

# Agenda Item 7b

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Case Number	24/02019/FUL (Formerly PP-13219109)
Application Type	Full Planning Application
Proposal	Erection of two/single-storey rear extension to cultural centre
Location	Land And Buildings Between 119 And 127 Bevercotes Road Sheffield S5 6HB
Date Received	08/07/2024
Team	North
Applicant/Agent	Mr Mahroof Hussain - Firthpark Cultural Centre
Recommendation	Grant Conditionally

## **Time limit for Commencement of Development**

1. The development shall be begun not later than the expiration of three years from the date of this decision.

Reason: In order to comply with the requirements of the Town and Country Planning Act.

## **Approved/Refused Plan(s)**

2. The development hereby permitted shall be carried out in complete accordance with the following plans, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

- Drawing No. 2140 (02) 01 Revision P1 (Proposed Site Plan)
- Drawing No. 2140(02) 03 Revision P1 (Proposed Ground Floor Plan)
- Drawing No. 2140(02) 04 Revision P1 (Proposed Upper Ground Floor Plan)
- Drawing No. 2140(02) 05 Revision P1 (Proposed Elevations)
- Drawing No. 2140(02) 06 Revision P1 (Proposed Side Elevations)

published on the 8 and 12 July 2024

Reason: In order to define the permission.

**Pre Commencement Condition(s) – ('true conditions precedent' – see notes for definition)**

### **Other Pre-Commencement, Pre-Occupancy and other Stage of Development Condition(s)**

3. No amplified sound or live music shall be played within the development hereby permitted at above background levels, nor shall loudspeakers be fixed externally nor directed to broadcast sound outside the building at any time. The specification, location and mountings of any loudspeakers affixed internally to the building shall be submitted to and approved in writing by the Local Planning Authority prior to installation. Thereafter the approved internal loudspeakers shall be installed in accordance with the approved details and retained thereafter using the approved specifications.

Reason: In the interests of the amenities of the locality and occupiers of adjoining property.

4. No externally mounted plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment, shall be fitted to the building unless full details thereof, including acoustic emissions data, have first been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of the amenities of the locality and occupiers of adjoining property.

5. The development shall include the following biodiversity and ecology enhancements:-
- Planted area(s) to include native plant species and consideration of planting for ecological function
  - A minimum of two bat bricks and/or built-in boxes
  - Built-in bird boxes to provide nesting and roosting opportunities on suitably-orientated walls.
  - Hedgehog-friendly garden enclosures

The above measures shall be provided in advance of the extension being brought into use, and thereafter retained.

Reason: In the interests of enhancing the biodiversity of the site.

6. The extension shall not be used unless the car parking accommodation as shown on Drawing No. 2140 (02) 01 Revision P1 (Proposed Site Plan) has been provided. Thereafter such car parking accommodation shall be retained for the sole use of the occupiers of the development hereby approved.

Reason: To ensure satisfactory parking provision in the interests of traffic safety and the amenities of the locality.

### **Other Compliance Conditions**

7. The materials to be used externally shall match those of the existing building in colour, shape, size and texture.

Reason: In order to ensure an appropriate quality of development.

8. The fire exit doors shall only be used as an emergency exit and shall not at any other time be left standing open.

Reason: In the interests of the amenities of the locality and occupiers of adjoining property.

9. The single storey flat roofed section of the extension shall not be accessed from the main building, nor be adapted for any outdoor activities or seating in connection with the use of the building as a Cultural Centre.

Reason: In the interests of residential amenity

10. The extensions to the cultural centre hereby approved and the associated external areas shall be used for the purposes detailed within the application only between 10:00 hours and 22:00 hours on any day (except for access purposes).

Reason: In the interests of the amenities of the locality and occupiers of adjoining property.

Attention is Drawn to the Following Directives:

1. The developer is advised that, in the event that any unexpected contamination or deep made ground is encountered at any stage of the development process, the Local Planning Authority should be notified immediately. This will enable consultation with the Environmental Protection Service to ensure that the site is developed appropriately for its intended use. Any necessary remedial measures will need to be identified and subsequently agreed in writing by the Local Planning Authority
2. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light". This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.
3. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
4. Plant and equipment shall be designed to ensure that the total LA<sub>r</sub> plant noise rating level (i.e. total plant noise LA<sub>eq</sub> plus any character correction for tonality, impulsive noise, etc.) does not exceed the LA<sub>90</sub> background sound level at any time when measured at positions on the site boundary adjacent to any noise sensitive use.
5. Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements are considered to apply.
6. This permission shall not be construed as granting rights to carry out works on, under or over land not within the ownership, or control, of the applicant.
7. The applicant is advised to investigate whether owners of adjoining property need to be consulted under the Party Wall Act 1996.

