

REPORT TO PLANNING COMMITTEE

9th December 2020

Application Reference	DC/20/63920		
Application Received	23 January 2020		
Application Description Application Address	Proposed new two storey mosque with minaret and dome and community centre, with wall and railings to the perimeter. Phase 1 would be built on land owned by the applicant, adjacent to the existing building. Phase 2 would be built on the site of the existing building, following demolition. Phase 3 would link Phases 1 and 2 together. Jami Masjid and Bangladeshi Islamic Centre		
	10-13 Lewisham Road Smethwick B66 2BP		
Applicant	Mr Abdul Subhan		
Ward	St Pauls		
Contribution towards Vision 2030:			
Contact Officer(s)	Alison Bishop 0121 569 4039 Alison_bishop@sandwell.gov.uk		

RECOMMENDATION

That subject Full Council approval and a s106 agreement relating to additional highway safety measures, planning permission is granted subject to: -

- (i) External materials;
- (ii) Finished floor levels;
- (iii) Parking details;
- (iv) Limiting the Prayer halls for prayer within the development;
- (v) Traffic management plan;
- (vi) Travel Plan;
- (vii) Updated Transport Assessment;
- (viii) Review of parking restrictions following 12 months of the completion of Phase 2;
- (ix) Boundary treatments;

- (x) Cycle parking;
- (xi) Electric vehicle charging;
- (xii) External lighting;
- (xiii) Method statement for site working;
- (xiv) Employment and skills plan;
- (xv) Ground investigation and remediation;
- (xvi) Noise mitigation to prevent noise breakout and from plant/extraction equipment;
- (xvii) No amplified sound; and
- (xviii) No broadcasting of sound for the call to prayer.

1. BACKGROUND

- 1.1 This application is being reported to your Planning Committee because part of the site forms a departure with in the development plan and two material planning objections have been received.
- 1.1 To assist members with site context, a link to Google Maps is provided below:

10-13 Lewisham Road, Smethwick

2. SUMMARY OF KEY CONSIDERATIONS

- 2.1 Part of the site, at the junction with Mafeking Road and Lewisham Road, is allocated for housing.
- 2.2 The material planning considerations which are relevant to this application are: -

Government policy (NPPF)
Proposals in the Development Plan
Planning history
Layout and scale of building
Design, appearance and materials
Access, highway safety, parking and servicing
Noise

3. THE APPLICATION SITE

3.1 The application relates to an existing Bangladeshi Islamic Centre situated to the south of Lewisham Road and the junction with Mafeking Road. The centre formed part of the application boundary for the Brindley II residential development and incorporated the two existing industrial units within the former Lewisham Industrial Estate (occupied by the Islamic Centre). The aspiration within the Brindley II master plan was for the Islamic Centre to

provide a focal point given its prominent location at the entrance to the site. The Brindley II residential scheme is now complete.

4. PLANNING HISTORY

- 4.1 The site has been used as a community centre and place of worship since 1984, proposals were granted permission in December 2014 to demolish the existing building and construct a new mosque and community facility (DC/14/57646 refers). This would have completed the aspirations within the original Brindley II masterplan. This permission was not implemented and has now lapsed.
- 4.2 As part of the construction of Brindley II residential scheme, a car park with 20 spaces was provided on Mafeking Road to serve the Islamic Centre and Providence Church (DC/16/59812 refers).
- 4.3 Relevant planning applications are as follows: -

Trois vain planning applications are as renower			
DC/16/59812	Proposed 13 No. 3 bed houses, associated parking, landscaping, and 20 car parking spaces.	Approved 14.11.2016	
DC/14/57646	Proposed demolition of existing Masjid (Mosque) and Bangladeshi Islamic centre and construction of 3 storey purpose built Masjid (Mosque) and Bangladeshi Islamic centre (Use Class D1) and associated car parking - (revised application DC/13/56513).	Approved 18.12.2014	
DC/13/56513	Proposed demolition of existing Bangladeshi Islamic Centre and construction of 3 storey community centre and associated parking. GC 20.12.2013	Approved 20.12.2013	
DC/09/50610	Outline application for proposed residential development (C3) with supportive ancillary facilities including enhancing existing community facilities (D1), retail/cafe uses (A3), demolition of	Approved 15.04.2011	

existing buildings and remediation of the site with construction of access roads,

footpaths and enhanced linkages, landscaping and associated works.

DC/31863	Extension to existing Islamic Centre	Approved 14.11.1995
DC/16946	Buildings for use as Islamic	Approved 11 01 1984

5. APPLICATION DETAILS

- 5.1 The proposed development would be a phased scheme of works resulting in a two-storey mosque with minarets and dome and community centre.
- 5.2 Phase 1 would be the construction of a new two storey building at the junction of Mafeking Road and Lewisham Road with a combined ground and first floor area of 463 sqm and would provide multi-purpose rooms, toilet and circulation space. The predominant height would be 7.4 metres, with and additional small section serving the staircase to a maximum height of 9.8 metres. The building would be clad in red brick, excepting the staircase which would be a contrasting blue brick. Windows would incorporate Islamic design features including a large feature window fronting Lewisham Road.

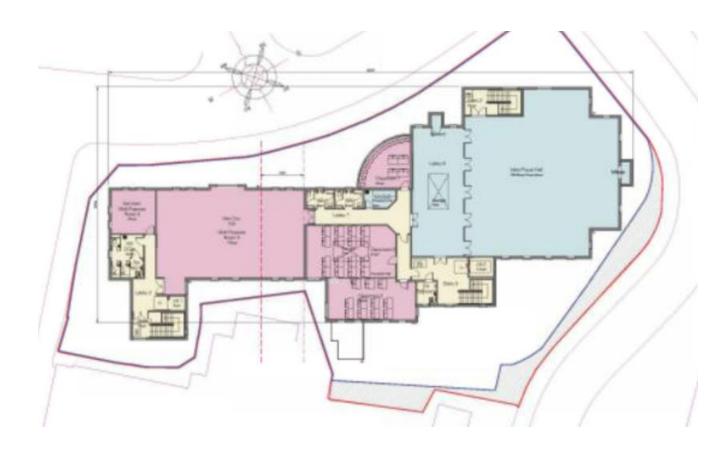


5.3 Phase 2 forms the demolition of the existing two units and the construction of the larger component to the proposal. This would also be a two-storey building with a combined ground and first floor of approximately 1,400 sqm and would comprise a large prayer hall and classrooms at first floor and a smaller prayer hall for women and other community rooms including a small mortuary at ground floor. The building would be an irregular shape primarily constructed of red brick with some blue brick elements and would include a minaret, dome feature and Islamic windows features with a further large feature window to

replicate the design of the window on Phase 1. Most of building would be to a height of 7.4 metres increasing in parts to 9.8 metres with the minarets being around 14.5 metres and the domed feature 13.5 metres.



