

<b>Council/Committee:</b>	Planning Committee
<b>Date of Meeting</b>	10 June 2026
<b>Application Reference</b>	DC/25/70634
<b>Application Description</b>	Demolition of former chapel building and two storey expansion of existing Islamic centre.
<b>Application Received</b>	15 May 2025
<b>Application Address</b>	Tipton And Tividale Islamic Centre 24 - 25 Gate Street Tipton
<b>Report Author</b>	Alison Bishop
<b>Lead Officer</b>	Tammy Stokes
<b>Ward</b>	Oldbury
<b>Appendices (if any)</b>	<ol style="list-style-type: none"> <li>1. 2282.LP. REV A – location plan</li> <li>2. 2282.SP – Site plan</li> <li>3. 2282.02 – existing elevations</li> <li>4. 2282.01 REV B – existing floor plans</li> <li>5. 2282.04 – proposed elevations</li> <li>6. 2282.03 REV B – proposed floor plans</li> <li>7. 2282.05 – proposes sections/3D views</li> </ol>

## 1. Application Summary

- 1.1 The application is being reported to Planning Committee because seven material planning objections and 113 letters of support have been received.
- 1.2 To assist members with site context, a link to Google Maps is provided below:

[Tipton and Tividale Islamic Centre](#)

[Hopkins Street](#)

[Gate Street](#)

## 2. Recommendations

- 2.1 That planning permission is refused:
  - i. Insufficient parking provision which would result in highway safety issues and inconvenience to other highway users contrary to the provisions of

TRAN2 of the Black Country Core Strategy and paragraph 116 of the National Planning Policy Framework.

- ii. The scale and massing of the extensions would be out of character with the local area and cause loss of light and outlook to adjacent residential properties contrary to policies CSP4, ENV3, SAD DM6 and SAD EOS9.

### **3. Reasons for the recommendation and conditions**

The extensions and increase in floorspace of this development raises concerns over a significant increase in worshippers and the additional parking provision cannot be accommodated within the site leading to parking being displaced on surrounding residential streets causing congestion and nuisance to surrounding residential properties. Furthermore, the scale of the extension proposed would be out of character with the local area and impact on residential amenity.

### **4. Key Considerations**

- 4.1 The site is unallocated in the development plan but sits alongside an allocated community open space.
- 4.2 Material planning considerations (MPCs) are matters that can and should be taken into account when making planning decisions. By law, planning decisions should be made in accordance with the development plan unless MPCs indicate otherwise. This means that if enough MPCs weigh in favour of a development, it should be approved even if it conflicts with a local planning policy.
- 4.3 The material planning considerations which are relevant to this application are:
  - Government policy (NPPF)
  - Amenity concerns –noise and disturbance
  - Loss of light and outlook
  - Highways considerations - traffic generation, highway safety, and parking
  - Design – character, appearance and scale
  - Social benefits – community cohesion

### **5. The Application Site**

- 5.1 The application site is within a residential area immediately adjacent to community open space. The site consists of two parcels of land; one fronts Gate Street and the other Hopkins Street.

#### **5.2 Planning History**

Planning permission was granted for the Mosque and community centre to include extensions and internal alterations in 1991. A full list of the planning history is provided below:

DC/06/46256	Provision of car parking facility.	Granted conditional permission 30.10.2007
BCS4120	Laying out of a new car park	Grant conditional permission 20.02.1998
BCS1552	Use of premises as mosque and community centre and internal alterations and extensions.	Grant conditional permission 27.09.1991

## 6. Application Details

The proposal is for extensions and alterations to the existing centre which would be as follows:

Gate Street building – A rear single storey extension measuring 21.8 metres (L) (max) by 7.5 metres (W) with a pitched roof to a maximum height of 4.5 metres. A further two storey curved porch entrance to the side would measure approximately 5 metres (L) by 5 metres (W) by 9 metres (H). The maximum existing height is 9.6 metres to the frontage of Gate Street.

Hopkins Street building – Side and rear extension which would wrap around the existing building and would result in a new width of 17 metres with a rear extension of 14.6 metres with a predominantly flat roof to a height of 7.6 metres but would include two minarets increasing to 13 metres and central feature dome to a height of 10.8 metres. The existing height is 8 metres.

