

<b>Committee:</b> Development Committee	<b>Date:</b> 18 August 2004	<b>Classification:</b> Unrestricted	<b>Report Number:</b> <b>DC021/045</b>	<b>Agenda Item Number:</b> <b>6.2</b>
<b>Report of:</b> Director of Development and Renewal		<b>Title:</b> Town Planning Application and Listed Building Consent Application		
<b>Case Officer:</b> Silke Stolz		<b>Location:</b> Mosque at 59 Brick Lane, London E1		
		<b>Ward:</b> Bethnal Green North		

## 1. SUMMARY

### 1.1 Registration Details

**Reference No:** PA/04/00672 (FPP) and PA/04/00673 (LBC)

**Date Received:** 04/02/2004

**Last Amended Date:** 04/02/2004

### 1.2 Application Details

**Existing Use:**

Mosque

**Proposal:**

Internal and external alterations including some demolition plus extensions to the existing mosque. The works include: alterations to main entrance door (on Brick Lane), paint works, works to the entrance hall, single-storey rear extension, 2-storey annexe (plus basement) to the rear, internal refurbishment works, upgrading of dormer windows and new signage. Erection of a minaret at the corner of Brick Lane and Fournier Street.

**Applicant:**

The London Jamme Masjid Trust

**Ownership:**

Applicant

**Historic Building:**

Grade II\*

**Conservation Area:**

Fournier Street/ Brick Lane Conservation Area

**Drawing Numbers:**

01, 02, 03, 04, 05, 06, 08, 09, 10, 11, 12, 102, 103/A, 104/B, 105/A, 106/B, 108/A, 109/B, 120/A, 121/A, 122/B, 130/A, 131, 132, 140

## 2. RECOMMENDATION:

2.1 (PA/04/00672) That the Development Committee **grant** planning permission **subject to the completion of a S106/278 legal agreement.**

### Legal Agreement

- To carry the costs of necessary works to the highway which are directly related to the proposed development.

2.2 (PA/04/00672) That the Development Committee **grant** planning permission subject to the conditions outlined below:-

1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

### BACKGROUND PAPERS USED IN THE DRAFTING OF THIS REPORT

<b>Brief Description of background paper:</b> Application case file, plans, UDP, PPG's.	<b>Tick if copy supplied for register</b>	<b>Name and telephone no. of holder</b> Development Control 020 7364 5338
--	---	--

- 2 All new works and works of making good to the retained fabric whether internal or external shall be finished to match the original work with regard to the methods used and to material, colour, texture, and profile and in the case of brickwork, facebond and pointing unless a variation is agreed in writing by the local planning authority before that part of the work is put in hand.
- 3 Details and/or samples of the proposed pattern steel panels of the door and the minaret and details and/or samples of the proposed tensile fabric of the roof of the single-storey rear extension shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.
- 4 Details and/or samples of all new windows, including replacement windows, shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development.
- 5 There shall be no call to prayer or any other broadcasting.
- 6 The windows to the lobby of the annex above ground floor level shall be obscure glazed and non-openable.
- 7 Prior to the commencement of development, details of the proposed external spiral staircase shall be submitted to and agreed in writing by the Local Planning Authority.
- 8 The minaret shall be removed in its entirety within 28 days of the last use of the building as a mosque.
- 9 Details of the proposed illuminance of the minaret shall be submitted to and agreed in writing by the Local Planning Authority prior to the erection of the minaret.
- 10 Notwithstanding the submitted details, revised drawings of the proposed annex shall be submitted to and agreed in writing by the Local Planning Authority. The revised drawings shall show the relocation of the lobby.

---

2.3 (PA/04/00673) That the Development Committee **grant** listed building consent subject to the conditions outlined below

- 1 The works hereby permitted shall be begun before the expiration of five years from the date of this consent.
- 2 All new works and works of making good to the retained fabric whether internal or external shall be finished to match the original work with regard to the methods used and to material, colour, texture, and profile and in the case of brickwork, facebond and pointing unless a variation is agreed in writing by the local planning authority before that part of the work is put in hand.
- 3 Details and/or samples of the proposed pattern steel panels of the door and the minaret and details and/or samples of the proposed tensile fabric of the roof of the single-storey rear extension shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.
- 4 Details, including section drawings at a scale of 1:20, and/or samples of all new windows, including replacement windows, shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development.
- 5 Prior to the commencement of development, details of the proposed external spiral staircase shall be submitted to and agreed in writing by the Local Planning Authority.
- 6 Prior to the commencement of works, drawings showing the type and routing of all new

services submitted to and agreed in writing by the Local Planning Authority.

