

Planning Reference No:	09/0589N
Application Address:	47A Electricity Street, Crewe, Cheshire
Proposal:	Proposed Change of Use of Existing Retail Showroom to Mosque with Associated Community Facilities
Applicant:	The Shahjalal Mosque, 145 Walthall Street, Crewe
Application Type:	Full
Grid Reference:	370429 355282
Ward:	Crewe South
Earliest Determination Date:	29 th April 2009
Expiry Dated:	18 th May 2009
Date of Officer's Site Visit:	30 July 2009
Constraints:	None applicable

SUMMARY RECOMMENDATION

Approve with conditions

MAIN ISSUES: Impact of the proposal upon:

Adjacent residential amenity through noise and disturbance
Appearance within the locality
Access and car parking

1. REASON FOR REFERRAL

The application was due to be determined under the delegation agreement but has been called in by Cllr Flude due to concerns about the impact of the development on car parking in the locality of the site.

2. DESCRIPTION OF SITE AND CONTEXT

The site lies within the settlement boundary of Crewe and approximately 150m to the south of the town centre. The site comprises a redundant two storey building together with single storey detached outbuilding that was last used as a paint shop. The site fronts onto Electricity Street and to the rear is adjoined to the north and east by existing commercial premises and an electricity sub station building. The site faces a row of Victorian terraced houses and to the west is adjoined by an allotment site. The existing buildings on the site are of brick construction and the two storey building is of some architectural merit with parapet gables, stone cills and headers and windows recessed behind bull-nosed brickwork detailing. The single storey building is of a more simple form although still retains some of the articulation found on the main unit. The two storey building has been extended at the front with a more contemporary flat roof shop front masking the eastern side of the elevation. Further alterations have taken place at the rear with a section of the northern elevation being re-modelled to include factory style windows and doors.

3. DETAILS OF PROPOSAL

The proposal comprises the change of use of the two storey former paint shop building to a mosque and the change of use of the single storey building on the site for community meeting/activity uses. The proposal involves minimal alterations to the external appearance of the buildings and vehicular access into the site would be provided from Electricity Street and into a rear car parking area. Provision is also made for bin and cycle storage within the rear courtyard.

4. RELEVANT HISTORY

P08/0316 - Alterations and Extension to Existing Building to Provide Residential Accommodation in the form of Six Flats. Demolition of Existing Outbuilding, New Construction to Provide Seven Flats, Two Garages, One Bicycle Store and Binstore. Provision of Eleven Car Parking Spaces.(Re-sub P07/1154). Withdrawn 26th February 2009.

P07/1154 - Subdivision of Existing Building to 6 Flats, Demolition of Existing Outbuilding and Erection of 7 Flats, 2 Garages, Cycle and Bin Store. Refused on grounds of lack of noise assessment and insufficient vehicle access arrangements on 16th November 2007.

5. POLICIES

Regional Spatial Strategy

DP.4 (Promoting Sustainable Economic Growth and Competitiveness and Social Inclusion)

Local Plan Policy

BE.1 (Amenity)
BE.2 (Design Standards)
BE.3 (Access and Parking)
BE.4 (Drainage, Utilities and Resources)
BE.5 (Infrastructure)
E.4 (Development on Existing Employment Areas)
TRAN.1 (Public Transport)
TRAN.3 (Pedestrians)
TRAN.4 (Access for the Disabled)
TRAN.5 (Provision for Cyclists)
TRAN.9 (Car Parking Standards)

Other Material Considerations

PPS.1 (Delivering Sustainable Development)
PPG.13 (Transport)

6. CONSULTATIONS (External to Planning)

Highways:

Comments on original plans:

- Parking provision needs to be maximised and bin storage area provided;
- A refuse vehicle will need to be able to enter and exit the site and a drawing to show this should be provided;
- A disabled parking space should also be provided;
- Questioned whether the existing site premises operating in Walthall Street can be prevented from operating as a Mosque if this application is approved?

