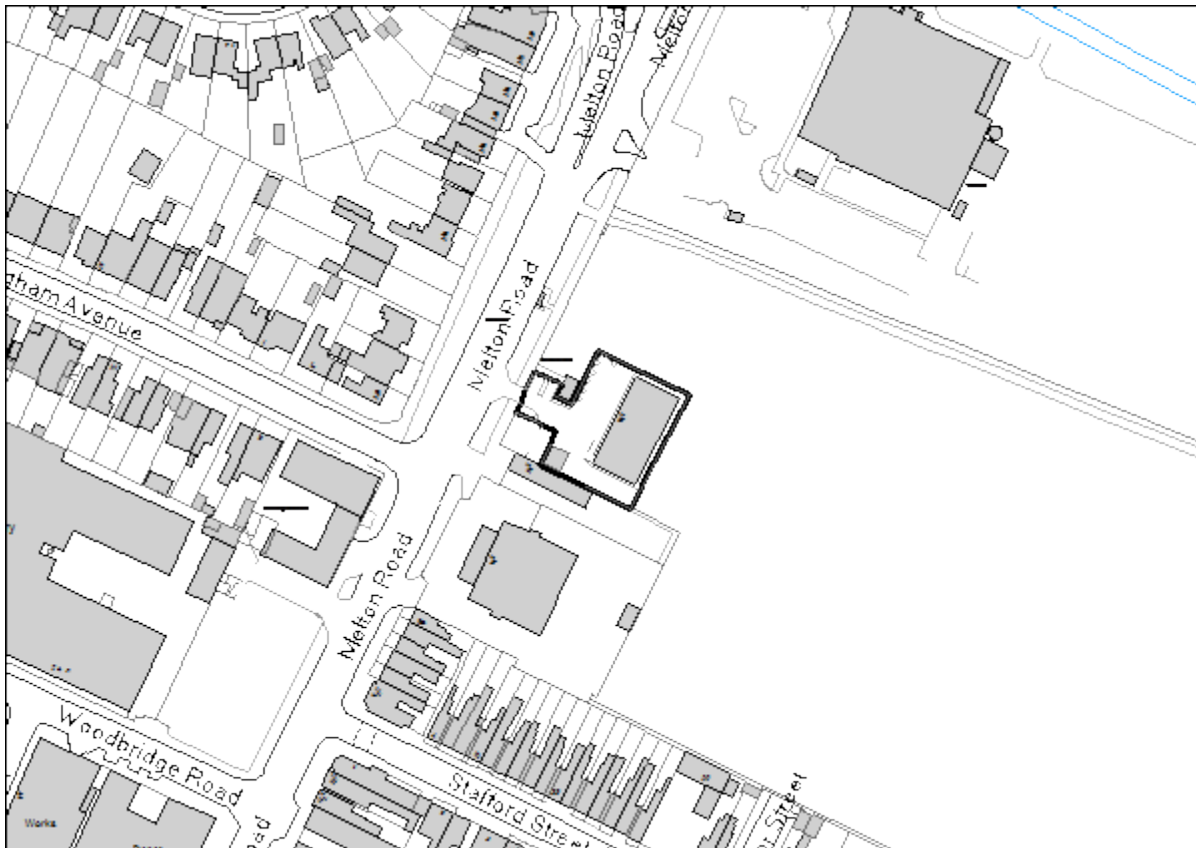


Recommendation: Conditional approval	
20191183	299 MELTON ROAD
Proposal:	CHANGE OF USE FROM POLICE STATION (SUI GENERIS) TO PLACE OF WORSHIP (CLASS D1); ALTERATIONS (AMENDED PLANS RECEIVED 19/11/2019)
Applicant:	MR RAJ KAMMELA
View application and responses	https://planning.leicester.gov.uk/Planning/Display/20191183
Expiry Date:	18 September 2019
TEI	WARD: Rushey Mead



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Summary

- The application is at committee as there are objections from more than five city addresses.
- There are 20 objections on grounds of noise, parking and the principle of the use.
- The main issues are the highways and parking impacts of the development, the impact of the development on the residential amenity of neighbouring properties, the design of the extension at the rear and other alterations and waste management.
- The recommendation is for conditional approval.

