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Case Number	16/00149/FUL (Formerly PP-04751787)
Application Type	Full Planning Application
Proposal	Demolition of No. 304 Barnsley Road, erection of extension to Mosque to form prayer hall and entrance, and alterations to front elevation (as amended)
Location	Mosque 306 Barnsley Road Sheffield S4 7AH
Date Received	14/01/2016
Team	West and North
Applicant/Agent	Scheme Designs Ltd
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 must be carried out in complete accordance with the following approved documents:

Drawing numbers:  
0473/009/A3/Rev- 'Proposed Materials'  
(published on 14.01.2016);

and

0473/001/A4/Rev- 'Location Plan'  
0473/002/A1/Rev- 'Existing Plans and Elevations'  
0473/003/A1/Rev- 'Existing Site Plan and Sections'  
0473/004/A2/Rev C 'Proposed Site Plan'  
0473/005/A2/Rev B 'Proposed Ground Floor Plan'  
0473/006/A2/Rev B 'Proposed First Floor Plan'

0473/007/A2/Rev C 'Proposed Principal Elevation'  
0473/008/A1/Rev C 'Proposed Elevations'  
0473/009/A3/Rev- 'Proposed Elevational Views A-C'  
(all published on 11.04.2019)

Reason: In order to define the permission.

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

3. Development shall not commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved by the local planning authority. The CEMP shall assist in ensuring that all site activities are planned and managed so as to prevent nuisance and minimise disamenity at nearby sensitive uses, and will document controls and procedures designed to ensure compliance with relevant best practice and guidance in relation to noise, vibration, dust, air quality and pollution control measures.

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

4. No development shall commence until details of the means of ingress and egress for vehicles engaged in the demolition and construction of the development have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the arrangements for restricting the vehicles to the approved ingress and egress points. Ingress and egress for such vehicles shall be obtained only at the approved points.

Reason: In the interests of protecting the free and safe flow of traffic on the public highway it is essential that this condition is complied with before any works on site commence.

5. No demolition and/or construction works shall be carried out unless equipment is provided for the effective cleaning of the wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway. Full details of the proposed cleaning equipment shall be approved in writing by the Local Planning Authority before it is installed.

Reason: In the interests of protecting the free and safe flow of traffic on the public highway, it is essential that this condition is complied with before any works on site commence.

6. No development shall take place, including any works of demolition or site preparation, until details are submitted for written approval by the Local Planning Authority specifying measures to monitor and control the emission of dust during the development works.

Reason: In the interests of the amenities of the locality and occupiers of adjoining property, it is essential that this condition is complied with before the development is commenced.

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

7. Details of all proposed external materials and finishes, including samples when requested by the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority before that part of the development is commenced. Thereafter, the development shall be carried out in accordance with the approved details.

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

8. A sample panel of the proposed masonry shall be erected on the site and shall illustrate the colour, texture, bedding and bonding of masonry and mortar finish to be used. The sample panel shall be approved in writing by the Local Planning Authority before any masonry works commence and shall be retained for verification purposes until the completion of such works.

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

9. Large scale details, including materials and finishes, at a minimum of 1:10 or as specified, of the items listed below shall be submitted to and approved in writing by the Local Planning Authority before that part of the development commences:

- (i) Windows, reveals, glazing frame and surrounds;
- (ii) Entrance door, reveals, glazing frame and surrounds;
- (iii) Parapets;
- (iv) Minaret (1:50) plus balcony and cap elements at 1:10;
- (v) Dome (1:50) plus base and spire elements at 1:10;
- (vi) Retaining wall including sections (1:20).

Thereafter, the works shall be carried out in accordance with the approved details.

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

10. No above ground development shall commence until a report has been submitted to and approved in writing by the Local Planning Authority, identifying the sustainability measures to be incorporated into the development. Any agreed measures shall have been installed/incorporated before the extension is occupied, and a report shall have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed/incorporated prior to occupation.

Thereafter the agreed measures shall be retained in use and maintained for the lifetime of the development.

Reason: In the interests of mitigating the effects of climate change.

11. Before construction work commences details of surface water drainage, including the means of restricting the rate of surface water discharge from the site, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure satisfactory drainage arrangements.

12. The extension shall not be used unless details have been submitted to and approved in writing by the Local Planning Authority, showing how surface water will be prevented from spilling onto the public highway. Once agreed, the measures shall be put into place prior to the use of the mosque commencing, and shall thereafter be retained.

Reason: In the interests of highway safety and the amenities of the locality it is essential for these works to have been carried out before the use commences.

13. Before the extension is brought into use, all the windows specified below shall be fully fitted with obscure glazing to a minimum privacy standard of Level 4 Obscurity and shall be made non-openable. The windows shall be permanently retained in that condition thereafter.

The specified windows are:

- (i) All the windows on the ground and first floor elevations of the extension facing southeast and southwest;
- (ii) The first floor staircase window on the elevation of the link extension facing southeast;
- (iii) The two first floor windows on the elevation of the retained building (nos. 2 Osgathorpe Road/306 Barnsley Road) facing southwest.

Reason: In the interests of the amenities of occupiers of adjoining property it is essential for these works to be carried out before the use commences.

14. The use of the building and extension shall at all times be carried out in compliance with the approved Management Plan, final details of which shall have been submitted to and approved in writing by the Local Planning Authority before the use of the extension commences.

Reason: In the interests of the amenities of the locality and highway safety.

15. The extension shall not be used unless the car parking accommodation as shown on the approved drawings has been provided in accordance with

those plans and thereafter such car parking accommodation shall be retained for the sole purpose intended.

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

16. Before the extension is brought into use details of the siting, type and appearance of the cycle stands shall have been submitted to and approved in writing by the Local Planning Authority. The extension shall not be used unless the cycle parking accommodation has been provided in accordance with the approved details and thereafter retained.

Reason: In the interest of delivering sustainable forms of transport.

17. Before the extension is brought into use, details of the provisions to be made within the site for the storage of bins for refuse waste and recyclable materials shall have been submitted to and approved in writing by the Local Planning Authority. The extension shall not be used unless the approved details have been implemented and thereafter retained.

Reason: To ensure that appropriate arrangements are made for the handling and storage of waste and recyclable materials and in the interest of the amenities of the locality.

18. A comprehensive and detailed hard and soft landscape scheme for the site shall be submitted to and approved in writing by the Local Planning Authority before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the locality.

19. The approved landscape works shall be implemented prior to the development being brought into use or within an alternative timescale to be first approved in writing by the Local Planning Authority. Thereafter the landscaped areas shall be retained and they shall be cultivated and maintained for a period of 5 years from the date of implementation and any plant failures within that 5 year period shall be replaced.

Reason: In the interests of the visual amenities of the locality it is essential for these works to have been carried out before the use commences.

20. On occupation of the extension, the Travel Plan 'Proposed Mosque 304-306 Barnsley Road, Sheffield: Masjid Umar' dated January 2016 (Doc Ref: GB/SS/16011/TP/1) shall be implemented in accordance with the arrangements and measures contained in Sections 4 to 10 of that Travel Plan.

Reason: In the interests of promoting sustainable travel to and from the development.

21. Before the any of the following specified items are installed on the building or within the site, details of such item shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter the items that are installed shall be provided in accordance with the approved details.

- (i) External lighting;
- (ii) CCTV equipment;

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

### **Other Compliance Conditions**

22. No more than 200 people shall be present within the building at any one time except for a maximum of two occasions each calendar year during Eid when on these two exceptional occasions no more than 300 people shall be present within the building at any one time. For the purposes of this condition the building referred to in this condition comprises the retained existing building shown as 2 Osgathorpe Road/306 Barnsley Road on the approved 'Location Plan' (drawing no. 0473/001/A4/Rev - ) and the extension hereby approved.

Reason: In the interests of the amenities of the locality and highway safety.

23. No amplified sound from the mosque or the extension hereby approved shall be audible outside the building.

For the purposes of this condition the building referred to in this condition comprises the retained existing building shown as 2 Osgathorpe Road/306 Barnsley Road on the approved 'Location Plan' (drawing no. 0473/001/A4/Rev - ) and the extension hereby approved.

Reason: In the interests of the amenities of nearby residents.

24. Notwithstanding the terms of the Town and Country Planning (use Classes) Order 1987, or any statutory instrument revoking and re-enacting that Order, the extension to the mosque hereby approved shall not be used for the following events and uses:

- Use as a community centre;
- Use as a madressah or school;
- Wedding services, wedding ceremonies and wedding receptions.

Reason: In the interests of the amenities of the locality and highway safety.

25. No religious or ceremonial gatherings or acts of worship shall take place within the site outside the building.

For the purposes of this condition the building referred to in this condition comprises the retained existing building shown as 2 Osgathorpe Road/306

Barnsley Road on the approved 'Location Plan' (drawing no. 0473/001/A4/Rev - ) and the extension hereby approved.

Reason: In the interests of the amenities of the locality and highway safety.

