

Newington and Gipsyville

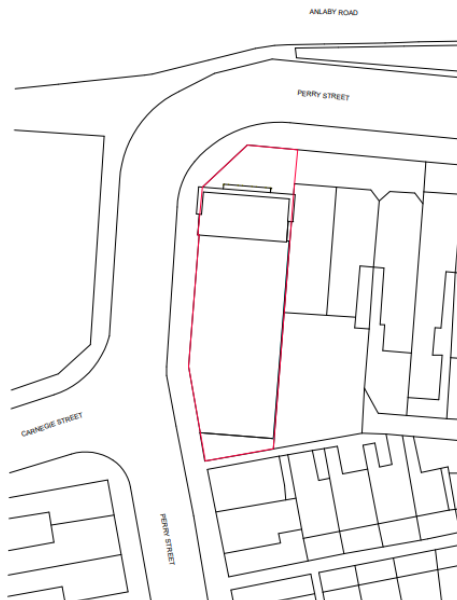
24/00530/FULL

419-421 Anlaby Road, Kingston Upon Hull, HU3 6AP,

Refurbishment and extension (first floor rear and to roof top) of the existing building in association with change of use to a mixed use community facility, including new internal wintergarden with areas for community meeting rooms, live music performances, indoor sports and exercise classes, social classes and groups, sale of retail goods and food and drink for consumption on and off the premises, healthy eating classes and training, exhibitions and displays of works of art, enterprise spaces and offices at 419-421 Anlaby Road, Hull.

Giroscope

Recommendation: The application is recommended for conditional approval.



Reason as to why the case is at committee:

This is before the committee for determination following a pre-application presentation to members of the Planning Committee in April 2024.

A Planning Committee Site visit is to take place.

RECOMMENDATION

The application be **APPROVED** subject to the following conditions:

1. Det 2B (Time limit – Full application)
2. Det 1D (Development to accord with approved plans)

[Site Location Plan 14346-SELF-E-ZZ-DR-A-3000; Proposed Plans 14346-SELF-XX-P-DR-A-3016 rev D; Proposed Elevations 14346-SELF-XX-P-DR-A-3017 rev D; Proposed Elevations Colour 14346-SELF-XX-P-DR-A-3017 rev C; Proposed Sections 14346-SELF-XX-P-DR-A-3018; Proposed Site Plan - Rendered 14346-SELF-XX-P-DR-A-3020; and Proposed Site Plan 14346-SELF-XX-P-DR-A-3015 rev B]
3. DES1C Details of external materials/surfaces (a) (c)
4. No development shall commence until plans to a scale of not less than 1:20 showing the ground floor façade (including projections and recesses of the door, stall risers, pilasters and fascia), each window in the front and side façade (aluminium and timber as well as the feature windows and recessed panels in the west elevation) and the green wall panels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained as approved (A pre-commencement condition is necessary to ensure the details of the proposal can be fully assessed before they are implemented to ensure a satisfactory quality of development which complies with policy 14 of the Local Plan.
5. Prior to their installation, details of the number, siting and design/external appearance of the solar pv panels to be installed on the flat roof of the roof top extension hereby approved shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance

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with the approved details (in the interests of visual amenity and comply with policy 14 and 16 of the Local Plan).

6. H9C (Cycle Parking) (b) (c) (e) (f)
7. NE1D (landscaping scheme) (a) (c) (e)
8. Prior to commencement of the development, precautionary methods shall be undertaken in relation to bird nesting habitat to ensure active nests are not disturbed or destroyed during any required vegetation clearance, demolition works or construction. No hedgerows, trees or scrubs shall be removed between 1st March and 31st August inclusively, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared. Details of the precautionary methods to be used shall be submitted to and approved in writing by the Local Planning Authority and the clearance and demolition works shall be carried out in accordance with the approved methods (To ensure active nests are not destroyed during any required vegetation clearance and demolition works and to comply with Policy 44 of the Local Plan).
9. Prior to development commencing an Ecological Enhancement and Management Plan (EEMP) shall be submitted for written approval to the Local Planning Authority. The EEMP shall detail measures to secure ecological measures within the development. The EEMP should include a scale map showing the location and details of:
 - Soft landscaping specification including size at planting, planting methods, establishment and remediation measures and timings for delivery;
 - The specification and location of 1 integrated bat and 1 bird box to be incorporated within the development, in a suitable location;
 - Lighting details avoiding illumination of biodiversity features;

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- Create and establish green/brown roofs on new buildings where possible;
- Provide bee bricks built into developments;
- Persons responsible for the implementation of the EEMP;

The EEMP must deliver enhancements and management in line with most recent national requirements and should be evidenced through use of the Defra Biodiversity Metric. The plan will be implemented in accordance with the approved details and maintained in perpetuity unless agreed otherwise in writing with the Local Planning Authority (This pre-commencement condition is imposed to comply with the National Planning Policy Framework (NPPF) and the Natural Environment and Rural Communities (NERC) Act 2006 (as amended)).