Comments on amended plans (via telephone discussion)

- No objection given the increased parking spaces and provision of bin storage;
- Also confirmed that they have not had any specific objections from residents in Wlathall Street concerning parking issues for the applicant's existing Mosque.

Cheshire Fire Service:

Recommends the fitting of sprinklers which will reduce damage by fire to both the building and the environment. Also business continuity will be considerably less affected.

Environmental Health:

The Environmental Health officer in discussions has confirmed that they have no objections to the proposal subject to a condition preventing the use of any external speakers. In addition it is confirmed that they have not received any complaints from residents relating to the applicant's existing site in Walthall Street.

7. OTHER REPRESENTATIONS:

Objections received from the occupiers of:

15 Electricity Street, Crewe; 27 Electricity Street, Crewe; 37 Electricity Street, Crewe; 41 Electricity Street, Crewe; 29 Electricity Street, Crewe;
31 Electricity Street, Crewe; 2x Unspecified resident of Electricity Street;

The main areas of concern relate to:

- Impact of additional traffic and congestion;
- Impact of additional on street parking;
- Increased likelihood of a traffic accident on Electricity Street;
- Entrance into the site is inadequate;
- Not possible to guarantee that most of users would arrive on foot;
- People will not walk to the facility in bad weather;
- Lack of opening hours on the application;
- No provision for waste storage;
- Potential loss of trees;
- Lack of community consultation;
- Application form filled in incorrectly;
- Disturbance and noise to local residential properties;
- Moving to a larger site would encourage more people to visit;
- Hours of use will mean disturbance to residents during hours when they are trying to sleep;

- Hours of use are considerably longer than the previous shop use;
- Electricity Street is one of the main routes for emergency vehicles;
- Site will be visited by large numbers of people;
- Can it be guaranteed that there will not be any alterations to the external appearance of the building keeping it in context with the surroundings;
- Property can be seen from the road;
- One of the two fire doors to the proposed building will open onto car parking spaces.

8. APPLICANT'S SUPPORTING INFORMATION:

Design and Access Statement and Addendum to Design and Access Statement:
Submitted by Bower Edleston Architects dated March 2009 and May 2009 respectively.

The main points are:

- Existing site is 0.08 hectare built during 1930s of substantial brick and slate construction. A single storey ancillary building is located to the west and a hardstanding yard with car parking spaces to the rear;
- The Shajalal mosque is currently located at 145 Walthall Street but do not provide sufficient accommodation for worship. Existing mosque is also flanked by residential properties;
- Pre-application discussions were held between the applicant and Council officers together with other stakeholders;
- Proposal seeks to maintain existing buildings in their current appearance but will be brought up to a reasonable standard;
- Car parking will be provided together with cycle spaces to the rear;
- Majority of those visiting the site will walk as they live in close proximity;
- Existing mosque and Muslim community provide a variety of learning opportunities in the area and opportunities for social cohesion;
- Mosque has strong links with the local strategic partnership;
- New building will offer a variety of facilities;
- Location of the premises is ideal for such uses given its town centre location and that it is a stand alone site;
- Previous application on the site included a noise assessment which concluded that the majority of the site is in NEC (Noise Exposure Category) B and south elevation in NEC C. The proposed use of the building as a mosque and community centre do not raise any undue issues in this respect;
- Only significant alterations to the building involve the refenestration/elevational treatment.

Addendum to Design and Access Statement:

- Hours of operation are detailed. Prayer times vary throughout the calendar year with the earliest morning session at 4:00am in summer and 6:30am in the winter. Latest evening prayer would commence at approximately 8 pm in winter and 11pm in summer;
- Prayer sessions do not involve any external noise impact;
- Numbers of people attending each prayer session are detailed and range from 5 – 15 people during the day. Friday prayer sessions at 1:30pm (known as Jummah) lasts for one hour and are attended by up to 200 people. There are two other occasions during

the year when a significant attendance takes place – these take place during daylight hours;