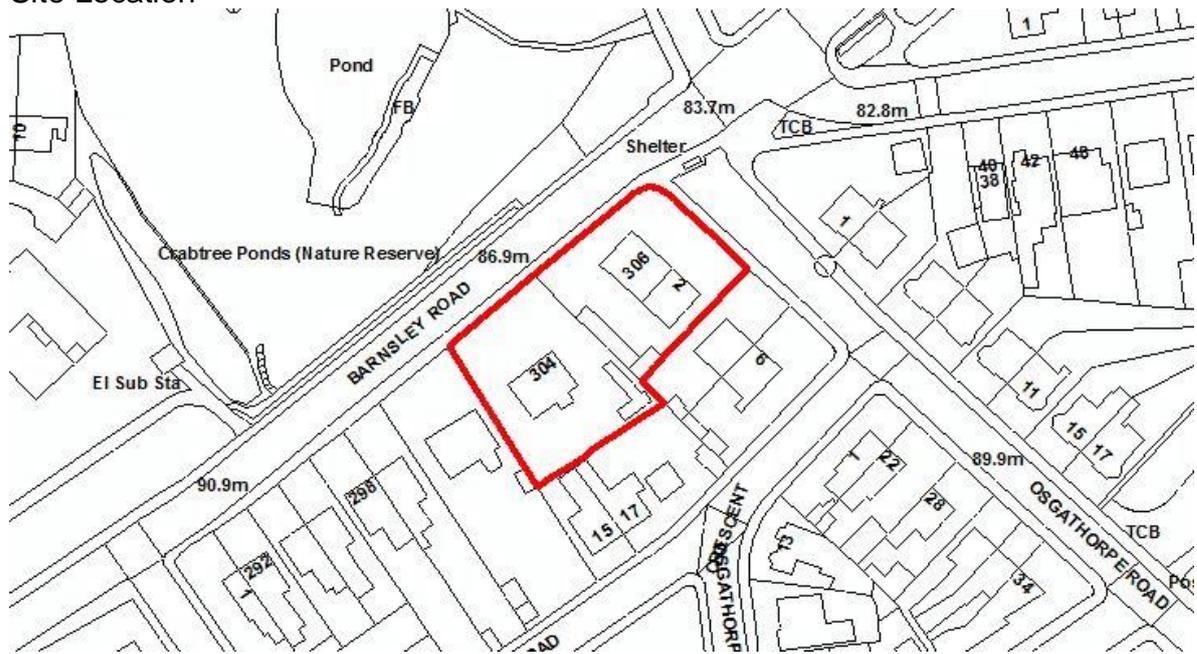
Attention is Drawn to the Following Directives:

1. 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.
2. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 0800 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice, including a copy of the Council's Code of Practice for Minimising Nuisance from Construction and Demolition Sites is available from the Environmental Protection Service, Howden House, Union Street, Sheffield, S1 2SH, tel. 0114 2734651.
3. The required CEMP should cover all phases of demolition, site clearance, groundworks and above ground level construction. The content of the CEMP should include, as a minimum:
  - Reference to permitted standard hours of working;  
0730 to 1800 Monday to Friday  
0800 to 1300 Saturday  
No working on Sundays or Public Holidays
  - Prior consultation procedure (EPS & LPA) for extraordinary working hours arrangements.
  - A communications strategy for principal sensitive parties close to the site.
  - Management and control proposals, including delegation of responsibilities for monitoring and response to issues identified/notified, for;  
Noise - including welfare provisions and associated generators, in addition to construction/demolition activities.  
Vibration.  
Dust - including wheel-washing/highway sweeping; details of water supply arrangements.
  - A consideration of site-suitable piling techniques in terms of off-site impacts, where appropriate.
  - A noise impact assessment - this should identify principal phases of the site preparation and construction works, and propose suitable mitigation measures in relation to noisy processes and/or equipment.
  - Details of site access & egress for construction traffic and deliveries.

- A consideration of potential lighting impacts for any overnight security lighting.

Further advice in relation to CEMP requirements can be obtained from SCC Environmental Protection Service; Commercial Team, Fifth Floor (North), Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at [eps.commercial@sheffield.gov.uk](mailto:eps.commercial@sheffield.gov.uk).

# Site Location



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## LOCATION

The site comprises approximately 0.18 hectares of land located at the corner of Barnsley Road and Osgathorpe Road in a predominantly residential area on the north facing hillside above Firvale.

The existing buildings on the site comprise the existing Mosque (nos. 2 Osgathorpe Road / 306 Barnsley Road), together with ancillary buildings consisting of a single-storey outbuilding immediately to the rear of nos. 2/306; three linked portable buildings; and a detached two-storey building at no. 304 Barnsley Road.

Adjoining the site to the south-east and south-west are the side and rear gardens of residential properties at nos. 4 Osgathorpe Road; 15 and 17 Stair Road; and 302 Barnsley Road. Due to the rising ground levels these properties are at a higher level than the application site.

The wider residential area on this south-east side of Barnsley Road includes residential properties along Barnsley Road, Earl Marshall Road, Osgathorpe Road, Stair Road, Devon Road, Osgathorpe Crescent and Abbeyfield Road.

Immediately opposite the site on the north-west side of Barnsley Road is a wooded area (containing Crabtree Ponds) with frontages to Barnsley Road and Crabtree Close. Beyond this wooded area, the north-west side of Barnsley Road, in the vicinity of the application site, is again predominantly residential.

## PROPOSAL

The proposal seeks full planning permission for the demolition of no. 304 Barnsley Road and the outbuilding; for the erection of an extension to the Mosque to form a prayer hall and entrance; and for alterations to the Mosque. The portable buildings would also be removed from the site as part of the proposals.

The proposed extension comprises a large two-storey extension to the Mosque with its primary elevation facing onto Barnsley Road and its proposed footprint orientated at a slight angle to the retained building at no. 2/306. It would project up to approximately 31.5 metres off the rear elevation of nos. 2/306 and have a varying depth of up to 15.6 metres. Its design, and the proposed alterations to the retained building, would reflect traditional Islamic architecture with vertically proportioned arched windows, minaret and styled dome.

The application has been amended since its original submission to reduce the height of the proposed extension (by approximately 1.7 metres at eaves level); to remove the single-storey element at the rear of the proposed extension; and to provide greater clarity to the ancillary uses of the proposed extension.

The external walls of the extension would be faced in buff brick with artificial stone window surrounds, and the retained building would be rendered with parapets at eaves level. The new entrance would be constructed of buff architectural blockwork. The main roof of the extension would have a shallow pitched hipped

form with slate/tile covering and a central dome. The lower part of the minaret would be constructed in brick; the upper section of the minaret and the dome would be constructed in GRP (glass reinforced plastic) with a 'lead look' finish. The window frames and doors would have a grey finish with frosted or obscure glass fitted throughout.

The proposed new entrance into the building is on the Barnsley Road elevation of the extension, providing more internal lobby space and horizontal and vertical circulation links between the existing building and the main part of the proposed extension. Level access into and internally within the building and a lift between ground and first floors is proposed. The internal layout of the retained building will be modified.

Pedestrian access to the site would be from both Barnsley Road and Osgathorpe Road.

12 car parking spaces are proposed with 7 accessed from Barnsley Road and 5 car parking spaces accessed off Osgathorpe Road. 10 cycle stands (accommodating 20 cycles) are also proposed.

The proposal includes a package of sustainability measures including energy saving techniques (building insulation, energy efficient boilers and lighting, existing solar panels on the retained building, natural lighting), water management, and promoting use of public transport, walking and cycling.

The applicant has submitted a Design and Access Statement, Sustainability Statement, Heritage Statement, Transport Statement, and a Travel Plan in support of this application.

The applicant has stated that the mosque has been established since 1998 and has continued to provide the community with social, educational and spiritual services.

In 2010 the applicant purchased a large teaching facility on Bland Street, approximately 1.2 km to the east of the existing Mosque. The applicant has stated that the Bland Street facility, known as the YM Academy (YMA), accommodates the madrassah and all formal teaching classes are held at the YMA. Larger congregations take place at the YMA, such as two annual Eid prayers, Friday prayer, funeral and wedding services and other special occasions which have large congregations.

The existing Mosque is used for prayer, education and other spiritual activities. Formal prayer takes place five times a day at varying times, and other worship and educational activities take place informally. The applicant has stated that prayer times last for approximately 10 minutes and that most people attending would then leave. The other non-prayer activities do not attract large numbers of people and take place at separate times during the day. The applicant has stated that the capacity of the existing Mosque is approximately 300 people and no. 304 can accommodate approximately 150 people (based on 1sqm per person).

The applicant has stated that there is a need to improve the environment in which the existing activities take place. The Mosque building layout currently provides a small prayer hall on the first floor and, due to its restricted size, the ground and second floors are also used which disconnects the congregation. The building does not have adequate sized entrance or ablution facilities and there is no lift to the upper floors. The applicant has also stated that the existing Mosque also fails to provide the correct orientation (to Mecca).

The applicant states that the current proposal is an amendment of a 2003 planning permission, and that it would enhance the spiritual and educational needs of the community.

The applicant has stated that the use of the proposed building would solely be for prayer, spiritual reformation and educational activities, and not as a community centre or madrassah (educational institution).

