

COMMITTEE REPORT

20212995	17A Duxbury Road	
Proposal:	Construction of single storey, two storey and first floor extension to community centre; single storey side extension to mosque (Sui Generis); installation of cladding to community centre and alterations (Amended plans received 26/05/2022, 16/06/2022 and 27/06/2022)	
Applicant:	Mr Rajani	
App type:	Operational development - full application	
Status:	Minor development	
Expiry Date:	3 May 2022	
AVB	TEAM: PD	WARD: North Evington



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Summary

- Reported to committee as there are 6 objections from addresses in City.
- Objectors raise issues of inadequate parking, noise and general disturbance, travel plan not adhered to and residential amenity.
- 17 letters of support to the proposal

- Main issues are impact on neighbouring amenity, design, parking, flooding and trees covered by TPO.
- Recommended for approval.

Introduction

This application site is within a primarily residential area and comprises two buildings: a two-storey building is located to the south of the site is used as a place of worship and the single storey building to the north of the site is used as a community centre, located closer to Bridge Road. The site is dual fronted with Duxbury Road and Bridge Road forming the side boundaries to the site. There is a vehicular entrance located on both streets with a one-way system in operation. Vehicles enter the site on Duxbury Road and leave via Bridge Road.

The site is surrounded by residential properties in all directions. The site is located within Flood Zone 2, Critical Drainage Area and Surface Flood 1 in 1000 years.

There is a row of nine trees protected by a tree preservation order along the Bridge Road frontage.

Background

There is an extensive history to this site as follows:

20020372 – Place of worship and community centre (Class D1) was approved in 2002.
 20040222 - Single storey building to form place of worship and community centre; temporary continuation of use of existing building for community use; ancillary car parking and landscaping (Class D1); dwelling (amended plans) was approved in 2004.
 20041548 - Demolition of the building for new place of worship and community centre was withdrawn in 2004.

20050836 - Single storey place of worship and community centre; temporary continuation of use of existing building for community use; ancillary car parking and landscaping (Class D1) (amended) was approved in 2006 and implemented

20080685 - Change of use from community centre (Class D1) to community centre and offices (mixed class) was withdrawn in 2008.

20120301 - Variation of condition 2 (to retain the building) attached to planning permission 20050836 was approved in 2012.

20121684- Discharge of condition 5 (travel plan) attached to planning permission 20120301 was approved in 2013.

20130444 - Two storey extensions to the front; sides and rear of the community centre; associated parking (Class D1) (amended plans) was approved with conditions in 2013 but not implemented.

The Proposal

The applicant has amended the proposal to reduce the depth of the single storey extension at the side of the place of worship. The amended proposal is as follows:

Place of worship:

A single storey extension is proposed on the southern side of the place of worship building. The extension would be 6.5m wide to the west and reducing to 5.3m to the east with an overall depth of approximately 10.8m. It would have a partial pitched and a flat roof with a height of 4.1m to the ridge and 2.6m high to the eaves. The flat roof would measure approximately 2.7m high. The extension would provide a shoe racking area, male washing area, disabled toilet and a snack area.

Community Centre:

A single, first floor and two storey extensions are proposed to the front and sides of the community centre.

There would be a single storey link extension which would connect the place of worship building with the community centre. It would be 2.8m wide to the west elevation and increasing to 4.3m to the east with a flat roof and it will be mostly glazed with openings facing both Bridge Road and Duxbury Road.

The proposed first floor extension would be above the single storey community building and above the new link extension, making that part two storey. Overall, the extension would measure 18m x 12.6m with a flat roof of 5.9m high. A minaret on north-east corner measuring 9.7m high is proposed.

The ground floor would comprise of community rooms, funeral preparation area, toilet facilities, offices, stores, plant room and lobby/seating area. The proposed first floor would comprise of gym area, gaming area, seating area, store, changing rooms and toilet facilities.

The proposed external materials would comprise render, porcelain tiles on the lower part of external walls and the minaret and Mashribiya panels on the first floor elevations and the ground floor of the link extension.