## Site Location



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## **BACKGROUND**

The application relates to the Firth Park Cultural Centre in Firth Park. A pre-application (24/01453/PREAPP) was submitted in May 2024 seeking informal officer's advice in respect of a development proposal to erect a two-storey and single storey rear extension to the Centre, including revisions to internal courtyard car parking.

## **LOCATION AND SITE CHARACTERISTICS**

The application relates to Firth Park Cultural Centre, which is a split-levelled masonry constructed building that is situated along the southwestern side of Bevercotes Road in Firth Park. The building is rectangular on plan form, presenting itself as single storey to Bevercotes Road and two-storey to its rear. The two-storey element is flat roofed.

The main site covers an area of approximately 565 square metres with a car parking courtyard to the rear for 12 cars that is accessed along a narrow and shared driveway along the western side of No. 158 Firth Park Crescent.

The site of Firth Park Cultural Centre is on the site of a former two-storey block of ten garages, which was converted to form a community centre and opened in 2020, pursuant of planning approval No. 15/03567/FUL. This was to provide activities for the elderly, a homework club for children, a women's computer club and a forum for monthly interfaith meetings, with prayer facilities available for both male and female users of the building. Although not specifically stated, included within the range of activities carried out on site, evidence presented by the applicant and representations indicate that the Centre is also being used on occasion as a place of worship for prayers (Mosque).

To the southeastern side of the site, beyond a high concrete retaining wall is a traditional residential brick semi-detached villa property (No. 119 Bevercotes Road). To its northwestern side is a former public house (Wharnccliffe Hotel) that has been converted into a mixed commercial/residential use comprising a boxing/gym at ground floor and residential apartments above. To the south are the rear gardens of housing that front onto Firth Park Crescent.

The application site is situated in a Housing Area and is adjacent to Firth Park District Shopping Centre as identified on the UDP Proposals Map.

## **PROPOSAL**

The application seeks full planning permission to erect a two/single storey rear extension to the cultural centre. To accommodate the extension, the number of parking spaces within the parking court would be reduced from 12 to 4, two of those being disabled bays.

## **RELEVANT PLANNING HISTORY**

24/01453/PREAPP - Pre-application enquiry for extension to existing Cultural Centre – Closed 10 July 2024

15/03567/FUL - Alterations to garages for use as community centre (Use Class D1) –  
Granted 24 February 2016

## **SUMMARY OF REPRESENTATIONS**

The application has attracted a high amount of interest with 28 letters of support and 4 letters of objection.

Two petitions have also been received, one in support of the development proposal with 147 signatories, and one objecting to the development proposal with 43 signatories.

A summary of representations received is set out below:-

Objection (4 in total)

Parking

The amount of traffic has increased substantially since the cultural centre opened and parking in the area is very limited. Extending the cultural centre will only increase this already existing problem. The double yellow lines located at the bottom of Firth Park Crescent are always parked on (none by disabled people). It is already hard enough for the residents of Firth Park Crescent to park. Increasing the space for more people will only exacerbate this problem and increase the amount of cars that are parking on the road and increasing the volume of traffic in an already overwhelmed area.

This building is surrounded on all sides by residential homes. The noise from the centre and playground, and the terrible traffic situation around Firth Park Crescent will be doubled if the capacity of the building is increased.

There is evidence showing large numbers of adults using the outside space for activities, which means that no cars would be able to use any provided parking spaces. This contravenes Condition Nos. 3 and 7 of the original permission.

The main entrance used by attendees to the centre is at the rear of the building itself, from Firth Park Crescent, where the traffic problem is a complete and utter nightmare to start with, including Mexican stand-offs, threatening behaviour, double-parking and parking on pavements, drop-offs and pick-ups. The centre stated originally that attendees would walk, however, on Friday lunchtimes you will see how many walk, very few.

