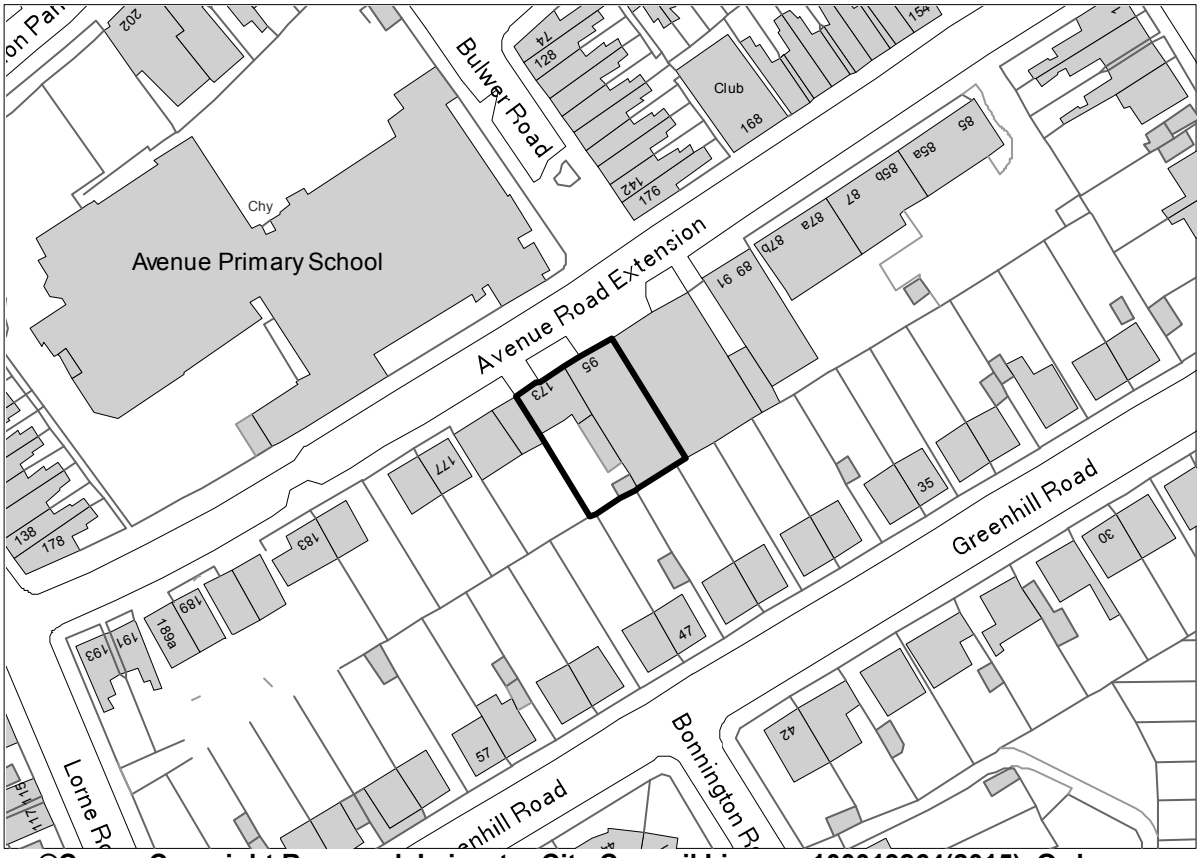
Recommendation: Conditional approval	
20150361	**95 & 173 AVENUE ROAD EXTENSION, BAITUL IKRAM MOSQUE**
Proposal:	FIRST FLOOR EXTENSION TO PLACE OF WORSHIP; TWO MINARETS; TWO DOMES; ALTERATIONS (CLASS D1)
Applicant:	AHMADIYYA MUSLIM ASSOCIATION UK
App type:	Operational development - full application
Status:	Minor development
Expiry Date:	29 April 2015
TEI	WARD: Castle



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Summary

- The application is reported to committee as seventeen objections have been received.
- The main issues are the impact on the proposal on residential amenity, parking and the character and appearance of the area.
- The application is recommended for approval.

Introduction

The application relates to two adjoining buildings (numbers 95 and 173) in a residential area. The locally listed Avenue Primary School is to the north of the site on the other side of the road.

Background

Conditional approval (20101710) was granted in 2010 for a two storey extension at side and rear. Conditional approval (20141486) was granted last year for a variation of the plans condition to allow for separate entrances and an additional internal entrance. The extensions approved under these permissions would bring the two buildings together.

The approval was also for two domes and two minarets and alterations to the front of the building and ancillary residential accommodation to the place of worship. Pre-commencement conditions relating to the required travel plan and cycle parking and bin storage were discharged in 2013.

To date there has been no application to discharge a pre-occupancy condition relating to details of noise insulation. All other conditions are continuous or pre-occupation conditions. The development approved under these permissions has commenced.

The Proposal

The proposal is similar to the proposal approved under application 20101710 and modified under application 20141486. The two changes from the permitted scheme are for a first floor extension to the rear of the site and for tiling to the front elevation.