The proposed prayer hall is on the ground floor of the extension to the building. The proposed first floor would allow for voluntary prayers and meetings prior to and after the main prayer, and for other non-prayer purposes with most activities managed to avoid main prayer times. The education activities in the proposed building would comprise self-study and group discussions. The applicant has stated that there will be no formal classes at this building as they are held at the YMA. Two rooms on the ground floor of the retained building would be used for administration purposes, and occasionally in association with the upper floor and would be used to accommodate visiting delegates to the mosque.

There is no external amplified call to prayer made at the Mosque, only an audible call to pray from within the building.

The proposed ground floor prayer hall provides approximately 180sqm floor area with a maximum capacity of 150 people. The applicant states that this maximum might be reached during the month of Ramadan at certain times of the day. The first floor would have a capacity for non-prayer activities of 100 people, and the education space 50 people.

The applicant has stated that at the busiest time there would be no more than the existing number of people accommodated in the new building at any one time. The new building would accommodate all the users in one hall rather than for them to be all in individual rooms and buildings, thereby enhancing the user experience.

#### RELEVANT PLANNING HISTORY

The use of the buildings on the site as a mosque commenced following planning permission being granted in 1998. Minor extensions and alterations to the buildings were approved in the early 2000's, and in 2003 planning permission was granted for extensions to the building which included a large hall and meeting rooms and the use of no.304 as a madrassah. Planning permission for a replacement mosque building was refused in 2007 and dismissed on appeal in 2008.

The buildings on the site originally comprised a pair of semi-detached residential properties (nos. 2 Osgathorpe Road and 306 Barnsley Road) and a detached house (no. 304 Barnsley Road) with outbuildings to its rear.

In 1998 planning permission was granted for the use of the pair of semi-detached dwellings at nos. 2 Osgathorpe Road and 306 Barnsley Road as a mosque and madrassah. At the time of this planning application the applicant estimated that the number of people likely to visit the mosque at any one time would be 50 and the number involved in religious teaching likely to be 25. The planning conditions imposed included a condition that no amplified sound from the mosque shall be audible outside the building, and a condition requiring car parking within the site (the officer report stated a requirement for a minimum of 2 car parking spaces noting that a large number of worshippers would travel to the mosque by foot, that on-street parking would not create an unacceptable problem, and that there was a bus stop on Barnsley Road close to the site) (application no. 98/0852P refers).

Following an earlier refusal of planning permission for a dormer window in 2000, planning permission was granted in 2000, 2001 and 2002 for the construction of a dormer window (amended scheme), for a staircase extension and insertion of a first floor window to the mosque, and for construction of a sheltered passage at the rear of no.306 (applications nos. 99/6083P, 9A/5866P, 9A/5962P, 9B/5389P and 02/03407/FUL refer).

In 2004 full planning permission was granted for the erection of a single-storey side extension to the mosque with external stairway (on the Barnsley Road side of the mosque building), a two-storey building sited to the rear of the mosque and wrapping around the madrassah building at no. 304 Barnsley Road which would provide a hall of approximately 320sqm floorspace, 8 meeting rooms, a kitchen and other ancillary facilities, a bridge link to the mosque, and for use of no. 304 Barnsley Road as a community centre and madrassah, together with the provision of car parking accommodation (7 on-site parking spaces were proposed accessed from Barnsley Road and exiting via Osgathorpe Road).

At the time of this planning application the applicant stated that 100 people attended the mosque during prayer time with the number being much higher for Friday prayers and about 300 children attended the madrassah at no.304 Barnsley Road, and anticipated that the numbers may go up slightly with the improved facilities. The main hall would have a capacity of 200 people, and the 8 smaller rooms 25 people per room. The planning conditions included that the madrassah buildings shall not be used for wedding ceremonies, a restriction on hours of use to between 0900 and 2330 hours, boundary screening, a requirement for non-opening obscure glazed windows on the northeast, southeast and southwest elevations of the building, and that prior to the community hall coming into use a Travel Plan shall have been agreed (application no. 03/03597/FUL refers). This planning permission was commenced with the construction of the single-storey extension facing Barnsley Road and the use of no. 304 as a madrassah being implemented. It therefore remains extant and could be implemented in its entirety.

Between 2002 and 2005, the outbuilding that stood adjacent to the boundary at the rear of no. 304 was demolished.

In 2007 planning permission was refused and subsequently dismissed on appeal for the demolition of the existing mosque buildings and the erection of a purpose built mosque and madrassah. The proposed building included; basement car parking; a prayer and multi purpose hall on the ground floor; 6 classrooms and group activity areas on the first floor; and 20 classrooms on the second floor. The madrassah was to be used for teaching between 1700-1900 hours on weekdays and 1100-1600 hours on Saturdays. Other proposed uses included adult education, meetings and events such as weddings and funerals, and local community use. The appeal Inspector considered the existing buildings to have little architectural merit. In dismissing the appeal the Inspector concluded that the quality and character of the proposed building would be undermined by insensitivity to the scale of nearby properties and would cause harm to the character and appearance of the surrounding area, that there would be unacceptable risk of overspill parking prejudicial to highway safety, and that it would cause unacceptable harm to the living conditions of adjoining occupiers through its visual impact (overbearing, loss of outlook) (application no. 07/01306/FUL refers).

In 2010 six portable buildings (those in breach of planning permission) were removed from the site. The remaining portable buildings were immune from enforcement action due to longevity.

## SUMMARY OF REPRESENTATIONS

This application has been publicised by the display of site notices around the site and on neighbouring streets, and notification letters to nearby properties. The submission of amended plans was publicised by the display of site notices and notification letters.

313 representations and 3 petitions (23, 4 and 86 signatures) of objection have been received;

311 representations of support and a petition (165 signatures) have been received;  
2 neutral representations have been received;

Comments have also been received from the Sheffield Wildlife Trust.

## OBJECTIONS:

In respect of the planning application as originally submitted 131 representations of objection have been received, including a letter from Leith Planning Ltd on behalf of 11 local residents, relating to the following matters:

### Principle:

- unacceptable in principle, fails to demonstrate a sustainable form of development, proposal fails to accord with the development plan.

### Overdevelopment:

- this is a residential area, a large mosque of this size is not suited to the small space available; this is more than an extension; the add on is two and

a half times the size of 306 Barnsley Road, all the garden area would disappear, no details on landscaping, overdevelopment, cramped and overcrowded site;

- would change the area, which is an old established residential, area to one dominated by the new building, too dominant and grand for a busy residential area and will be seen from several miles away;
- the area cannot sustain any more major developments;
- it would adversely affect residents from this neighbourhood.

#### Appearance:

- incongruous design, not in keeping with the architecture of the area; purely on scale the size height and design are not in keeping with the surrounding buildings, overbearing, poor layout, will have negative impact on the environment being in an elevated position, does not reflect or promote local heritage or distinctiveness;
- the minaret and dome will not be decorative nor an elegant landmark but will appear domineering and will not enhance the character of the area, will detract from the area, architectural style not in keeping with Victorian/Edwardian residential architecture;
- unsightly, building would be an eyesore, visual impact assessment and samples of materials required, scale and design fall foul of tests within the National Planning Policy Framework relating to good design, a disregard of provisions of Policy BE5, CS74;
- the current buildings are of the period for the area, have had sympathetic alteration, nice well- kept building, fits with its surroundings, precedence set for further adaption whilst still maintaining integrity of the area, will be visible above Crabtree Ponds.

#### Parking and Traffic:

- already problems with parking on nearby roads, parking is at a premium in the area especially during peak times, a one way system will not work;
- people from the mosque blocking drives, randomly parking, parking on pavements and verges and in the bus stop, parking on each side of road it becomes impossible to turn a car into residents driveway, road becomes grid locked, double yellow lines ignored without prosecution, particular problem when children are dropped off and picked up from the Mosque;
- seen at least five accidents occur with kids from the mosque running into the road, health and safety issues for elderly and children due to number of cars;
- the A6135 Barnsley Road is already heavily congested at most times of the day and evening, 8 bus routes use the A6135 and a further 5 bus routes join/leave Barnsley Road up to 400 yards away, Barnsley Road is the main access to both entrances of the Northern General Hospital and used frequently by ambulances, any further congestion could delay ambulances, Barnsley Road serves several schools in the area;
- exiting onto Barnsley Road is foolhardy, vehicles may have to reverse out of the site, there will be a new access onto Osgathorpe Road contrary to information provided;

