

## EAST AREA COMMITTEE MEETING – 26<sup>th</sup> March 2013

### Amendment De-brief Note

#### PLANNING APPLICATIONS

CIRCULATION: First

ITEM: APPLICATION REF: **12/1573/FUL**

Location: 10 Coldhams Grove

Target Date: 12<sup>th</sup> February 2013

To Note: Nothing

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

#### DECISION:

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CIRCULATION: First

ITEM: APPLICATION REF: **12/1139/FUL**

Location: 2 Tenison Road

Target Date: 30<sup>th</sup> October 2013

To Note:

The minutes of the Development Control Forum (DCF) have been omitted from the report in error. They are attached to the Amendment Sheet.

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

#### DECISION:

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CIRCULATION: First

ITEM: APPLICATION REF: **13/0115/FUL**

Location: 5 Montreal Road

Target Date: 26<sup>th</sup> March 2013

To Note: Nothing

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

**DECISION:**

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**DEVELOPMENT CONTROL FORUM**

16 January 2013

10.00 - 11.15 am

**Present****East Area Committee Members:** Councillors Blencowe, Brown and Saunders**Other Members Present:** Councillor Meftah**Officers:**

City Development Manager – Chair: Sarah Dyer

Planning Officer: Catherine Linford

Committee Manager: James Goddard

**For Applicant:**

Applicant Representative: Sejad Mekic

Applicant Architect: Richard Denny

**For Petitioners:**

Deputy Chair Glisson Road and Tenison Road Area Residents Association:

Corinne Duhig

Resident: Tony Davies

Resident: Alexandra Winkels

**FOR THE INFORMATION OF THE COUNCIL****13/1/DCF Declarations of Interest**

No interests were declared.

**13/2/DCF Application and Petition Details 12/1139/FUL 2 Tenison Road**

Committee: East Area Committee

Date: 16 January 2013

Application No: 12/1139/FUL

Site Address: 2 Tenison Road, Cambridge, Cambridgeshire, CB1 2DW

Description: Retrospective application for temporary continuation of use for additional assembly area for worship on Fridays (12.30pm to 2.30pm) and during Ramadan (midday to 2pm and 5pm to

Applicant: sunset)  
Islamic Centre  
Agent: Mr Denny  
Lead Petitioner: Mr Frank Gawthrop  
Case Officer: Miss Catherine Linford  
Text of Petition: A Development Control Forum is requested to discuss the following issues:

- The application virtually doubles the capacity of the Mawson Road Mosque to approximately 500 worshippers.
- The presence of so many people in a densely populated area causes considerable problems of parking and noise disturbance, particularly at peak times on Friday and Ramadan.

A Development Control Forum will allow residents, Councillors and the Applicant to discuss how issues can be alleviated.

### **Opening Remarks by Chair**

The Chair outlined the role and purpose of the Development Control Forum. She stated no decisions would be taken at the meeting.

### **Case by Ward Councillor on Behalf of Applicant**

Councillor Meftah spoke as a Ward Councillor on behalf of the Mosque. He made the following points:

- 1) Cambridge has a diverse population.
- 2) The two major religious groups in the City were Muslims and Christians. There were 42 churches and 3 mosques.
- 3) As the Muslim population expanded so did their need for places to worship.
- 4) 2 Tenison Road was used as a religious and educational centre.
- 5) The new mosque application was run under the Muslim Academic Trust.
- 6) Councillor Meftah had sent representations to the Planning Officer regarding traffic flow and parking on Fridays. He had also contacted Highways Officers as a result of his informal surveys regarding illegal parking issues. The Mosque displayed signs asking worshippers to park legally.
- 7) Councillor Meftah had challenged people who exhibited bicycle and vehicular anti-social behavior (eg parking illegally) near the Mosque, but not everyone took notice.

- 8) Other buildings in Tenison Road had similar issues to the Mosque, and also had people arriving by private car or being dropped off by taxis.
- 9) Councillor Meftah acknowledged that people had quick informal meetings in front of the Mosque as they were leaving, but people quickly dispersed.
- 10) Worshippers wanted good relations with their neighbours, hence representatives attending the Development Control Forum.
- 11) Councillor Meftah noted that cones were set out in front of residents' parking area, and queried who had placed the cones there.