The extension will measure 11 metres in width and will extend to the rear boundary. Externally it will square off the apse on the Qibla wall and it will provide ancillary space for the mosque that will have a footprint of 20 metres². The height of the extension will be the same height as the two storey element of the permitted scheme.

The design and proportions of the front elevation will remain the same; however, the front elevation will be tiled.

The two domes and minarets will be retained as per the permitted scheme and the domes will be tiled.

Policy Considerations

City of Leicester Local Plan policies relevant to this application are listed at the end of this report.

Supplementary Planning Document (SPD) – Residential Amenity

Supplementary Planning Guidance (SPG) – Vehicle Parking Standards

Consultations

Environmental Health (noise) (LCC): - Suggest that conditions preventing amplified/live music/voice that would be detrimental to amenity, preventing external amplified call to prayer or oral announcements and restricting hours of use be retained.

Representations

Seventeen objections have been received primarily concerned with the impact of the development on local parking capacity and traffic volume, with mention given in particular to the close proximity of the site to a primary school. There is concern over the traffic conflict between the two uses with safety issues for pupils. The impact on the function of the one way street is highlighted.

There are also concerns from residents at the rear of the property that the proposal will impact on the light and feeling of space within gardens along Greenhill Road. Concern is also noted about the impact of the window at the rear of the approved scheme on the privacy of gardens at the rear and the impact of the minarets on privacy.

Some objections express concern that the proposal is out of keeping with the character and appearance of the local area and that it would be an unattractive addition to the street scene. Concerns were also raised about possible noise levels.
Concern has also been expressed that work has begun on the site. Specific concern was raised over the removal of a fence and building of a grey brick wall at the rear of one of the Greenhill Road properties. One objection expressed concern that the proposal would not serve the local community.

There may be confusion in a number of representations regarding the status of this application and its relationship with the previously approved applications. Many of the objections relate to issues that are relevant to the broader scheme including the previously approved applications.

Consideration

<u>Extension to the rear</u>

The proposed extension will have a footprint of 20 square metres. The Vehicle Parking Standards SPG recommends one space per 22 metres for places of worship. Given the existence of the approved Travel Plan and the fact that the extension is located at the rear of the building and will only be used for ancillary office or storage I do not consider that the proposal will have a significantly detrimental impact in terms of parking.

There will be no windows to the rear elevation and the proposal will not have an impact on the privacy of adjacent properties. The extension will be the same height as the two storey element of the approved scheme. There will be sufficient separation distance from the rear of the residential properties on Greenhill Road and the property to the east does not appear to be in residential use. The proposal will

not have a detrimental impact on the outlook of neighbouring residential properties and will not have an overbearing impact.

Design

The existing buildings do not make a positive contribution to the street scene. I consider that the scheme will make a positive contribution to the character and appearance of the area, appropriate to a residential area where community uses are commonly located in the city, and that the proposed tiling would be in keeping with the design.

Conclusion:

The proposed scheme differs from the permitted scheme in two aspects. These aspects will not have a detrimental impact on residential amenity, parking or (with a condition attached requiring a sample of the tiling to be agreed) the character and appearance of the area.
Given that the proposal is part of a previously permitted largely scheme I consider it necessary to carry through the same conditions, altered to reflect the fact that the larger scheme has commenced.

I recommend APPROVAL subject to the following conditions:

CONDITIONS

1. START WITHIN THREE YEARS

2. There shall be no amplified music or voice including call to prayer which would audible in 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. With the exception of acts of worship the premises shall not be used outside the hours of 0730-2300 daily. (In the interests of the amenity of nearby occupiers and in accordance with policy PS10 of the City of Leicester Local Plan.)

4. The side windows that face southwest shall be obscurely glazed and non-opening. (To maintain the privacy of the flats at number 175 Avenue Road Extension and in accordance with policy PS10 of the City of Leicester Local Plan.)

5. The development shall not be occupied until any redundant footway crossings and/or damaged or altered areas of footway or other highway have been reinstated to the satisfaction of the City Council as local planning authority. (For the safety and convenience of pedestrians and other road users.)

6. The travel plan approved under application 20132020 shall be implemented in accordance with the agreed timetable. (In the interests of sustainability and highway safety and in accordance with policy CS15 of the Core Strategy.)

7. The bin storage and cycle parking approved under application 20132020 shall be implemented prior to the commencement of use. (To encourage the use of sustainable means of transport and to avoid bins being left on the pavement and in accordance with policies PS10, AM02 and AM12 of the City of Leicester Local Plan.)

8. This consent shall relate solely to the submitted plans received by the City Council as local planning authority on the 23.02.15 and 04.03.15. (For the avoidance of doubt.)

NOTES FOR APPLICANT

1. With regard to condition 5 all streetworks should be carried in accordance with Leicester City Councils adopted 'Highways, Transportation and Development Guide'.

2. With regard to condition 5 works within the highway prior to the commencement of such works, the applicant/developer will also need to contact the Team Leader for Travel Planning and Development Control (direct line (0116) 252 7272) for written approval of construction, materials, design and contractor details. The works will be subject to a section 184 agreement.

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.

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.