- creates hazards at Crabtree Road/Barnsley Road junction, more accidents, if includes educational facilities will increase pedestrian traffic creating further hazard to this busy road;
- will cause increased congestion, any expansion will impact on residential parking already affected by staff and visitors to the Northern General Hospital and local shops;
- when the madrassah moved Abbeyfield Road became very quiet;
- lack of parking, insufficient disabled car parking spaces, will exacerbate parking problems, 9 spaces doesn't seem enough, parking spaces will be difficult to access, request vehicle tracker drawings, travel plan quotes 58% will arrive by car a shortfall of 165 spaces, shortfall of 146/150 spaces, 300+ people equates to 75 parking spaces if car sharing possibly over 168 spaces needed on average car use, worshippers no option but to park illegally, harming residential amenity, noise and disturbance starting at 3am, contrary to National Planning Policy Framework failing to ensure compliance with Policy BE7, T16, CS51, CS53;
- prayer times occur at set points during each day, during those set times a large number of people arrive and then leave causing congestion during those times, these are particularly bad at madrassah times;
- forms say no jobs created but the travel plan talks about mosque staff and manager, 9 parking spaces will be taken up by staff and the funeral service;
- travel plan will not work, choice of travel is speculative, old people and women with children could not be expected to walk up to the mosque, visitors will not ride bikes, cycling is problematic as hilliness of area surrounding the Masjid, 6 cycle stands insufficient, visitors travelling a distance will not travel on a bus they'll come by car, prayers are short hence more likely to come by car, Transport Statement includes incorrect information about the number of buses serving the bus stop, bus routes from all parts of Sheffield implies expectation that people from these areas will be attending and likelihood will come by car, bus routes do not necessarily serve the areas from which members of the congregation want to travel;
- the proposed mosque will allow 300 people to worship plus educational rooms and conference areas, potential capacity of new building could be as high as 800+ people, potentially 600 users at an event, could be 116 to 465 car parking spaces required, over 1000 people and their cars if the event is a rolling hour sessions, the current Masjid capacity is unclear, will create a major increase in visitors to the mosque, it is impossible to accommodate such a large number without inconveniencing people living around the mosque, four times as much floorspace;
- its popularity has increased, the new mosque will not be able to cope with the increased traffic and lack of parking.

#### Usage:

- if to be used only by local people why is there need to have a capacity of over 300 people? People who use the facilities do not live in the vicinity of the Masjid, people from all across Sheffield will be using it;
- increase in worshippers during certain events, teaching still occurs at the Barnsley Road site with recitation classes and adult teaching, nothing

- stopping applicant increasing teaching there or other activities once approval is granted, a funeral service has been run from this site;
- not clear if weddings and funerals will be held, should weddings and funerals be held at the mosque there will not be parking space available.

#### Air Quality:

- this is one of the most polluted areas in Sheffield, extra cars will make this worse, air quality will decrease, too little information to allay fears.

#### Noise and Disturbance:

- overcrowding the area multiple times a day;
- people from the mosque congregating outside adjacent house and on road in large groups after leaving the mosque and could be stood there for a couple of hours at a time, feels intimidating to residents and guests;
- disturbance, noise from people from the mosque hanging about on the road and the build up of traffic at all hours in a small residential area, slamming car doors, revving engines, will suffer more noise, hours of opening not known, lives regularly disrupted by people coming to mosque to pray early in the morning and late at night, in the summer the first prayer can be as early as 3.30am and last prayer as late as 10.30pm, aggravated during Ramadan when more people attend;
- littering is a constant problem, provision for recycling bins not shown;
- no mention of opening times, noise pollution will increase as the mosque will be open 24/7 for prayers, classes, funerals, functions, spiritual activities, weddings, noise nuisance for those living in vicinity if incorporates an audible call to prayer.

#### Ecology and Open Spaces:

- more traffic, noise and pollution during construction and long term detriment to wildlife and biodiversity, phase one habitat should be undertaken, contrary to paragraphs 118 and 125 [NPPF];
- construction management plan required;
- impact on local park amenities.

#### Neighbourliness:

- too large to be in close proximity to residential amenities, properties close to the site will have their outlook changed and will affect their living conditions, blocking light, daylight and sunlight assessment required;
- no privacy for immediate neighbours, will look directly into living rooms and bedrooms of no. 4 Osgathorpe Road;
- light pollution, no details on lighting, security;
- living close or not to the Masjid does not make any difference to the offering of prayer, poor time management is not a valid excuse for accepting this proposal.

#### Drainage:

- detailed drainage assessment required, insufficient information to address concerns of potential surface water flooding and water demand, insufficient information to demonstrate compliance with Policy CS63, fails to fully endorse CS64.

#### Changes since 2008 Appeal:

- previous application rejected, didn't want buildings demolished, traffic and parking is now greater than in 2007, since 2008 the former territorial army premises on Barnsley are being used as a madrassah and mosque, a nursery has opened on Norwood Road, and new school at Firvale, new houses on Earl Marshall Road.

#### Alternative Premises:

- the mosque already has a larger facility on Bland Street, the mosque on Petre Street is stunning in grandeur and appearance, it is in the right place with masses of parking spaces, a good number of mosques already operating in Firvale, share facilities, why need a further mosque, the need for the proposed development is not proven, statement of need required, contrary to Policy CF1;
- overall plan is to leave the YMA on Bland Street and bring all activities to Osgathorpe Road;
- the property to be demolished could be put to better use, do it up internally, elderly have access to other rooms, loss of a dwellinghouse;
- if the buildings are not fit for purpose they should not be used.

#### Other Matters:

- it will only be of use to one part of the community;
- applicants assert that the community has been extensively consulted over the years in fact most people were unaware of this new application, applicants have not sufficiently engaged with local community;
- the site address should include 306 Barnsley Road;
- should be conditional that weddings and funerals are not included.

#### A petition of 23 signatures has been received objecting on the grounds of:

- the number of Masjids in the area (serve all sections of the Muslim community, no need for expansion);
- unclear Masjid capacity (always overcrowding in the area, with expansion will only get worse);
- traffic (increase number of vehicles, incorrect information on bus routes, large number of people arrive and leave at set points, traffic problems bad at madrassah times);
- car parking (increase problems in the area);
- Transport Statement (contains incorrect and speculative information, cycling is impracticable for elderly, topography difficult, clothing worn by attendees unsuitable for cycling, speculation about choice, not impartial);

- special character (304 contributes to character of the area); and Masjid Board (who have sufficient managed space at the YMA for all mosque activities).

A petition of 4 signatures against the proposed expansion of Masjid Umar into a purpose built and larger facility has also been received.

Following the submission of amended plans in 2019, 182 representations of objection have been received including a representation from Leith Planning Ltd on behalf of 11 residents, relating to matters previously raised regarding policy, principle, documentation, traffic and parking, air quality, design, streetscene, impact on neighbours, and need, and additional matters of:

- 304 left to deteriorate;
- parking has exacerbated, problems would intensify in winter when weather is poor, surrounding roads will be used as a short cut, traffic has increased, Northern General has increased in size hence more patients, more cars, more pollution;
- cite current mosque capacity as 374sqm, was 220 sqm in original, new space 720sqm, 3+ or 2 times bigger, potential capacity over 900+, increased usage on original figures 1472 people, 869 people on latest figures;
- 205 to 356 additional required car spaces;
- discrepancy in internal space has bearing on calculating potential maximum capacity in 2016 it was 220sqm in 2019 it is 302sqm, maximum capacity of new proposal using 2016 figures will be 1404 people, using 2019 figures will be 702 people, maximum capacity will be between 1352 and 1854 people requiring 65 to 90 car parking spaces;
- no remedy regarding traffic management;
- air quality monitoring station within 50m of the proposed development 2019 reading of NO2 41 microg/cum (European exceedance level is 40 microg/cum), any additional development will worsen local air quality;
- praying with windows open causing resident to wake up;
- 2 Osgathorpe Road absent from written submission;
- will not be a madrassah but will be used for educational purposes.

A petition of 86 signatures (in 3 parts) objecting to the proposal as amended stating no significant change from the plans of 2016, that concerns are: car parking, noise pollution, smoke emissions, blocked driveways, parking on corners and double yellow lines, large gathering of attendees causing nuisance outside private properties and privacy, and that the applicants have a larger mosque and madrassah on Bland Street so what is the need for a larger structure in the middle of compact and smaller streets where parking is already causing problems.

Support:

245 representations of support have been received in respect of the application as originally submitted relating to the following matters:

Appearance and Neighbourliness:

- the building sits on top of the hill and its renovation will improve the appearance of the area not harm it, the architecture of the area is varied, churches in the area with spires, the dome and the minaret will blend in, will enhance the landscape, improve the views of the area;
- it will not be tall massive overlooking or domineering, set back 17 m from 15-17 Stair Road;
- there will not be a significant increase in noise.

#### Parking and Traffic:

- living nearby mosque never had any issues or concerns, drive never been blocked, do not suffer any noise pollution or litter, people have been helpful and considerate;
- witnessed no traffic congestion, no pollution, no rush, no illegally parked vehicles, air pollution is from other vehicles, not had problems parking;
- just because the new mosque has a capacity for 300 people does not mean 300 people will attend each prayer daily;
- would be able to cater for important events throughout the year, activities would take place which would engage the youth, will be able to accommodate current and more attendees;
- the mosque serves local residents the majority of whom walk to the mosque, the volume of cars will not be increasing;
- it is not the mosque or the congregation which increases pollution and congestion it is the schools in the area and rush hour, the mosque is used five times a day not during rush hour;
- there is not traffic congestion now nor will there be after the acceptance of this application, there will be negligible increase in traffic, double yellow lines in place near every junction, sufficient parking on roads, parking issue resolved when the site on Bland Street was acquired, major congregations and Friday prayers take place at the YMA, to request more car parking spaces would encourage more people to come in cars, should be held accountable to transport and travel plans.