Introduction

The application relates to a single storey former police station.

It is adjacent to the Rushey Fields Recreation Ground and approximately 50 metres south west of the Rushey Fields School site.

The building faces towards and is set 30 metres back from Melton Road.

The buildings immediately to the south west are used for car sales and rental.

Background

Permission (20161769) was granted in 2016 for change of use to a gym (Class D2).

Permission (20170331) was granted in 2017 for change of use to offices.

The Proposal

The northern part of the building will serve as the main worship and prayer hall This is anticipated to hold a maximum of 100 worshippers.

There will be an office, meeting room and dining room towards the centre of the building with rooms for store, kitchen, toilets, boiler and servery at the southern part of the building. There will also be a reception and waiting area at the southern part of the building.

The proposed hours of use are between 07:00 to 23:55 daily.

The proposal is also for an extension to the roof at the rear. It will measure 5.2 metres from ground level in height and will be towards the northern part of the rear elevation. It has been amended so that it is set in by 0.3 metres from the eaves. The extension is to allow for additional head room for one end of the prayer hall.

Materials for this extension will be brickwork and rooftiles to match the existing. There would be a flue to the rear of the building that will terminate above the eaves. The flue has been amended so that the cowl has been removed from the top.

The application also notes that the proposal will include three air conditioning units at the rear but no details of these have been provided.

An amended parking layout has been provided showing spaces for thirteen vehicles, two of which will be in the existing garage building and two of which will be disabled parking spaces towards the front of the site. The amended layout also shows space for a minibus to park and also shows tracking for the minibus entering and leaving the site.

The access to the site and the parking area will be the existing access which is 4.6 metres in width widening to 10.6 metres as it joins the Melton Road carriageway.

A Travel Strategy has been submitted that includes improving highway safety, encouraging sustainable transport, increasing awareness for temple users of the Travel Strategy and monitoring, evaluating and reviewing the Travel Strategy.

Policy Considerations

National Planning Policy Framework (NPPF) 2019:

Chapter 8 'Promoting healthy and safe communities'

- Paragraph 92 (provision of places of worship)

Chapter 9 'Promoting sustainable transport'

- Paragraph 109 (severe impact on road network)

Chapter 12 'Achieving well designed places:

- Paragraph 127 (high standard of amenity)
- Paragraph 130 (good design)

Development Plan policies:

Development plan policies relevant to this application are listed at the end of this report.

Additional documents:

Residential Amenity (Supplementary Planning Document)

City of Leicester Local Plan Appendix 1

Consultations

Noise Team: - no objections in principle. However, condition recommended that there be no live or amplified music or voice that would be detrimental to the amenity of neighbouring properties.

Representations

Twenty objections have been received:

- Noise nuisance, particularly given the opening hours up to midnight,
- parking problems particularly during festival times and exacerbated by neighbouring schools,
- Current parking on verges and neighbouring streets
- users may park in front of drive ways blocking access for residents,
- religions are used to stunt open and rational thinking but no issues if religious practice was carried out in privacy,
- too many places of worship in the local area,
- may harm the visual character of the area,
- building would be better used as a business premises.

Consideration

Principle of the use:

Core Strategy policy CS08 describes how the Council will work with community groups to ensure that communities have access to the facilities they need. It states that the Council will seek to retain existing places of worship in order to ensure provision for the wide variety of religious groups active in the City and in considering new places of worship will take account of the demand within the local neighbourhood, the scale of activities for which it is likely to be used and the nature of the area around it.