- 7 Prior to the commencement of works, a complete structural engineers report in respect of the proposed demolition works shall be submitted to and agreed in writing by the Local Planning Authority. The report shall include a historical analysis and a method statement for each area of demolition.
- 8 Prior to the commencement of works, details of all new joinery, including doors, at a scale of 1:1 where appropriate, shall be submitted to and agreed in writing by the Local Planning Authority.
- 9 Prior to the commencement of works, the colour of the paint to be used for the external doors and masonry shall be agreed in writing by the Local Planning Authority.
- 10 Prior to the commencement of development, a full photographic survey shall be undertaken and submitted to the Local Planning Authority.
- 11 A full watching brief shall be implemented in line with PPG16 where groundworks are proposed.
- 12 All joinery removed shall be stored on site in a secure and dry area. Access shall be allowed for the relevant officer of the Local Planning Authority in order that he may inspect the materials prior to the disposal.
- 13 All external and external surface finishes shall be agreed in writing by the Local Planning Authority prior to the commencement of works.
- 14 Prior to the commencement of works, details of any external and internal signage shall be submitted to and agreed in writing by the Local Planning Authority.

### **3. BACKGROUND**

#### **Site description and location**

- 3.1 The application property is a large corner building at the junction of Brick Lane and Fournier Street. Completed in 1743, it served many religious groups as a place of worship. It has been in use as a mosque since 1976.
- 3.2 The main entrance door is on Brick Lane, and there are two additional doors on Fournier Street.
- 3.3 To the rear, there is a single-storey, flat roof annex (store room and toilets).
- 3.4 There is an external staircase to the rear, leading down from the top floor which is partly contained within the roof space.
- 3.5 The adjacent property to the west, No.39 Fournier Street, is a three-storey end-terraced property with a small back yard. It is currently used as an advice bureau and offices.

#### **The submitted scheme – for Planning Permission and Listed Building Consent**

3.5 The following works are proposed:-

- Removal of existing forward projection on Brick Lane, erection of new forward projection which acts as a plinth/base for the proposed minaret;
- Name of mosque 'engraved' in base;
- The proposed minaret would be 29 metres in height from ground level, and have a maximum width of 1.2 metres;
- The upper 8 metres of the minaret would be a stainless steel pole with a half-moon symbol on top;
- The lower part of the minaret would be a larger pool with pattern stainless steel panels;
- Lighting would be concealed within the structure to illuminate the minaret at night;
- Existing non-original windows of dormer windows to be replaced with opening casement windows to match existing;
- Substantial demolition of existing flat roof, single-storey annexe and erection of new two-storey pitched roof annexe with basement;
- Single-storey rear extension with tensile fabric roof to provide a new ablution area;
- Removal of existing external staircase and introduction of new spiral staircase.

The original submission included a glazed rear extension at first and second floor levels, which has now been omitted.

#### **The submitted scheme – for Listed Building Consent**

3.6 The following works are proposed:-

- Existing white painted stone work to be re-painted in stone coloured paint;
- Existing doors on Fournier Street to be renovated and painted dark
- Pattern metal filligree panels to be fitted to door panels of the main entrance door (on Brick Lane);
- Existing entrance steps to main entrance to be replaced with new Portland Stone with some mosaic tiles;
- Replacement of high level lights above main entrance;
- New replica Georgian lantern over main entrance door;
- Enlargement of internal door opening between prayer hall and proposed ablution area, new door to match existing panelling;
- New internal partition on first floor;
- Removal of suspended ceiling of entrance hall;
- New tiles to entrance hall;
- Widening of internal door opening between entrance hall and proposed ablution area;

- Existing internal opening between entrance hall and reception area to be enlarged vertically by one additional pane;
- Internal staircase linking the prayer hall on the ground floor and the prayer hall on the first floor to be removed.

#### **4. PLANNING POLICY FRAMEWORK**

4.1 The following Unitary Development Plan **proposals** are applicable to this application:

None.

