
Committee Date:	19/12/2013	Application Number:	2013/07125/PA
Accepted:	29/10/2013	Application Type:	Full Planning
Target Date:	24/12/2013		
Ward:	Nechells		

217-219 Cherrywood Road, Bordesley Green, Birmingham, B9 4XD

Change of use of ground floor from light industrial (Use Class B1c) to bereavement centre for women (Use Class D1)

Applicant: Mr Liaqat Hussain
61 Edmund Road, Saltley, Birmingham, B8 1HB

Agent:

Recommendation

Approve Subject To Conditions

1. Proposal

- 1.1. Consent is sought for the change of use of the ground floor from light industrial (Use Class B1c) to a bereavement community centre for Asian women. The centre would provide help, support and a meeting place for women of the Pakistani Pashtoon community to visit and pay their respects to the family of the deceased person.
- 1.2. Internally, the ground floor comprises two inter-connected halls with storage, conference and w/c areas to the rear. The total floor area for the ground floor is 260 sq metres. The first floor would remain void and is accessed independently through a side door.
- 1.3. The centre would be run by a charitable organisation for women. The proposed centre would provide recitation of the Quran for the deceased person. A maximum of 40 women would be accommodated at the centre at any one time. The proposed opening hours of the proposed use would vary depending on the need, but would not operate outside of 0900 to 2130 daily. One member of staff would be employed at the site. All car parking would continue to take place on-street.
- 1.4. There would be no funeral services provided or deceased body brought/ stored at the site. There would be no formal prayers or madrassah activity occurring at the site. There would also be no form of cooking taking place and no form of musical entertainment being used at the premises.
- 1.5. The supporting statements have confirmed that there is an equivalent centre for Pashtoon men that have been running in excess of 10 years at 253 Bordesley Green and the proposed centre would link the facilities they provide for their particular community.

[Existing Ground Floor Plan](#)

[Proposed Ground Floor Plan](#)

2. Site & Surroundings

- 2.1. The application site is a vacant two-storey detached building that was previously used as light industrial with incidental storage and offices.
- 2.2. The surrounding area is predominantly residential in character. The application site is within the outer zone of a Hazardous Insulation (Akzo Nobel Packaging's and Coatings), which is located approximately 120 metres to the north.

[Location Map](#)

[Street View](#)

3. Planning History

- 3.1. 29/06/1972 – 06305006 – Change of use to light industrial - Approved

4. Consultation/PP Responses

- 4.1. Adjoining occupiers, Resident Associations and Ward Members consulted. A petition comprising of 24 signatures and two letters from adjoining neighbour were received, who object on the following grounds:
 - Centre being used as a mosque and booking hall for large parties
 - Exacerbates existing parking and traffic congestion further within the centre and Al-Hijrah school within close proximity to each other
 - Noise and disturbance increases from 5pm to 10pm
- 4.2. A petition of 35 signatures and 20 letters of support on the following grounds:
 - Urgent need for this type of facility for this particular community within the area
 - Religious and cultural reasons the centre is required within this area
 - Conveniently located within walking distance to the surrounding residential areas
 - The use supported as the building has been constantly vandalised over the years and became an eyesore within the street with flytipping occurring at the site
 - The facility supported as existing homes within the area are too small to accommodate large extended family and friends
 - Health and safety reasons as existing homes are not large enough to accommodate large number of people
 - Help educate and empower Pushtoon community to be able to participate in local concerns
- 4.3. Transportation Development – Additional information required in regards to the floor area proposed and if first floor is included within the proposal, then a Transport Statement needs to be submitted. Recommend a temporary consent may also be appropriate to monitor ongoing activity / operation of the site subject to the following conditions to include permitted development removed to prevent any change within D1 Use Class and restriction upon attendance to 40 persons.
- 4.4. Regulatory Services – No objections subject to conditions to include amended hours/ days of operation from 1000 hours to 2000 hours Monday to Saturday and 1100 hours to 1600 hours on Sundays, restricted to use as bereavement centre, no amplification sound, no prayer/ madrassah activity and no deceased body stored/ brought on the site.

4.5. Health and Safety Executive – No objections

5. Policy Context

5.1. UDP (2005), Draft Birmingham Development Plan (2012) , NPPF (2012), Places for All SPG (2001), Car Parking Guidelines SPD (2012), Draft Bordesley Park AAP

6. Planning Considerations

6.1. The main considerations in the determination of this application are:

6.2. **Principle of use** – The proposal would result in the loss of a low quality industrial site, isolated from other industrial uses. It is considered a non-confirming use within the wider residential area. Whilst in policy terms, the preference for the location for such uses is within established centres, it is within a large residential area and within walking distance of Bordesley Green Neighbourhood Centre, which is located approximately 280 metres from the application site. The application site would cater for local residents from the Pakistani Pashtoon community that have settled within the Bordesley Green Area. Supporting letters stress that there is a local need within the area as the small residential terrace properties are unable to accommodate a large number of women at any one time. The site is accessible by non car based modes of transport. The application site has remained vacant for a considerable number of years and is not allocated for any particular use within the draft Bordesley Park AAP. Consequently, I raise no objection in principle and consider that the use would serve a local need.

6.3. **Impact on residential amenity** - I note concerns have been raised by neighbours in regards to noise and disturbance. Regulatory Services have raised no objections subject to a condition to reduced openings to 2000 hours, which has been agreed by the applicants. The surrounding area is residential in character. The facility would only operate certain hours and days depending on need of the community. Consequently, I consider that, notwithstanding the objections raised and subject to use class restriction and no amplification equipment conditions to be imposed at the application site, the proposal is unlikely to have an adverse impact on the amenity of residential occupiers within the immediate vicinity of the site.