10. Prior to commencement of the development hereby permitted a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall be compiled by a suitably qualified ecologist and should detail how onsite biodiversity gains are going to be achieved, including targeted condition criteria, managed, and maintained; cross referenced to how this will enable the Biodiversity Gain Plan to be achieved. The content of the LEMP shall cover all onsite landscape and habitats and include the following:

- Description and evaluation of features to be managed.
- Ecological trends and constraints on site that might influence management.
- Aims and objectives of management.
- Appropriate management options for achieving aims and objectives.
- Prescriptions for management actions.

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- Preparation of a work schedule.
- Details of the body or organisation responsible for implementation of the plan.
- Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed, and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The LEMP must be fully implemented as approved in accordance with the agreed timescales (To ensure delivery of biodiversity gains in accordance with the requirements of Schedule 7A to the Town and Country Planning Act 1990, the NPPF and policy 44 of the Hull Local Plan).

11. No customer shall be permitted to be on the premises after 2300 hours and before 0900 hours Mondays - Fridays, after 2330 hours and before 0900 hours Saturdays, and after 2230 hours and before 1000 hours Sundays (in the interests of residential amenity and to comply with policy 23 of the Local Plan).
12. Prior to the commencement of the use, provision shall be made for the storage of refuse in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The scheme shall include measures to minimise noise arising from the use of the refuse store. The provision shall be retained in accordance with the approved scheme (A condition is required to ensure the development provides adequate refuse storage facilities in the interests of amenity and to comply with policy 14 of the Local Plan).
13. FUME 1C (Fume Equipment)
14. Before the development begins, details of the design, siting and number of plant equipment to be used in the development shall be submitted to and approved

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in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details (a pre-commencement condition is necessary as details were not included with the application and to ensure that the plant equipment is designed and sited in the interests of visual and residential amenity and to comply with policy 14 of the Local Plan).

15. The combined noise rating level (L_{A,r},T_r) from any ventilation system, plant, machinery or equipment, assessed using the method of BS 4142:2014+A1:2019 (Methods for rating and assessing industrial and commercial sound) shall be at least 5dB below background noise levels (L_{A90},T), at nearby noise sensitive residential properties, including but not restricted to those identified in the Nova Acoustics Noise Report submitted in support of this application. Verification to demonstrate compliance shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use of the premises and compliance maintained thereafter (in the interests of amenity, and to comply with policies 14 and 49 of the Local Plan).

16. Before the use commences a scheme specifying the provisions to be made for the control of noise emanating from the site and a written premises management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme and premises management plan shall be carried out as approved before the use commences and shall thereafter be retained and the premises management plan robustly implemented at all times (A pre-commencement condition is required to ensure satisfactory noise control measures are in place in the interests of amenity and to comply with policy 14 and 49 of the Local Plan).

17. Details of a sound attenuation scheme for the roof and glazing elements to the facade shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works. The scheme shall be in accordance with BS 8233: 2014 Guidance on Sound Insulation and Noise Reduction for Buildings and carried out as approved before the use commences, with verification to demonstrate compliance, submitted to and approved in writing by the Local Planning Authority. The scheme shall

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thereafter be retained. In the interests of amenity and to comply with policies 14 and 49 of the Local Plan. A pre-commencement condition is required to ensure satisfactory attenuation measures are agreed and carried out.