- Estimated that 90% of the congregation live within a 600m radius of the mosque;
- A small number of worshipers, up to a maximum of 30 would travel to the larger sessions from further afield, mainly Leighton Hospital, Nantwich and Sandbach. Traditionally cars are shared with 3 or 4 (or more) sharing;
- In addition to prayer sessions there are children's education sessions on Tuesday, Wednesday, Thursday and Friday with a maximum of 20 children attending;
- Proposed car parking spaces will provide sufficient capacity for the anticipated maximum of 10-12 cars;
- Further social/educational activities are being considered as future possibilities but currently no plans to implement these;
- It is anticipated that such uses would be low key and carried out during daylight hours and subservient to the primary use of the building;
- It is not anticipated that there will be a significant increase in the congregation.

9. OFFICER APPRAISAL

Principle of Development

This is a brownfield site within the settlement boundary of Crewe and within walking distance of Edleston Road and the town centre which accommodates a number of shops and services and has public transport links. The site is currently derelict and was last used as a paint/decorators shop. To the south of the site and on the opposite side of Electricity Street the area comprises predominantly terraced residential properties. To the north and east of the site there are existing commercial premises including a former electricity sub station building and builders yard. To the west lies an open area used as an allotment site. An earlier application for the site proposed to convert the building to residential use and this was approved subject to the completion of a legal agreement for pedestrian links to the town centre. However, this agreement was never completed and the application was subsequently withdrawn. Given the previous authorised use of the building as a commercial site and also the location within a mixed use area it is considered that the principle of the proposed use is acceptable.

Design

As mentioned earlier the proposal involves minimal alterations to the external appearance of the building. The most significant changes relate to alterations to the earlier shop frontage and it is proposed to include decorative panels to the existing full height glazed units. To the rear the proposal would involve modest alterations to the single storey building in order to create access points and remove two garage style door openings. Overall these changes are minimal and will retain the character and architectural merit of the existing buildings.

Amenity

A key consideration in determining this application is the impact of the proposed use upon the amenity of nearby residential properties. Although the site does not directly adjoin the curtilage of domestic properties and is sited on the northern side of Electricity Street which includes other existing commercial premises, it is within close proximity to

the front elevations of nearby terraced houses. A number of representations have been received from the occupants of these properties expressing concerns in relation to the potential for noise and disturbance arising from increased comings and goings, hours of operation and also from increased levels of traffic activity.

The applicant has specified the intended hours of use of the building and these closely relate to the hours of worship which in turn is dependent on daylight hours. Worship commences earlier in the mornings and ends later in the evening in the summer months than in winter. It is during these times therefore that the use of the building would be the most significant. Overall the applicant states that the site would operate at earliest from 4:00am and up to 11pm in the summer. This raises concerns about potential noise disturbance from comings and goings during hours when nearby residents have a right to expect peace and quiet and there is little background ambient noise. In addition the applicant has also referred to peak times when the number of people attending the site would be up to 200. These include during the weekly Jumma service which takes place every Friday at approximately 1:30pm and lasts for up to one hour. In addition there are two other occasions during the year when a similar number of worshippers would be expected at the site.

Electricity Street is a well used through route linking the busy Edleston Road with residential areas to the west. It is not considered that the proposed use of the site during normal daytime hours would give rise to undue noise or disturbance to nearby residents as it is likely that comings and goings would be dispersed throughout the day and would not be noticeable over and above existing traffic noise and activity. However, the use of the site during the early morning and late evening hours does create the potential for loss of amenity to nearby residents. However, the applicant already operates an existing Mosque from a property in Walthall Street and has provided information in regard to the number of attendees that are expected to visit during the various sessions and in the case of the early morning sessions consists of up to 5 people and during the late evening sessions this is up to 15 people. This is considered to be relatively low key and in itself would not be reasonable grounds to refuse the application as it would be unlikely that such low levels of usage at this time would be unduly noticeable to nearby residents.

Access and Parking

The proposed development would be accessed via an existing vehicular access off Electricity Street which leads into a courtyard to the rear of the buildings. There is a footway along the front of Electricity Street and the applicant proposes to install access gates set back from the carriageway edge by 8 metres which would be sufficient to allow vehicles to enter and exit the site without overhanging the carriageway.