The plan makes it look like there will still be plenty of outside space for the layout of the 4 car parking spaces, but if the extension is going to be as big as the plan makes it look, it will take up more space. If they are going to come closer to the rear gardens then there should be a provision made for frosted windows to protect our privacy, and windows that open from the top. It will be even louder though if they get closer. Also, if space outside is reduced that would push the play area closer to our boundaries and then we are back in the same situation as before. Also, it would definitely stop the applicant being able to use the parking spaces, so surely then it would be a breach of planning permission.

It is hypocritical that some of the people who are saying it will not add to traffic issues, objected to an application for a small distillery at the top end of our road that would not have been open to the public citing traffic congestion.

## Noise

When the original proposal was made (17/03020/FUL), a number of local objections to the plans with concerns for traffic and noise. Despite what the Council have been told by the people running the centre, a large number of the attendees arrive by car, causing horrendous traffic issues. Some of the traffic is from the takeaways and shops in the area, but representors and others have seen people parking and going to the centre, or coming out and being picked up by cars haphazardly pulled in.

In the most recent planning permission proposal, the applicants state that they are not seeking to alter the opening hours. On the original proposal, they stated it would be open 7 days a week between 10am and 10pm. The cultural centre regularly open later than 10pm (particularly during Islamic holidays), and people are coming and going from as early as 4-4:30am (contrary to Condition No. 12 on the original permission).

The centre put a children's play area up (not on the original proposal), which they initially put directly against the rear of two rear properties, resulting in children peering into neighbouring residents gardens and also causing damage to neighbouring residents fences. This was only moved after a man used the equipment to climb into neighbouring gardens. The children scream and shout, but due to the layout of the outside space this noise gets amplified in sound and residents can hear them inside neighbouring houses with the windows closed. It is not like regular neighbourhood noise where you hear children in gardens, there are large numbers of them in an area that has high walls on all sides. It is asserted that they either have no supervision or the people watching them have no regard for the neighbours. While planning permission is not required for the play area, as it is not a fixed structure, it prevents the use of the parking spaces that should have been provided as part of the original permission. They say they provided 10 parking spaces, but how can they be used when children are running around the area that was meant to be for cars.

The Firth Park Cultural Centre is surrounded on all sides by residential homes. The dreadful noise and commotion from the centre and the playground (the car park used by young children), not to mention the horrendous traffic situation around Firth Park Crescent will be increased.

The sheer noise of pandemonium from the large congregation is alarmingly vexing by the amount of large groups of individuals that attend.

The residents were initially informed that the centre would close its premises by 10pm, but this has proven to be inaccurate. Subsequent evenings are marked by loud noises and disturbances, including the reverberating locking and unlocking of the main gates, as well as early morning disruptions commencing around 4am, which occurs on a daily basis.

The addresses that endorse this proposal have no direct impact on them.

If this plan does go through, residents will have the upheaval of building noise for a number of months, something that has continually arisen since the centre began. While the potential benefits of this centre are acknowledged, what is the true cost for the nearby residents.

### Use of Building

When the centre had a website, they used to advertise opening hours for prayers. The building is used as a Mosque (see some of the supporters comments), and if you go on Google Maps or Uber, it comes up as Firth Park Mosque, not Firth Park Cultural Centre (also against point 12 and also 10 of original conditions). When challenged by the Council a year or so ago, they said they would apply for a change of use but that never happened. We can clearly hear the prayers in our gardens as they often have the windows wide open, and it is particularly loud on Fridays (again against point 7 of original conditions).

Regarding the original planning proposal in 2016/17, we had a lot of residents objecting to the plans, but people not remotely connected to the area voted approvingly for it and subsequently got the plans through, using the potential congregation of attendees to the centre to vote.

A total of ten 'neighbours' have been contacted about this new proposal (from property numbers 158 to 140 Firth Park Crescent), however, several of the listed properties sit currently vacant.

Since the inauguration of the centre, numerous problems have arisen, particularly concerning the children's play area, which was not included in the initial planning proposal and is also absent from the current plans. This area was originally located at the far end of a rear garden before it had to be relocated, a process that was portrayed as quite challenging by the Centre. This situation has resulted in significant disruption, ultimately leading to damage and unauthorized access to the rear properties on Firth Park Crescent.