5.4 Phase 3 would link Phases 1 and 2 together with a small extension measuring approximately 5 metres (W) by 10 metres (L) and being two storeys in height.



6. PUBLICITY

6.1 The application has been publicised by press and site notice and neighbour consultation two objections have been received.

6.2 **Objections**

Objections have been received on the following grounds:

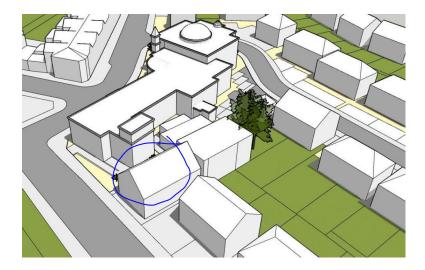
- i) There will be a significant loss of light to Providence Church with such a tall building being so close to the church.
- ii) The proposed building totally overpowers all the surrounding properties and is completely out of keeping with the district;
- iii) Concerns regarding major traffic and parking problems.
- iv) Noise pollution from the activities associated with the Mosque.

Immaterial objections have been raised regarding the effect on property value.

6.3 Responses to objections

I respond to the objector's comments in turn:

i) The Providence Church is a single storey building that benefits from windows to both side elevations, the proximity of the new building is the same the residential properties to the other side. Furthermore, due to the orientation of the sun this building would not impact of the path of the sunlight to the church. See image below (blue circle is the Providence Church)



ii) The scheme as designed is a large footprint but is predominantly designed to be two storeys in height and follows the general building heights in the area. The features which increase in height are proportionate to the overall building's size and address the

- corner feature of the site. Further comments in relation to design can be found at Section 7.7 below.
- iii) It is accepted that the only 9 parking spaces are provided within the scheme combined with the shared 20 spaces serving both the Islamic Centre and the Providence Church. Highways have reviewed the parking associated with the existing centre and subject to various additional measures, raise no objections. Further comments in relation to parking and highway safety can be found in Section 7.3 below.
- iv) I am sympathetic to the resident's concerns regarding the current noise issues, however this proposal is for a new building. An acoustic report has been submitted with this application which set outs an acoustic construction for the walls and windows to reduce noise break out to an acceptable level. Subject to various conditions Public Health have no objections to this proposal see Section 7.6 below.

7. STATUTORY CONSULTATION

7.1 Planning Policy

Whilst the principle of the community/mosque is established on most of the site, the land to the junction with Mafeking Road and Lewisham Road is allocated for residential purposes within the development plan to assist in meeting the Council housing targets, as such policy have objected to the proposal.

The applicant has undertaken some indicative proposals regarding the number of houses that could be secured within the allocated land, this equates to two dwellings. In my opinion, given that at the time of the original master planning which formed part of the Brindley II proposal, and included aspirations to provide an improved Mosque/community centre at the junction of Lewisham Road. I consider that the merits of achieving a new improved facility should outweigh the loss of two dwellings which could be accommodated on this land.

7.2 Transportation Policy

Transportation Policy have requested that cycle provision is provided within the development, this can be conditioned accordingly.

7.3 **Highways**

Concerns had been raised regarding inappropriate parking, particularly during Friday prayer given that the proposal provides limited off-road parking. Subsequently, various additional measures have been identified

to prevent inappropriate parking and manage trips to the site. These measures are as follows: -

- The prayer rooms will be conditioned for this purpose and that no prayer will take place in other parts of the building;
- ii) The car parking provision within the site shall be submitted in more detail, this can be conditioned;
- iii) Bollards to be incorporated at the junctions of Smeaton Road and Sydenham Road. A s106 agreement will be required to secure these works:
- iv) A traffic management plan to provide details of how parking will be managed as part of the phased development. This can be conditioned;
- v) The Transport Assessment shall be updated to reflect the maximum capacity at any time in the building, namely 100 people;
- vi) Review of parking restrictions following 12 months of completion of Phase 2:
- vii) Revised Travel plan and this will be reviewed bi-annually;

7.4 Public Health (Air Quality)

It is recommended that electric vehicle charging points are provided within the parking area servicing the development, the introduction of sustainable heating systems and a travel plan to demonstrate how the centre will reduce vehicle trips to mitigate air quality impacts associated with the development. This can be conditioned accordingly.

7.5 Public Health (Contaminated Land)

No objection subject to a condition relating to ground investigation and any required remediation thereafter.

7.6 **Public Heath (Air Pollution and Noise)**

No objection subject to recommendations that the application is conditioned to require the acoustic performance predicted by the acoustic assessment as follows: -

- Noise from external plant and equipment shall not be audible at the nearest residential properties in Smeaton Avenue, Mafeking Road or Lewisham Road;
- Noise from activities within the mosque shall not be audible at the nearest residential properties in Smeaton Avenue, Mafeking Road or Lewisham Road;
- iii) No broadcasting of the call to prayer from any loudspeaker mounted on the minaret; and
- iv) No equipment is to be installed for the amplification of sound with the

intention of making that sound audible outside the application premises.

7.7 Urban Design

Concerns have been expressed regarding the design and massing of the building in relation to the surrounding residential properties. In particular the scheme has been compared to the lapsed permission and it is considered that this provided a more modern approach which addressed the street frontage more appropriately. Boundary treatments should also reflect the residential character of the area.

Whilst it is accepted that the design uses more traditional materials, it is considered that the red and blue brick elements pick up the general vernacular of the area which combined with the flourishes for the minaret and domed features adds interest to the area. On discussing revisions to the proposal, the agent has confirmed that the previous permission failed because the materials and proposed height of the original building being a three-storey height was too costly for the Mosque to construct, hence a more tradition two storey building has now been designed over a larger footprint. The overall floor area for the development is largely no greater than the approved scheme. Furthermore, the image below shows that the overall massing and scale does not differ from the granted permission (the pink colour indicates the previously approved scheme).



7.8 **Severn Trent**

No objection such to a drainage condition.

7.9 **Cadent Gas** – No objection

7.10 Western Power

The scheme will affect a substation, the removal and reinstatement of this would need to be carried out at the cost of the applicant. They have been advised as such.

8. GOVERNMENT GUIDANCE/NATIONAL PLANNING POLICY

8.1 National Planning Policy Framework promotes sustainable development but states that that local circumstances should be taken into account to reflect the character, needs and opportunities for each area.