4.2 The following Unitary Development Plan **policies** are applicable to this application:

- (1) DEV1 & DEV2 – Design and environmental requirements
- (2) DEV25 & DEV27 – Development in conservation areas
- (3) DEV31 – Extensions in conservation areas
- (4) DEV36 – Demolition of listed buildings
- (5) DEV37 – Alterations of listed buildings
- (6) DEV39 – Development affecting the setting of a listed building
- (7) T18, T19 & T21 - Pedestrians

4.3 The following New Unitary Development Plan 1st Deposit Draft **proposals** are applicable to this application:

None.

4.4 The following New Unitary Development Plan 1st Deposit Draft **policies** are applicable to this application:

- (1) UD1 – Scale and density
- (2) UD2 – Architectural quality
- (3) UD15 – Minor works
- (4) UD17 – Protecting and enhancing statutory listed buildings
- (5) UD19 – Demolition of statutory listed buildings
- (6) UD22 – Conservation areas
- (7) ENV1 – Amenity
- (8) ENV2 – Light pollution
- (9) TRN10 – Pedestrian permeability

#### **5. CONSULTATION**

5.1 The following were consulted regarding this application:

(1) **Head of Highways Devpt**

The comments may be summarised as follows: -

No objection in principle. The scheme would result in a need to re-align a section of the road and the costs of these works would have to be borne by the developer. A consent under Section 178 of the Highways Act would be required to erect the minaret.

(2) **Environmental Health**

The comments may be summarised as follows:-

No objection subject to no call to prayer. Call to prayer would be likely to result in noise nuisance.

(3) **Conservation and Urban Design**

No objection in principle subject to conditions to ensure that the development, including the demolition works, is carried out in a careful manner sensitive to the historic fabric of the building, and subject to appropriate materials.

In respect of the minaret, the comments received are as follows: -

“The minaret is not attached to the Listed building in a permanent fashion and could easily be reversed. Its erection is not in my view harmful to the setting of the building, and therefore the placing of such a structure is not detrimental to the overall historic interest of the building. In fact, it will assist in the continued reuse of this former chapel in its current use as Mosque, and is therefore in line with advice that is set out in PPG 15. The works to the doorway are based on research, and are appropriate, not being harmful to the character of the building, and in the case of the steps improving the safety of the access. I fully support this work.”

Further comments were received, which emphasise that the illuminated minaret would not to interfere with the integrity of the historic building and that it would be a new landmark on Brick Lane.

(4) **English Heritage**

Recommends that this case should be determined in accordance with government guidance, development plan policies and the benefit of conservation advice locally.

(5) **The Georgian Group**

Have no objection to the proposed scheme.

(6) **Conservation Advisory Group**

Object to minaret, glazed rear extension and pattern panels on doors in Fournier Street; no objection to other works.

(7) **The Spitalfields Trust**

Object to:

- Entrance steps
- Pattern panels on doors on Fournier Street
- Minaret
- Glazed rear extension

No objection to other works.

(8) **Spitalfields Community Association**

Object to the erection of a minaret.

5.2 Responses from neighbours were as follows:

No. Responses: 17    In Favour: 0    Against: 17    Petition: 0

5.3 The objections may be summarised as follows: -

**1. Character and appearance**

**Minaret:**

- The area is of great historic interest and the minaret would alter the views and general aspect of Brick Lane;
- The erection of a minaret to this corner site would represent an ‘insensitive act of architectural vandalism that later generations would regret’;

- The building has functioned as a mosque for many years and a minaret is not necessary to continue the use;
- The minaret would 'deface' the exterior; over the centuries, many different religious groups have used the building as a place of worship without causing harm to the building;
- "Brick Lane has been altered to such an extent that it is an eye-sore. The recent alterations to the road and pavements are awful, you could be anywhere, the design and layout is so bland. A minaret on the building will just add to this mess."
- The minaret would upset the 'tradition of tolerance' and adaptability of this building to changing local needs and migration;
- The proposed minaret would be inappropriate and out of keeping with the historic character of the building and the area;
- The minaret would 'degrade the proportion, scale and balance of the original design, destroying the building's architectural heritage and history';
- The minaret would interfere with the foot way and cause inconvenience to local residents and visitors.

#### **All works works:**

- The building has catered successfully for the changing needs of the local community since its completion in 1743, the exterior of the building has remained unchanged, and effort should be made to conserve this building in its original form;
- Alterations to the exterior are incompatible with this Georgian building and the conservation area;
- The proposed alterations would be detrimental to the historic character of the building and the area;
- Alterations to the door and additional signage are unnecessary and harmful to the appearance and character of the building and area;
- The owners have shown insensitivity to the building in the past by destroying the original Georgian panelled interior, and the proposed changes are likewise unacceptable;
- These inappropriate works would further encourage property owners in Brick Lane to carry out further unsympathetic alterations to their properties, which in turn would further add to the degradation of the area;
- Minaret would appear overbearing.