Paragraphs 49-50 of PPG.13 advise that reducing the levels of parking in new development is essential as part of a package of measures to promote sustainable travel choices. It goes on to advise that developers should not be required to provide more spaces than they themselves wish except for certain circumstances such as where there are significant implications for highway safety which cannot be resolved through the introduction or enforcement of on-street parking controls. In this case there are some parking controls in the area although on the south side of Electricity Street there are no controls on car parking. The applicant proposes an area for cycle parking which can be controlled via a planning condition. The proposed development as first submitted

showed a total of 14 car parking spaces within the rear courtyard. However, due to initial comments from the Highway Authority the applicant has amended the layout to increase the number of parking spaces to 22. A number of concerns have been raised in regard to the demand for car parking spaces and potential impacts for nearby residents who currently have to compete for spaces outside their own properties.

When considering the applicant's supporting information it is fair to say that the demand for car parking will generally be dissipated throughout the day. However there will be peak times when considerable numbers of visitors will attend the site. The most significant of these is the weekly Jummah service which takes place every Friday afternoon at 1:00pm and lasts for 1 hour. The applicant states that this service can be attended by up to 200 people. However, this sits outside the normal evening rush hour peak and also outside the hours when nearby residents would be arriving home from work. In addition the applicant states that the majority of their congregation live within a short walking distance of the facility and would therefore not generate significant on street parking problems. As already stated above the applicant is operating from a property on Walthall Street and the Highway Authority have reported no specific complaints in regard to those premises and the demand for car parking. Finally it is worth noting that the site is within close proximity to Edleston Road which is well served by public transport and is also within walking distance of Crewe town centre. Accordingly the site is considered to occupy a sustainable position and offers genuine transport alternatives to the private car.

Concerns have also been expressed in regard to the use of the community room building and the operation of this is not specified in the supporting information. However, it is probable that this building would be used primarily by the local congregation and would be ancillary to the principal use as a mosque. This may generate additional demand for car parking although given the locational factors considered above in regard to the sustainable position of the site this is not considered to warrant a refusal of the application.

The Highway Authority have queried whether it would be possible to require the existing site operated by the applicant on Walthall Street to cease its use as a mosque. Although this proposal is considered acceptable on its own merits it is worth noting that the planning permission for the Walthall Street site is specific to the Shajalal Mosque and when that organisation ceases to occupy the site then the permission expires.

Finally sufficient space exists within the rear courtyard for vehicles to manoeuvre and exit the site in a forward gear and the Highway Authority have no objections to the proposal subject to the provision of bin storage and also subject to the provision of the increased levels of car parking. The Highway Authorities comments in regard to the need for refuse vehicles to turn within the site are noted although in this instance it is not considered sufficient grounds to refuse the application if refuse vehicles are likely to collect bins on the street.

10. CONCLUSIONS

The site is located within a predominantly residential area although is adjacent to other commercial uses. The use of the site as a mosque is not considered to result in sustained adverse impact upon the amenity of adjacent residential properties through