### **Case by Applicant Representative**

Iman Mekic spoke as a Mosque representative and made the following points:

- 12) He was proud of the number of mosque attendees.
- 13) A bigger venue was required to accommodate more people without inconveniencing neighbouring residents.
- 14) Worshippers were regularly reminded to be kind, good neighbours and park legally. However the Iman could not guarantee people would take this on board.
- 15) Various people used Tenison Road for parking, not just mosque attendees.

### **Case by Petitioners**

Dr Duhig spoke on behalf of local residents. She made the following points:

- 16) Residents were glad there was a place of worship in Tenison Street and wanted to be good neighbours.
- 17) Empathised that Muslims wanted a places of worship and that there were limited places to do this in Cambridge.
- 18) There was a long and unhappy history of planning complications regarding the Tenison Road Mosque. Residents felt their objections had not been given the weight they should have been by the Planning Committee. This caused disturbance. For example, no conditions to control construction noise.
- 19) The Mosque had a long history of not complying with planning conditions, not putting planning applications in on time and causing disturbance to neighbours.
- 20) The Mosque had not policed visitors in the past, which disturbed neighbours and led to loss of amenities. The Mosque was doing more now, but it was too little too late. This led to bad relations between the Mosque and the local community.

- 21) Resident representatives were attending the Development Control Forum to talk about the disharmony between the Mosque and the local community.

Dr Winkels spoke on behalf of local residents. She made the following points:

- 22) Dr Winkels liked the cultural diversity of Cambridge and living near a Mosque.
- 23) Concerns of Local Residents:
- The increase of visitor numbers to the Mosque has led to noise and crowd issues.
  - Parking and vehicle numbers (eg taxis making drop offs), particularly after 8:00 pm. Vehicular noise from engines left running and people parking on pavements was a particular issue.
  - Resident's amenities.
  - Anti-social behaviour of people parking in Tenison Road.
  - Mosque public address system noise.
- 24) Illegal parking issues were referred to Environmental Health Officers, who passed them onto the Police. When no action was taken; Dr Winkels approached Mosque visitors who were parking illegally and was abused/threatened, which caused her deep distress.

The Police have subsequently placed cones in resident's parking areas to prevent other users taking them and are monitoring the situation. The cones have limited impact so the issue persists.

- 25) Dr Winkels noted the Mosque displayed signs asking worshippers to park legally, but this occurred only after residents raised objections to the planning application.
- 26) Churches in Tenison Road have fewer services than the Mosque; so parking issues were less noticeable, particularly at night.
- 27) Dr Winkels and neighbours felt intimidated by Mosque visitors and did not enjoy good relations with the Mosque.

Mr Davies spoke on behalf of local residents. He made the following points:

- 28) Reiterated concerns of Local Residents:
- Anti-social behaviour.
  - Planning conditions not being observed in the past.
  - Breakdown in trust between the Mosque and neighbours.
- 29) A lot of planning applications were made retrospectively after changes to building structure/use were implemented. Residents felt they had been misinformed about proposals affecting the Mosque.

- 30) Planning conditions from 2008 regarding windows, roof lighting and the public address system were consistently breached. This gave residents little confidence that future conditions would be observed.
- 31) One of the planning conditions for the Tenison Road site is that it should be returned to residential use once the temporary planning permission expires. If the Mosque application for temporary continuation of use is approved, it would be some time before the site returns to residential use.
- 32) Residents did not feel supported by agencies such as Highways Authority and Police, who were meant to enforce planning conditions.

**Case Officer's Comments:**

- 33) Details concerning the application were sent to neighbouring properties.
- 34) Subsequent to this, 16 letters of objection and 1 petition requesting a Development Control Forum were received from local residents.
- 35) Policy consultations have been undertaken with statutory consultees.
  - Environmental Health - No objections raised, subject to conditions.
  - The Highways Authority have requested a transport statement.