#### **2. Amenity**

- Call to prayer and broadcast chanting would be detrimental to residential amenity
- Glazed extension and two-storey annex would overlook the properties at No26 Princelet Street and block out light to them;

#### **3. Other**

- Not suitable for expansion as increasing the capacity of the mosque will have adverse effects on traffic and parking, and will result in more litter on the streets and anti-social behaviour.

5.4 All relevant planning and conservation issues area addressed in the 'Analysis' section below.

5.5 One of the letters was sent by 26 Princelet Street Limited, on behalf of the occupiers of four units within the building.

#### **6. ANALYSIS**

##### **Character and appearance of historic building in conservation area**

- 6.1 The design of the proposed annex mirrors that of the outbuilding located directly adjacent to the site. It is of traditional design and would harmonise with the neighbouring buildings.
- 6.2 The proposed single-storey extension would be of a modern design with a 'tensile fabric roof'. It is very minor in scale in relation to the original building and of obvious modern

design, and would therefore not adversely affect the historic character of the building.

- 6.3 The proposed paint works to the street elevations of the building, the proposed replacement of old windows with appropriate replacement windows and the proposed refurbishment works to the doors on Fournier Street would enhance the appearance of the building and this part of the conservation area.
- 6.4 The proposed minaret would only be connected to the building through the proposed base made of stone. It would not be directly physically attached to the building itself and could be easily removed at a later stage without causing any damage to the fabric of the building. Whilst, strictly speaking, not in line with the historic character of the building, it would emphasise the use of the building as a mosque. Furthermore, it would provide a new landmark on Brick Lane.  
Overall, the design of the minaret, with subtle illumination (controlled through a condition) is considered to be acceptable in this location.

#### **Historic character of building – internal works**

- 6.5 The proposed internal alterations are sympathetic to and respect the historic character of the building.
- 6.6 Conditions attached to the Listed Building Consent would ensure that works are carried out carefully and that materials used are appropriate.

#### **Amenity**

- 6.7 A condition is attached to prevent the traditional ‘call to prayer’ and any other broadcasting in order to prevent any noise nuisance.
- 6.8 The proposed increased floor space would allow a greater number of people to visit the mosque. There already is a large number of visitors, and existing levels of noise can be high at times. Any increase in noise or disturbance caused by the increased number of visitors would be likely to be absorbed in existing levels and would go largely unnoticed.
- 6.9 Whilst the extension and the annex to the rear may result in some loss of light to the neighbouring residential units, a satisfactory amount of day light would still be received by those properties. A survey has been submitted to show this.
- 6.10 A number of objectors raised concerns over a proposed glazed first and second floor rear and associated overlooking and loss of privacy. This extension is now omitted from the scheme.
- 6.11 The proposed lobby to the annex is in relatively close proximity to the rear elevation of No.26 Princelet Street. The lobby features glazing. A condition is suggested to ensure that the windows in the lobby are obscure glazed and non-openable in order to prevent any direct overlooking of the neighbouring property (No.26 Princelet Street) and associated loss of privacy to the occupiers thereof.

