

# Application number 12429/21



Directorate of Place  
Development Management Section

Town Hall, Bolton, Lancashire, BL1 1RU  
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# Bolton Council

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**Date of Meeting: 06/01/2022**

**Application Reference: 12429/21**

**Type of Application: Full Planning Application**  
**Registration Date: 12/10/2021**  
**Decision Due By: 06/12/2021**  
**Responsible Officer: Lauren Kaye**

**Location: ALVIA MOSQUE, 29 BROMWICH STREET, BOLTON, BL2 1JF**

**Proposal: ERECTION OF A FIRST FLOOR EXTENSION AT FRONT  
TOGETHER WITH THE SITING OF A DOME AND MINARET**

**Ward: Tonge with the Haulgh**

**Applicant: Mr S Ali**  
**Agent : RA Design & Project Management Ltd**

## **Officers Report**

**Recommendation: Refuse**

### **Executive Summary**

- The application is before Planning Committee at the request of Cllr Peel.
- The proposal is for a first floor front extension along with a minaret and glass dome.
- The Council's Tree Officers are not supportive of the application due to the loss of a TPO tree.
- No objections have been received from local residents.
- The proposal is recommended from refusal.

### **Proposal**

1. The applicant is seeking approval for a first floor front extension along with a minaret and glass dome.
2. The proposed first floor extension would measure 5 metres in depth by 12.8 metres wide. It would have a flat roof measuring 8.4 metres high. The proposal also includes a glass dome which would measure an additional 3.2 metres high and a minaret which would sit approximately 5.7 metres high on top of the proposed first floor extension.

### **Site Characteristics**

3. The application property is located on Bromwich Street and is a detached building located on a corner plot at the junction of Bromwich Street and Rydley Street. The character of the area is predominately residential to the north, east, south and west.
4. To the front of the site lies a Beech tree which is protected under the Tree Preservation Order (TPO) 883 Bolton (29 Bromwich Street) 2009.

## **Policy**

### **The Development Plan**

5. Core Strategy: CG1 Cleaner and Greener, CG3 Built Environment, CG4 Compatible Uses, RA1 Inner Bolton, SC2 Cultural and Community Provision, S1 Road Safety, P5 Transport and Accessibility.

### **Other material considerations**

6. National Planning Policy Framework (NPPF).
7. SPD General Design Principles
8. SPD Accessibility, Transport and Road Safety

## **Analysis**

9. Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with policies in the Development Plan unless material considerations indicate otherwise. Applications which are not in accordance with Development Plan policies should be refused unless material considerations justify granting permission. Similarly, proposals which accord with Development Plan policies should be approved unless there are material considerations which would justify a refusal of permission. It is therefore necessary to decide whether this proposal is in accordance with the Development Plan and then take account of other material considerations.

10. The main impacts of the proposal are:-

- \* impact on trees
- \* impact on the character and appearance of the existing mosque and surrounding area
- \* impact on the amenity of neighbouring residents
- \* impact on highway safety

### **Impact on Trees**

11. Policy CG1.2 of the Core Strategy states that the Council will safeguard and enhance biodiversity in the borough by protecting sites of urban biodiversity including trees, woodland and hedgerows from adverse development.
12. The proposed development involves the removal of a protected mature Beech tree to the front of the application site. The applicant has proposed within their Arboricultural Method Statement to compensate for the removal of the tree with two *Quercus robur* 'Fastigiata' (Cypress Oak), which would be planted at the front of the building. The applicant has stated that this will ensure the long-term continuation of tree cover in the area. The proposed location of these trees is shown on the proposed plan.
13. The Council's Tree Officers have been consulted and comment as follows:
  - \* The proposed scheme as submitted has requested the removal of a protected mature Beech tree, which within the Tree Survey schedule is categorised as B2 (Those of moderate quality and value: those in such a condition as to make a significant contribution (a minimum of 20 years is suggested)) under BS5837 (2012) Trees in Relation to Design Demolition and Construction.
  - \* The applicant's agent has detailed in the survey that they consider the tree to be of poor form, however the Council's Tree & Woodland Manger does not agree with this statement. The tree has been poorly pruned in the past which has resulted in stub cuts; however this has not had a long-term impact on the overall health and amenity of the tree.
  - \* The proposed front extension will impact heavily of the canopy of the Beech tree (T2) requiring

extensive pruning to accommodate the increased height of the building and the scaffold requirements; and will damage the trees amenity value.

- \* It is noted that the applicant has offered replacement tree planting in mitigation of the loss of the Beech tree. However this assumes that the Planning Committee are minded to approve the loss of the Beech tree as part of the approved scheme.
- \* Based upon the above the application is not supported.

14. Commenting on the applicant's proposed replacement tree planting, the Council's Tree Officers instead recommend, should Members be minded to accept the loss of the Beech tree, that a replacement Fastigate Red Oak tree be planted in the corner where the Beech tree is located. They state that this would probably require the Beech tree stump to be removed to create space for the Oak tree to mature. Officers comment that a second tree (recommended as another Fastigate Red Oak) would need to be planted within the block paved area to the front, as it would need to be further away from the wall than the Hornbeam that has previously been planted on the site.
15. Officers consider that the proposed loss of the Beech tree would not be adequately mitigated for by the proposed planting of two new trees. The proposed removal of the Beech tree would be contrary to Policies CG1.2 and CG3 of Bolton's Core Strategy in that it would result in the unacceptable tree loss, to the detriment of the character, appearance and amenity of the application site and the area in which it is set.