#### Usage:

- it is not a madrassah, only prayer times five times per day, on Fridays its only four times, in month of Ramadan its four times sometimes three;
- any large scale functions will take place at the larger building on Petre Street.

#### Ecology:

- it will not threaten Crabtree Ponds and Devon Gardens, the community often arrange litter picks around these areas.

#### Benefits:

- existing mosque does not have correct orientation;

- the application is not to increase the number of people coming to the mosque, it is to make the building more practical for the purpose it is currently being used for, create more comfortable space, better for the elderly, hub for women, inclusive, better to have one building rather than lots of small buildings, easier to manage, the assumption that people will attend this mosque that do not already have an association with this mosque is wrong, people tend to pray at their local mosque, lots of areas have purpose built mosques;
- the mosque provides additional benefits to the community and society in faith, guidance and social interactions, brings community closer together, crime rate reduced;
- the proposed plans are half the size of the ones rejected in 2007, and smaller than the ones approved in 2004, if refused the 2004 plans will still go ahead.

A petition of 165 signatures (although for 5 there is no address given and for 1 there is a name and address but no signature) has been received in support of the planning application stating: acknowledge parking has previously been an issue of concern but only before the site on Bland Street known as YMA was acquired; the parking issue has been completely resolved and addressed; all major congregations, Friday Prayers and children's classes now take place at the YMA; requirement of faith to attend five times a day, current building difficult for elderly and disabled to access; health and safety concerns arise from age, layout and state of repair which the new building would resolve.

Following the submission of amended plans in 2019, 66 representations of support have been received relating to previous matters of design, improved facilities, community benefits and additional matters of:

- additional parking spaces allocated;
- new design blends in much better.

Other Representations:

2 neutral representations have been received:

- when madrassah was running it used to be chaotic at dropping off and picking up times, since madrassah has relocated there are no issues any more except very rarely there may be double parking or blocking of driveways;
- litter, noise, invasion of privacy has never been a problem in past or at present;
- Osgathorpe Road is neither polluted, noisy, littered nor unsafe.

Sheffield Wildlife Trust have commented:

- the Trust do not object to the building of places of worship;
- Crabtree Ponds is designated as a Local Nature Reserve [LNR] and Local Wildlife Site on the opposite side of the road and is managed by the Trust;

- potential impact of cars and their emissions on Crabtree Ponds LNR should be included in line with Policy G1 (safeguarding and enhancing biodiversity);
- the majority of the site will not be occupied by vegetation, however the landscaping is welcome and should be native in origin to compliment the habitats found in Crabtree Ponds;
- welcome involvement of local community in planting although it should be overseen by professionals;
- depending on impact it may be appropriate that S106 or CIL funds are allocated to this site to mitigate potential impacts.

## PLANNING ASSESSMENT

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.

### Policy Issues

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

The UDP Proposals Map identifies the site as being within a Housing Area, and as being within the Crabtree/Abbeyfield Area of Special Character. Barnsley Road is identified as a Strategic Road.

The Government's planning policy guidance is contained in the National Planning Policy Framework (NPPF). The NPPF is a material consideration in planning decisions.

Assessment of a development proposal also needs to be considered in the 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 this means ... (d) where there are no relevant development plan policies, or where the policies which are most important for determining the application are out of date, granting permission unless: (i) the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

The application site is not one of the areas or assets of particular importance specified in NPPF paragraph 11(d) (i) (footnote 6).

### Principle of the Proposed Development

UDP Policy H10 relating to development in Housing Areas states that community facilities and institutions, which includes religious meeting places, are acceptable

uses. The principle of the existing use of the site and the proposed use of the extension complies with this policy.

UDP Policy CF1 promotes the provision of community facilities, particularly where they would: (a) be for disadvantaged people; or (b) be located where there is a shortage; and would (c) be easily accessible by public transport; and (d) be located within the community they are intended to serve; and (e) comply with Policy BE7 [UDP Policy BE7 relates to the design of buildings used by the public]. In this instance the existing and continued provision of a place of worship on the site complies with Policy CF1.

NPPF paragraph 92 states that to provide social, recreational and cultural facilities and services the community needs, planning policies and decisions should: (a) plan positively for the provision and use of shared spaces, community facilities (such as ...places of worship) and other local services to enhance the sustainability of communities and residential environments; ... (d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community ...

Whilst some of the uses specified in UDP Policy H10 require a different assessment under the NPPF, its reference to the proposed use remains consistent with the NPPF and as such is in conformity with the NPPF and has significant weight. UDP Policy CF1 is in part conformity with the NPPF as it focuses on meeting needs rather than widening choice and has moderate weight.

In this instance the principle of the existing and continued use of the site as a mosque complies with UDP Policies H10 (significant weight) and CF1 (moderate weight).

#### Highway and Transportation Issues

UDP Policy H14 relates to conditions on development in Housing Areas including matters of highway safety. Policy H14 states that in Housing Areas, new development or change of use will be permitted provided that: ... (d) it would provide safe access to the highway network and appropriate off-street parking and not endanger pedestrians.

UDP Policy T22 relating to private car parking in new development states that ... in other [i.e. non-office] types of development outside the City Centre, developers will be expected to make provision for sufficient off-street parking to meet the needs of their development.

UDP Policy T25 relating to car parking in residential areas states that car parking will be regulated to: ... (b) restrict on-street parking where necessary; and ... (d) encourage property owners to provide suitable off-street parking within the boundary of their property wherever possible ...

Core Strategy Policy CS53 relating to management of demand for travel states that increasing demand for travel in all parts of the city will be managed to meet the different needs of particular areas through a package of measures, including (a)

promoting good quality public transport and routes for walking and cycling ...; (c) implementing travel plans for new developments to maximise the use of sustainable forms of travel and mitigate negative impacts of transport ...; (g) applying maximum parking standards for all new developments to manage the provision of private parking spaces.

The Parking Guidelines contained in the UDP were subsequently reviewed and revised following various changes in Government planning policy guidance prior to and following the publication of the NPPF and the adoption of the Core Strategy. The last revision of the Council's parking guidelines was in 2016 and currently expressed as maximums. They pre-date the latest iteration of the NPPF.

In this instance, the 2016 parking guidelines do not specify guidelines for places of worship and advise developers to contact the Council's Highway Services. In such instances each proposal is treated on its own merits.

NPPF paragraphs 102 to 111 (NPPF chapter 11) relate to promoting sustainable transport. In particular, NPPF paragraph 105 sets out criteria to take into account when setting local parking standards. NPPF paragraph 106 states that maximum parking standards for ... development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport (in accordance with chapter 11 of the NPPF).

NPPF paragraph 109 states 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.

UDP Policy H14 is broadly in conformity with the NPPF and whilst aspects of it are not covered in the NPPF it has significant weight.

UDP Policy T22 is out of date as its specified parking standards have been superseded by the Council's Parking Guidelines and has very limited weight.

UDP Policy T25 is in part conformity with the NPPF in terms of managing impact on the network although the NPPF does not stipulate whether parking should be off-street. Policy T25 has moderate weight.

Core Strategy Policy CS53 generally conforms with the NPPF although the NPPF goes further than just managing travel demand and its impact to reducing/limiting demand to travel and supports maximum parking standards where they are needed for managing the local road network. CS53 is in part conformity with the NPPF and has moderate to significant weight.

Barnsley Road, running alongside the site, is a classified road (the A6135). The application site is at the north-western end of Osgathorpe Road where it forms a cul de sac. There is no direct vehicular access from Osgathorpe Road onto Barnsley Road; instead vehicles can gain access to Osgathorpe Road from

Barnsley Road and the wider area via Devon Road/Stair Road/Osgathorpe Crescent, and via Scott Road/Abbeyfield Road/Osgathorpe Crescent.

The site is within the Burnwood 20mph reduced speed limit zone.

There are parking restrictions on Barnsley Road, and on parts of Osgathorpe Road and nearby roads. The restrictions on Barnsley Road prohibit parking and loading during the morning and evening peak hours (7:30-9:30 am / 4:00-6:30 pm). The 'double yellow line' restrictions on Osgathorpe Road are located across two private driveways opposite the site; across the site's driveway and part of the site's frontage; and around the junction with Osgathorpe Crescent. There are similar 'double yellow' parking restrictions across a nearby private drive on Osgathorpe Crescent; on the western end of Earl Marshall Road; and around the Crabtree Close/Barnsley Road junction.

There are bus stops on Barnsley Road close to the site which are served by several bus routes which provide a high frequency service through the area running between the city centre, Fir Vale local centre and beyond. Five routes are timetabled to provide 3 or more services an hour (nos. 1, 11, 75, 88, 95) with a further four routes providing a less frequent service.

Pedestrian links to the site from the surrounding area are good. Whilst located on a hillside the pedestrian gradients are not excessive and paths are well lit. There is a push button traffic light controlled pedestrian crossing on Barnsley Road immediately adjacent to the site to facilitate safer crossing of Barnsley Road.