9. LOCAL PLANNING POLICY

9.1 The following polices of the Council's Development Plan are relevant: -

HOU1: Delivering Sustainable Housing Growth

ENV3: Design Quality

ENV5: Flood Risk, Sustainable Drainage System and Urban Heat Island

Effect

ENV8: Air Quality

TRAN2: Managing Transport Impacts of New Development

EMP5: Improving Access to the Labour Market

SAD H1: Housing Allocations

SAD EMP2: Training and Recruitment SAD EOS9: Urban Design Principles

SAD DM6: Community Facilities

- 9.2 Whilst land is identified and allocated in the Development Plan to meet the Borough's sustainable housing growth, under policy HOU1 additional housing capacity will also be sought elsewhere through planning permissions on suitable sites. It is noted that part of the site forms a housing allocation, however as indicated above (7.1) the long-term aspirations for redevelopment of the Mosque formed part of the masterplan for the Brindley II residential scheme and the incorporation of a new facility in my opinion should outweigh the loss of two dwellings which could be compensated as part of housing windfall sites.
- 9.3 Turning to the design of the proposal, as indicated in 7.7 above, it is considered that the massing of the building is no greater and to some extent lessoned from the previously approved permission. The material choices for the building, whilst more traditional in appearance, will not be out of character with the area and elements of the front façade and the inclusion of the minaret and dome add interest to the overall design. Therefore, it is considered that the scheme accords with the provisions of ENV4 and SAD EOS9.

- 9.4 The site is predominantly hard standing, the introduction of this new building will ensure that appropriate drainage is provided and can be conditioned accordingly (ENV5).
- 9.5 Air quality considerations (ENV8) have been addressed through the imposition of conditions relating to electric vehicle charging points, cycle provision and a travel plan.
- 9.6 The scheme will be conditioned or secured through a S106 agreement to mitigate traffic impacts as indicated in 7.3 above (TRAN2).
- 9.7 The proposal provides an opportunity for local job opportunities during construction (EMP5 and SAD EMP2). This can be conditioned.
- 9.8 Policy DM6 refers to sites being located on main road frontages, and consideration being given to parking, public transport, noise and hours of use. The site is situated on a prominent frontage, with good access to public transport and matters relating to noise and parking have been identified and can be controlled by condition.

10. MATERIAL CONSIDERATIONS

10.1 The material considerations relating to Government Policy (NPPF) and proposals within the Development Plan have been referred to above in Sections 8 and 9. With regards to the other considerations these are highlighted below:

10.2 Proposals in the Development Plan

As indicated above, part of the site is allocated for residential development, however it is considered that the benefits of this proposal outweigh the loss of providing housing given the limited number of dwellings that would be achieved.

10.3 Planning history

Planning permission has been granted for a scheme of similar size/floor area on two previous occasions. The only material difference is that the building covers a larger footprint but is now reduced to a two-storey building.

10.4 Layout and scale of building

The scale of the building is of two storey heights in the main, and hence it is considered that it integrates into the existing residential area.

10.5 Design, appearance and materials

The materials, whilst predominantly brick, incorporate flourishes with the window detailing and the introduction of the minarets and dome.

10.6 Access, highway safety, parking and servicing

It is acknowledged that parking issues have been identified during Friday prayer, however various measures have been identified and can be conditioned accordingly to ensure that highway safety is not compromised.

10.7 **Noise**

The use is long established in the area and is served by a substandard building that is largely not fit for purpose, the new building provides an opportunity to incorporate new building insulation which coupled with other recommended conditions by Public Health will safeguard the amenity of nearby residents.

11. IMPLICATIONS FOR SANDWELL'S VISION

- 11.1 The proposal supports Ambitions 3, 8 and 10 of the Sandwell Vision 2030: -
- 11.2 Ambition 3 Our workforce and young people are skilled and talented, geared up to respond to changing business needs and to win rewarding jobs in a growing economy
- 11.3 Ambition 8 Our distinctive towns and neighbourhoods are successful centres of community life, leisure and entertainment where people increasingly choose to bring up their families.
- 11.4 Ambition 10 Sandwell has a national reputation for getting things done, where all local partners are focussed on what really matters in people's lives and communities.

12. CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

12.1 The proposal is a departure and as such must be referred to full Council if members are minded to approve it. The key determining issue to support setting aside the housing allocation, is that the introduction of a new modern community building/mosque is the fruition of the original master planning for the Brindley II residential scheme. This proposal would complete the regeneration of this part of Smethwick and it is considered in this instance should outweigh the loss of two dwellings on the site.

12.2 The scheme is designed to be sympathetic to the surrounding area in terms of height and massing and with the introduction on both noise mitigations and traffic measures, it is considered that residential amenity will adequately protected.

13. STRATEGIC RESOURCE IMPLICATIONS

13.1 When a planning application is refused the applicant has a right of appeal to the Planning Inspectorate, and they can make a claim for costs against the council.

14. LEGAL AND GOVERNANCE CONSIDERATIONS

14.1 This application is submitted under the Town and Country Planning Act 1990.

15. EQUALITY IMPACT ASSESSMENT

15.1 There are no equality issues arising from this proposal and therefore an equality impact assessment has not been carried out.

16. DATA PROTECTION IMPACT ASSESSMENT

16.1 The planning application and accompanying documentation is a public document.

17. CRIME AND DISORDER AND RISK ASSESSMENT

17.1 The scheme has been designed in accordance with Secure by Design guidance.

18. SUSTAINABILITY OF PROPOSALS

18.1 Refer to the National Planning Policy Framework (8), Development Plan policies (9) and material considerations (10).

19. HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)

19.1 Refer to the summary of the report (12) and a condition has been recommended relating to securing jobs and apprenticeships during construction of the development.

20. IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

20.1 There would be no impact.

21. APPENDICES:

Site Plan

Context Plan

19/1744.03

19/1744.04

19/1744.05

19/1744.06

19/1744.07A

19/1744.08A

19/1744.09C

19/1744.10

19/1744.11A

19/1744.12C

19/1744.13



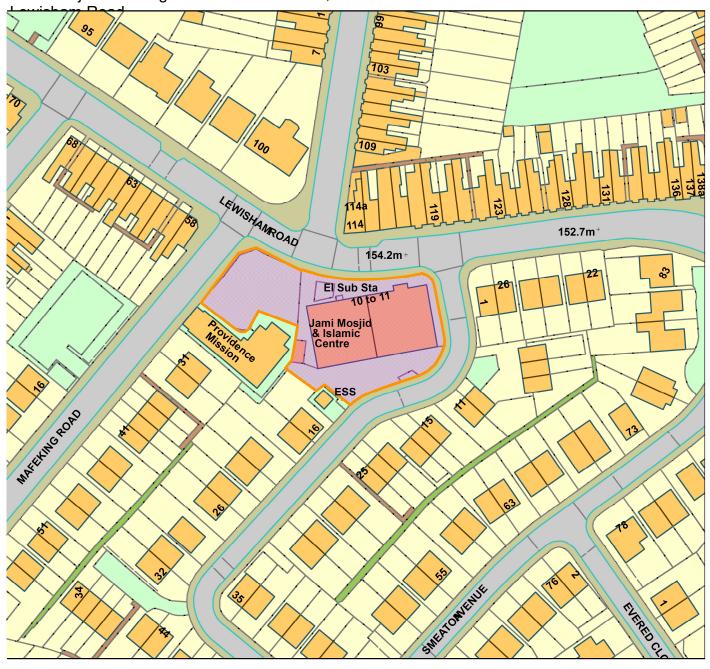
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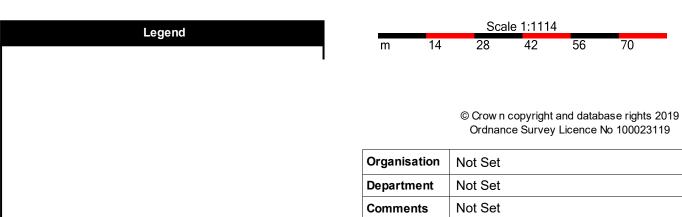
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Jami Masjid and Bangladeshi Islamic Centre, 10-13