**Members' Questions and Comments:**

The Committee made the following comments in response to the report:

- 36) Asked for clarification from the Highways Authority regarding the impact of disabled badge holders parking on double yellow lines near Mosque entrances and road junctions.
- 37) Many large institutions (such as Anglia Ruskin University) had liaison committees with councillors and residents to discuss issues and improve neighbour relations.
- 38) Requested a site visit to better understand Mosque and neighbours community relations.

Iman Mekic answered as follows in response to Members' questions and comments:

- 39) He understood that planning conditions meant the public address system should not be used after 9:00 pm in the summer. However the public address system was required in Ramadan (the date of which moved each year) so that Mawson Road and Tenison Road worshippers could hear the service. The public address system was for internal use only, so should not be loud enough to disturb neighbours.

Iman Mekic said mosque windows had to be periodically opened for air flow health and safety reasons, but suggested they could be closed during prayer time in future so neighbours would not be disturbed (ie they would be open at other times).

- 40) Iman Mekic was not personally aware of planning conditions limiting the Mosque to being just a religious centre. He felt it restrictive not to use the Mosque as an educational centre as well.
- 41) Iman Mekic would check details of planning conditions limiting hours when people could be called to prayer at the Mosque, as he was unclear if limits had been imposed.
- 42) The retrospective application affected an extension to the existing Mawson Road Mosque building. The Tension Road site was used for prayers on Friday, evening prayers in Ramadan, plus twice weekly women and children education groups.
- 43) If retrospective permission was not granted, it would complicate issues as people would not be able to move to a better site. If the number of worshippers who could enter the building at any one time was limited, more calls to prayer would be required, or people may pray outside the Mosque. This in turn would lead to greater disturbance to neighbours.
- 44) The Planning Officer had visited the site and Councillors were welcome too.
- 45) People used different entrances to the Mosque depending on peak/quiet visitor times.

The City Development Manager answered as follows in response to Members' questions and comments:

- 46) Any conditions applied to the Tenison Road application would only apply to it and not the Mawson Road site. However Councillors could impose any planning conditions they felt appropriate.
- 47) A management plan could address issues for the Mosque site as a whole on Mawson Road and Tenison Road. The Council could assist, but not require good neighbour relations through the planning system.

### **Summing up by the Applicant's Representative**

- 48) Iman Mekic re-iterated:
  - The Mosque had observed legal requirements and worshippers had been asked to observe good relations with neighbours during Iman Mekic's time of office (7 – 8 years).
  - Apologised that bad neighbour relations had developed and offered to liaise with resident representatives post Development Control Forum to address mosque visitor anti social behaviour issues.



**Summing up by Ward Councillor on Behalf of Applicant**

Councillor Meftah reiterated:

- 49) The Tenison Road application was required for space to pray, issues would arise if a venue could not be found.
- 50) The Mosque wanted good relations with neighbours. Residents were invited to contact the Mosque if they had any issues to discuss in order to resolve them.
- 51) Asked that planning conditions allowed the Mosque to operate as a religious and educational centre.
- 52) Happy to accept conditions regarding closing of windows when public address system in use, plus use of public address system.

**Summing up by the Petitioners**

- 53) Dr Winkels had contacted Councillor Marchant-Daisley and the Police regarding issues. She had also contacted the Mosque directly and found them unwilling to help.
- 54) Dr Winkels was happy to discuss issues with Mosque representatives in principle, but was cautious of how things would progress based on past experience.

Dr Duhig made the following points:

- 55) The planning application was for Tension Road, but issues affected Mawson Road too.
- 56) Residents asked the Planning Officer to be mindful that planning conditions would affect the area for some time if the application were approved.
- 57) A liaison committee between councillors, mosque representatives and residents to discuss issues was welcomed.
- 58) Asked the Mosque to police its worshippers to minimize anti social behaviour. Neighbours were acutely distressed by noise and congregating mosque visitors.

Mr Davies made the following point:

- 59) Planning conditions should be appropriate, but they were important for resident's quality of life. Residents needed confidence that conditions would be observed and enforced.

**Final Comments of the Chair**

60) The Chair observed the following:

- Notes of the Development Control Forum would be made available to relevant parties.
- Application to be considered at a future East Area Committee.

The meeting ended at 11.15 am

**CHAIR**