The applicant has stated that the proposed hours of use of the community centre would be similar to the place of worship, 0800-2200 hours daily. The applicant states that the community centre will be open to their members and will be available via a pre-booking system to ensure the numbers are kept to an appropriate amount. No more than 15 to 20 people would be using the gym at any single time and no more than 10 people would be using games/gaming and seating areas.

The applicant has submitted Design and Access and Flood Risk Assessment, Parking Management Plan to support the application.

Policy Considerations

National Planning Policy Framework (NPPF) (2021)

Paragraph 2 of the NPPF states that planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise.

Chapter 2 of the NPPF (Achieving sustainable development) states that the purpose of the planning system is to contribute to the achievement of sustainable development.

Planning decisions should play an active role in guiding development towards sustainable solutions, taking into account local circumstances, to reflect the character, needs and opportunities of each area. At the heart of the NPPF is a presumption in favour of sustainable development.

In relation to sustainable development, paragraph 11 states that for decision taking, this means approving development proposals that accord with an up-to-date development plan without delay, or where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the framework taken as a whole.

The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

Paragraph 38 states that local planning authorities should approach decision on proposed development in a positive and creative way. Decision makers at every level should seek to approve applications for sustainable development where possible.

Paragraph 47 states that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Paragraph 92 states that planning decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, are safe and accessible and enable and support healthy lifestyles. This includes places that have (a)...street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages.(b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of attractive, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and (c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.

Paragraph 93 states that decisions should a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments.

Paragraph 104 states that transport issues should be considered from the earliest

stages of development proposals, so that

- a) the potential impacts of development on transport networks can be addressed;
- b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
- c) opportunities to promote walking, cycling and public transport use are identified and pursued;
- d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and
- e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places.

Paragraph 105 states the planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health.

Paragraph 110 states that in assessing applications, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users;
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

Paragraph 111 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 124 states that planning decisions should support development that makes efficient use of land, taking into account:

- a) The identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- b) local market conditions and viability;
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
- e) the importance of securing well-designed, attractive and healthy places.

Paragraph 126 states that the creation of high quality, beautiful and sustainable 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.

Paragraph 129 states that the National Design Guide and the National Model Design Code should be used to guide decisions on applications in the absence of locally produced design guides or design codes.

At paragraph 130, the NPPF states that planning decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 131 states that trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change.

Paragraph 134 states that development that is not well designed should be refused especially where it fails to reflect local design policies and government guidance on design, taking into account any local guidance and supplementary planning documents. Conversely, significant weight should be given to

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
- b) outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

Paragraph 154 states that new development should be planned for in ways that can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards.

Paragraph 157 states that when determining planning applications, Local Planning Authorities should expect new development to:

- a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and
- b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

Paragraph 167 states that when determining planning applications, LPAs should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment, it can be demonstrated that: a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location; b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment; c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate; d) any residual risk can be safely managed; and e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

Development Plan policies

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

Other Guidance

Residential Amenity SPD (adopted 2008)

City of Leicester Local Plan Appendix One– Vehicle Parking Standards

Achieving Well Designed Homes October 2019 - Leicester City Council's Corporate Guidance.

National Design Guide (DLUHC)

Consultations

Pollution (Noise Team) - No objections subject to conditions relating to A/C units and related noise assessment.

Local Highway Authority – No objections subject to Travel Plan condition.

Trees and Woodlands – No objection subject to condition.

Lead Local Flood Authority – In receipt of revised Flood Risk Assessment they raise no objections subject to the conditions with regards with to SUDs and Drainage.

Representations

I have received 6 letters of objection and 17 letters of the support from addresses in the City.

Objectors concerns are as follows:

- Exacerbate an existing parking problem;
- Vehicles do not park in the existing car park but use surrounding streets;
- Entrance and egress are always from Duxbury Road;
- Increase in users of the building;
- Children playing in the car park early morning and chanting. The proposal will increase in noise and general disturbance;
- Events late into the evening early morning create noise;
- External lights make it hard to sleep;
- Travel Plan as part of the earlier application is not followed;
- Facilities are not for local residents;

- Loss of light to surrounding properties and
- Similar facilities in the area.

In Support

- Provide facilities and create extra space for children, woman and seniors;
- Design is in keeping with the surrounding area;
- No reduction in parking and
- Benefit physical and mental health of the members of the community and would increase in users of the building.