#### Impact on the Character and Appearance of the Existing Mosque and Surrounding Area

16. Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment.
17. In addition, Core Strategy policy RA1.12 13 and 15 seeks to development having regard to the massing and materials used in the surrounding area and respecting and strengthening the traditional grid iron pattern and the street scape of existing mills and housing where it is compatible with good urban design.
18. The proposed first floor extension would measure 5 metres in depth by 12.8 metres wide. It would have a flat roof measuring 8.4 metres high. The proposal also includes a glass dome which would measure an additional 3.2 metres high and a minaret which would sit approximately 5.7 metres high on top of the proposed first floor extension. The sides and part of the front would be built in brickwork to match along with the frontage to be cast in stone.
19. Whilst it is acknowledged that the proposal would result in a building which would stand out and be noticeably different from all of the surrounding properties on this part of Bromwich Street, given that the building is a place of worship, it would be expected that the appearance externally would be different from the other surrounding uses. Additionally it is important to note that the applicant has incorporated stone parapets, heads, sills and surrounds in keeping with the existing building and surrounding properties. It is therefore considered that the proposal would result in a design which is unique and stands out within the area, however this would not result in a detrimental impact upon the character and appearance of the area.
20. However, as discussed above, it is considered that the loss of the protected Beech tree would be to the detriment of the character and appearance of the area, contrary to Policy CG3 of the Core Strategy.

#### Impact on the Amenity of Neighbouring Residents

21. Policy CG4 of the Core Strategy states that the Council will ensure that new development is compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security.
22. The proposal would not project closer to any of the neighbouring properties than the existing building and is set away from the boundaries of the site. It is considered that the proposal would not increase overshadowing, overlooking or be overbearing on the surrounding properties and as such would not have a detrimental impact upon neighbouring amenity.
23. It is considered that the proposal complies with policy CG4 and RA1 of Bolton's Core Strategy.

#### Impact on Highway Safety

24. Policy P5 of the Core Strategy states that the Council will ensure that developments take into account [amongst other things] parking, in accordance with the parking standards set out in Appendix 3. Policy S1.2 states that the Council will promote road safety in the design of new development.
25. The Highways department has been consulted and they have commented on the following:
26. According to the submitted information, the proposed extension will provide a negligible increase in the amount of F1(f) use-class associated with the site (68 sqm). The site plan indicates that the proposal will cater for improved ancillary uses associated with the premises and not for an increase in the size of public prayer hall space. On this basis, no objections on highway grounds to what is being proposed under this application.
27. It is considered that the proposal complies with policy P5 of the Core Strategy.

#### **Conclusion**

28. For the reasons discussed above, it is considered that the proposed development, would result in the unacceptable tree loss, to the detriment of the character and appearance of the area. The proposal is therefore considered to be contrary to Policies CG1.2 and CG3 of the Core Strategy. Members are recommended to refuse the application.

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** None received.

**Petitions:-** None received.

**Elected Members:-** Councillor Peel has requested the application be heard at Planning Committee.

### **Consultations**

Advice was sought from the following consultees: Tree and Woodland Manager, Highways

### **Planning History**

81904/09 - DEMOLITION OF DETACHED BUILDING FOLLOWED BY THE ERECTION OF A TWO STOREY EXTENSION TO REAR AND LAYING OUT OF SIX CAR PARKING SPACES - Approved with conditions

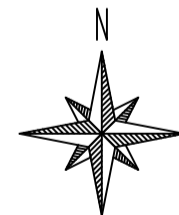
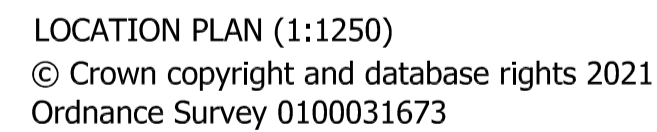
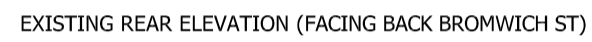
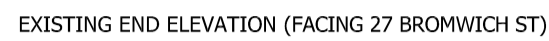
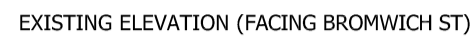
86981/11 - RETENTION OF ALTERATIONS TO EXISTING PLANNING PERMISSION 81904/09 TO INCLUDE PARTY WALL FENCING, ALTERATION TO FIRST FLOOR WINDOW, VEHICULAR ACCESS, EXIT AND PARKING AND ALTERATIONS TO GRASS VERGE, TOGETHER WITH RAISING OF ROOF HEIGHT - Approved with conditions

02212/17 - FELLING OF 1NO. BEECH. - Refused

**Recommendation:**            **Refuse**

### **Recommended Conditions and/or Reasons**

The proposed development would be contrary to Policies CG1.2 and CG3 of Bolton's Core Strategy in that it would result in the unacceptable loss of a tree from the site, to the detriment of the character, appearance and amenity of the application site and the area in which it is set.

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The whole of the works to comply with Planning Approval & Conditions and current Building Regulations. No work to commence without Planning & Building Regulations approval.

The client must ensure the project complies with the Construction Design and Management Regulations 2015

The Client should ensure consent from any landowner or interested party is obtained, as well as compliance with Party Wall Act 1996

Notes

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## EXISTING PLANS

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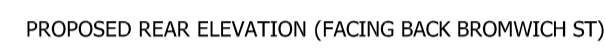
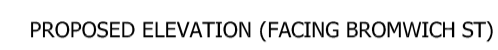
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Date SEPTEMBER 2020

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	Project
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	Title
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## PROPOSED PLANS

Client	
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