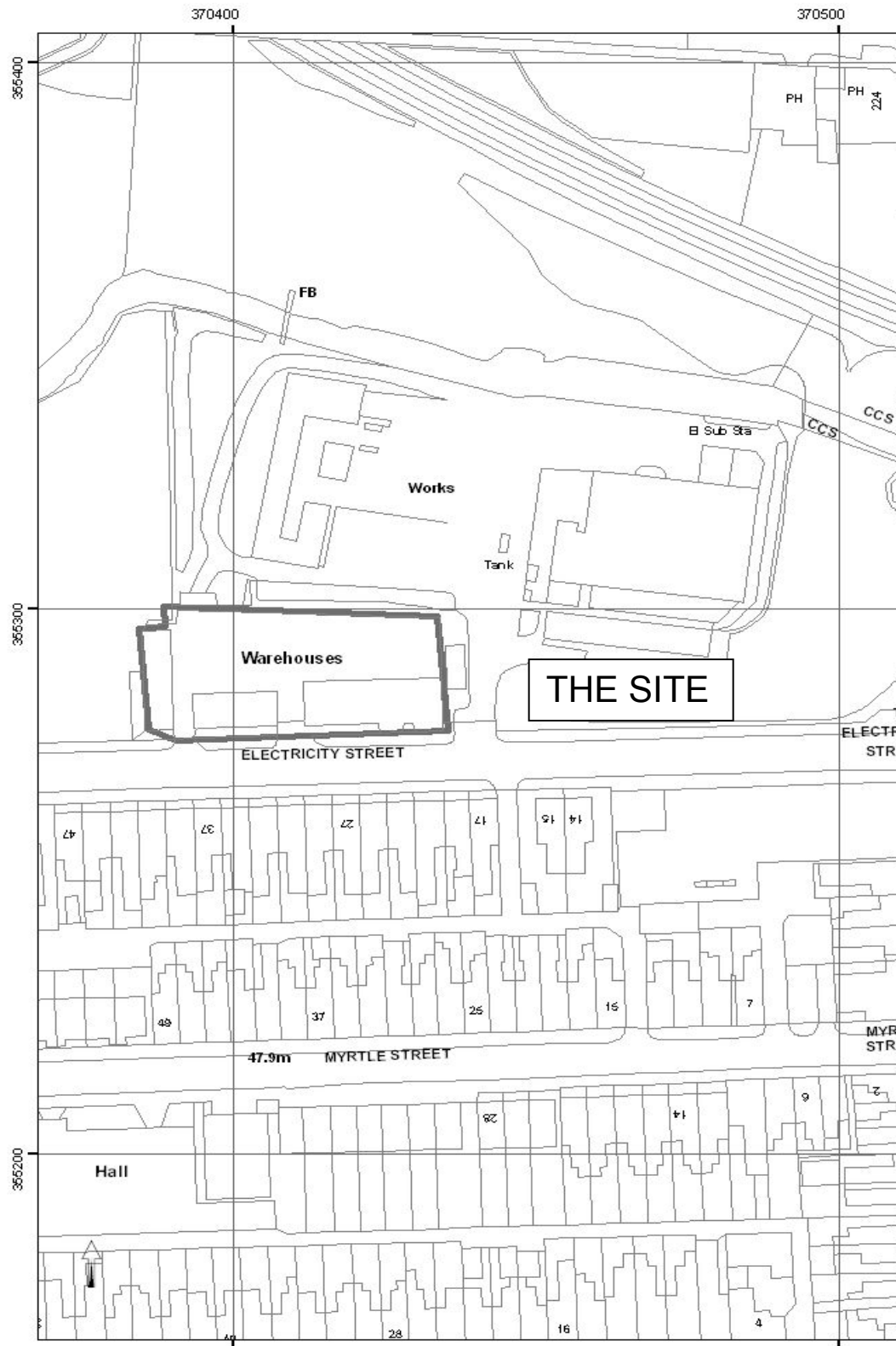
noise or disturbance arising from the operation of the building and associated comings and goings. The site is considered to occupy a sustainable position within walking distance of Crewe town centre and also public transport links on the nearby Eldeston Road. The site will predominantly be accessed by local residents and in combination with the additional car parking spaces proposed and provision of cycle parking is not considered to result in a threat to highway safety arising from increased demand for on street car parking spaces. The proposed development involves modest alterations to the external appearance of the building and accordingly would not result in adverse impact to the street scene.

11. RECOMMENDATIONS

APPROVE subject to the following conditions:-

- 1. Standard**
- 2. Materials**
- 3. Surfacing materials**
- 4. Car parking provision**
- 5. Cycle parking provision**
- 6. Access gates set back**
- 7. Vehicle turning area**
- 8. Boundary treatment**
- 9. No external speakers**
- 10. Approved plans**

Location Plan



09/0589N – Electricity Street Crewe
N.G.R.; - 370.418 355.287

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Not to Scale