

Planning Committee Report	
Planning Ref:	FUL/2017/1543
Site:	11-12 King William Street
Ward:	St Michaels
Proposal:	Extension and change of use to Banqueting Suite and Conference Centre, erection of boundary wall and railings and change of use of amenity space to car parking
Case Officer:	Anne Lynch

SUMMARY

This is a retrospective application for use of the premises as a banqueting suite. Works have been carried out to include a two storey extension to the rear of the premises, the addition of a porch to the side of the building and the enclosure of open space on the corner with a boundary wall and railings to extend the car parking area to the side.

BACKGROUND

Planning permission was granted in 2014 for change of use of the premises from a casino to a conference centre with a first floor side extension. The approved planning permission contained a number of conditions to protect residential amenity, including restriction on the hours of opening (from 9.00 am until 11.00 pm on a weekday, 9.00 am until 10.00 pm on Saturday and 9.00 am and 7.00 pm on a Sunday or Bank/Public Holiday) and the number of users to a maximum of 150 at any one time.

The approved planning permission for a conference centre and extension is not considered to have been implemented as the works were not carried out in accordance with the approved permission. The application documentation indicates that works, the subject of this application were carried out in May 2015.

KEY FACTS

Reason for report to committee:	The site is owned by an Elected Member (Councillor Rois Ali)
Previous use of site:	The previous use was a casino
Number of covers:	150 – 75 on each of the two floors
Hours of opening:	Application form indicates hours as unknown but the noise assessment is based on opening from 9.00 am until 11.00 pm Monday to Wednesday and 9.00 am until 1.00 am Thursday to Sunday.
Number of parking spaces proposed:	20 (The site has already been extended to provide the spaces)
Number of cycle spaces proposed:	10

RECOMMENDATION

Planning committee are recommended to refuse Planning Permission.

REASON FOR DECISION

- The proposal is of a poor design which has an adverse impact upon the street scene.

- The proposal will adversely impact upon highway safety.
- The proposal does not accord with Policies: DE1 and AC3 of the Coventry Local Plan 2016, together with paragraphs 127 and 130 of the NPPF 2018.

APPLICATION PROPOSAL

This is a retrospective application for the following:-

Change of use of the premises to a banqueting suite for a maximum of 150 covers with 75 on each of the two floors.

A two storey extension to the rear of the premises to provide an additional internal floor space of approximately 213 square metres bringing the total internal floor space to approximately 994 square metres. The two storey extension has a further single storey extension beyond with flat roof and external staircase. The previously approved side extension has not been constructed.

Erection of an entrance porch to the side elevation of the building. This is indicated as 3.4 metres wide and 1.9 metres deep with a height of 2.8 metres to eaves and 4.2 metres to ridge.

Enclosure of the area of open space to the corner of the street with a 1.5 metre high boundary wall and railings to allow an extension of the car parking area to the side.

SITE DESCRIPTION

The application property is located within the Hillfields Local Centre. The building is prominent in the streetscene and is believed to have once been a cinema before its use as a casino. To the northern and eastern side of the building is an area of hardstanding for car parking that has been extended up to the back of the pedestrian footpath where it is enclosed by a boundary wall and railings.

The property is situated on the northern side of King William Street and is the eastern-most property within the centre. The site is bounded to the north, east and south by roads (Albert Street, Clifton Street and King William Street respectively). The property is adjoined to the west by another property which has a ground floor retail unit and residential accommodation above.

A range of uses exist in the immediate area, including retail uses, a place of worship, a primary school and residential accommodation.

PLANNING HISTORY

There have been a number of historic planning applications on this site; the following are the most recent/relevant:

Application Number	Description of Development	Decision and Date
FUL/2013/1076	First floor side extension and change of use of premises to a conference centre	Approved 21 st January 2014.
S/1984/1396	Change of use to casino	Approved 26 th July 1984

POLICY

National Policy Guidance

National Planning Policy Framework (NPPF). The NPPF was first published in March 2012 and updated in 2018 and sets out the Government's planning policies for England and how these are expected to be applied. The NPPF promotes sustainable development and good design is recognised as a key aspect of this. Of particular relevance to this application are paragraphs 127 and 130 of the NPPF 2018.

Local Policy Guidance

The current local policy is provided within the Coventry Local Plan 2016, which was adopted by Coventry City Council on 6th December 2017. Relevant policy relating to this application is:

Policy DS1: Overall Development Needs

Policy DS3: Sustainable Development Policy

Policy GE3: Biodiversity, Geological, Landscape and Archaeological Conservation

Policy DE1 Ensuring High Quality Design

Policy AC1: Accessible Transport Network

Policy AC3: Demand Management

Policy AC4: Walking and Cycling

Policy EM1: Planning for Climate Change Adaptation

Policy EM7 Air Quality

Supplementary Planning Guidance/ Documents (SPG/ SPD):

SPD Delivering a More Sustainable City

CONSULTATION

No Objections received from:

- Highways (CCC)

No objections subject to further information and conditions have been received from:

- Environmental Protection (CCC)

Immediate neighbours and local councillors have been notified; a site notice was posted on 6th July 2018.