It is puzzling why the establishment is labelled as a "Cultural Centre" when the original intention was to create a community centre for all individuals, offering local events such as art classes, sewing clubs etc, along with 12 parking spaces to alleviate parking issues in the area - which were never utilized. It is evident that the centre is actually a Mosque, exclusively catering to the Muslim community and not to others (as indicated by "Firth Park Mosque" on Google Maps). It is anticipated that this project will soon proceed without due consideration, regard, or indeed respect for the real local residents it significantly affects, who, in turn, derive no meaningful benefit from it. It was not foreseen that one day a place of worship would be at the end of residential gardens.

### Support (28 in total)

Fully support the extension of the centre. It used to be a run-down garage, but it is now transformed into a centre for everyone. They run monthly litter picks and clear the ice from the pavement during winter. It is an amazing place for people to come together to benefit the surrounding area.



The centre also runs mental health awareness, which is something that is overlooked within our community. This community has grown, and as a result, an extension is desperately needed.

The Cultural Centre has been a valuable addition to the area. Before the Centre opened, there was a lot of anti-social behaviour that took place around this area. The Centre does amazing work for the community and children.

Some locals are worried about parking, but the majority of Centre users walk from the surrounding streets. The parking issues on Firth Park Crescent are mainly caused by the shop customers and a lot of shop staff that work on Bellhouse Road actually park on Firth Park Crescent. The shared houses on Firth Park Crescent has exacerbated the parking issues.

The Centre is needed in the area. This is a positive for this area as it is helping take the youth off the street and in a safe environment, providing activities for them. The Centre also has something for women and children which is excellent as there is not much for women with young children available.

The Centre staff always advises road users to park with consideration of other road users and adhered to by the people that use the Centre.

The applicant has maintained parking provision which is more than what the other properties in this area have done. They have showed clearly that local people walk to the centre, but they still have kept provision for parking, including for disabled people which is absolutely brilliant which should be commended. They are the only property with a purpose-built car park in this area, which appears underused.

They have done an amazing job with landscaping their yard/carpark with roses, herbs and fruit trees.

As a regular attendee of this facility for over a year, those in favour have witnessed firsthand the positive impact it has had on our community. Since the opening of the Mosque, there has been a notable increase in attendance, which is encouraging, especially given the various activities available, such as weekly gatherings and monthly litter pick-ups.

Expanding the facility would further enhance its benefits, allowing for increased participation and fostering stronger community bonds. An expansion would accommodate more attendees, facilitating greater involvement in activities that improve both the community and the surrounding area. The potential for more people to join and organise initiatives like litter pick-ups would significantly contribute to the well-being of our neighbourhood.

The expansion of the facility would not only support the growing number of attendees, but also promote a sense of brotherhood and collective responsibility, ultimately benefiting both individuals and the community as a whole.

The centre has become a pillar within the community. Ever since it was established

crime has dropped in the area. Those in support are aware of examples of people who were on the streets who have come off of them and become better humans entirely because of the programmes and support this centre provides. People of all ages benefit from this centre and even shopkeepers go there to benefit.

Every month they do cleaning which is appreciated in the local community. They hold charity events for the local homeless. They also do weekly mental health activities and this has really helped with people's mental health issues.

Support for the extension because of the popularity the centre has taken. Firth Park had a dense population and to house/facilitate such a large interest from the people an extension would be necessary. People attend this centre from all corners of Firth Park and beyond.

It is amazing to hear this community centre is expanding for the community. It is very safe and comfortable coming and socialising with other like-minded individuals.

It is very convenient for wheelchair users and local for the community.

## **PLANNING ASSESSMENT**

### Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The relevant development plan for the site is the Sheffield Local Plan which includes the Sheffield Core Strategy and the saved policies and proposals map of the Sheffield Unitary Development Plan (UDP).

The UDP Proposals Map identifies the site as being within a Housing Area.

The National Planning Policy Framework (NPPF) is a material consideration in planning decisions. The NPPF was first published in 2012 and has subsequently been revised in 2018, 2019, 2021 and 2023 with the latest revisions published in December 2023.

In terms of emerging development plan policy, Sheffield is currently in the process of drafting a new Local Plan 'The Sheffield Plan'. This plan was approved by the Council for submission to the Government in September 2023 and is currently at examination stage. The application site is located within an updated Residential Zone within the emerging Sheffield Plan, where Policy NC2 applies. Both the extant UDP policy and Sheffield Plan policy identify housing as the preferred use in this location.

