

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. It was again deferred at the meeting on 18th October 2018 to enable the applicant to submit an acceptable travel plan.

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 included:-

- 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.

At their meeting on 18th October Planning Committee noted that, to date, insufficient information had been submitted by the applicant to demonstrate:-

- i) That the use would 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.
- ii) That it would not cause noise and disturbance to nearby residents from general comings and goings particularly late at night.

Planning Committee resolved that the application be deferred to the 13th December 2018 Planning Committee to allow the applicant until 30th November 2018 to submit an acceptable travel plan which addresses the matters identified at i) and ii) above.

As agreed with Planning Committee, this report is to provide an update in respect of the travel plan and will act as an addendum to the report presented to Planning Committee on 18th October 2018 and should be read in conjunction with that report.

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 grant Planning Permission.

REASON FOR DECISION

This is a finely balanced recommendation. The application site is located in close proximity to residential dwellings; however it is located within a defined centre which contains a mix of late night premises and activities. The adjacent residential properties are therefore already exposed to a degree of noise and disturbance above that which would be experienced in wholly residential areas, particularly late at night; and if the recommendations of the noise report and the travel and parking management plan are strictly adhered to it is considered that any additional impact on residential amenity will be minimal. Therefore, subject to the recommended conditions, the proposal accords with Policies DE1 and AC3 of the Coventry Local Plan 2016 and the principles of the NPPF 2018, paragraphs 111 and 127.

UP-DATES TO APPLICATION PROPOSAL

A travel plan was submitted which sets out measures to promote sustainable transport, parking and management arrangements together with measures and targets. Officers met with the agents to discuss the measures at the draft stage of the plan and this has now been updated and submitted as a final version of the travel/management plan.

The plan makes a number of assumptions relating to car parking demand. It anticipates maximum demand when a maximum capacity event is held with 150 delegates/guests and up to 20 staff. It assumes at least 30 (20%) of guests would arrive by sustainable modes (exclusive of car sharing) and approximately 120 (80%) of delegates/guests would arrive by private car with an average occupancy level of 3 persons per vehicle. As such, it anticipates 40 delegate/guest cars would be required. In addition, on the basis that staff are more likely to be based locally, it assumes 10 parking spaces would be required for staff parking. This gives a requirement of 50 parking spaces when the venue is at capacity.

The site is able to accommodate 20 parking spaces and whilst this accords with the Council's parking standards, the travel plan considers local car parking provision.

A free public car park at Wellington Street is located approximately 100 metres from the site. This provides around 70 spaces and is open 24 hours a day.

A private multi-storey car park at Bath Street is approximately 250 metres from the site and the applicants indicate that they have an arrangement for utilising some of the car parking for events.

The travel plan identifies limited on-street parking provision throughout the local area which is primarily used by small local businesses and private houses (with apartment blocks having private, off-street parking). The draft plan indicated that it is not intended that the proposed development make use of on-street parking. However, following review of the draft travel plan and a meeting with officers, car parking capacity studies were carried out by the agent to inform the final version and the preferred approach is now for on-street parking. The travel plan makes the following recommendations:-

Daytime events

Site car park to be prioritised as follows:-

- Catering deliveries/servicing (up to 2 spaces to be kept free)
- Disabled delegates/guests parking
- Event organisers/host parking
- Special delegates/guests parking (e.g. speakers, wedding parties, etc)
- Minibus parking
- Family parking, then general delegate/guest parking

Bath Street/City College car park – to be used for delegate/guest overflow parking with demand not expected to exceed 20 spaces. For events with less than 75 guests it is not expected that this car park will be necessary.

Albert Street/Leigh Street – to be used for all staff parking.

Evening events

Site car park to be prioritised as follows:-

- Catering deliveries/servicing (up to 2 spaces to be kept free)
- Disabled delegates/guests parking
- Event organisers/host parking
- Special delegates/guests parking (e.g. speakers, wedding parties, etc)
- Minibus parking
- Family parking, then general delegate/guest parking

Albert Street/Clarence Street/Leigh Street – to be used for guest overflow parking on a marshalled basis, with demand not expected to exceed 20 spaces. For events with less than 75 guests it is not expected that the use of these streets will be necessary.

Wellington Street car park – to be used for staff parking only (if necessary).

APPRAISAL

Highways have no objection to the proposals. They consider that the travel plan has been prepared in accordance with the relevant guidance and sets out measures for monitoring and targets. However, Environmental Protection still object to the proposals due to concerns about the impact on residential amenity.

Impact on residential amenity

Residents previously 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 did not object to the proposed use of the premises but were not satisfied that the use would not cause disturbance to local residents from general comings and goings, particularly with the on-street parking around residential areas.