Consideration

Principle of development

The proposal is for extensions to an existing place of worship and community centre that is within a residential area. Paragraph 93 of the NPPF states that decisions should plan positively for the provision and use of shared spaces, community facilities including places of worship to enhance the sustainability of communities and residential environments. I therefore consider that the proposal is acceptable in principle subject to amenity, design, parking, flooding and trees.

Residential amenity

Single storey side extension to the Place of Worship:

The proposed single storey side extension to the place of worship as amended has been reduced in depth and height. The proposed roof would be part pitched roof (4.1m to ridge and 2.6 to eaves) and part of it will be a flat roof (2.7m high). The single storey extension would be located in close proximity to the common boundary with the neighbouring residential properties at 20 Bridge Road and 19 Duxbury Road.

The proposed extension is located to the north of both of the adjacent properties and there is an existing high boundary treatment on the common boundary with the site. Both the properties have single storey extensions at the rear with no windows in the rear elevation. The proposed extension will not intersect a 45-degree line taken from the nearest principal room window of either of the neighbouring properties. I therefore consider that the proposed single storey side extension as amended by reason of its size, design, height and location will not have significant detrimental impact on the residential amenity of the neighbouring properties in terms of loss of light and outlook. Furthermore, the proposed extension due to its height, orientation and separation distance will not have significant detrimental impact in regard to overbearing and overshadowing impact. There are no windows proposed to the side elevation so it will have minimum impact in regards with the privacy.

Single, two storey and first floor extension to the Community Centre:

Whilst there is no guidance relating to separation distances for community buildings adjacent to residential properties, the Residential Amenity SPD sets out guidance that could be used as a proxy to assess the acceptability of the proposal. The SPD sets out that the minimum distance between any principal room windows in an extension

and the boundary with undeveloped land, including gardens, should be 11 metres and where a window to a principal room faces a similar window of a neighbouring property, the distance between them must not be less than 21 metres.

The extended building would be located approximately 23 metres from the front elevations of residential properties on the opposite side of Bridge Road and would be screened by the existing TPO trees.

The dwelling at to the south of the site at 20 Bridge Road would be approximately 43 metres away from the proposed extension at the community centre.

The proposed first floor extension (north elevation) would be approximately 27 metres from the side gable of 18 Bridge Road and 17 Duxbury Road. These properties do not have any windows to its side gable, but its amenity space is located along the boundary. However, there is the existing car parking between the houses and the northern elevation of the community building.

The properties on the opposite side of Duxbury Road would be 31 metres away from the nearest part of the extension on the east elevation. The proposed extension would have large glazing consisting of mashribiya panels facing the north and east elevations at first floor level and glazing with sliding doors at ground floor elevation facing the east elevation. Although there are glazing elements which would potentially lead to loss of privacy or overlooking but due to the separation distances, I consider that that the proposal would not result in significant loss of light or privacy to nearby residential properties.

I consider the proposed extensions are in excess of recommended separation guidelines set out the Residential Amenity SPD and would therefore not result in unacceptable levels of overlooking, loss of privacy, loss of light or overshadowing.

The first floor of the community centre would be fully glazed on the east elevation facing Duxbury Road and partly glazed on west elevation (Bridge Road). The rest of the elevations would have solid walls. Furthermore, the glazing on the first floor level is non opening and I am satisfied that it would not allow the transmission of noise to nearby residents.

The proposal link extension would have large glazing doors to the east elevation. It is a concern that the proposed doors to the link extension may have the potential to lead to outbreak of noise. However, the applicant states that the sliding doors are only for access and will not be kept open all the time. I consider that this would help to address the issue in regards with the noise outbreak and I have attached a condition in regards to this.

The proposed first floor would be set back from all the neighbouring properties and the ground floor extensions including link extension would be built on land that currently forms a paved and tarmacked area. The building will provide an increased floorspace, however, as discussed below I consider there is adequate parking to accommodate any increase in floor area and resulting increase in its subsequent use. In addition, the applicants have agreed that the existing travel plan and parking

management plan will be updated, and this will also address the increase in potential visitors to the site

Furthermore, the applicant proposes hours of use from 0800-2200 hours daily which I consider would help to protect the residential amenity of the nearby residential properties. A condition is recommended in regards with this.