The site currently has two shared vehicle/pedestrian accesses; one off Osgathorpe Road and the other off Barnsley Road, with little provision for on-site parking. Pedestrian access into the site is primarily gained from the Osgathorpe Road frontage via a gated driveway. There is also a separate gated vehicle and pedestrian access off Barnsley Road to the building at no. 304. The limited availability for on-site parking is restricted to these two driveways providing space for up to 10 cars but not independently accessible.

Most of the catchment area of the mosque is within walking distance. The impact of visitors attending the mosque is similar to that of schools and other institutions that have concentrated times of arrival and departure followed by significant lengths of time when visitor activity is extremely low. For visitors arriving on foot the existing footpaths to the site are adequate, although when significant numbers of visitors leave the site at the same time by the Osgathorpe Road access there is the potential for some spill out onto this stretch of road at the end of this cul-de-sac where vehicles can be reversing and manoeuvring.

Visitors travelling to and from the site by car seek to park on the surrounding streets in the areas to both sides of Barnsley Road. As the available parking spaces on-street close to the site become full, visitor parking spreads further into the surrounding residential streets. Even with the above restrictions and the need for other residents to park on-street, sufficient on-street parking remains available in the immediate surrounding area for visitors to the mosque. Should incidences of

indiscriminate parking occur such as blocking drive entrances, whilst these may be limited, they can have a significant impact on the affected residents.

12 on-site car parking spaces are proposed, including one close to the entrance of the building for use by people with disabilities, with each space independently accessible, and provision for on-site turning to enable cars to enter and leave the site in forward gear.

The applicant's submitted Transport Statement has identified the close proximity of bus stops to the site; the suitability of the local area for walking and cycling; and the speeding and parking restrictions on adjacent and nearby roads. It notes that there is no accompanying signage for the double yellow lines on Osgathorpe Road. The Transport Statement has assessed existing and proposed highway impacts. It describes a parking survey undertaken prior to the planning application being submitted which identified that at the busiest time (evening prayers) the number of cars parked in the vicinity of the site increases by a maximum of 27 cars. The Transport Statement describes that observations on site showed that the network was easily capable of accommodating this increase in parking with only lower Osgathorpe Road and Osgathorpe Crescent reaching capacity, and that for a short period Osgathorpe Crescent had parked vehicles on both sides which prevented cars being able to pass one another resulting in cars using the alternative route via Abbeyfield Road and Stair Road. It notes that the on-site parking spaces were not used by visitors. It states that, as there is very little through traffic on these roads, conflict between pedestrians, mosque generated traffic and through traffic is minimal.

The Transport Statement notes that 9 on-site car parking spaces are proposed [the amended plans have subsequently increased this to 12] one of which is for 'blue badge' users, and some may be allocated for staff working at the mosque. The Transport Statement identifies the proposed development as consisting of an extension to the existing mosque which will improve facilities to better serve the existing community and that, unlike previous applications, the proposed scheme does not include a madrassah so there will be no children coming to and from the site and being picked up in the late afternoon/early evening.

The Transport Statement concludes that the trips generated by the proposed development will not have a severe impact on the operation of the highway network, which is the NPPF test.

The applicant's submitted Travel Plan sets out a commitment to reduce the numbers of vehicular trips generated by the development and measures which will be developed as part of the travel plan implementation. It notes that the Mosque comprises a workplace for staff and a destination for members of the local community.

The Travel Plan notes that the surrounding area benefits from a good level of pedestrian infrastructure and considers that short car journeys of up to 2km are replaceable by walking and appropriate for staff and visitors which will be encouraged. It notes that a signed cycle route runs along Osgathorpe Road (between Ellesmere Road and Herries Road), and that in the vicinity of the site

there are advisory cycle routes running down Earl Marshall Road, Abbeyfield Road, Grimesthorpe Road and Skinnerthorpe Road. It considers that car journeys of up to 5km are replaceable by cycle journeys.

The applicant's Travel Plan notes that there are bus stops adjacent to the site on Barnsley Road with bus routes timetabled to provide frequent services to local residential areas.

The Travel Plan states a travel plan co-ordinator will be appointed to manage the delivery of the travel plan funded by the Mosque manager for a minimum of five years. The delivery will include regular surveys commencing within three months of first occupation of the extension and an annual review including proposed initiatives. The Travel Plan measures include promoting awareness of public transport, walking, cycling and car sharing initiatives to staff and visitors attending the premises.

The increased floor space provided by the proposed extension has the potential to accommodate large gatherings, and the applicant was asked to undertake further survey work, which was carried out in 2019, and to develop a management plan to mitigate the impacts of significant increases in visitors attending and travelling by car.

The data from the applicant's 2019 survey of the number of attendees at various events shows that, during the survey period, the attendance at the Osgathorpe Road premises was largely between 40 to 60 worshippers for the sunset and night daily prayers.

The dawn, afternoon (except Fridays), and mid-afternoon daily prayers attract substantially lower numbers of attendees.

Some other events attracted larger numbers. Friday prayers and the night prayer during Ramadan were held at the YMA. The estimated figures for many of the other daily prayers during Ramadan range up to 90 worshippers. A lecture/conference attracted 170 attendees.

Five events (2 prayers during Eid, spiritual gatherings, lectures and funerals) are estimated to attract between 150 and 300 people. The applicant has stated that spiritual gatherings/lectures are held once a month for the duration of approximately 1 hour.

The applicant has stated that at present the majority of funeral prayers are currently held at the YMA even though the numbers attending may be well below the mosque capacity, however occasionally when numbers are anticipated to be lower than capacity, funeral prayers may be held at the mosque and that these would be managed in accordance with the proposed management plan strategy.

The applicant has reviewed the potential ancillary uses of the extension and has confirmed that the proposed extension to the mosque would not be used as a community centre, a madrassah or school, or for wedding services, wedding ceremonies and wedding receptions.

Furthermore, the applicant has clarified and confirmed that no more than 200 people will be present within the building (mosque plus proposed extension) at any one time except for a maximum of two occasions each calendar year during Eid when on these two exceptional occasions no more than 300 people would be present within the building at any one time.

The applicant's Management Plan seeks to establish procedures that would be followed by the applicant to ensure that the capacity limitations are adhered to. The applicant's survey has highlighted the events that would fall below the specified capacity limit of 200 people/worshippers and can be held at the Osgathorpe Road premises. For these events, should it be anticipated that whilst the number of attendees would be below capacity but more than for normal days at prayer times, measures would be implemented comprising fore-warning attendees using contact announcements (such as posters and notices at daily prayer, the mosque's public address radio communication system, and social media groups) to encourage walking to the mosque, only using cars if absolutely necessary, car sharing as much as possible, and at the time of the event using volunteers with 'high viz' jackets around the vicinity of the mosque to ensure people do not park around the mosque entrance and observe all parking restrictions.

For larger events, if numbers are anticipated to be above the specified capacity, the venue will be switched from the Umar Mosque to the nearby YMA.

The Council's Highway Services has advised that the submitted survey data is considered to be a robust reflection of attendance figures. The proposed mitigation measures are acceptable subject to the management plan providing greater detail on the decision making process used in determining which events are to be held at the Bland Street facility. Conditions restricting the range of uses, the capacity of the building, and to secure the detail and implementation of the management plan are recommended.

The Highway Officer has advised that the existing double yellow lines on Osgathorpe Road are authorised and that signs are not required as there is no accompanying loading ban.

It is considered that, whilst the proposal has the potential to attract an increase in visitors to the site, the imposition of conditions limiting the range of uses and capacity of the building, would ensure that any increase in demand for on-street car parking would be safely accommodated on the surrounding road network without causing significant harm to the free flow of traffic on these roads, access to neighbouring properties, or highway safety.

The proposal complies with UDP Policy H14(f) (significant weight). The proposal has been assessed on its merits in respect of the latest Council's Parking Guidelines and as such complies with UDP Policies T22 (very little weight), T25 (moderate weight), CS53 (moderate to significant weight), and paragraphs 102 to 111 of the NPPF.

Impact on the Character and Appearance of the Locality

As noted above, the UDP identifies the site as being within the Crabtree/Abbeyfield Area of Special Character.

There are no listed buildings in the immediate vicinity of the site and the proposal would not affect the setting of any listed buildings in the surrounding area.

The proposal involves demolition of the detached two-storey building at no. 304 Barnsley Road and the range of outbuildings between nos. 2/306 and 304. The buildings to be demolished are not listed and are not within a conservation area.

UDP Policy H14 relating to conditions on development in Housing Areas also includes matters of amenity and design and states that new development will be permitted provided that: (a) new buildings and extensions are well designed and would be in scale and character with neighbouring buildings; ... and for non-housing uses would also: (i) occupy only a small area and not lead to a concentration of non-housing uses which would threaten the residential character of the Housing Area; ... and (l) be on a scale consistent with the residential character of the Area or meet primarily local needs or ... occupy an existing building set in its own grounds; ...

UDP Policy H14 is in part conformity with the NPPF and although some aspects of it are not covered by the NPPF, it has significant weight.

UDP Policy BE20 encourages the retention of historic buildings which are of local interest but not listed. The aims of UDP Policy BE20 are consistent with the NPPF and can be afforded weight.