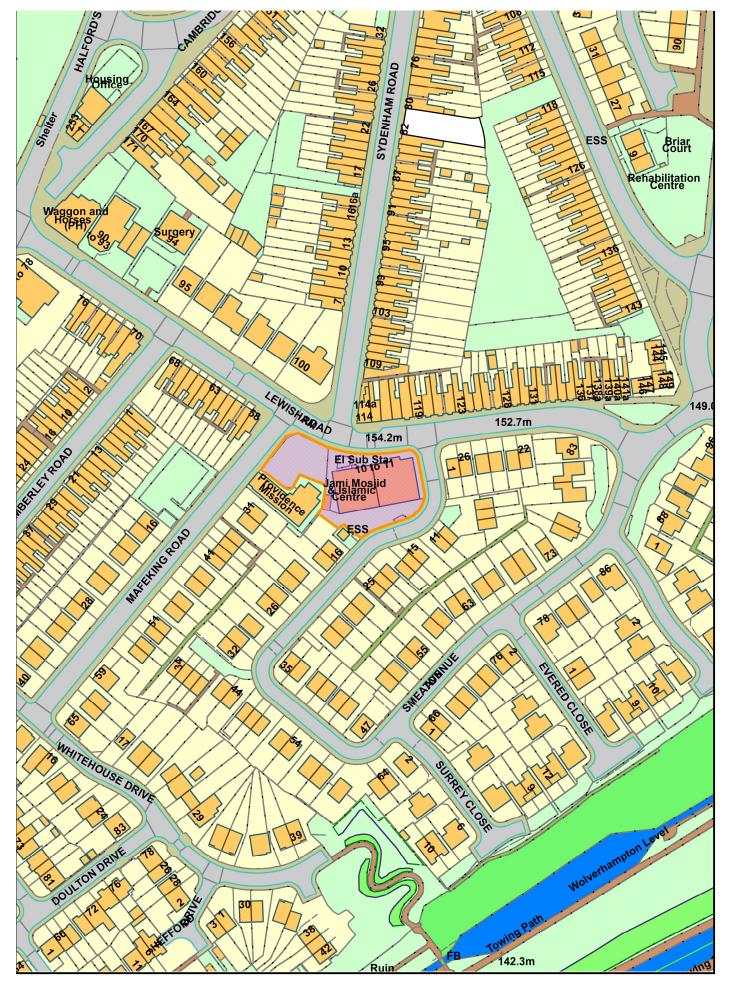




Date

OS Licence No

25 November 2020

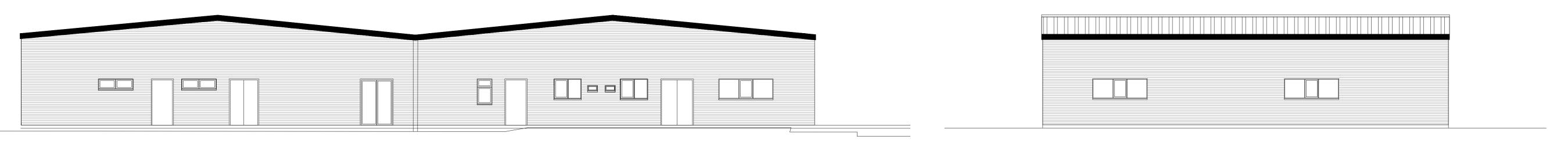






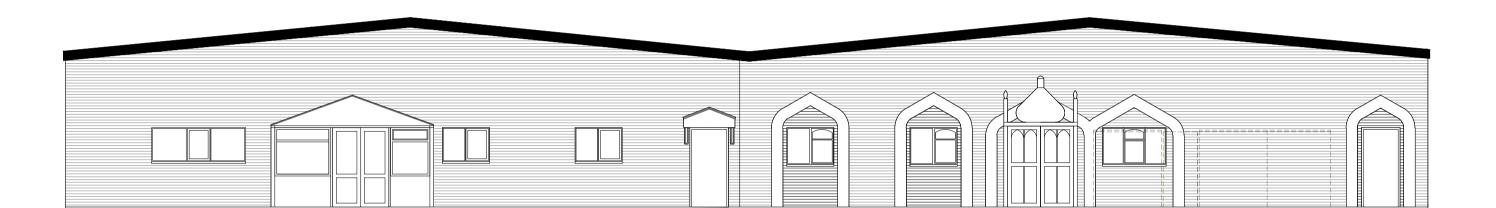
Site Plan with Existing Building Plan

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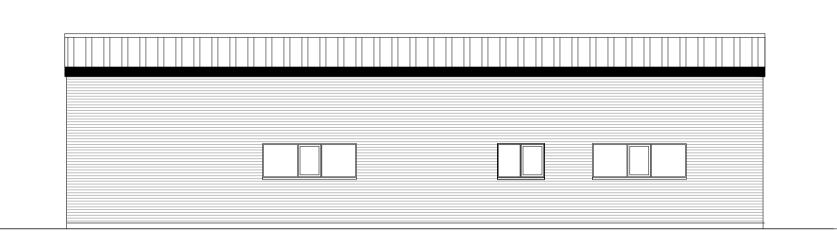