Two letters of objection have been received, raising the following material planning considerations:

- a) The banqueting suite has been open for a few months now and is already causing problems with noise and parking.
- b) There is not enough parking for the banqueting suite and cars are now parking on double yellow lines on Clifton Street and additional cars are parking in side streets.
- c) The amount of noise has increased in the area with loud music, especially at night time and with people coming and going to the suite.

APPRAISAL

The main issues in determining this application are the principle of development, impact on visual amenity, impact on residential amenity, and highway considerations.

Principle of development

Policy R3 identifies Hillfields as a Defined Local Centre. Policy R3 states that Local Centres contain an appropriate scale of development which is demonstrated to not impact negatively on higher order centres and supports their immediate locality for day-to-day convenience shopping and also some service and restaurant uses; and social, community and leisure uses. Whilst the use could be considered as a main town centre use with a wider catchment area, this is a long-standing leisure use where a planning permission in 2014 has already considered the use as a conference centre to be acceptable. The conference centre was considered to be a D1 use whereas the current proposal is D2 and the previous permission conditioned the use to a conference centre only. The principle of use as a banqueting suite is therefore also considered acceptable as it is a similar type of use to the previous permission and although it falls within the D2 category of the Town and Country Planning Use Classes Order it is a community/leisure facility.

Whilst the principle of use is considered acceptable, the previous permission contained a number of planning conditions to protect the amenity of nearby residents, including restrictions on opening hours and number of users and conditions relating to noise. The 2014 planning permission was considered against the Coventry Development Plan 2001 which is now superseded by the Coventry Local Plan 2016. The previous planning permission is not considered to have been implemented and the current application now needs to be assessed against the relevant policies of the Coventry Local Plan 2016.

Impact on visual amenity

Policy DE1 of the Local Plan seeks to ensure high quality design and development proposals must respect and enhance their surroundings and positively contribute towards the local identity and character of an area.

The National Planning Policy Framework, paragraph 127 states that "Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁶; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The NPPF further states (at paragraph 130) “Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).”

The original site was “b” shaped with areas around the corner providing open space with tree planting and grassed areas. This open space made an important contribution to the visual amenities in this built-up area. The area that has been enclosed comprises two sections; a triangular plot to the south-east corner which was approximately 35 metres long and approximately 8 metres wide at the widest point and an area to the north approximately 20 metres by 6.5 metres. The open space has been enclosed by a boundary wall and railings that is alongside the back of the footpath. Not only is the wall and railings of poor design but the loss of the amenity space has resulted in a detrimental impact on the visual amenities of the area.

A front porch has been added to the side, eastern entrance to the building. This projects outwards to the surfaced car park area to the side of the building by just under two metres with an access ramp beyond. The porch is of a particularly poor design with a red pitched roof that does not match the main roof of the building and is sited above white columns which themselves appear as incongruous features in this prominent corner plot. With an overall height of 4.2 metres and the poor design, it appears intrusive at the side of this building.

The boundary wall, railings and the side porch are therefore considered to be of poor design and harmful to the visual amenities of the locality. Requests for amendments to the scheme have been made these include the removal of the porch and replacement boundary treatment, inset within the site to allow a substantial planting strip to make the scheme acceptable in terms of visual amenities. No revisions have been received.

The two storey rear extension is considered acceptable in design terms. The single storey projection beyond has a flat roof over and an external staircase. This type of extension with a flat roof and external staircase is not generally considered acceptable in design terms. However, it is at the rear of the building and alongside the area of servicing for the adjacent units and on that basis is not considered to warrant refusal.

Air conditioning units have been added to the side elevation facing the car park. These require planning permission but do not form part of this application.

The proposals are therefore considered to be of poor design, contrary to Policy DE1 of the Coventry Local Plan 2016 and paragraphs 127 and 130 of the National Planning Policy Framework 2018.

Impact on residential amenity

Residents have raised concerns about the impact from noise and general disturbance and Environmental Protection have received noise complaints in respect of loud music from these premises and other nearby premises. Environmental Protection have not objected to the proposed use of the premises but require further information to clarify the hours of operation as set out in the noise report. If the hours of operation are different to those considered within the report then this would require further assessment. Environmental Protection have also indicated that conditions would be required in-line with the previous permission for a conference centre. These would require conditions for no amplified music and insulation to the adjacent party wall. They would also require a condition to prevent any cooking in the premises as there understanding is that food was to be cooked/prepared off-site and brought onto the premises. They also consider that the nature of use could cause disturbance to nearby residents from general comings and goings but the site is within a defined centre where this type of use is considered acceptable. In terms of noise from people parking around the side streets, this could be addressed by conditions on the hours of use in line with the recommendations of the noise report and with sufficient on-site parking provision.