UDP Policy BE18 relates to development in Areas of Special Character and expects, amongst other matters, (b) the retention of buildings, walls, trees, open spaces and other features that contribute to the character of the Area; and (c) new development which respects the appearance and character of the Area. UDP Policies BE15 includes seeking to ensure that development which would harm the character or appearance of ... Areas of Special Character will not be permitted. UDP Policy BE17 includes expecting a high standard of design using traditional materials and a sensitive approach for new buildings in ... Areas of Special Character.

Whilst BE18 is a saved policy following the adoption of the Core Strategy, the UDP makes clear that the Area of Special Character designation was given to areas that were likely to become conservation areas and that the tighter controls in these areas were designed to safeguard them until such time that their declaration as conservation areas could be considered. However, the UDP was adopted in 1998 and the evidence base that supported its policies is even older. In that time, two Areas of Special Character have been declared as new Conservation Areas and four others have been added to existing Conservation Areas, but there are no proposals to designate further Conservation Areas. Whilst it is acknowledged that the area has historical character, the weight afforded to UDP Policy BE18 is greatly reduced.

NPPF paragraphs 184 to 202 relate to conserving and enhancing the historic environment. NPPF paragraph 184 states that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

The annexe to the NPPF defines 'heritage asset' as a building, monument, site, place, area of landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).

For the purposes of the NPPF, Areas of Special Character are not a designated heritage asset, though they could be considered a non-designated heritage asset.

NPPF paragraph 192 states that in determining applications, local planning authorities should take account of: (a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; (b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic activity; and (c) the desirability of new development making a positive contribution to local character and distinctiveness.

NPPF paragraph 197 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

NPPF paragraph 198 states that local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss occurs.

The site lies on the highest corner of the Osgathorpe Road/Barnsley Road junction. The existing buildings on the site are set back from and elevated above the frontages, and the main building (no. 2/306) is particularly prominent within the streetscene when viewed from the downhill side of Barnsley Road. The existing buildings on the site have been extended and altered but remain in reasonably spacious grounds.

The surrounding area is dominated by family houses which are varied in terms of age, size and design but mostly Victorian. The Crabtree Ponds local nature reserve, Devon Gardens open space on Stair Road, and the Earl Marshall recreation ground off Osgathorpe Road, together with domestic gardens alleviate the built up character of the area. Most dwellings have two storeys. Further to the north, institutional buildings, including the places of worship close to Fir Vale local centre are larger in size and scale.

The existing buildings on the application site whilst typical of the area have little architectural merit. The building to be retained (no. 2/306) has a stone faced front

elevation facing Osgathorpe Road and white painted render on its side and rear elevations. No. 304 has a two bayed brick frontage with both bays of different styles, and rendered side and rear elevations. The outbuilding is constructed of brick (painted brick to the front) with plain features and a mono-pitched roof.

The applicant's submitted Heritage Statement identifies the site's location within the non-designated heritage asset (i.e. the Area of Special Character (ASC)). It references the 2007 appeal decision in which the Planning Inspector stated that the existing buildings on the site have little architectural merit and their demolition need not harm the character of the ASC, and notes that the main aspect of the proposed development will front onto and be set back from Barnsley Road, that the orientation towards Mecca would be visually beneficial in addressing the corner of Barnsley Road/Osgathorpe Road reinforcing the distinctive status of the development with the minaret and dome appearing as an elegant landmark in the streetscene which will enhance the character and appearance of the area. The Heritage Statement concludes that the proposed development taking into account the changes; associated impacts; along with public benefits associated with the regeneration of the site, can be considered a positive impact.

It is considered that the previous assessment by the Planning Inspector (2007 appeal) of the existing outbuilding and the building at no. 304 Barnsley Road, that these buildings have little architectural merit, is still relevant. The outbuilding makes little contribution to the character of the area and no. 304 has a neutral impact.

It is considered that the demolition of the outbuildings and the detached building at no. 304 Barnsley Road would not harm the Area of Special Character.

The buildings on the site have less than moderate significance as an undesignated heritage asset, and with regard to the scale of harm, the loss of buildings and the significance of the heritage asset, the proposed demolitions would not be significant and would not significantly harm the character and appearance of the Crabtree/Abbeyfield Area of Special Character.

UDP Policy BE5 seeks good design in new developments and Core Strategy Policy CS74 relating to design principles also expects high quality development respecting distinctive features and heritage including townscape and landscape character. UDP Policy BE7 seeks to ensure that in all buildings used by the public provision is made to allow people with disabilities safe and easy access and encourages provision of appropriate facilities. Policies BE5, BE7 and CS74 are consistent with the NPPF and have significant weight.

NPPF paragraphs 124 to 132 relate to achieving well designed places. NPPF paragraph 124 states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make developments acceptable to communities. NPPF paragraph 127 states that planning decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive, are sympathetic to local character and history while not preventing or discouraging appropriate innovation or change, establish and maintain a strong sense of place, optimise the potential of the site to accommodate

and sustain an appropriate amount and mix of development and create places that are safe, inclusive and accessible ....

NPPF paragraph 130 states that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Conversely, where the design accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.

The total footprint of existing buildings on the site is approximately 374sqm (on a site area of 1800sqm). The proposal would increase the footprint of buildings on the site to approximately 690sqm [the 2003 planning permission has a total building footprint of 826sqm].

The footprint and internal layout of the proposed extension has been guided by religious constraints. The scale of the proposed extension and alterations to the retained building have a dominant emphasis concurrent with the style of architecture.

As amended the proposed eaves of the two-storey part of the extension would be at a similar height to the eaves of the existing mosque. The proposal as originally submitted had a higher eaves level on the proposed extension.

Large windows maximise natural light into the internal space. The minaret adjacent to the entrance has a height of 17.4 metres above ground floor level, and the dome has a height of 13.5 metres above the ground floor level of the proposed extension.

The elevations on the existing building at no.2/306 would be rendered. The original proposal to remove the two bay windows has been amended to enable their retention. Parapet walls are proposed to be added to the eaves to reflect the style of the proposed extension.

It is considered that the design of the proposed extension which includes a series of windows set into tall arched feature openings, minaret and dome and the alterations to no. 2/306 reflects and derives from its use. The proposed architectural style has a classical tradition and is welcomed. The design of the proposed extension will contrast with, yet remain in scale and proportion with, adjacent properties. The footprint to plot size ratio is acceptable and the proposal would not result in an over-development of the site.

Whilst the proposed resultant building would be dominant within the streetscene, this is both reflective of its corner location on a strategic highway and its community use.

The proposed building continues to be set back from the street frontage, reflecting existing building lines, and retains the existing frontage boundary wall. Metal railings are proposed to the perimeter boundaries. The proposed soft landscaping

includes grassed areas, tree planting and plants/shrubs. New paths on site will be formed using permeable paving.

The eaves of the proposed extension would be similar to or lower than the adjacent buildings on Osgathorpe Road and Barnsley Road, maintaining the stepping up of the roofscape of buildings along Barnsley Road. The prominence of religious buildings in the streetscene is consistent with the distinctiveness of such buildings in the wider locality and their community role.

It is considered that the massing and appearance of the proposed building is proportionate, would not appear cramped, and responds well to the sensitivity of its setting and context.

It is considered that the proposal will add to the quality and appearance of the streetscene and this Area of Special Character.

Overall, the proposed development is acceptable in massing and scale and reflects a good quality of design and use of materials and sits comfortably with its setting and the local distinctiveness of the area. The proposal is of a scale that would be consistent with, and would not threaten, the residential character of the area.

The buildings on the site have less than moderate significance as an undesignated heritage asset, and with regard to the scale of harm, the loss of buildings and the significance of the heritage asset, it is considered that the proposed development including the loss of buildings would not be significant and would not harm the character and appearance of the Crabtree/Abbeyfield Area of Special Character.

The proposal complies with UDP Policies H14, BE5 and BE7, Core Strategy Policy CS74 (all significant weight) and paragraphs 124 to 132 of the NPPF.

### Sustainable Design

Core Strategy Policies CS63 to CS65 relating to responses to climate change seek to reduce the impact of climate change through reducing the need to travel, supporting sustainable transport and sustainable design and development. Policy CS65(a) in particular states that all significant development will be required to provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy.

Policies CS63 to CS65 are in conformity with the NPPF which promotes sustainable development and have significant weight.

The existing building at nos. 2/306 has an array of solar panels on its rear roof slope providing a source of renewable energy contributing to the building's energy needs. A condition is recommended to ensure the development continues to incorporate appropriate sustainability measures.

The proposal complies with Core Strategy Policies CS63 to CS65 (significant weight).

## Air Quality

UDP Policies GE22 and GE23 relating to pollution and air quality seek to ensure development is sited so as to prevent or minimise the effect of pollution on neighbouring land uses or the quality of the environment and people's appreciation of it. Core Strategy Policy CS66 promotes action to protect air quality.

Policies GE22, GE23 and CS66 are consistent with the NPPF and can be afforded significant weight.

NPPF paragraph 170 also seeks to prevent new and existing development from contributing to, being a risk from, or being adversely affected by, unacceptable levels, amongst other matters, of air pollution.