The applicant proposes a plant room on the ground floor level with louvre door to the north elevation. No noise assessment or additional details have been submitted in regards with the siting of the air conditioning units (AC) and potential noise impact from their use. In principle the siting of the plant room is acceptable and AC units could be sited within the building. I have attached a condition requiring further details to be submitted.

I therefore consider that the proposed development subject to conditions relating to hours of use, plant room and travel and management plan would help to protect the amenities of nearby residential occupiers.

Design

Policy CS03 of the Leicester Core Strategy (2010) seeks high-quality, well-designed developments that contribute positively to the character and appearance of the local built environment. The policy goes on to set out urban design objectives including, at paragraph 1, a requirement for new development to contribute positively to an area's character and appearance in terms of inter alia scale and urban form.

The wider townscape is one marked by domestic scale residential terraced houses with pitched roofs. The site is located between 2 streets with access and egress on Duxbury Road and Bridge Road.

The single storey extension to the side of the place of worship by reason of its size, design, height and location would be in keeping with the design of the building. The proposed materials are to match the existing which are acceptable. I consider that it would have minimum impact on the visual amenity of the surrounding area.

The existing community building is a single storey building with a metal pitched roof. The scheme seeks a contemporary style extension that makes some references to the context in terms of general scale and massing but is overtly modern. I consider that this approach in this instance would be successful and will provide a new typology that adds architectural richness to the townscape. The location of the community centre is more centrally located within the site, and I consider that extensions would sit comfortably in terms of massing and scale considering the separation distances to the nearby residential properties. I am satisfied that the general height and massing is acceptable in terms of the wider character of the area and the detailing and materials complement the modern architectural style.

The applicant proposes textured white silicon-based render with Mashribiya Panel to be 5mm laser cut aluminium and porcelain tiles for the extensions on the community centre. The first floor would have part glazing and part solid wall with mashribiya panels, and the ground floor would have render finish with porcelain tiles at ground floor. The proposed link extension would be glazed with mashribiya panels. The

development as currently proposed provides good quality design and materials which are contextually appropriate response to the modern style of the proposed building. The visuals and drawings have been provided, which show the proposed materials. To ensure that the proposed design and materials are of a high quality and durable over time, which would enhance the character and appearance of the area, I consider it necessary to attach conditions that require the material detailing is provided prior to the construction above ground level. This would ensure that the details can be suitably incorporated into the design in time.

A minaret on north-east corner measuring 9.7m high is proposed and will help to provide a strong identity to the use of the site in keeping with its use and this is welcomed.

I conclude that the proposal would comply with Policy CS03 of the Core Strategy (2014) and would not conflict with saved Policy PS10 of the Local Plan (2006) and is acceptable in terms of the character and appearance of the buildings on the site and the surrounding area.

Parking

The site combined with the mosque and the community centre needs to address the parking demand for both uses. The proposed development does not propose any amendments to the current site access, which uses an access from Duxbury Road as an entrance into the site and exists off onto Bridge Road. These accesses are deemed acceptable for the site and location.

The proposed development does not propose any additional off-street parking. Currently, there are 61 spaces, including 5 disabled spaces. The Leicester Street Design Guide refers to the Vehicle Parking Standards as set out in the Saved Local Plan Policies. For developments of this size and location, the standard is for 1 space per 22 sqm. The total internal space of the development including the new proposed development will be 1130sqm. This means the requirement for off street parking is 52 spaces. Therefore, the current provision is sufficient to meet the requirement of the existing and the proposed development, and is therefore deemed acceptable.

Concerns have been raised that users of the centre park do not park their vehicles in the car park and park them within surrounding area. Where and how users park when visiting the centre cannot be dictated either by the applicant or by the attachment of conditions in this respect. However, the requirement to update the existing Travel Plan should encourage users to make use of the parking provided on the site.

The Design and Access Statement references a Travel Plan, which has not been submitted as part of the application. However, I have attached a condition in regards with this that should address concerns raised regarding management of traffic and parking.