South Elevation-Existing

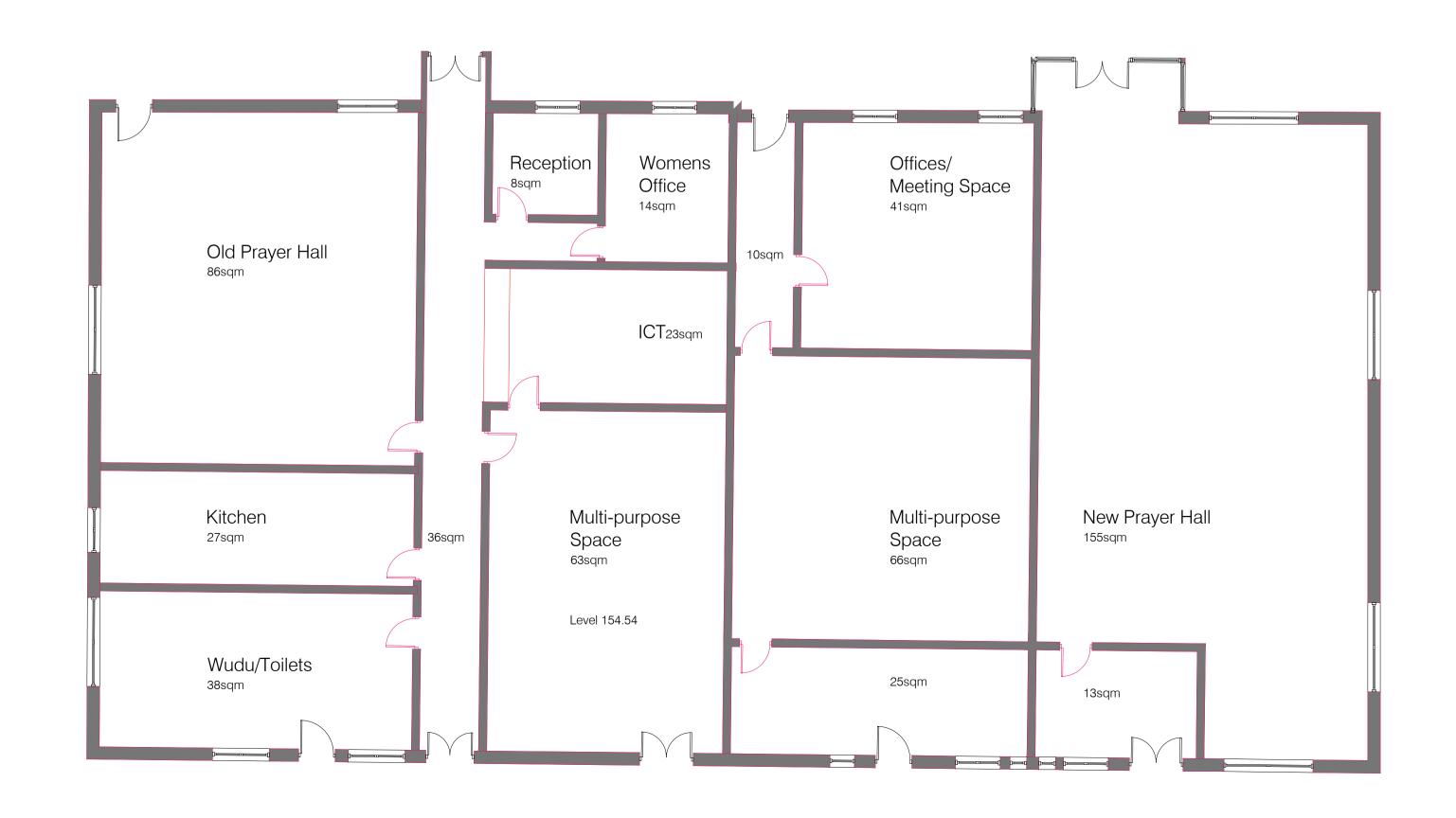




North Elevation-Existing



West Elevation-Existing



rev. date drawn chk'd

Gould Singleton Architects

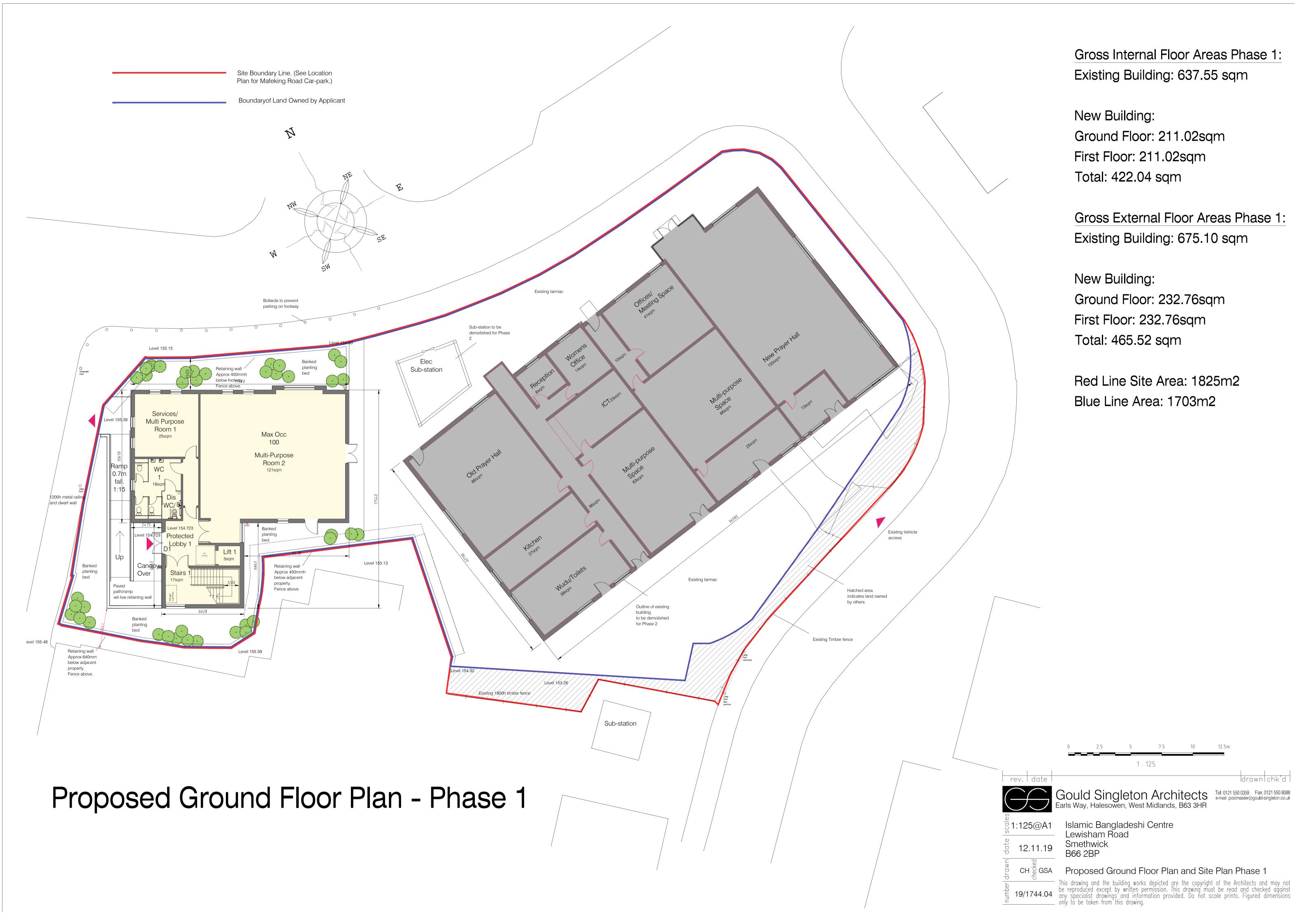
Earls Way, Halesowen, West Midlands, B63 3HR