These extensions would link the two buildings using the proposed porch feature referred to above.

Parking provision would include the remaining section fronting Hopkins Street which would provide four disabled spaces with further parking provision from Gate Street providing 11 spaces (including two further disabled spaces).

A Transport Statement indicates that a variety of modes of transport are available - public transport, walking and cycling - and states that visitors would use these forms of transport. The statement argues when considering these factors, the proposal would not result in significant highway issues. Further amendments to the Transport Statement have been provided and a traffic survey undertook surveys of surrounding streets to indicate that there was capacity on street to support parking associated with the development.

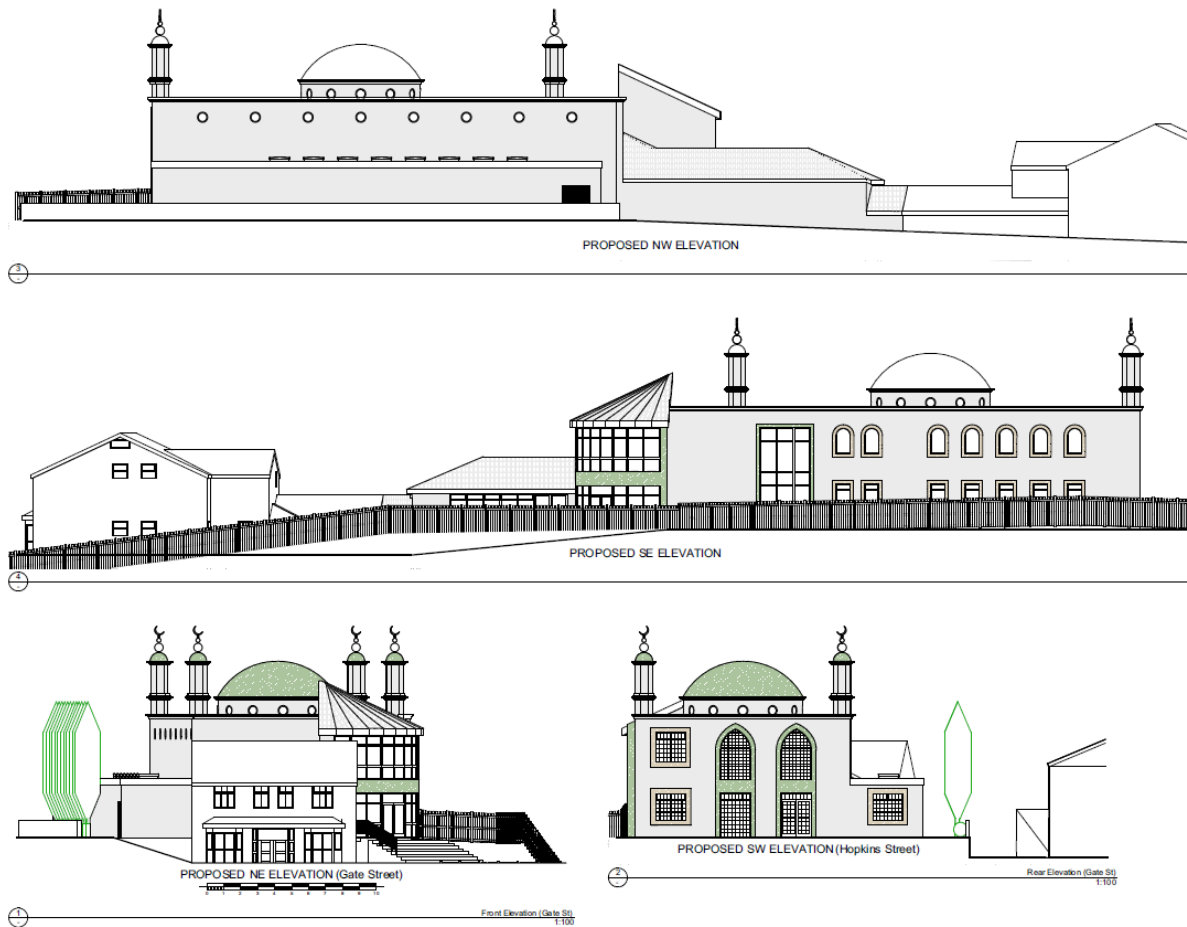
Further to this, the applicant has also indicated that the nearby car wash facility would allow for parking during Friday prayers on their site.