Assessment of a development proposal also needs to be considered in light of paragraph 11 of the NPPF, which provides that when making decisions, a presumption in favour of sustainable development should be applied, and that where there are no relevant development plan policies, or where the policies which are most important for determining the application are out of date (e.g. because they are inconsistent with the

NPPF), this means that planning permission should be granted unless:

- the application of policies in the NPPF which relate to protection of certain areas or assets of particular importance which are identified in the NPPF as such (for example SSSIs, Green Belt, certain heritage assets and areas at risk of flooding) provide a clear reason for refusal; or
- any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Set against this context, the development proposal is assessed against all relevant policies in the development plan and government policy contained in the NPPF.

It is considered that the main issues relevant to this application are:

- The Principle of Development – Policy and Land Use
- Highway Matters
- Design and Layout
- Residential Amenity
- Ecology/Biodiversity and Landscape Matters

The Principle of Development – Policy and Land Use

The site is located within a Housing Area as identified on the Unitary Development Plan Proposals Map. In Housing Areas, under UDP Policy H10, housing is the preferred use (Use Class C3) with Community Facilities and Institutions (Use Class D1) included within the list of acceptable uses. Use Classes D1, which include places of worship, non-residential education and training centres are now included within new Use Class F1 following changes to the Town and Country Planning Use Classes Order through the provisions of the Business and Planning Act 2020, which came into effect from the 1 September 2020.

The provision of community facilities is set out in UDP Policy CF1. This policy states that community facilities will be promoted, particularly where they would be for disadvantaged people, be located where there is a shortage, be easily accessible by public transport and be located within the community they are intended to serve. This policy is broadly in line with government policy contained in the NPPF at paragraph 97 part a, which states that planning policies and decisions should plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments.

The supporting Design and Access (D&A) Statement details the Centre is a registered charity (No. 1166412), which aims to support the local community to relieve poverty. This is in particular, but not exclusively by the provision of a food bank and to provide and assist in the provision of facilities in the interests of social welfare for recreation. Amongst other things, facilities include a homework club to support children in Year 7 with Maths and English, a venue for British Islamic Medical Council, youth club, weekly ladies coffee and sewing club, weekly elderly club, as well as cooking classes. Other activities carried out on site include a monthly community litter pick, free facilities for the

NHS to provide cancer screening and blood pressure checks, annual Iftar meals in Ramadan for local residents, regular youth club activities for children and organising Eid prayers (in coordination with SCC) in Firth Park (both Eid Al Fitr and Eid Al Adha).

The Design and Access Statement sets out the need for the extension, which details amongst other things that the building does not meet current requirements in terms of its condition, space and facilities for women's space, children and facilities for disabled, elderly and others. The extension would allow for improved facilities at the Centre allowing for an extended cultural hall, larger food bank and office space at ground floor, and an enlarged hall to hold small activities and events for woman and children at first floor level. The proposed staircase and provisional lift access in the new extension building will allow simultaneous free access at both levels especially for the elderly, disabled and women.

While it is evident that the Centre is also being used by the applicant as a place of worship with prayer facilities, as described above, the original permission to change the former garage building into a cultural centre in 2016 included the use of the building for prayers alongside the other numerous activities carried out on site, although this is not believed to be the primary use of the building.

The use of the Centre for these purposes including as a place of prayer would not conflict with UDP Policies H10 and CF1, with the current proposal to extend the building to provide improved community facilities raising no significant policy objections from a land use perspective.

#### Highway Matters

UDP Policy H14 sets out at part (d) that in Housing Areas, new development will be permitted provided that it would provide safe access to the highway network and be provided with appropriate off-street parking and not endanger pedestrians.

These policies are not fully consistent with government policy contained in the NPPF, which states at paragraph 115 that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. The requirement to provide appropriate off-street parking is not therefore reflected in the NPPF, with government policy suggesting that the shortfall of off-street parking within a scheme should only be refused in instances where this would result in an unacceptable impact on highway safety or lead to severe impacts on the road network.

The site currently has parking within the internal courtyard for approximately 12 cars.

The amended proposal involves the loss of eight of the site's parking spaces with the Centre being allocated with four spaces, which will include two disabled bays.