Officers met with the applicant's agent to consider the travel plan. The travel plan indicated the use of Wellington Street Car Park in conjunction with the car park for City College on Bath Street. The Environmental Protection Officer was concerned that the car park on Wellington Street did not have sufficient capacity during the day to accommodate the parking needs of the venue as it is understood to be at capacity during the day. The applicant's Highways Consultant undertook to carry out some capacity studies of the car park at Wellington Street and reviewed their recommendations following their capacity studies.

A parking beat survey was carried out on Friday 16th November, every 90 minutes between noon and 9.00pm. The venue was closed during the daytime and had a capacity event on during the evening from 7.00pm. In addition to the car parks, the survey examined those streets within 150 metres of the site with either on-street parking bays or unrestricted on-street parking. The primary reason for doing so was to demonstrate that that parking is available throughout the area for existing residents and businesses. They did not formally survey any area subject to double yellow line restrictions, nor residential cul-de-sacs such as Priors Harnell, Dysart Close and Waterloo Street. The reason being that they considered these potentially being unsuited to use by persons attending the venue due to Environmental Health / Noise impacts.

Further clarification has been provided in terms of the operation of the venue. It is offered for hire on a daytime or evening basis with booking slots of 10.00 am until 5.00pm and 6.00pm until midnight. Two events may take place on the same day but they would not overlap. They suggest that this means that daytime events would be able to use the Bath Street car park and evening events would remain dependant on the Wellington Street car park or on other arrangements.

The survey shows that at approximately 2.00pm, Wellington Street Car Park was significantly over capacity. Cars were parked outside of marked bays and at end of rows. From 6.00pm the car park could accommodate at least 24 additional cars.

Local on-street parking bays were found to be well utilised but capacity existed throughout the daytime and evening. The consultant advises that there are no parking restrictions at Clarence Street or Albert Street and these do not have residential frontages. Albert Street adjoins the rear of some residential properties but is screened by a wall approximately 2 metres high. Very little parking was observed at these streets.

The consultant further advises that, although the site was booked for a capacity event, the car park was under-utilised and many guests were observed being dropped off by other family members and by taxis. It recognises that this will not always be the case but shows that not all events would generate significant parking demand.

The applicant also has an informal arrangement with the 'Holy Ghost Zone' church and foodbank opposite the development site. This arrangement has previously allowed each party to utilise the other's car park when the associated development is closed. Mr Ali is meeting with the Pastor of the church soon, and hopes to formalise this arrangement. No further information has been provided in respect of any formal arrangement to use City College car park in the daytime or to extend the use into the evenings.

The survey observed that, at 9.00pm, 15 vehicles were parked at the venue (including the consultant's vehicle) but it would have been possible to park at least another 8 to 10 vehicles on site at that time. They advise that, whilst the maximum capacity is 20, during busy events they believe that the marshals could assist drivers in safely parking around 24 cars on site.

Following the survey the travel plan report was revised to recommend that events during the day can continue to utilise Bath Street for overspill parking and further consideration was given to overspill parking in the evenings. During the site visit Wellington Street car park was found to be poorly maintained. There were significant accumulations of litter and refuse, several areas of broken glass and other less pleasant items. It is relatively poorly lit and frequently occupied by persons without a clear need to be there. The car park fronts numerous residential developments. The revised travel plan therefore recommend that the evening capacity for 20 to 30 vehicles could comfortably be accommodated in Albert Street/Clarence Street/Leigh Street. The consultant advises that this would be more secure and safer for guests to walk than any parked in Wellington Street car park and would be much easier for marshals to escort people to and from this area.

Environmental Protection still have concerns about the impact on residential amenity from general comings and goings with people parking on residential streets, particularly late at night. The travel plan suggests that a boundary wall to the rear of residential properties would mitigate the impact on noise. However, this is not considered to be high enough to mitigate the impact from noise and disturbance to upper floor bedrooms at night.

Officers have discussed the site more recently with the officer at West Midlands Police who advises on planning matters. This is an area where there are known to be issues but is also an area where very few people report those issues. This is either due to their lack of means to do so or an acceptance of disturbance in the area. There is also very little reported to the Environmental Protection team in terms of general disturbance and officers are not aware of any complaints made specifically about disturbance from on-street parking.

The proposal is for parking on residential streets in the evenings and the survey indicates there is capacity. If that parking is properly managed with marshals escorting guests to their cars than that should limit any impact on residential amenity and conditions are recommended for the measures set out in the travel and management plan to be in place. Conditions are also recommended to restrict the hours of opening to those set out in the application documentation and to restrict the number of guests to a maximum of 150 at any one time.

Conclusion

This is a finely balanced recommendation. Having regard for the site's location within a defined centre, there is likely to be an element of noise and disturbance to surrounding residents. It is considered that the recommendations of the travel plan, if strictly adhered to, will mitigate the impact on residential amenity. Therefore the proposal accords with Policies DE1 and AC3 of the Coventry Local Plan 2016 and the principles of the NPPF 2018, paragraphs 111 and 127.