## Other options

Whilst unusual to present this, the applicant has also informally submitted two options during the determination of the application, which reduced the scale and massing of the extensions as follows:

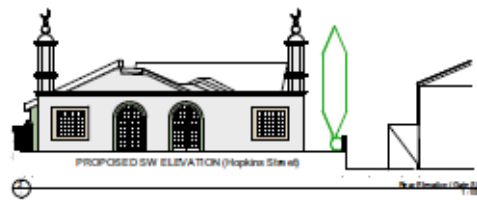
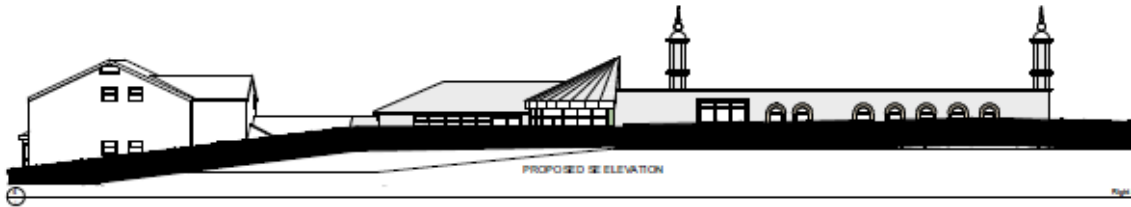
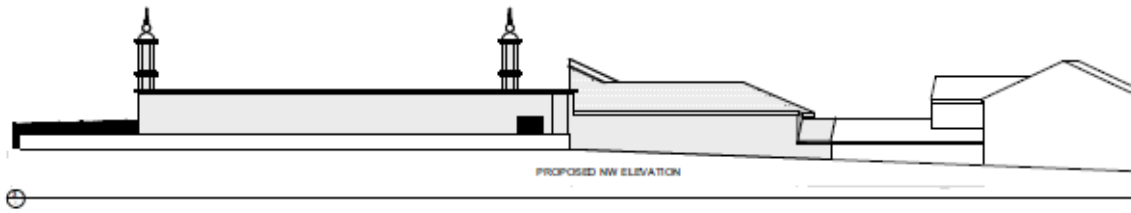
### Option 1

Reduces the Hopkins Street elevations. See extract below:

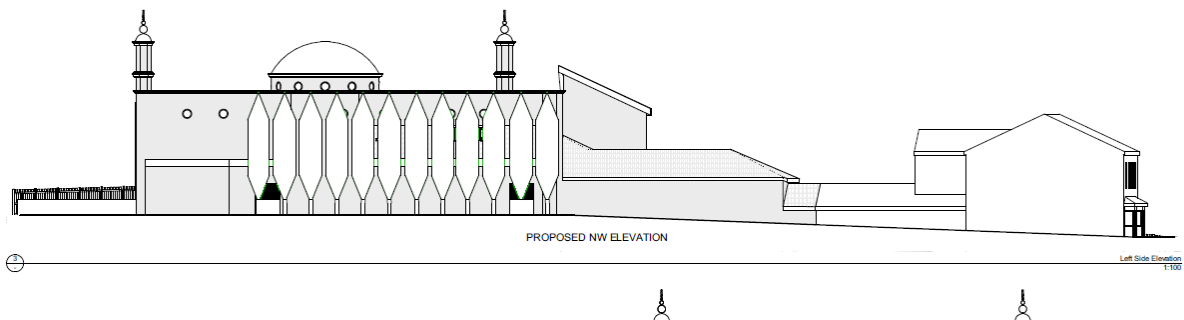


### Option 2

Reduces all the extensions on Hopkins Street to single storey, but the architect states that this would be phase 1 with a view to increasing to two storey at a later date. See extract below:



Notwithstanding the above, the intent is to clearly provide a two storey structure and the scheme before you is being judged on the drawings accompanying this report as originally submitted, i.e. for a two storey building (Hopkins Street). See extract below:



## 7. Publicity

The application has been publicised by 169 neighbour notification letters. Seven objections and 113 letters of support have been received.