Environmental Protection have indicated that, if the hours of operation are outside of those considered by the noise report then they would require further assessment. The application documentation indicates that the hours of operation are unknown. As the premises are already operating then this information should have been available in support of the application. It should also be noted that the website for the banqueting suite indicates hours of opening as 10.00 am until midnight seven days a week but again, this could be dealt with by planning condition in line with the noise report.

The two storey rear extension is set adjacent to the side wall of 7-8 King William Street. These premises extend beyond the rear elevation of the application site. The adjacent premises contain bedrooms in the upper two storeys and retail at ground floor. There were windows in the side elevation of the building which faced the application site but these were to corridors and not habitable rooms and have since been removed. Therefore the two storey extension has no impact on any habitable room windows.

Highway considerations

Policy AC1 'Accessible Transport Network' states that development proposals which are expected to generate additional trips on the transport network should: a) Integrate with existing transport networks including roads, public transport and walking and cycling routes to promote access by a choice of transport modes. b) Consider the transport and accessibility needs of everyone living, working or visiting the city. c) Support the delivery of new and improved high quality local transport networks which are closely integrated into the built form. d) Actively support the provision and integration of emerging and future intelligent mobility infrastructure.

Policy AC3 of the Local Plan acknowledges that the provision of car parking can influence occurrences of inappropriate on-street parking which can block access routes for emergency, refuse and delivery vehicles, block footways preventing access for pedestrians, reduce visibility at junctions and impact negatively on the street scene. Proposals for the provision of car parking associated with new development will be assessed on the basis of parking standards set out in Appendix 5. The car parking

standards also include requirements for the provision of electric car charging and cycle parking infrastructure.

The site layout shows provision of 20 car parking spaces in the area to the side of the site. This has been facilitated with the unauthorised extension of the car park area into the amenity space to the side. Whilst the previous planning permission had fewer parking spaces for 150 users the application was assessed against the Policies of the 2001 Coventry Development Plan at a time when there were no adopted parking standards in place. This permission has not been implemented and the application now needs to be considered in line with the relevant policies of the Coventry Local Plan 2016. D2 uses can be wide ranging with uses such as cinemas providing leisure facilities for the local community whereas a banqueting suite acting as a wedding venue is likely to attract visitors from a wider area. The adopted plan sets out parking standards on the basis of 1 space per 8 seats for a D2 use of this type. Therefore, in line with the adopted parking standards a D2 use would require 19 on-site parking spaces. The current provision of 20 on-site parking spaces is therefore in accordance with Policy AC3. Some of the spaces are not easily accessible and will require some care in manoeuvring and although this is not ideal Highways have no objection to the current proposals. However, having regard to the issue with the poor design of the boundary wall and the loss of the important green amenity space in this location, amendments would be required to set the boundary in substantially to the corner to enable sufficient space for a planting scheme. This would result in the loss of at least 4 on-site parking spaces which would mean that the provision would fail to meet the required parking standards. Whilst these are maximum standards, any under-provision would need to demonstrate that there is sufficient on-street parking available in the vicinity to address the short-fall. Having regard to the need for alterations to the site layout and design, the proposals would be contrary to Policy AC3 of the Coventry Local Plan 2016. Highways would object to any lower level of parking provision that does not accord with parking standards that would require 19 spaces for 150 covers, unless it is demonstrated that there are sufficient off-site parking spaces available to accommodate the development.

Conclusion

The proposals are considered to have a detrimental impact on the visual amenities of the locality contrary to Policy DE1 of the Coventry Local Plan 2016 and the NPPF 2018 and any amendments to the scheme would fail to provide sufficient on-site parking provision and would therefore be contrary to Policy AC3 of the Coventry Local Plan 2016.

REASONS FOR REFUSAL

The porch extension, by reason of siting and design, introduces an incongruous and intrusive feature in the street scene in this prominent corner location to the detriment of the visual amenities of the locality contrary to Policy DE1 of the Coventry Local Plan 2016 and paragraphs 127 and 130 of the National Planning Policy Framework.

The boundary wall and railings, by reason of siting and design, introduces an incongruous and intrusive feature in the street scene that has resulted in the loss of valuable green amenity space in this prominent corner location to the detriment of the

visual amenities of the locality contrary to Policy DE1 of the Coventry Local Plan 2016 and paragraphs 127 and 130 of the National Planning Policy Framework.

Having regard to the siting of the boundary wall and railings and the need to set this back substantially within the site to accommodate a landscaping scheme, insufficient parking provision would be available within the site to meet the needs of the development and would therefore be contrary to Policy AC3 of the Coventry Local Plan 2016.