Tel: 0121 550 0359 Fax: 0121 550 8088 e-mail: postmaster@gould-singleton.co.uk

Bangladeshi Islamic Centre Lewisham Road Smethwick B66 2BP

CH GSA Plans & Elevations Existing

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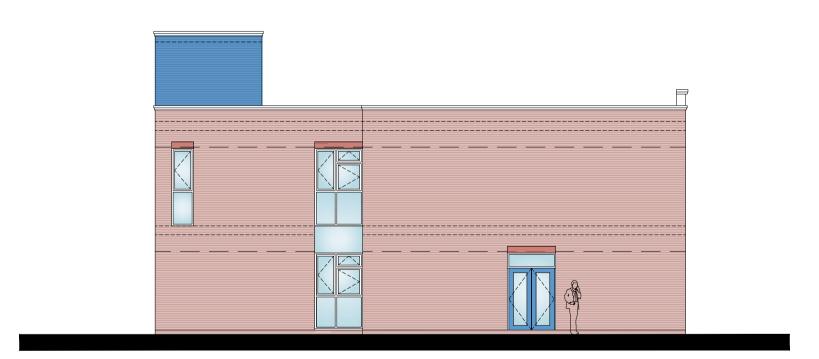




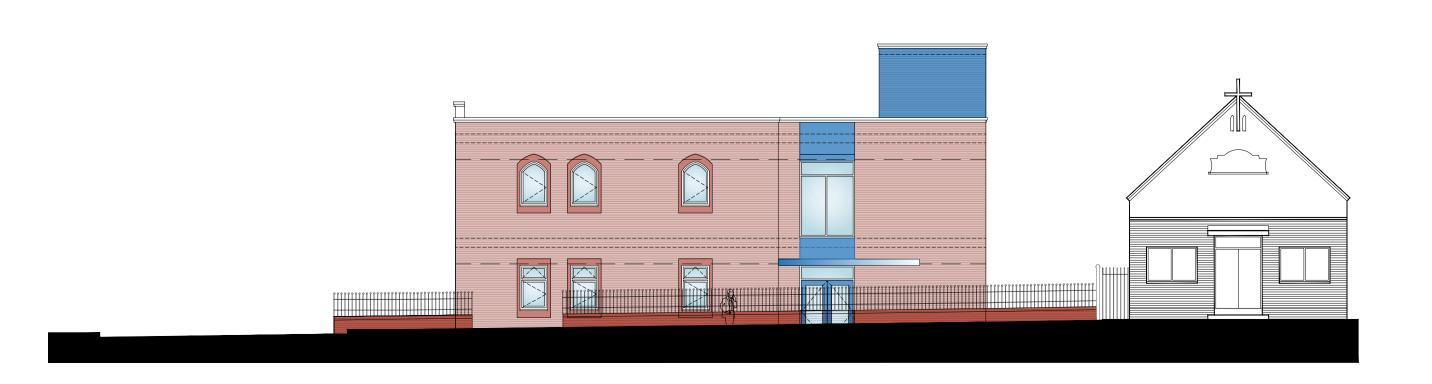
Proposed Flattened Elevation - North-East, Lewisham Road Phase 1



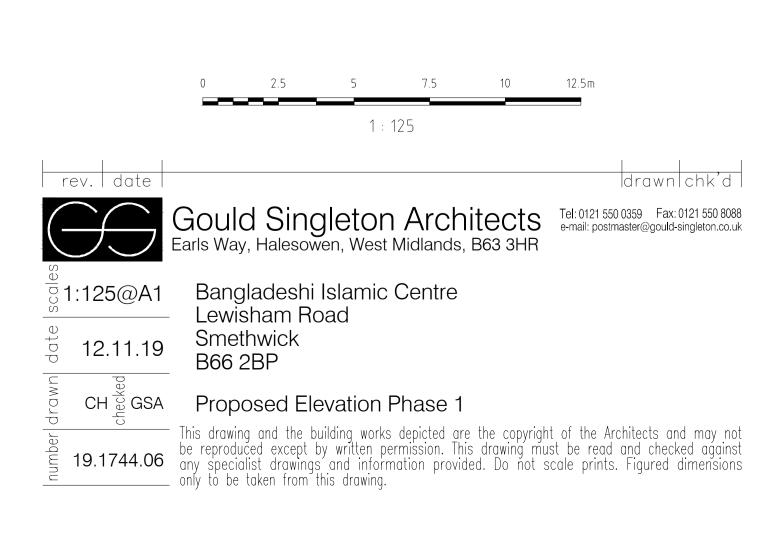
Proposed Flattened Elevation- South-West, Rear Phase 1



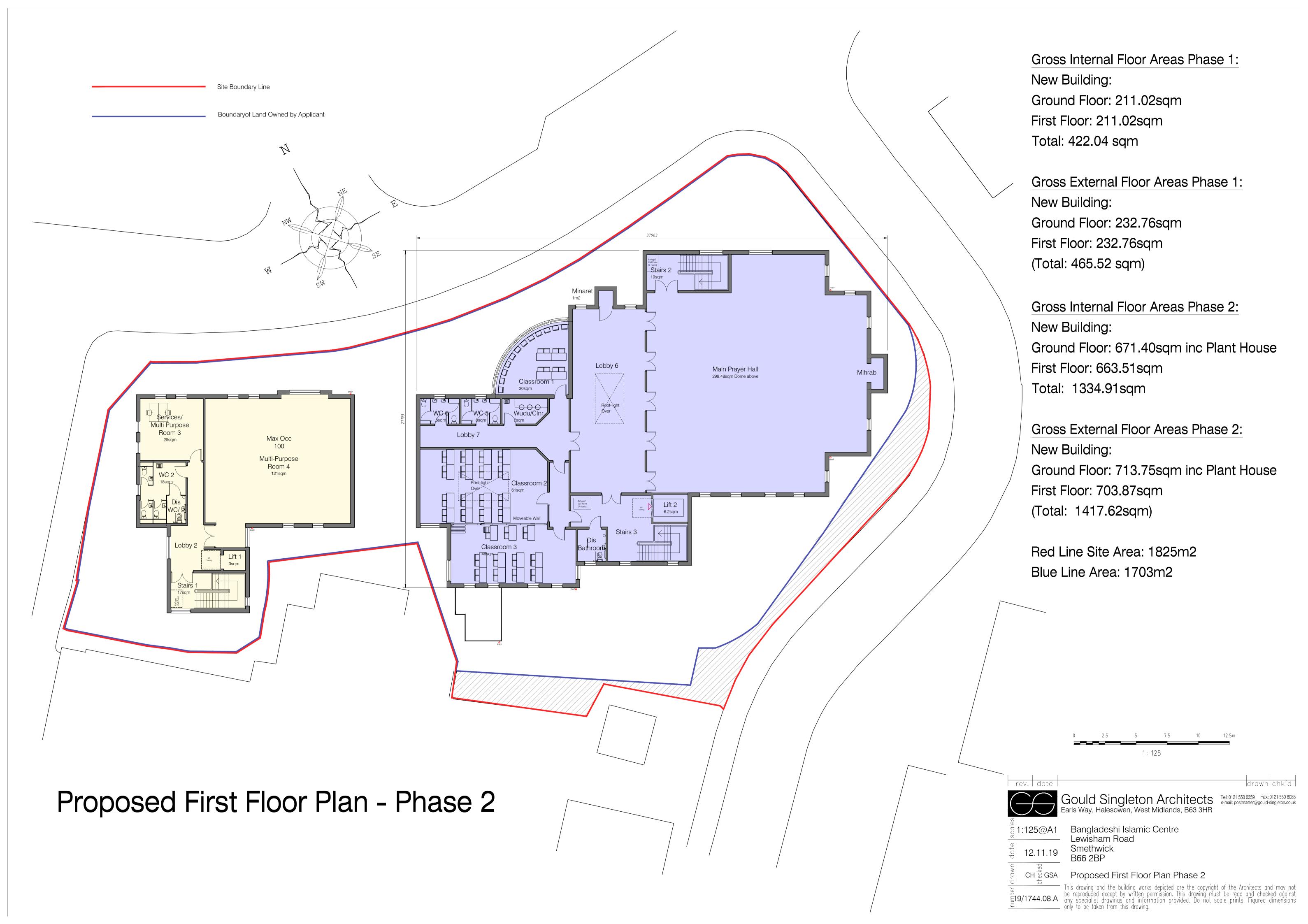
Proposed Elevation- South-East, Smeaton Ave, Phase 1



