

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 already been carried out to the premises including the erection of 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 former public open space on the corner with a boundary wall and railings to extend the car parking area to the side.

The application was considered by Planning Committee on 30th August 2018 where it was resolved that the application be deferred to give the applicant one month to submit additional information to resolve the outstanding matters.

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 restrictions 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 limiting 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.

Planning Committee considered the application at their meeting on 30th August where the application was recommended for refusal. Committee agreed to defer the determination of the proposal to a future meeting to allow the applicant to be given one month to submit further information to resolve the matters of concern raised in the officers report and those raised during the Committee meeting. These include:-

- Car park layout
- Car park management plan
- Cycle parking
- Waste collection management plan
- Details of cooking/heating, odour control, extraction
- Travel plan with the inclusion of alternative parking
- Party wall insulation
- Noise report update to include exact number of occupiers
- Noise report update to include confirmed hours of operation.

The timescales for provision of the above information was given as 2nd October 2018.

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:	Now confirmed as 10.00 am until midnight.
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 will have a detrimental impact on highway safety and residential amenity and fails to make satisfactory provision for waste collection and management.
- The proposal does not accord with Policies: DE1 and AC3 of the Coventry Local Plan 2016 and the principles of the NPPF 2018, paragraphs 111 and 127.

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 former public 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.

The following is an outline of the information requested and an up-date on the additional information that has been received to date:-

Car park layout: Details of how the car park will be laid out formally to provide parking for the development, cycle parking and bin storage. The parking spaces will need to be accessible with bays of 2.4m x 4.8m and with 6m to manoeuvre to the rear.

An updated layout has been provided to show the landscaping removed. The layout shows 20 car parking spaces that are 2.4 metres x 4.8 metres. The bins are located where they were previously. Cycle storage will now be within the building.

Car Parking Management Plan: This should clearly define how the car parking is to be managed in order to mitigate any impacts on the highway network.

An email has been submitted to confirm the car parking management plan as follows:-

“The on-site car parking system will be managed by having one car parking marshal at the main gate in a high visual waistcoat and with an identity badge and another parking marshal at the side entrance porch. Both parking marshals will be in contact with each other by close range communication equipment and will carry a list of expected guests. The communication equipment will be linked to the main office inside the building which in turn is also linked to the external CCTV monitor room.

Once the limit of 20 spaces is reached the excess cars and guests will be directed towards the pay and display car park in Bath Street Coventry. The owners of this car park have an agreed arrangement with the owners of the banqueting suite for car parking on event days. See car parking notice for further details.

The business hours are 10am to 12am (midnight) as per application form.”

Travel Plan: This should promote alternative means of transport and include alternative parking. The Travel Plan should be undertaken/produced in accordance with the requirements of Planning Practice Guidance on Travel plans, transport assessments and statements in decision-taking.

No travel plan has been received to date.

Waste collection management plan: This should include details of suitable waste receptacles taking into account the amount and type of waste to be generated by the business, together with a schedule of collection.

A hand written letter has been provided on company note paper which states:

“The after event waste from the banqueting suite is taken away regularly by a local skip hire company “Potters Skips” from Coventry. The skip sits just behind the new rear extension with close proximity to the main gate. See letter from Skips for further Potters details.”

Details of food preparation and cooking: If food is cooked off-site then details of the type of food and how it is heated are required. Details of fume extraction and odour control are also required together with a noise report include details of any extraction equipment and external plant.

An email has been received advised the following in respect of food preparation:-

“The food is prepared and cooked off site and brought to site and warmed up in large steel dishes with gas burners underneath. This takes place in the two kitchens which are on the ground and first floor respectively. The kitchen on the first floor is an existing kitchen from when the building was used as a Casino and all the extract and odour equipment dates from then which is why the information cannot be produced now. The kitchen on the ground floor is just used as a food preparation area immediately before serving to the guests.”

Details of party wall insulation to the adjacent residential building.

This has been included in the updated noise report.