6.4. I note that there are existing ground floor windows within both of the side elevations and I consider that it is reasonable to attach a condition to have them obscurely glazed in order to protect the amenity of adjoining residential occupiers within the immediate vicinity of the site.

6.5. **Impact on highway safety** - I note the concerns raised by local residents in relation to parking and traffic congestion. Transportation Development have requested additional information in regards to the proposed floor area and a temporary approval in order to monitor on-going activity on site. I do not concur with this view. The proposal is for a change of use of ground floor that would equate to 260 sq metres and would not require a Transport Statement as part of supporting submission. Also, stringent conditions have been recommended that would restrict operations and capacity on site. Consequently, I consider that, subject to the attached recommended conditions being met and notwithstanding the objections raised, the proposal would not result in detriment to highway safety in a manner that would justify the refusal of the application.

7. Conclusion

7.1. The proposed development is considered to be acceptable and recommend approval of planning permission subject to conditions.

8. Recommendation

8.1. Approved subject to conditions

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- 1 Requires the scheme to be in accordance with the listed approved plans
 - 2 Prevents the use from changing within the use class
 - 3 Limits the hours of operation to between 1000-2000 Monday to Saturday and 1100-1600 Sundays and Bank Holidays.
 - 4 Prevents the use of amplification equipment
 - 5 Requires the prior submission details obscure glazing for specific areas of the approved building
 - 6 Prevents weddings, funeral services and other major events to take place on site
 - 7 Prevents the storage of bodies at the application site.
 - 8 Limits the approval to 3 years (Full)
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Case Officer: Mohammed Akram

Photo(s)

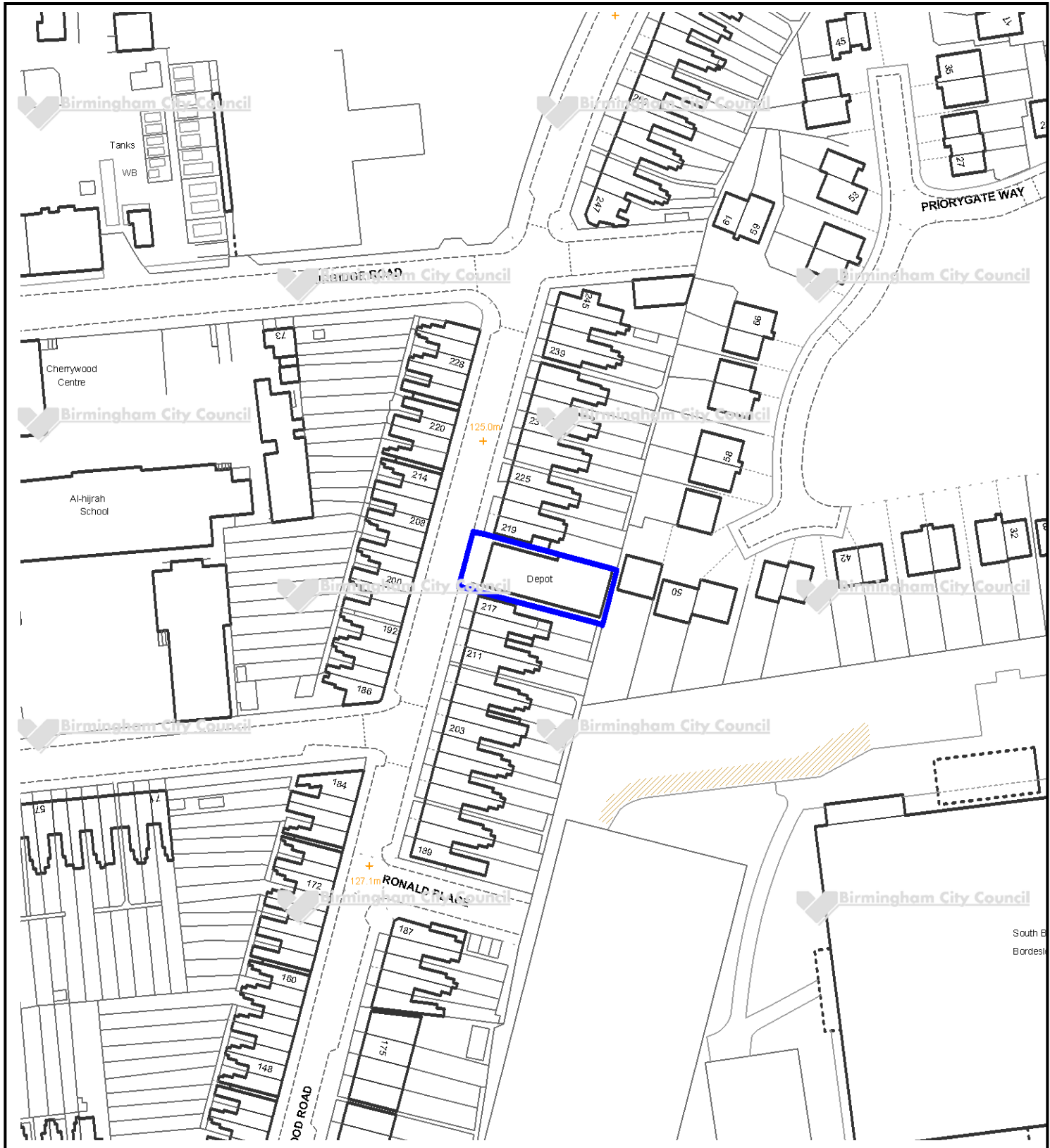


Figure 1: Application Site



Figure 2: Street view

Location Plan



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