The supporting Design and Access Statement details that the Centre's existing car park is largely underused and that the provision of 12 spaces is an inappropriate use of the space. A survey carried out (which is not disputed by officers) shows that over the last 12 months, the maximum number of cars was 8 for the entire month of November 2023 and 0 cars for the entire month of May 2023. The likely reason for the lack of car park

use is believed to be the catchment area of the Centre with 90% of visitors attending the Cultural Centre coming from the immediate S5 area of Firth Park, who mainly arrive by foot.

Highways Officers have advised that they can support a reduced number of parking spaces in line with the accompanying site plan. While there have been several objections against the proposal, many citing concerns with parking issues in the surrounding area connected to the use, it has been evidenced to officers' satisfaction that the use does not generate a high demand for on-site parking. It is evident that the demand for on-site parking is very low based on the parking surveys carried out, and while undoubtedly there would be some additional pressure for on-street parking, this is not considered to be significant. It is evident that the existing number of parking spaces (12 in total) represents an oversupply of provision in this sustainable locality with the vast majority of visitors to the Centre arriving by foot. It is difficult to fully quantify whether the Centre places extra demand for on-street parking in the immediate area, but regardless of this, it is suggested by officers that it is not the Centre alone that generates parking demand in the area and can also be attributed to a number of commercial uses as well as neighbouring housing and other uses.

One objector mentioned a call to prayer that takes place at 1.15 pm every day. On Friday's, it is claimed the Centre can be visited by between 60 to 80 men. A site visit was undertaken by a Highways Officer on a Tuesday afternoon which covered the 1.15 pm timeframe. No call to prayer was heard and nobody was observed entering or leaving the centre. The half-length of Firth Park Crescent closest to Bellhouse Road was solidly parked up on both sides of the road. A white van was loading/unloading from the double yellow lines close to the Bellhouse Road junction (which is acceptable). No vehicles were parked-up on (abusing) the double yellow lines. For the other half-length of Firth Park Crescent closest to Firth Park Road, on-street car parking opportunities became more prevalent. Bevercotes Road was approximately 60% parked-up (again more heavily parked-up at the Bellhouse Road end. Given nobody was observed entering or leaving the centre, the assumption is that the on-street parking consisted of shop workers, shop customers, and existing residents. The submitted design and access statement concludes (following surveys) that the existing on-site car parking provision is under-utilised and suggests the majority of visitors live locally and walk to the centre.

For the residents who live closest to the development site who have objection on the basis that on-street car parking problems will intensify if planning permission is granted, the site visit revealed parking is already at saturation-point for the first half of Firth Park Crescent (which wasn't causing any road safety issues). Given most visitors to the centre seem to walk, there is no reason to suggest the granting of planning permission would generate a significant on-street car parking demand. If an element of on-street parking demand is generated, space is freely available along the second half of Firth Park Crescent and on Bevercotes Road.

As described, paragraph 115 of the NPPF details that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. In this instance, to insist that the site's existing spaces are retained in their entirety is difficult to sustain from a highway perspective, and that any impact on

highway safety or that the residual cumulative impacts on the road network would be severe cannot be reasonably realised through this development proposal.

## Design and Layout

As described, the building is rectangular on plan form, presenting itself as single storey to Bevercotes Road and two-storeys to its rear. The two-storey section is flat roofed, which has a covered canopy attached along its lower section. The building is masonry constructed with facing bricks with dark grey coloured uPVC windows.

The applicant is seeking approval to erect a two/single storey rear extension to the cultural centre (external footprint 19m by 6m). The two-storey element of the extension would extend along the most part of the building's rear elevation before dropping down to single storey in height towards its eastern boundary adjacent to the boxing gym and upper floor apartments. The extension would be set away from the high western retaining wall to the brick villa in line with the advice given by officers at pre-application stage. The extension would be constructed in brickwork to match the existing Centre and comprise similar window pattern of the building with grey uPVC window frames and doors.

The proposed development should be assessed against UDP Policies BE5 and H14 and Core Strategy Policy CS74. Policy BE5 requires development to incorporate good design, the use of good quality materials and encourages original architecture. UDP Policy H14 relates to conditions on development in Housing Areas. It details at part (a) that new buildings and extensions should well designed and in scale and character with neighbouring buildings.

Core Strategy Policy CS74 states that high quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the City, its districts and neighbourhoods.