Noise report: This needs to be updated to include exact number of occupiers and to confirm the hours of operation. This should be consistent with the application form, otherwise the application form should be updated accordingly.

An updated noise report has been submitted.

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 111, 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

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, serving more than just a local catchment area to be acceptable. The conference centre was considered to be a D1 use (defined as non-residential institutions) whereas the current proposal is D2 use (assembly & leisure) 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, the 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 users; 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 where green open space is limited. 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 were previously recommended for refusal due to the poor design, contrary to Policy DE1 of the Coventry Local Plan 2016 and paragraphs 127 and 130 of the National Planning Policy Framework 2018. However, Committee Members did not support the reason for refusal on design grounds. In respect of the enclosure of the land to the side, Members indicated that they would prefer to see parking provision than replacement landscaping.

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 to prohibit the use of amplified music and insulation to the adjacent party wall. They would also require a condition to prevent any cooking in the premises as their 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 and residents must expect a degree of late night activity. 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 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. The website for the banqueting suite was also indicating hours

of opening as 10.00 am until midnight seven days a week. The additional information has confirmed the hours as 10.00am until midnight.

A revised noise report has been submitted in response to the concerns raised by our Environmental Protection Officer. Following review of the revised report Environmental Protection indicate that they have no objection subject to conditions and the receipt of further information. The noise report makes reference to the general comings and goings of patrons and Environmental Protection want to know how this will be managed to avoid disturbance to nearby residents. The noise report makes recommendations for sound insulation, including new glazing and a condition is required for verification of these measures. The noise report also indicates that music noise will be limited to 88dB. A condition is recommended for a Noise Limiting Device to be installed to ensure this can be achieved.

The noise report makes a number of recommendations including a recommendation that events should be managed such that all customers have left the car park by 00:15 during latest opening hours, that there should be no congregating outside the premises during events and that staff should remind guests using the venue that there are some residential uses nearby.

In response to the Environmental Protection Officer's request for details to indicate how the venue will be managed to avoid noise disturbance to surrounding residents a further statement has been provided. This advises that "when leaving the premises guests will be guided to their cars by the parking marshals. Cars will be controlled leaving the site at 3 cars at any one time only. This number will be observed at all times to avoid traffic issues when leaving site. Internally, guests will be guided from the main halls one table at a time so that the departure is controlled and orderly."

In response to this, Environmental Protection would need clarification on the following:-

- How do they intend to ensure that 150 guests arriving at similar times park in the allotted car park and not on the surrounding street?
- Is this plan for guests parked on site only or will parking marshals escort guests to their cars around the area and in the alternative car park in Bath Street?
- How do they intend to keep guests in the building until it is their turn to leave? Will this be included by way of a written contract when the hall is hired?
- How will they ensure that guests are aware of the plan to contain them in the hall and let them leave one table at a time?
- How long do they anticipate it will take to clear all the tables of guests once the event has finished? This could take some time and prolong any disturbance in the area.
- Will they close the venue early to ensure that all 150 guests have been escorted to their cars within the proposed hours of operation of the venue?
- How many staff will they have to manage these 150 guests?

It is therefore considered that insufficient information has been received to ensure that the venue is managed to limit any disturbance to surrounding residents. The above concerns have been forwarded to the applicants and Committee will be update of any responses received.

The two storey rear extension, this 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.

Paragraph 111 of the National Planning Policy Framework 2018 states that "all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed."

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 2014 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 consequently the new application must be considered in line with the relevant policies of the Coventry Local Plan 2016. D2 assembly and leisure uses can be wide ranging in nature with uses such as cinemas or bingo halls providing leisure facilities predominantly for the local community whereas a banqueting suite, acting as a wedding venue, is likely to attract visitors from a much wider catchment area, including those outside of the City. 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. The previous layout did not accommodate the planting strip required by officers and to provide the planting strip would result in the loss of approximately 4 parking spaces. Members indicated that they would prefer to see the parking than the planting. A revised layout has now been submitted to show 20 parking spaces in the area to the side of the property. Highways have reviewed the revised layout

and their only concern is the usability of parking space 15 as the manoeuvring aisle as shown on the plans is not accurate.