Trees

There is a row of nine protected trees along the Bridge Road boundary. The proposed extension to Community Centre building will not be extended towards the existing trees and it will not be within the root protection area. The combination of the existing

paved areas and permanent fencing all of which will be retained will protect the tree trunks and their root protection areas.

A temporary Tree Protection Fencing is proposed to protect eastern canopies of the trees throughout the construction period. The proposed Tree Protection fencing will perform the function of preventing site traffic using the areas under the tree canopies and also to prevent materials storage within this area. I have attached a condition to secure this.

Flooding

The proposed development is located within Flood Zone 2, the fluvial flood risk (from Main Rivers) in this zone is between 1 in 100 year (1%) and 1 in 1000 years (0.1%) annual chance event. Therefore, the site is considered Medium risk to fluvial flooding.

A Flood Risk Assessment (FRA) has been provided, which assesses the risk from all sources of flood risk and proposes mitigation measures (in the form of flood resistance and resilience measures). An assessment of proposed finished floor levels (FFL) and flood resilience measures has been included as part of the FRA and it is stated that the FFL will be set no lower than the level of the existing internal FFL and a number of flood resistance and resilience measures have been proposed to be included. I consider this to be acceptable.

The site is also located within Critical Drainage Area and Surface Flood 1 in 1000 years area. The applicant has submitted Flood Risk Assessment with drainage details. Lead Local Flood Authority have suggested conditions in regards with Sustainable Urban Drainage Systems and Drainage. I consider that it is appropriate to attach the conditions in this regards.

I conclude that the proposal would not conflict with Policy CS02 of the Core Strategy (2014) and is acceptable in terms of flooding and sustainable drainage.

Conclusion

The proposed development would have a minimal impact on the amenity of the adjacent neighbouring residential properties. There would be minimal harm in terms of highways, drainage and trees subject to attachment of conditions.

The designs of the extensions are acceptable, and they would make a positive contribution to the character and appearance of the buildings on the site and the wider area.

I therefore recommend that the application be APPROVED subject to the following conditions:

CONDITIONS

1. START WITHIN THREE YEARS
2. Prior to the commencement of any works above the ground level, full details of all external materials, including all manufacturer details, shall be submitted in

writing to the City Council as Local Planning Authority and a full size sample panel providing all materials to be used for external finishes and showing their construction together shall be constructed on site for inspection and approval in writing by the City Council as Local Planning Authority. The development shall only be constructed in accordance with the approved materials and details of construction. (In the interest of visual amenity and character and appearance of the area and in accordance with Core Strategy policy CS03).

3. Prior to the commencement of development full details of the Sustainable Drainage System (SuDS) together with implementation, long term maintenance and management of the system shall be submitted to and approved by the local planning authority. The use shall not commence until the system has been implemented. It shall thereafter be managed and maintained in accordance with the approved details. Those details shall include: (i) full design details, (ii) a timetable for its implementation, and (iii) a management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the system throughout its lifetime. (To reduce surface water runoff and to secure other related benefits in accordance with policy CS02 of the Core Strategy, this is PRE-COMMENCEMENT condition)
4. Prior to the commencement of development details of drainage, shall be submitted to and approved by the local planning authority. The use shall not commence until the drainage has been installed in accordance with the approved details. It shall be retained and maintained thereafter. (To ensure appropriate drainage is installed in accordance with policy CS02 of the Core Strategy, this is PRE-COMMENCEMENT condition.)
5. There shall be no external amplified call to prayer or aural announcement of activities to take place or taking place within the building without the prior submission of details to and approval by the City Council as local planning authority. (In the interests of residential amenity and in accordance with policy PS10 of the City of Leicester Local Plan.)
6. The use shall at all times be managed and operated in full accordance with a Management Plan the details of which shall first be submitted to and approved in writing by the local planning authority before the first use of the development. The management plan shall set out procedures for the use and number of people attending at any one time and arrangements for appointments, management of attendees on and around the premises and other matters as appropriate. The management plan shall be publicly viewable (via the planning register at <https://www.leicester.gov.uk/planning-and-building/planning-applications/search-planning-applications/>) and shall identify a single point of contact. (To ensure the development is properly managed so as to minimise its effect on the surrounding area and in the interests of the safety and security of its occupiers in accordance with the aim of Core Strategy policies CS03 and CS15 and policy PS10 of the City of Leicester Local Plan).
7. Prior to the use of the development at the community centre the details of the air conditioning units and noise assessment report is submitted and approved

by the City Council as local planning authority and it shall be maintained and operated thereafter in accordance with the manufacturer's instructions (In the interests of the amenities of nearby occupiers, and in accordance with policies PS10 and PS11 of the City of Leicester Local Plan.)