Proposed Elevation- North-West, Mafeking Road Phase 1











Proposed Elevation- South-West, Rear Phase 2

Proposed Elevation- South-East, Smeaton Ave, Phase 2



Proposed Elevation- North-West, Mafeking Road Phase 2

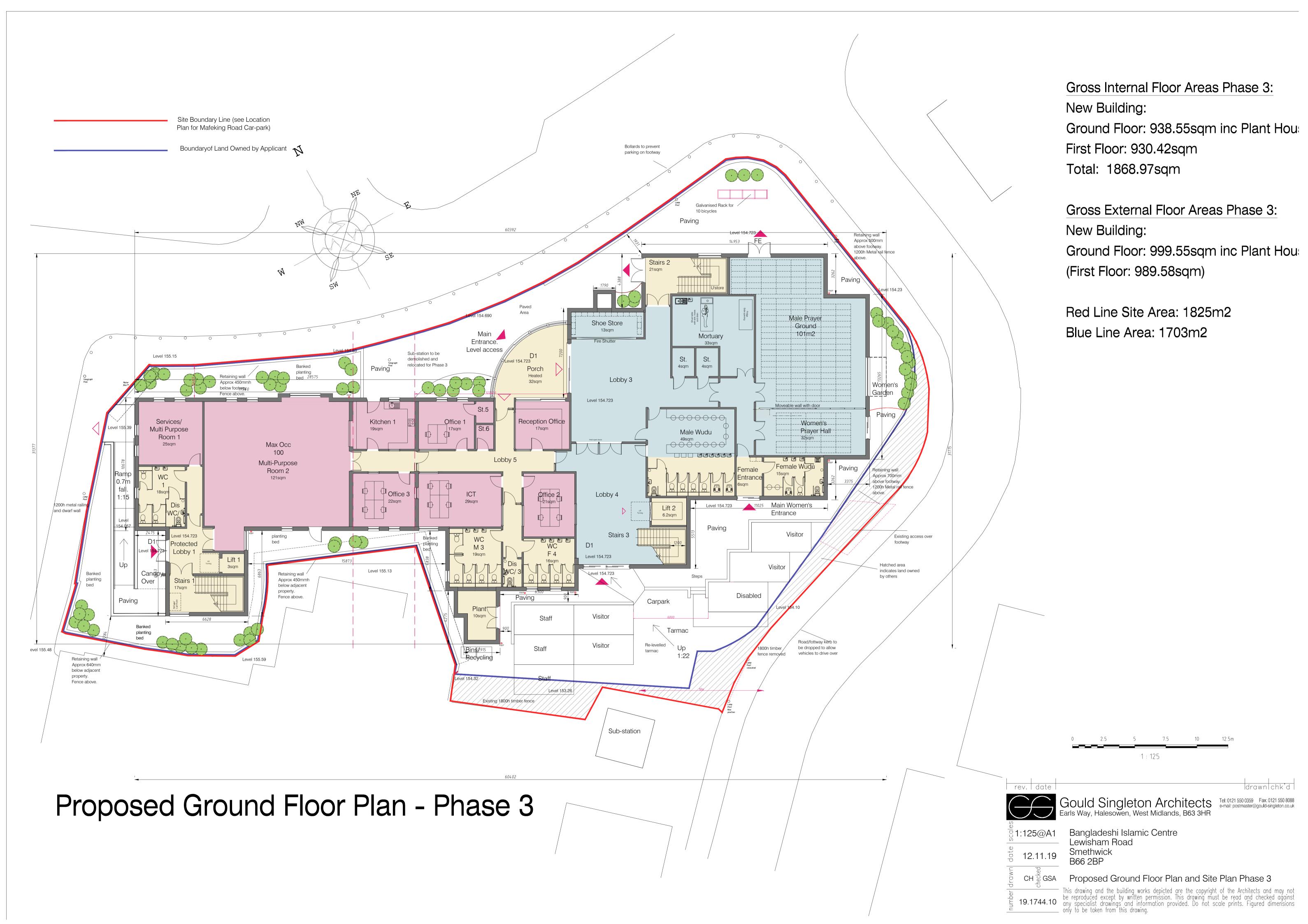


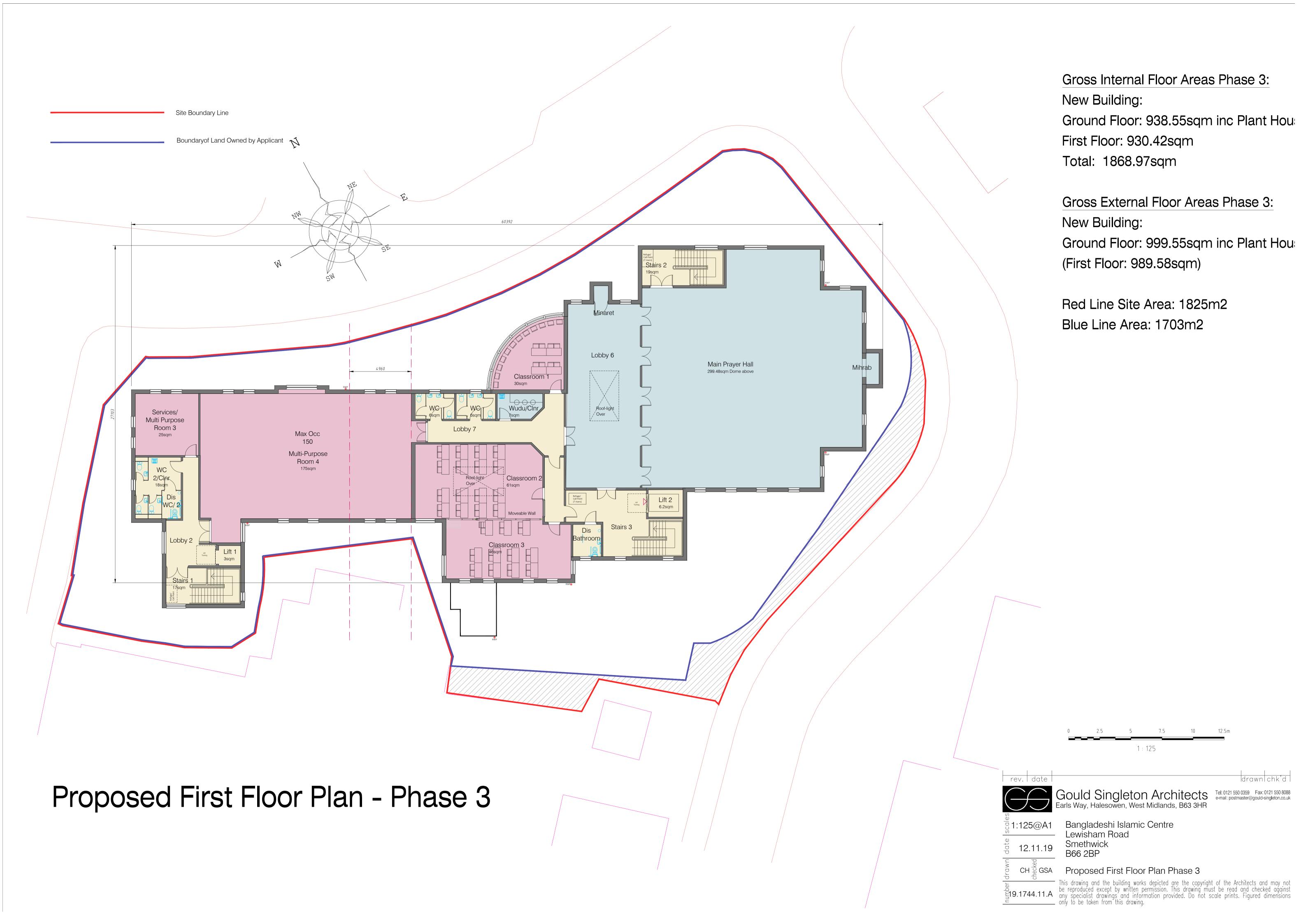


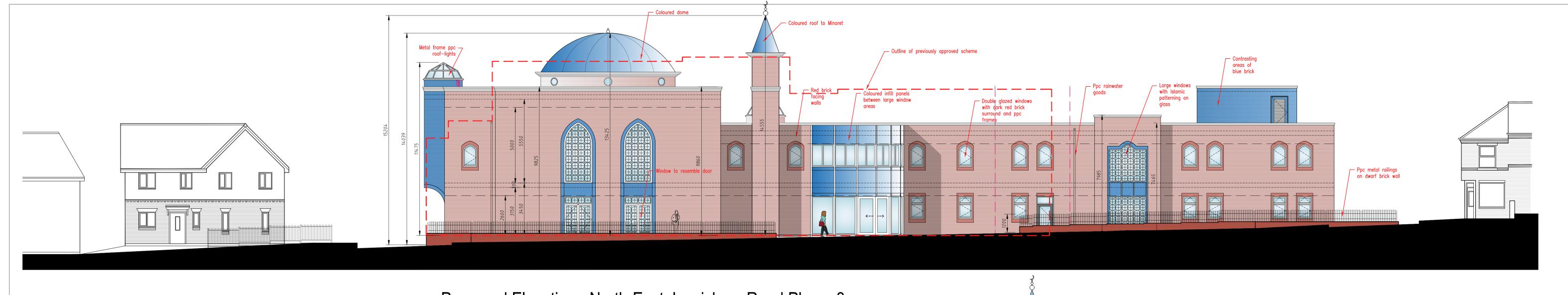
Bangladeshi Islamic Centre Lewisham Road Smethwick B66 2BP