The additional information regarding a parking management plan was requested (as outlined above). Details of any contractual arrangements with the nearby public car park were also requested. There is no contract in place but the applicants have provided a photograph of the notice to show the parking charges for the car park. The Highway Authority does not accept the management plan as submitted on the grounds that it does not provide sufficient information for the Highway Authority to be assured that the potential impacts on the highway are adequately mitigated against by the applicant. No details regarding the capacity of the car park have been provided either, and given its location adjacent to the Hillfields Centre and two residential tower blocks, the car park does appear well used. Officers therefore have concerns, given the lack of evidence provided by the applicant that adequate capacity exists within the car park to accommodate the large number of additional vehicles that could be generated by the venue.

A travel plan was also required to promote alternative modes of transport but this has not been submitted. A transport statement has been submitted but this was prepared in 2013 and relates to the use as a conference centre.

Highways do not object to the car parking layout, however they are not satisfied with the details provided in respect of the car parking management and that no travel plan has been provided. It is therefore considered that it has not been adequately demonstrated that sufficient and satisfactory arrangements are in place to prevent any adverse impact on on-street parking provision and the wider highway network.

Waste Management

A Waste Management Plan has now been submitted to advise that the waste will be collected by a local skip company. This was sent to our Waste Management team for consideration. They advise that, as this is a commercial business, the number and size of bins, as well as collection frequency and cost would be discussed and agreed with any Waste Company, including the Council's Commercial Team, before any contract is signed. The same would apply to any skip hire company if that were their preference. They further advise that a lot would also depend on the type of function at any given time and the frequency of events and that a wedding receipt, for example, is likely to create more waste than a conference would. All of this would be discussed when agreeing any contract regarding waste collection.

The applicants have been asked to provide a copy of the contract they have with the skip hire company so that the matters relating to the volumes of waste and frequency of collection can be considered more fully. In response, the applicants have provided a note from the skip company to state:

“We are a waste collection company and I can confirm that we have been contracted by the Royale Mint, 11-12 King William Street, to collect their waste. We drop off empty skips and we pick them up when they are full. It could be two days, three days, a week, when it is full we will pick it up and leave another empty one. If you need any more information please do not hesitate to contact us.”

Environmental Health have been consulted to establish if this arrangement is sufficient for food waste. They do not consider that skips are appropriate, with food waste sat in an open skip for three or four days before it is collected. They further indicate that the note from the skip company is not a waste contract and as they are commercial business they have to have a proper waste contract which we can ask to see. A copy has been requested but nothing further has been received. It is therefore considered that the application fails to demonstrate satisfactory arrangements for waste collection and disposal.

Equality Implications

Following consideration of equality implications it is noted, from a visit to the site which included an internal inspection, that there is ramped access to the side entrance and bathroom facilities at ground floor which are designated for use by disabled persons.

Conclusion

Insufficient information has been submitted to demonstrate satisfactory arrangements for adequate and appropriate waste collection and management; and that the use will not have a detrimental impact on the highway network and the demand for on-street parking in surrounding residential streets and that it will not cause noise and disturbance to nearby residents from general comings and goings and is therefore contrary to Policies AC3 and DE1 of the Coventry Local Plan 2016 and the principles of the National Planning Policy Framework, paragraphs 111 and 127. The proposals are therefore recommended for refusal.

REASONS FOR REFUSAL

Insufficient information has been submitted by the applicants to demonstrate that:-

- i) appropriate and satisfactory arrangements for waste storage management and collection can be provided for the premises;
- ii) that the use will not have a detrimental impact on the highway network and increase the demand for on-street parking in surrounding residential streets where a high demand for limited on-street parking spaces already exists,
- iii) that it will not cause noise and disturbance to nearby residents from general comings and goings particularly late at night

and is therefore contrary to Policies AC3 and DE1 of the Coventry Local Plan 2016 and the principles of the National Planning Policy Framework, paragraphs 111 and 127.