18. Details of the mechanical ventilation scheme to be installed, including the siting, design and colour of any associated vents or flues shall be submitted to and approved in writing by the local planning authority prior to its installation. The mechanical ventilation system shall be installed prior to commencement of the use hereby approved and shall thereafter be retained and maintained in good working order (in the interests of residential amenity and to comply with policy 23 of the Local Plan).
19. Details of any external lighting to be incorporated into the development shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. It shall be installed before the use commences and shall thereafter be retained and used in its approved form (in the interests of minimising the opportunity for crime, visual amenity and to provide an adequate standard of development in accordance with Local Plan Policy 14).
20. The finished ground floor level of the development hereby approved shall be no lower than the existing finished ground floor. (To protect the development against existing and future flood risk and to comply with Local Plan Policy 40)
21. Unless otherwise agreed in writing by the Local Planning Authority following the submission of a site specific flood risk assessment, the property shall be flood proofed to a height of not less than 600mm above finished floor level (i.e. 3.0m AOD), with a further 300mm (i.e 3.3m AOD) of flood resilience measures incorporated. The flood proofing and flood resilience measures shall be carried out in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority before works commenced and thereafter retained (in the interest of minimising the effect of a flooding event and to comply with policy 40 of the Local Plan.)

22. A place of safety of a minimum of 4m AOD shall be provided as part of the development in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority before the development begins and thereafter retained. A pre-commencement condition is required to minimise the risk from flooding and to comply with policy 40 of the Local Plan.
23. Prior to the commencement of the use, a flood warning and evacuation plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details or particulars (to reduce the risk of flooding to the proposed development and future occupants and to ensure safe access and egress from the site, and to comply with policy 40 of the Local Plan).
24. Unless otherwise agreed in writing by the local planning authority surface water shall be drained via Sustainable Systems (SuDS). Drainage details shall be submitted to the Local Planning Authority for approval prior to the commencement of development and shall be carried out as approved unless otherwise agreed in writing by the Local Planning Authority (a pre-commencement condition is necessary to ensure the site can be adequately drained, and to comply with policy 39 of the Local Plan).
25. DRAI7 (SuDS Maintenance)
26. DRAI19 (SuDS Verification)
27. Before the development hereby permitted is brought into use, transfers or other devices shall be affixed to the glass windows/door(s) at ground floor level on the street elevation, and shall thereafter be retained (a pre-commencement condition is required to enable partially sighted persons to be aware of the areas of glass for safety reasons, and to comply with policy 14 of the Local Plan).

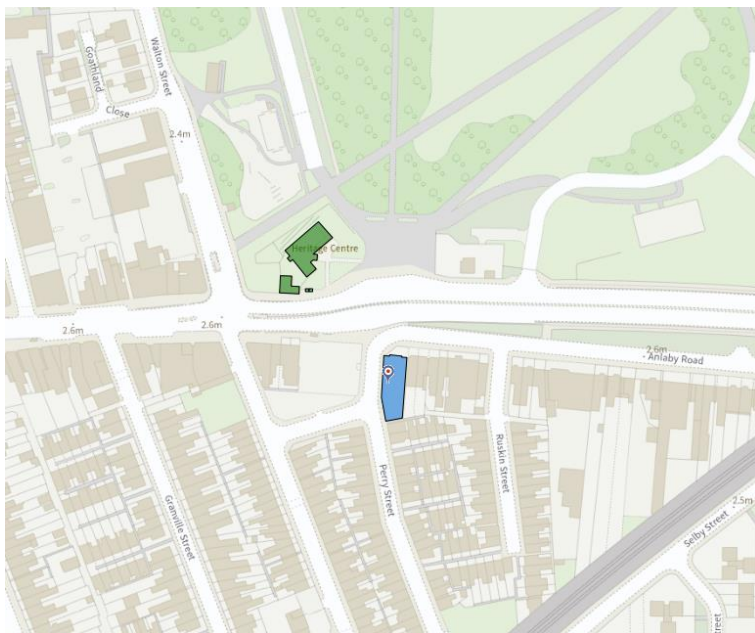
SITE

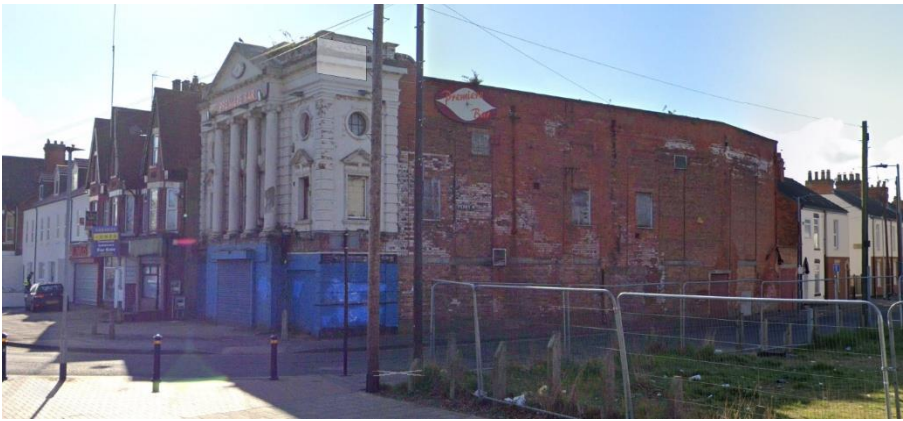
The application site comprises a three storey, locally listed, building located on the south side of Anlaby Road on the corner with Perry Street.