The Travel Strategy describes how the organisation carried out a review over 2017 and 2018 which identified that most of the devotees attending the previous site on Colton Street were from the Melton Road, Belgrave and Rushey Mead parts of the city and this informed the desire to move premises to this area.

I accept that the proposed change of use will serve a demand identified in the Travel Strategy of which a substantial part is from the local area. It will also assist in providing for a wide variety of religious groups in accordance with the objectives of Core Strategy policy CS08.

As well as residential properties, the uses in the area include a recreation ground, a large school, car sales and rental businesses . The application building and site itself sits fairly isolated and the proposal will not be out of character with the area.

The relatively small scale of the building makes it likely that the scale of activities for which it will be used are likely to be small.

Residential amenity:

The building is set 60 metres away from the residential properties to the south and 50 metres from the residential properties to the west. There are also a number of trees between the building and the residential properties to both sides.

I do not consider that the use of the building will necessarily have a detrimental impact on the amenity of neighbouring properties by way of noise particularly if most activity is as the applicant suggests before 21:00.

I have some concerns about use after 23.00 hours; however I consider that disturbance after that is unlikely to be significant. A permission could reasonably allow them to open between the times they state subject to a condition ensuring that there be no live or amplified music or voice that would be detrimental.

The design and access statement refers to the installation of three air conditioning units. Given the distance between the building and neighbouring residential properties the impact of these is likely to be acceptable.

Highways and parking impacts:

The Travel Strategy states that attendance is estimated to be between 50-88 on most days. Thursdays would be busier with between 90-128 over the day. It estimates that

during weekdays (with the exception of Thursdays) attendance will be between 15 and 20 devotees at any one time.

It adds that there are three special events in the calendar year where there will be more devotees between 10:00 to 16:00 and 19:00 to 21:00. Two of these will be celebrated at the temple and the other will continue to be celebrated on Cossington Park. The maximum capacity of the prayer hall is 100.

Appendix 1 of the saved City of Leicester Local Plan suggest seventeen parking spaces for a place of worship of this size in this part of the city. The revised parking scheme shows thirteen spaces including two disabled spaces, six cycle spaces and space for a minibus to turn.

There is potential for worshippers arriving by vehicle to park elsewhere. This could be on the grass verges reducing visibility adjacent to a bus stop or at vehicular exits from the site. Others might park on neighbouring residential streets which may result in drive ways of residential properties being blocked.

There is also potential for worshippers arriving from the south by bus to cross directly to the site without using the controlled crossing approximately 100 metres to the north or the pedestrian refuge approximately 45 metres to the south.

The Travel Strategy describes how during the larger events high visibility retractable barriers will be placed on both sides of Melton Road to prevent parking on the verges thereby retaining visibility for vehicular exits and to discourage direct pedestrian crossing from the bus stop opposite thereby reducing the risk to pedestrian highway safety.

The strategy also describes how volunteers will assist as traffic marshals during these events. They would be located at the entrance to the site, the crossing to the north and the refuge to the south with responsibilities for directing devotees safely, for managing the use of the vehicular access and for directing vehicles to alternative parking where this is necessary. The Travel strategy identifies this alternative parking as the Sainsburys car park at 501 Melton Road and the Owl and the Pussy Cat pub on Melton Road opposite the school.

I consider that the measures identified in the Travel Strategy would reduce the risk to highway safety and the potential for the proposed use to have an unacceptable impact on local parking capacity.

The Travel Strategy also details five actions under the section encouraging sustainable transport. These include poster competitions to promote sustainable travel, cycle training courses, an annual 'Walk to Temple Week' and walking routes leaflets, a travel notice board with bus timetables to promote public transport and a car sharing notice board to promote car sharing.

I consider that the Travel Strategy is in keeping with the objectives of Core Strategy CS14 and Chapter 9 of the National Planning Policy Framework in promoting sustainable modes of transport such as public transport, cycling and walking. I consider

that this can be made effective through a condition requiring the Travel Strategy to be fully implemented.