These policies are broadly in line with the NPPF (paragraph 131) which states that good design is a key aspect of sustainable development, while paragraph 135 states that development should contribute towards creating visually attractive, distinctive places to live, work and visit, whilst also being sympathetic to local character and history, including the surrounding built environment and landscape setting, whilst not preventing or discouraging appropriate innovation or change.

From a design perspective, it is considered that the proposed extension is acceptable in terms of its overall scale and massing and would not overdevelop the site, allowing for a reasonably-sized area for parking and landscaping to be retained and enhanced further. As the extension would be erected to the rear of the building towards its own enclosed courtyard, the proposal would have a neutral effect on street character. Officers are also satisfied with the proposed fenestration detailing of the extension, with the proposed grey uPVC door and window openings being well-proportioned that would not be dissimilar to the buildings existing rear openings.

It is considered therefore that the proposal would satisfy UDP Policy H14, Core Strategy Policy CS74 and government policy contained at paragraph 135 of the NPPF.

## Residential Amenity

UDP Policy H14 relates to conditions that new development or change of use proposals in Housing Areas are required to meet. This policy details at part c) that the site would not be overdeveloped or deprive residents of light, privacy or cause serious loss of existing garden space which would harm the character of the neighbourhood, and at part (k) that new development should not lead to air pollution, noise, excessive traffic levels or other nuisance for people living nearby.

This policy is broadly in line with government policy contained in the NPPF, where it states at paragraph 135 part (f) that decisions should ensure developments 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.

Also relevant is government policy contained at paragraph 191 of the NPPF, which states that decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should mitigate and reduce to a minimum potential adverse impact resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life, as well as protect tranquil areas which have remained relatively undisturbed.

As described, the application site is 'sandwiched' between a traditional residential brick semi-detached villa property (No. 119 Bevercotes Road) to its east, and the former Wharnccliffe Hotel to its west that has been converted into a mixed commercial /residential use comprising a ground floor boxing/gym and residential apartments above. Along the eastern side of the former Wharnccliffe Hotel is an external staircase with pedestrian walkway that is enclosed to the site by an approximate 2m high privacy fencing. This walkway leads into the main entrances of the building's first floor flats and comprises main habitable rooms served by windows.

In terms of residential amenity, officers are satisfied that the proposed development would not result in any significant overlooking, overshadowing or loss of outlook that would be harmful to neighbouring properties. While it is acknowledged that the proposed extension would extend above the height of the existing concrete retaining boundary wall to No. 119 Bevercotes Road, this would only be by about 1.5m and would have no greater impact than if a typical timber fence/wall was erected at finished ground level to the ground floor bay window of this neighbouring property. Moreover, as recommended by officers at the pre-application stage, the upper section of the two-storey extension has been pulled in from the shared boundary with this property with the overall standoff distance to this property being around 1.75m, a distance that should help reduce the overall massing and dominance of the extension's side walling from this neighbouring property.

In terms of the adjacent flats to the east of the site, the section of the extension nearest to these flats would be single storey in height only and constructed with a flat roof. Officers are satisfied that the separation distance between the side wall of the two-storey section of the extension and these neighbouring flats' side windows would

prevent any significant loss of outlook or light that would be harmful to their residential amenity. It was also noted from officer's site visit that the approximate 2m high screen fence that has been installed along the pedestrian walkway to these flats provides a high level of privacy to the flats from any views from within the site. This arrangement would remain unchanged with the fence effectively screening the site and proposed extension from the adjacent first floor flats.

In terms of the properties to the south, a distance of some 29m would be maintained between the nearest part of the extension and these properties' first floor rear elevations. This separation distance should prevent any significant overlooking or lead to any significant loss of outlook or light.

In terms of noise disturbance, Environmental Protection Service (EPS) have stated that it is a little unclear of all the activities carried out within the Centre, although have tailored their response on the basis that the Centre is, or could be used as, a Mosque.

EPS note that the primary entrance to the main lower-level hall is situated to the rear. The rear of the building is likely to be much quieter than the front, effectively a quiet area to the rear of gardens rather than next to a trafficked road (Bevercotes Road). Furthermore, the primary access route is to the rear and passes alongside residential properties and gardens. As a result, the noise of comings and goings of people to the Centre is likely to be noticeable even if they are not being particularly noisy (talking, gathering outside the building etc). Given the small number of parking spaces, the noise is likely to derive from people walking and talking rather than vehicles.