SCHEDULE OF CONDITIONS

1. The development hereby permitted shall be carried out in accordance with the following approved documents :
Location Plan,
Site Layout ALP(10)
Ground Floor Plan DWG:T1016 AL (P) 04b
First Floor Plan DWG:T1016 AL (P) 05b
Elevations DWG 08
Boundary Wall Detail DWG 09
Waste Service Agreement
Travel and Parking Management Plan reference HAS/18-040/TPMP Revision A.
Noise Impact Assessment prepared by Clement Acoustics, reference 11864-NIA-01 Rev A, dated 25th September 2018.

Reason: For the avoidance of doubt and in the interests of proper planning.

2. The premises shall be occupied by no more than 150 customers at any time.

Reason: *The premises are closely adjoined by residential properties and the City*

Council considers it necessary to strictly control the nature and intensity of use of the premises in the interests of the amenities of local residents in accordance with Policy DE1 of the Coventry Local Plan 2016 and the principles of the National Planning Policy Framework.

3. No customers shall be permitted to be on the premises between the hours of 24:00 and 10:00 on any day.

Reason: *The premises are closely adjoined by residential properties and the City Council considers it necessary to strictly control the nature and intensity of use of the premises in the interests of the amenities of local residents in accordance with Policy DE1 of the Coventry Local Plan 2016 and the principles of the National Planning Policy Framework.*

4. Within three months of the date of this permission the car parking and manoeuvring areas shall be laid out and made available in accordance with the approved drawing reference ALP(10) and thereafter those areas shall be kept available for such use at all times.

Reason: *To ensure adequate off-street car parking and servicing facilities in the interests of both highway safety and visual amenity in accordance with Policies AC3 and DE1 of the Coventry Local Plan 2016.*

5. Within three months of the date of this permission the cycle parking facilities shall be provided and made available in accordance with the approved details and thereafter shall remain available for such use at all times.ilities shall remain available for use.

Reason: *In the interests of encouraging the use of alternative modes of transport with the aim of creating a more sustainable city in accordance with Policies OS4 & AM12 of the Coventry Development Plan 2001.*

6. The use of the premises shall operate in full accordance with the measures and recommendations set out in the Travel and Parking Management Plan reference HAS/18-040/TPMP Revision A.

Reason: *The premises are closely adjoined by residential properties and the City Council considers it necessary to strictly control the nature and intensity of use of the premises in the interests of the amenities of local residents in accordance with Policies AC3 and DE1 of the Coventry Local Plan 2016 and the principles of the National Planning Policy Framework.*

7. No cooking, other than the heating of food prepared and cooked off-site, shall be carried out unless and until fume extraction and odour control equipment (including external ducting flues) has been provided in accordance with details which shall first be submitted to and approved in writing by the local planning authority. Any such installation shall have been carried out to an approved standard and inspected by the local authority before it is operated Any external ducting shall be colour coated in accordance with the approved details within one month of its installation and any replacement or modification shall be colour coated to match

within one month of its installation. Any equipment shall be permanently maintained in accordance with the manufacturer's instructions and be operated at all times when cooking is carried out.

Reason: *To ensure that the building is not used in a manner prejudicial to or likely to cause nuisance or disturbance to the occupiers of nearby properties in accordance with Policies EM1 and DE1 of the Coventry Local Plan 2016.*

8. Bin storage and waste management shall be carried out in full accordance with the details shown on drawing number ALP(10) and set out within the Waste Services Agreement.

Reason: *In the interest of highway safety, visual amenity and residential amenity in accordance with Policies AC3 and DE1 of the Coventry Local Plan 2016.*

9. No external amplification systems/speakers shall be used on the site at any time.

Reason: *To ensure that the level of noise emanating from the building is confined to levels which would not cause unacceptable disturbance to the detriment of the amenities of the occupiers of nearby properties in accordance with Policies DE1 and EM1 of the Coventry Local Plan 2016.*

10. Within one month of the date of this permission a noise limiting device shall be installed to limit sound to 88dB and this must be used for all amplified music and voices.

Reason: *To ensure that the level of noise emanating from the building is confined to levels which would not cause unacceptable disturbance to the detriment of the amenities of the occupiers of nearby properties in accordance with Policies DE1 and EM1 of the Coventry Local Plan 2016.*

11. The use of the premises shall be carried out in full accordance with the measures and recommendations set out in the Noise Impact Assessment prepared by Clement Acoustics, reference 11864-NIA-01 Rev A, dated 25th September 2018.

Reason: *To protect the amenities of local residents in accordance with Policy DE1 of the Coventry Local Plan 2016 and the principles of the National Planning Policy Framework.*