The objections are summarised below:

- a. Parking concerns – the amount of extension proposed will significantly reduce parking and displace vehicles onto the narrow residential streets.
- b. Extra traffic generation due to the increased floorspace.
- c. Friday prayers will noticeably increase and will exacerbate an existing parking problem.
- d. Increase noise and disturbance to surrounding residents
- e. Visual impact/design – the scale of the extensions, this is not in character with the area given the height of the proposed building
- f. Loss of residential character – the expansion of the works proposed would dramatically alter the character of the area and the design is not in harmony with the area

The supporting comments are summarised below:

- a. The centre would provide a valuable community facility providing education, social and charitable activities.
- b. The current building is outdated and in need of renovation and improvement.
- c. The proposal would make a positive contribution to the area.
- d. Parking would not be a concern as most users are residents who are local to the area and mainly walk to the centre.

## **8. Consultee Responses**

### **8.1 Planning Policy**

It is considered that the location and scale of the building and limited parking would be contrary to policies in the Black Country Core Strategy and Site Allocations and Delivery Development Plan Document and so should be refused consent.

SAD DM6 states that extension to new existing building should be situated on main road frontage. The proposed extensions would increase the prominence of the building facing Hopkins Street which is small residential street. Policies ENV3 and SAD EOS9 refer to rejecting design when the scale is not in character with the area. TRAN 2 states that planning permission will not be granted for development proposals that are likely to have significant transport implications unless applications are accompanied by proposals to provide an acceptable level of accessibility and safety by all modes of transport

### **8.2 Highways**

An objection has been raised on the grounds of insufficient parking and the resulting detriment to the surrounding streets and highway safety.

### Parking surveys

Highways have reviewed the entire parking survey and can confirm that there is not sufficient space to accommodate an increase in the site. Resident amenity will be negatively affected due to the proposal. Therefore, Highways cannot support this as the surrounding street network is either over or at capacity currently.

### Third party car park

The third-party car park letter submitted notes that it is a temporary agreement, a temporary agreement is not accepted as it is a permanent issue. The site in question also requires parking for itself, therefore would be concerned with the availability of the parking suggested. Highways would also be concerned regarding the management of this and is not enforceable, which would lead visitors to park illegally and dangerously nearer the site.

### Congregation size/parking provision

The applicant has stated that the congregation would not increase in size. Reviewing the proposal and options 1 and 2 also, even the smaller scale proposal is almost three times the size of the current facility.

The floor area would increase from 428m<sup>2</sup> to 1280m<sup>2</sup>. This is almost a 200% increase in floor area, and no supporting evidence has been submitted to confirm that the congregation would not increase, and it is considered that the proposal must be determined on the potential for harm. Based on the floor area, the required parking provision should be 237 parking spaces. Fifteen parking spaces have been provided for the development, achieving only 6% of the parking provision required.

## **8.3 Public Health (Contaminated land)**

No significant concerns given the historic nature of the use, and a condition is requested that in the event of contamination being identified this is reported to the council.

## **8.4 Public Health (Noise)**

Concerns have been raised about amplified sound using external speakers, in particular, during large religious celebration, weddings, birthdays and funerals as this could cause nuisance to surrounding residential property. This could be controlled by condition.

## **9. Relevant Planning Policy Considerations**

### **9.1 National Planning Policy Framework (NPPF)**

The NPPF sets out government's planning policies for England and how these are expected to be applied.

## Design

The framework refers to development adding to the overall quality of the area by achieving high quality design, achieving good architecture and layouts. Given the general characteristics of the area, it is considered that whilst the design is a high standard, the scale does not respect the architectural scale and form of the surrounding area.

## Highway safety

The framework promotes sustainable transport options for development proposal and states that developments 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. It is considered that due to the increase in footprint and the low numbers off street parking provision, this scheme would have a detrimental impact on highway safety.