#### **Highways/ Transport issues**

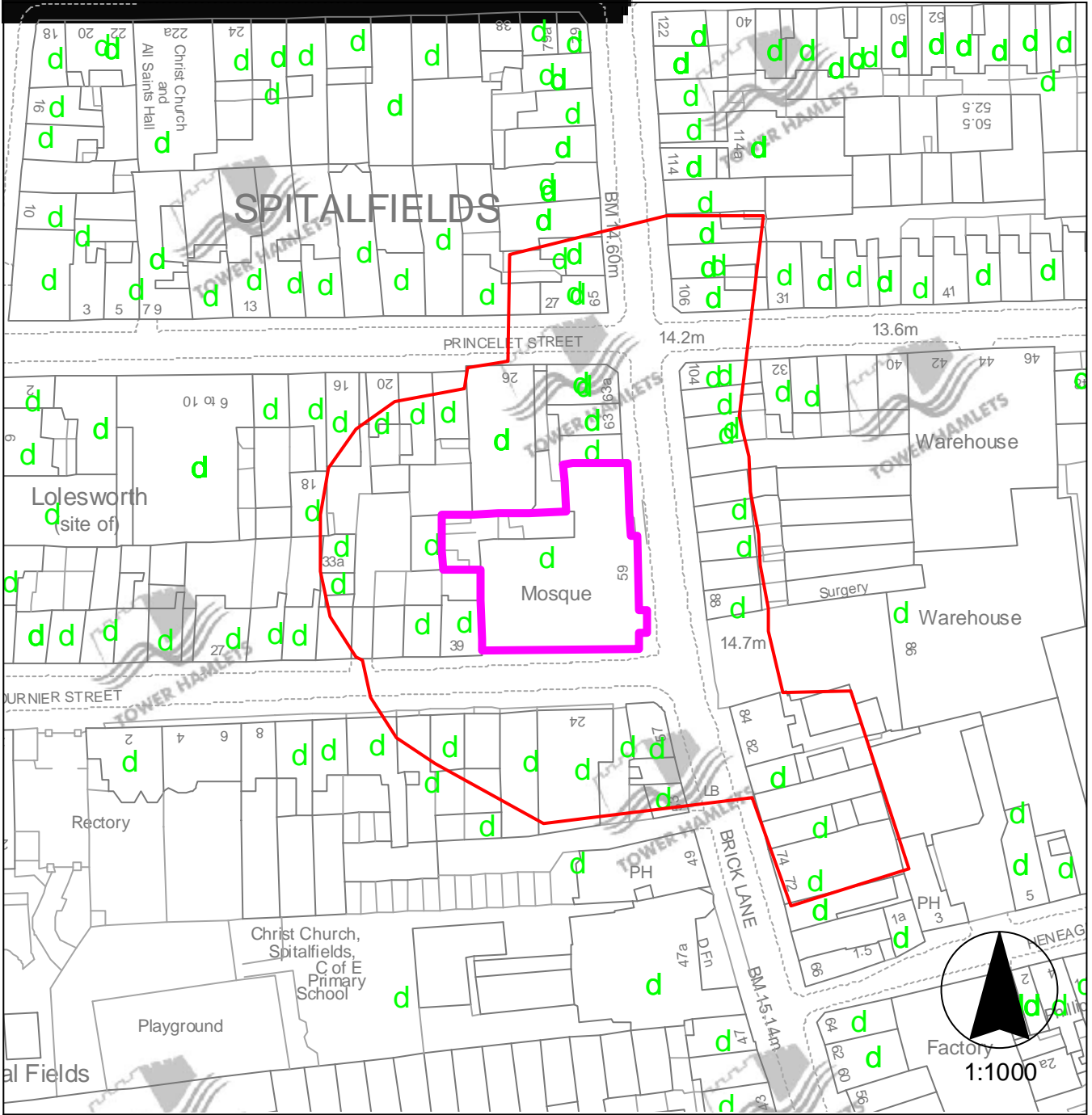
- 6.12 There are no specific ‘parking permits’ for the visitors of the mosque. Thus, the Council cannot limit the number of people arriving by car through withholding permits. However, given the central location of the mosque with good public transport links, a great number of visitors can reasonably be expected to arrive on foot.
- 6.13 The proposed base of the minaret would encroach onto highway land. A re-alignment of the highway is therefore required, and the developer must carry the cost of these works. The works are directly related and necessary for the development to proceed without having an adverse impact on the road network, the flow of traffic and pedestrian flow. This would be ensured through a Section 106/278 Agreement, which must be completed before a decision notice is issued.



**7. SUMMARY**

- 7.1 Overall, subject to the completion of a S106/278 agreement, the development proposal is considered to be acceptable in planning and conservation terms.
- 7.2 The scheme would not harm the architectural character of this historic building, and the character and appearance of this part of the Brick Lane/ Fournier Street Conservation Area would be preserved. Furthermore, there would be no materially adverse impacts on the residential amenities of any nearby occupiers in terms of loss of light or privacy or excessive noise and disturbance.

# Site Map



**Legend**

- Planning Application Site Boundary
- Consultation Area
- d Land Parcel Address

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process. The Site Map was reproduced from the Ordnance Survey mapping with the permission of Her Majesty's Stationery Office © Crown Copyright. London Borough of Tower Hamlets LA086568

**59 BRICK LANE, LONDON, E1 6QL**