8. All external doors and windows shall be kept closed, other than for access and egress, in all rooms when amplified/live music or speech is taking place. (In the interests of the amenities of nearby occupiers, and in accordance with policy PS10 of the City of Leicester Local Plan.)
9. There shall be no live or amplified music played within the building or within the curtilage of the site which would be detrimental to the amenities of occupiers of nearby properties. (In the interests of the amenity of occupiers of nearby houses in accordance with policies PS10 and PS11 of the City of Leicester Local Plan).
10. The use shall not be carried on outside the hours of 0800 to 2200 daily. (In the interests of the amenities of nearby occupiers, and in accordance with policies CL08 and PS10 of the City of Leicester Local Plan)
11. No part of the development shall be occupied until an updated Travel Plan for the development has been submitted to and approved in writing by the City Council as local planning authority and shall be carried out in accordance with a timetable to be contained within the Travel Plan, unless otherwise agreed in writing by the Council. The Plan shall: (a) assess the site in terms of transport choice for staff, users of services, visitors and deliveries; (b) consider pre-trip mode choice, measures to promote more sustainable modes of transport such as walking, cycling, car share and public transport (including providing a personal journey planner, information for bus routes, bus discounts available, cycling routes, cycle discounts available and retailers, health benefits of walking, car sharing information, information on sustainable journey plans, notice boards) over choosing to drive to and from the site as single occupancy vehicle users, so that all users have awareness of sustainable travel options; (c) identify marketing, promotion and reward schemes to promote sustainable travel and look at a parking management scheme to discourage off-site parking; (d) include provision for monitoring travel modes (including travel surveys) of all users and patterns at regular intervals, for a minimum of 5 years from the first occupation of the development brought into use. The plan shall be maintained and operated thereafter. (To promote sustainable transport and in accordance with policies AM01, AM02, and AM11 of the City of Leicester Local Plan and policies CS14 and CS15 of the Core Strategy).
12. Before the development is begun, all existing TPO trees on the site shall be protected by fences erected not within the root protection area as shown on existing tree survey and protection plan. No materials whatsoever shall be stored, rubbish dumped, fires lit or buildings erected within these fences; no changes in ground level shall be made within the spread of any tree, shrub or hedge without the previous written approval of the local planning authority. No trees shall be used as anchorages, nor shall any items whatsoever be affixed

to any retained tree. (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)

13. The development shall be carried out in accordance with the approved Flood Risk Assessment (FRA) dated May 2022 (ref: DRL-FRA-0001.F01.00) and the following mitigation measures detailed within the FRA:
 - Safe access/egress
 - Emergency Flood plan
 - Flood resistance and resilience measuresThe mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority in consultation with the Lead Local Flood Authority. (To minimise the risk of damage in times of flooding, and in accordance with policy CS02 of the Core Strategy).

14. Development shall be carried out in accordance with the following approved plans:
 - Location and Block Plan - 463-05 Rev B received 16/06/2022
 - Proposed Mosque floor plans and elevations - 463-04 Rev D received 16/06/2022
 - Proposed Community Centre floor plans and elevations- 463-04 Rev B received 27/06/2022
 - Proposed Community Centre section - 463-10 received 26/05/2022
 - Existing tree survey and protection plan - 463-07 received 08/03/2022(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.

2. 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 2021 is considered to be a positive outcome of these discussions.

Policies relating to this recommendation

- 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.
- 2006_UD06 New development should not impinge upon landscape features that have amenity value whether they are within or outside the site unless it can meet criteria.
- 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.
- 2014_CS15 To meet the key aim of reducing Leicester's contribution to climate change, the policy sets out measures to help manage congestion on the City roads.