## **10. Development Plan Policy**

The following policies of the council's development plan are relevant:

### **Black Country Core Strategy (BCCS)**

CSP4 – Place Making – The development should contribute to the historic character and local distinctiveness of the area given regard to scale, proportions, design and materials proposed. The scale of the proposal fails to respect the existing character of this residential area.

TRAN2 – Managing Transport Impacts of New Developments - Refers to development providing a variety of modes of transport. The scheme is accessible by bus and cycle provision (10 spaces) is provided within the site. However, even with these other modes of transport the percentage numbers that would travel by car would still have a detrimental transport impact on the area.

ENV3 – Design Quality - Refers to well-designed schemes that respond and understand each place with high quality design. Whilst the designed scheme is of a high quality, its connection to place and scale is poor and out of character.

### **Site Allocations and Delivery Development Plan Document – (SADD)**

SAD DM6 – Community Facilities including Places of Worship and/religious instruction refers to buildings facing main road frontage, consideration of noise generation and provision of parking. The current centre is modest in scale and assimilates into the local street network, a larger footprint would not,

given that it is not a main road frontage. In addition, parking provision is not sufficient for the scale of the building proposed.

SAD EOS9 – Urban Design Principles states that proposals should be rejected that are inappropriate in the locality in terms to the street and the nature and height of any buildings and their effect on the surrounding area.

## **11. Material Considerations**

### **11.1 Amenity concerns**

The development as proposed significantly increases the footprint of the existing building and noise generation is likely to be greater. Whilst the facility could be conditioned to control elements, such as external audible sounds, visitor movements are likely to be excessive and cause nuisance to neighbours return to cars parked in the locality.

### **11.2 Loss of light and outlook**

There are several properties which lie perpendicular to Hopkins Street and overlook the site. Due to the land level of the application site and the scale of the building there is a risk of significant loss of light, outlook and overshadowing of these properties.

### **11.3 Highways considerations**

Highways have reviewed the application and have raised objections to the application. Whilst the applicant has argued that parking can be provided on street, many visitors will not travel by car and that the congregation will not increase. The last assertion must be challenged, given that the floor area would increase by 200% and that letters of support state that it will provide an improved facility for residents to use. Therefore, when combining, the increase footprint, the limited number of off-road parking and the surrounding narrow road widths, it is considered that the parking shortfall is significant and hence would result in highway safety concerns.

### **11.4 Design/local character**

Whilst is acknowledged that the proposed works will create a quality design, this would be at a scale that does not fit into the local character of the area. I am mindful that other options have been explored, Option 1- two storey (Hopkins Street), would still be out of character in scale. Turning to Option 2 single storey (Hopkins Street), this would not impact on the character of the area, but the applicant has asserted that the two storey element would be a second phase and so the same concerns would arise at the completion of the phases. In any event, highways concerns remain for both options.

### 11.5 **Social cohesion/community benefits**

It is accepted that the development would create significant increase in community space which would serve the population for several functions; however, this would not outweigh the harm identified.

## 12. **Conclusion**

12.1 All decisions on planning applications should be based on an objective balancing exercise. This is known as applying the 'planning balance'. To summarise: the proposal should be approved unless any adverse impacts of granting the permission would significantly and demonstrably outweigh the benefits when assessed against development plan policies or, where those policies are out of date, the NPPF as a whole. Where national policy takes precedence over the development plan, this has been highlighted in paragraph 9 (National Planning Policy Framework).

12.2 On balance it is considered that the negative impacts of this development namely the scale of development and highway safety outweigh the community benefits this building would provide. As such the application is recommended for refusal.

## 13. **Legal and Governance Implications**

The Planning Committee has delegated powers to determine planning applications within current Council policy. Section 78 of the Town and Country Planning Act 1990 gives applicants a right to appeal when they disagree with the local authority's decision on their application, or where the local authority has failed to determine the application within the statutory timeframe.

## 14. **Other Relevant Implications**

- a. **Health and Wellbeing** – Implications of the proposals on health and wellbeing of our communities.

## 15. **Background Documents**

None.

## 16. **How does this deliver the objectives of the Strategic Themes?**

N/A