standards.

* All aspects of the proposed extension, particularly doorways should be illuminated with dusk til dawn lighting.

* Coverage for any CCTV systems and alarms will need to be reviewed to check all areas of the development are covered and that the development of the extension does not hinder any existing CCTV coverage.

2) 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

Appendix 1 – List of consultees & neighbours notified

Environmental Health
MCC Flood Risk Management
Highway Services
Greater Manchester Police
Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Police

18 Wordsworth Avenue, Manchester, M8 0LR
17 Kelvin Grove, Manchester, M8 0SX
127 Heywood Street, Manchester, M8 0NZ
125 Heywood Street, Manchester, M8 0NZ
123 Heywood Street, Manchester, M8 0NZ
121 Heywood Street, Manchester, M8 0NZ
119 Heywood Street, Manchester, M8 0NZ
15 Kelvin Grove, Manchester, M8 0SX
16 Wordsworth Avenue, Manchester, M8 0LR

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: NORTH AREA