The site is located within the Sheffield city-wide Air Quality Management Area for exceedances of nitrogen dioxide and particulate matter. In this case the development does not trigger the need for an Air Quality Assessment as the criteria for this is based on an additional 60+ vehicle movements per hour being generated by a proposed development. This proposal is largely to improve the facility for worshippers and not generate additional worshippers and vehicles. The proposed condition to put a cap on the attendances gives comfort that there would be no significant increase and the Travel Plan aims to monitor modes of travel to make sure with promotional initiatives if it shifts towards cars.

The main vehicle movements in the locality are along Barnsley which is part of the strategic road network in the city. The potential for emissions to air can occur during the construction and operational phases of development. During the demolition and construction phase of the proposed development, there is a risk of dust. A condition is recommended to secure that appropriate dust mitigation measures are in place during the demolition/construction phases. During the operational phase of the proposed development, the proposal has the potential to attract an increase in visitors to the site. It is considered that the imposition of conditions, limiting the range of uses and capacity of the building, will ensure that any increase would not be significant and would not generate significant increases in vehicle movements. Implementation of the proposed Travel Plan will ensure that mitigation measures are secured to encourage further shift of visitor movements towards sustainable travel. It is considered that the proposal would not have a significant impact on air quality in the locality.

The proposal complies with UDP Policies GE22 and GE23, and Core Strategy Policy CS66 (significant weight) and paragraph 170 of the NPPF.

## Ecology

UDP Policy GE11 seeks to protect and enhance the natural environment and promote nature conservation.

GE11 conforms in part with the NPPF, which focuses on biodiversity net gain, and has moderate weight.

NPPF paragraph 170 states that planning policies and decisions should contribute to and enhance the natural and local environment by, amongst other measures, (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.

NPPF paragraphs 174 to 177 relate to habitats and biodiversity. NPPF paragraph 175 identifies the principles that apply when determining planning applications regarding impact on biodiversity and habitats.

The Crabtree Ponds Local Wildlife Area is opposite the application site and separated from it by Barnsley Road. Barnsley Road is a strategic road carrying main flows of traffic including buses and heavy goods vehicles. It is considered that the levels of traffic generated by the current and proposed development compared to that on Barnsley Road would not have a significant impact on the ecology of the local wildlife site. A condition is recommended to secure appropriate soft landscaping within the application site, and the conditions discharge procedure allows for the species proposed to be assessed for their contribution to biodiversity.

It is considered that the proposed development would not significantly harm matters of ecological interest and provides appropriate mitigation. The proposal complies with UDP Policy GE11 (moderate weight) and NPPF paragraphs 170 and 174 to 177.

#### Impact on the Amenities of Residents in the Locality

UDP Policy H14 relating to conditions on development in Housing Areas also includes (c) not depriving residents of light, privacy or security, and (k) not leading to air pollution, noise, smell, excessive traffic levels or other nuisance, or risk to health and safety for people living nearby.

NPPF paragraph 117 includes that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

The south-east and south-western boundaries of the site adjoin the side and rear gardens of houses at nos. 4, Osgathorpe Road; 15 and 17 Stair Road; and 302 Barnsley Road.

The orientation of the siting of the proposed extension on the site results in the separation distances between the facades of the proposed extension and the properties alongside it varying.

The south-eastern elevation of the proposed extension runs alongside the side boundary of no. 4 Osgathorpe Road and the rear boundaries of nos. 15 and 17 Stair Road. On this elevation the proposed extension includes several ground and first floor windows. The applicant has stated that these windows would be glazed with frosted or obscure glass.

The house at no. 4 has primary windows on its front and rear elevations and secondary windows on the side elevation facing the application site. The distance between the main south-east façade of the proposed extension and side boundary of no. 4 is approximately 17.4 metres.

Due to the change in ground levels between these properties the eaves level of the proposed extension alongside no. 4 would be approximately 1.5 metres lower than the eaves level of no.4. The proposed parapets to the eaves of the retained building (no.2/306) raise the eaves level of no.2/306 by approximately 0.7 metres.

It is considered that the relationship between the proposed extension and no. 4 is satisfactory and the separation distances between them is sufficient to ensure that there would be no significant overlooking, overbearing or overshadowing of no.4. The alterations to the retained building including the raised parapets would not significantly harm the living conditions of the occupiers of no. 4.

The southeast elevation of the proposed extension would also overlap the rear garden boundary of no. 17 Stair Road. The house at no. 17 has principle windows on its rear elevation facing towards the proposed extension and has a large single-storey offshoot which extends almost to the bottom of its garden with side facing windows.

The distance between the main south-east façade of the proposed extension and the rear boundary of no.17 Stair Road varies from approximately 8.8 metres to 16 metres, and the separation between the proposed extension and the main rear elevation of no. 17 is approximately 17.4 metres at its closest.

This elevation of the proposed extension includes, as noted above, frosted/obscure glazed windows, as does the south-western end return elevation of the proposed extension.

The substantial change in levels between the proposed extension and no. 17 (there is a difference of approximately 4.3 metres between their respective ground floor levels) results in most of the massing of the proposed extension being below the ground floor level of no. 17. The main roof of the proposed extension (and its dome), would be below the ridge height of no 17, and the eaves of the proposed extension would be approximately 4.7 metres lower than the main eaves of no. 17.

The south-west facing end elevation of the proposed extension also partly overlaps the rear garden of no. 15 Stair Road with a varying separation distance of between 12 and 21 metres and has a similar height relationship to no.15 as no. 17.

It is considered that this relationship between the proposed extension and nos. 17 and 15 Stair Road and the satisfactory separation distances between them would ensure that there would be no significant overlooking, overbearing or overshadowing of nos. 17 and 15.

The south-west elevation of the proposed extension runs alongside the side garden boundary of no. 302 Barnsley Road. The house at no. 302 has its primary windows on its front and rear elevations and secondary windows on its side

elevation facing the proposed extension. The distance between the opposing facades is approximately 7.3 metres at its nearest and 16 metres at its furthest.

The eaves of the proposed extension would be approximately 2 metres lower than the eaves level of no. 302 which stands on higher ground.

It is considered that this relationship between the side elevation of no. 302 and the proposed extension is satisfactory and sufficient to ensure that there would be no significant overlooking, overbearing or overshadowing of no. 302.

The proposed development would not significantly overbear, overshadow or overlook other properties in the locality.

The activities within the proposed building and the movement of visitors to and from the site whether on foot or by car has the potential to generate noise and disturbance. In mitigation the applicant has specified certain uses that would not take place at the premises and appropriate conditions are recommended to secure the provision of sound attenuation measures and the continued restrictions on the amplification of the call to prayer.

The improvements in the quality of facilities that the proposed extension would deliver has the potential to attract additional visitors to the mosque. Any such increases would be more likely at peak times. It is considered that the levels of general disturbance from these movements during the daytime would not be so significant as to cause unacceptable harm to the living conditions of adjacent and nearby residents. It is considered that due to the short interval when the level of disturbance is at its highest any potential disturbance would not be so unacceptable to cause harm to the living conditions of nearby residents, particularly in the context of the high background noise levels from traffic on Barnsley Road.

The proposal complies with UDP Policy H14(c) (significant weight).

The 2004 Extant Planning Permission (reference 03/03597/FUL)

Officers consider that the consented scheme represents a realistic fall-back position and there is reasonable prospect this would continue to be implemented if the current planning application were to be refused. Many of the public benefits of the current scheme would be delivered by the consented scheme. However, there are significant benefits that the current proposed scheme would deliver in comparison with the consented extant scheme as outlined above.

## SUMMARY

The proposed development is acceptable in principle.

The Council's Highway Services has advised that the proposed mitigation measures are acceptable subject to the management plan providing greater detail on the decision making process used in determining which events are to be held at the Bland Street facility. Conditions restricting the range of uses, the capacity of

the building, and to secure the detail and implementation of the management plan are recommended.

It is considered that the massing and appearance of the proposed building is proportionate, is of good design, would not appear cramped, and responds well to the sensitivity of its setting and context.

The proposed development would not significantly harm the living conditions of adjacent and nearby residents in the locality.

In weighing applications that directly or indirectly affect non-designated heritage assets, the NPPF advises that a balanced judgement will be required, having regard to the scale of any harm or loss and the significance of the heritage asset.

On balance, the buildings on the site have less than moderate significance as an undesignated heritage asset, and with regard to the scale of harm, the loss of buildings and the significance of the heritage asset, it is considered that the proposed development including the loss of buildings would not be significant and would not significantly harm the character and appearance of the Crabtree/Abbeyfield Area of Special Character.

In relation to Paragraph 11 of the NPPF, the most important policies in the determination of this application, which in this case revolve around highways, design, heritage and neighbourliness impacts, do, when considered as a collection, align with the NPPF. As such paragraph 11(d) of the NPPF is not applied in this instance.

The proposal complies with UDP Policies H14, BE5, BE7, BE18, BE20, GE22 and GE23; Core Strategy Policies CS63 to CS66, CS74; and the Government's planning policy guidance contained in the NPPF in particular Paragraphs 92, 102 to 111, 117, 124 to 132, and 184 to 202.

## RECOMMENDATION

For the reasons outlined in this report, it is recommended that planning permission is granted subject to the listed conditions.