Design:

There are few alterations to the building. These include bricking up the window opening at the rear, the installation of a short flue to the rear, the insertion of a new double door to front and the construction of an extension to the rear part of the roof. With the exception of the door these alterations and extensions will be to the rear facing Rushey Fields Recreation Ground.

The roof extension has been set back so that it is no longer as dominant in relation to and is better integrated with the existing building.

Waste:

There are limited details in relation to managing waste. I consider this can be dealt with by condition.

I recommend APPROVAL subject to the following conditions

CONDITIONS

1. The development shall be begun within three years from the date of this permission. (To comply with Section 91 of the Town & Country Planning Act 1990.)
2. There shall be no live or amplified music or voice played which would be detrimental to the amenities of occupiers of nearby properties. (In the interests of the amenities of nearby occupiers, and in accordance with policy PS10 of the City of Leicester Local Plan.)
3. The new walls and roof shall be constructed in materials to match those existing. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3.)
4. No air conditioning units or equipment shall be installed outside or on the exterior of the building unless details of the design, position and specification for these has been previously approved in writing by the City council as local planning authority. (In the interests of nearby occupiers and in accordance with Policy PS10 of the City of Leicester Local Plan)
5. The use shall not be carried on outside the hours of 07:00 to midnight daily. (In the interests of the amenities of nearby occupiers, and in accordance with policy PS10 of the City of Leicester Local Plan.)
6. The Transport Strategy received by the City Council as local planning authority on 14.11.19 shall be implemented on the commencement of the use and throughout the lifetime of the development (to reduce the risk of highway safety and in the interests of sustainability and the proper functioning of the local

transport network and in accordance with saved City of Leicester Local Plan policies AM01, AM02 and AM11 and Core Strategy policy CS14.)

7. The new walls and roof shall be constructed in materials to match those existing. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3.)
8. This consent shall relate solely to the amended plans received by the City Council as local planning authority on 19.11.19. (For the avoidance of doubt.)

NOTES FOR APPLICANT

1. The City Council, as local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received. This planning application has been the subject of positive and proactive discussions with the applicant during the process.
The decision to grant planning permission with appropriate conditions taking account of those material considerations in accordance with the presumption in favour of sustainable development as set out in the NPPF 2019 is considered to be a positive outcome of these discussions.

Policies relating to this recommendation

- | | |
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| 2006_AM01 | Planning permission will only be granted where the needs of pedestrians and people with disabilities are incorporated into the design and routes are as direct as possible to key destinations. |
| 2006_AM02 | Planning permission will only be granted where the needs of cyclists have been incorporated into the design and new or improved cycling routes should link directly and safely to key destinations. |
| 2006_AM11 | Proposals for parking provision for non-residential development should not exceed the maximum standards specified in Appendix 01. |
| 2006_PS10 | Criteria will be used to assess planning applications which concern the amenity of existing or proposed residents. |
| 2006_PS11 | Control over proposals which have the potential to pollute, and over proposals which are sensitive to pollution near existing polluting uses; support for alternative fuels etc. |
| 2014_CS02 | Development must mitigate and adapt to climate change and reduce greenhouse gas emissions. The policy sets out principles which provide the climate change policy context for the City. |
| 2014_CS03 | The Council will require high quality, well designed developments that contribute positively to the character and appearance of the local natural and built environment. The policy sets out design objectives for urban form, connections and access, public spaces, the historic environment, and 'Building for Life'. |
| 2014_CS08 | Neighbourhoods should be sustainable places that people choose to live and work in and where everyday facilities are available to local people. The policy sets out requirements for various neighbourhood areas in the City. |
| 2014_CS14 | The Council will seek to ensure that new development is easily accessible to all future users including by alternative means of travel to the car; and will aim to develop and maintain a Transport Network that will maximise accessibility, manage congestion and air quality, and accommodate the impacts of new development. |