The size of the lower-level hall is being doubled in size with the activity room on the upper floor more than doubling in size. The proposed increase in space will enable the Centre to accommodate a corresponding rise in the number of people attending. The building footprint is expanding closer to the residents to the rear on Firth Park Crescent. The increased size of the Centre therefore has the potential to increase the amount of noise and the impact on neighbouring residents.

As 'general people' noise is difficult to manage, EPS recommend the most suitable form of mitigation would be to restrict the hours of use, although they comment that this can pose some difficulties as prayer times can vary depending on the time of year. It is however noted that the 2016 planning permission restricted hours of the Centre between 10am-10pm (7 days a week) by condition (No. 12), and if properly enforced should prevent disamenity outside these hours.

To mitigate against noise breakout from the hall and activity room that would be harmful to neighbouring properties within agreed hours, EPS recommend that conditions should be attached to any favourable decision. These include a requirement for there to be no amplified music or speech unless sound insulation (windows and building structure) is enhanced, the possible fixing of facing windows and the use of alternative ventilation. EPS also recommend that the rear external area is not used other than for access after an agreed time (2200 hours).

In summary, the location of the main entrance to the rear, a likely increase of persons using the Centre, and building footprint expanding closer to residential properties all give rise to a level of concerns about noise. However, it is considered that with



appropriate mitigation measures secured by planning conditions, the proposal is unlikely to result in any significant noise disturbance for any lengthy periods that would be harmful to neighbouring properties' residential amenity. It is however imperative that the extant conditions that have been attached to the original permission should be adhered to, which includes the closure of the Centre by 2200 hours on any given day. Should the applicant seek opening hours beyond the hours agreed from the original change of use approval, a separate S73 application to vary Condition No. 12 of 15/03567/FUL would also need to be submitted.

#### Ecology/Biodiversity and Landscape Matters

Paragraph 180 of the NPPF sets out that decisions should contribute to and enhance the natural and local environment through measures that include a) protecting and enhancing valued landscapes, sites of biodiversity, and d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

The application site is limited in terms of ecological value with the site being mainly hard surfaced with a landscaped strip with shrubs along the eastern boundary and a small, landscaped area at the site's south-eastern corner.

As part of the proposed extension to the Centre, the applicant is seeking to supplement the existing landscaping on site and provide a further soft landscaping strip along the southern boundary. This is welcomed, and will provide additional soft landscaping to the site, which is otherwise somewhat lacking. There is also an opportunity to improve its ecological value of the site as part of its redevelopment in line with paragraph 180 of the NPPF.

As such, it is recommended that a condition be attached to the grant of planning permission that requires biodiversity and ecology enhancements across the site. These should include but not limited to the following.

- Planted area(s) to include native plant species and consideration of planting for ecological function
- A minimum of two bat bricks and/or built-in boxes
- Built-in bird boxes to provide nesting and roosting opportunities on suitably orientated walls.
- Hedgehog-friendly garden enclosures

With the above measures incorporated as part of the development of the site, it is considered that the proposal would meet the terms of paragraph 180 of the NPPF in providing net gains for biodiversity.

In terms of biodiversity net gain, the applicant has stated that the scheme meets one of the exemptions since the proposed extension would be sited entirely on a hardstanding with no loss of valued landscape or habitat (such as wildflower meadow, trees or native hedgerow). This is accepted by officers with the general Biodiversity Gain Condition (as set out in Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended) not considered to be applicable in this instance.

## **OTHER MATTERS**

While the site currently has a temporary children's play area, this is not shown as part of the submitted scheme and would be removed to ensure that all the car parking spaces are freely available for parking use.

## **CONCLUSION AND RECOMMENDATION**

The application relates to the Firth Park Cultural Centre in Firth Park. The site of Firth Park Cultural Centre is on the site of a former two-storey block of ten garages, which was converted to form a community centre following the granting of full planning permission in 2016.

The application seeks full planning permission to erect a two/single storey rear extension to the Cultural Centre.

For the reasons set out in the report and having regard to all other matters, it is considered that the proposal is acceptable and would be in general accordance with UDP Policies H10, H14, BE5 and CF1, Core Strategy Policy CS74 and government policy contained in the NPPF.

It is therefore recommended that full planning permission be approved subject to the conditions listed.