CH GSA Proposed Elevations Phase 2

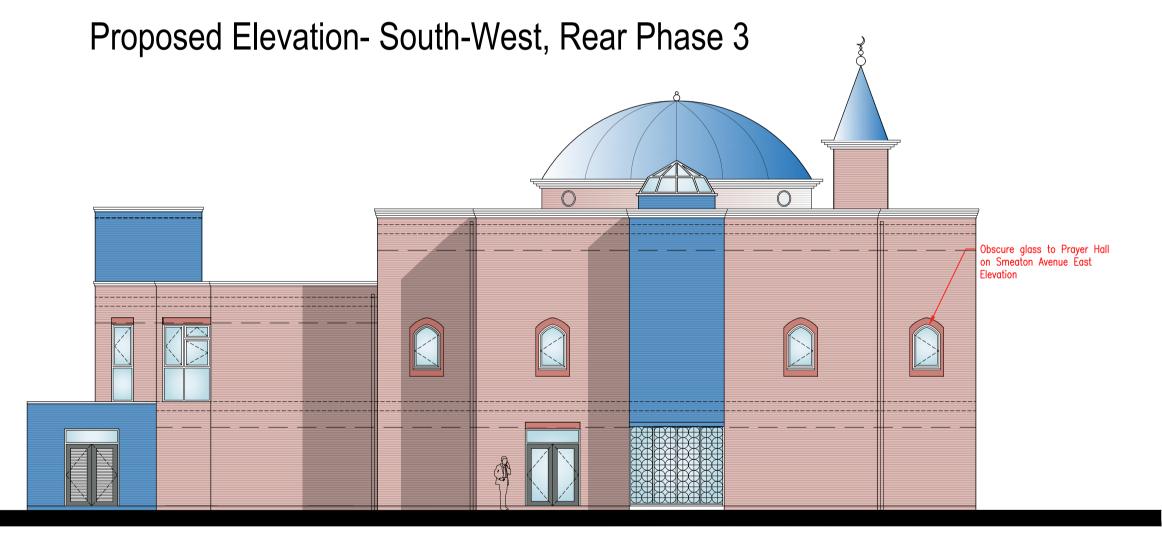
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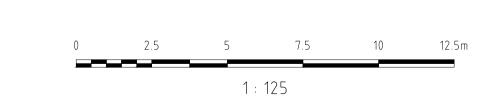




Proposed Elevation- South-East, Smeaton Ave, Phase 3



Proposed Elevation- North-West, Mafeking Road Phase 3





Smethwick B66 2BP

CH ਤੂੰ GSA Proposed Elevations Phase 3

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