The building has been vacant since approximately May 2007, and was last in use as a bar/nightclub.

The site was affected by a fire in June 2023, which engulfed the building causing widespread destruction internally. The rooms to the front and the main façade were spared in the fire and remain intact. The main impact of the fire was the collapse of the main roof, leaving the internal areas open to the air.

The adjacent property to the east is in use as flats. Other properties within the terrace are in commercial uses at ground floor (including a hot food takeaway) with residential accommodation above, a former hotel currently being converted into flats, and further flats. To the rear of the site are two storey terraced properties fronting on to Perry Street. To the west of the site on the opposite side of the road is a piece of vacant land.





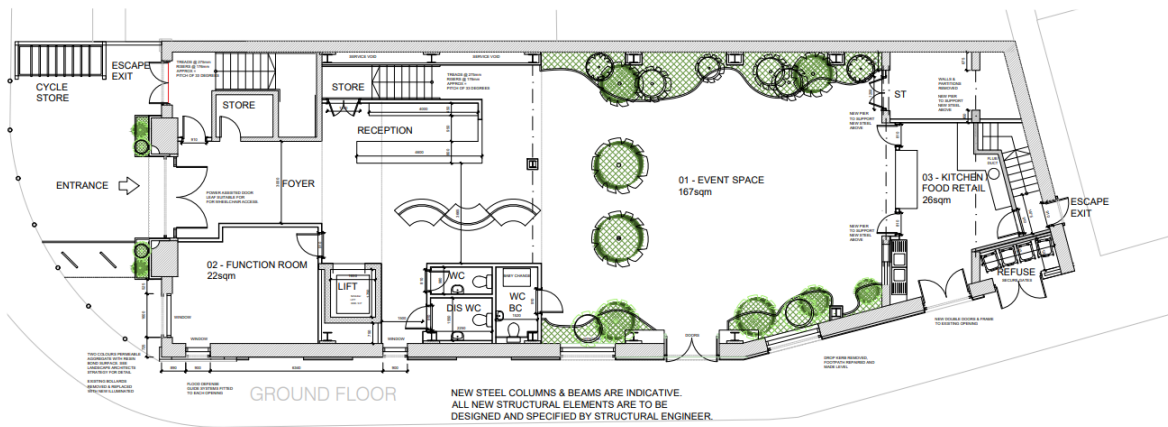
PROPOSAL

Refurbishment and extension (first floor rear and to roof top) of the existing building in association with change of use to a mixed use community facility, including new internal wintergarden with areas for community meeting rooms, live music performances, indoor sports and exercise classes, social classes and groups, sale of retail goods and food and drink for consumption on and off the premises, healthy eating classes and training, exhibitions and displays of works of art, enterprise spaces and offices

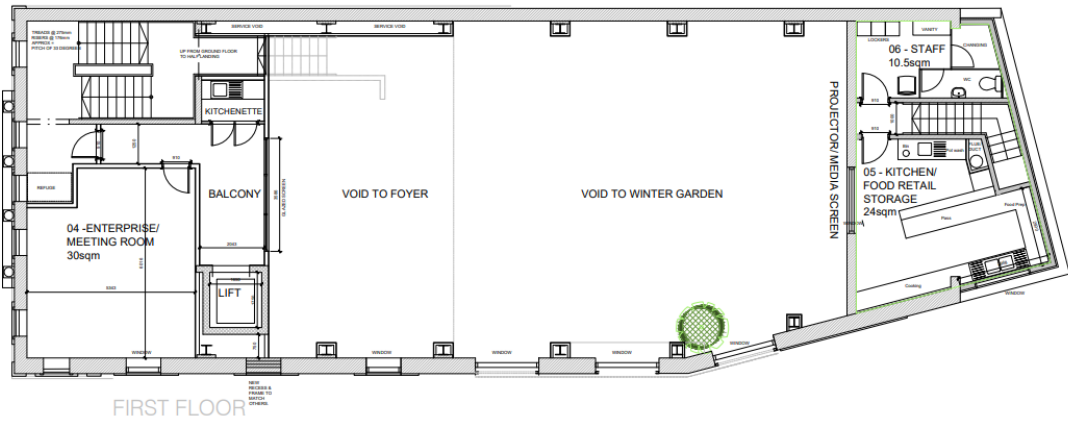
The submitted plans show that the following accommodation will be provided over 4 floors which includes the use of the roof space:



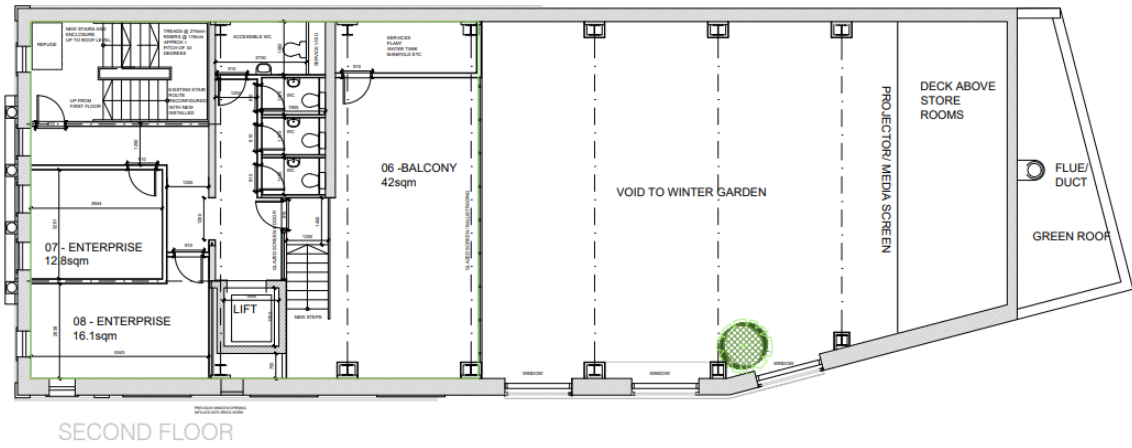
Ground floor:



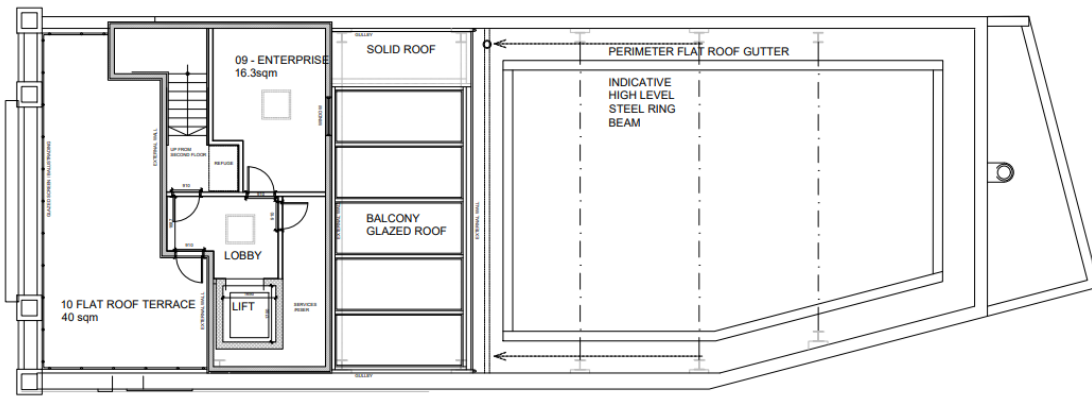
First Floor:



Second floor:

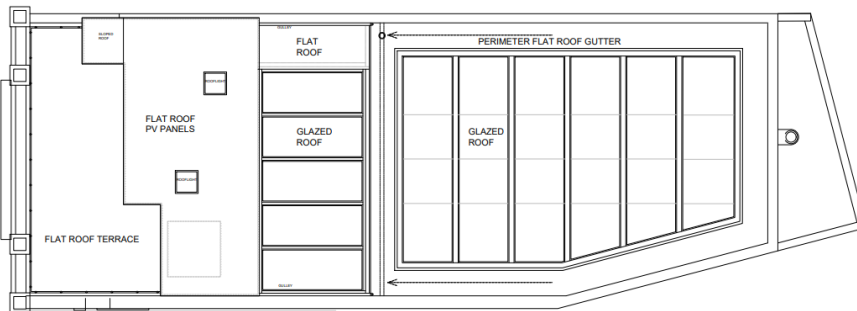


Third floor:



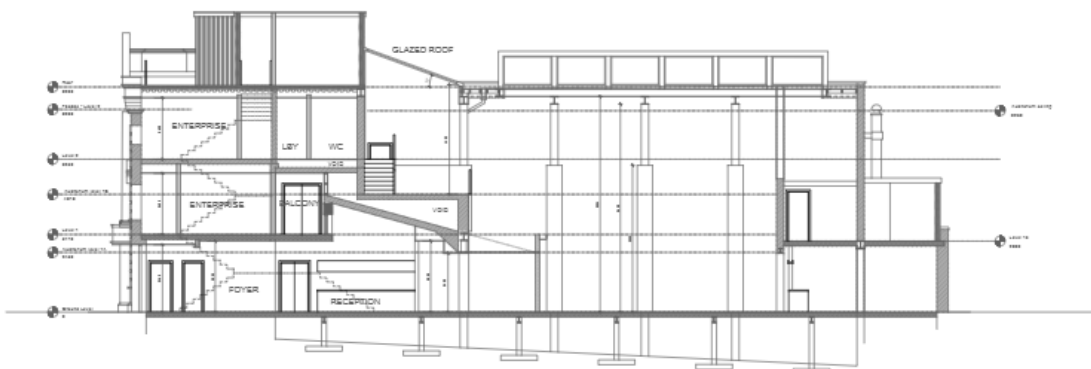
THIRD FLOOR

Roof level:



ROOF LEVEL

Section:

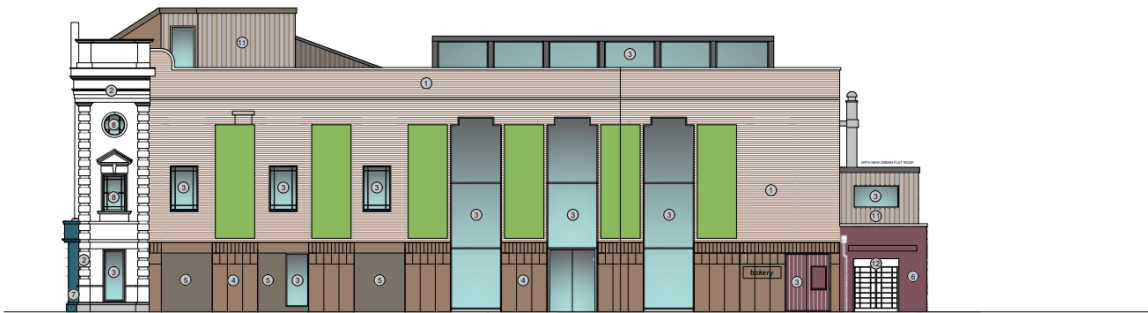


LONG SECTION - PERRY STREET - NORTH TO SOUTH

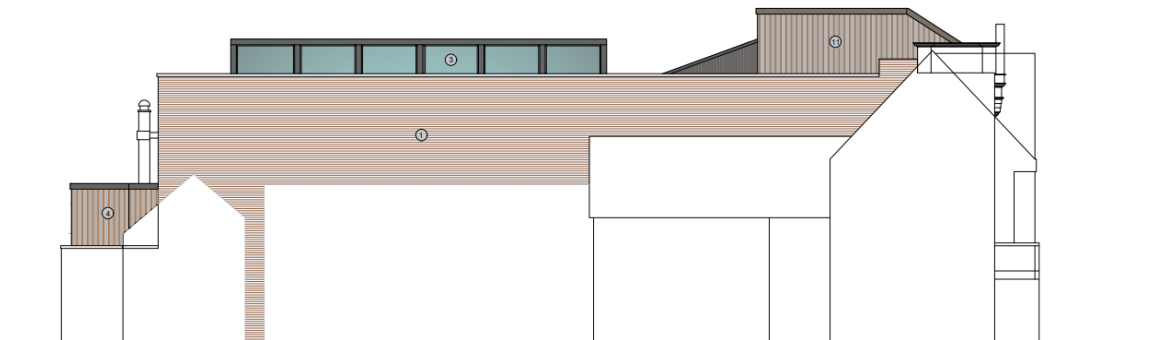
Front (north) elevation:



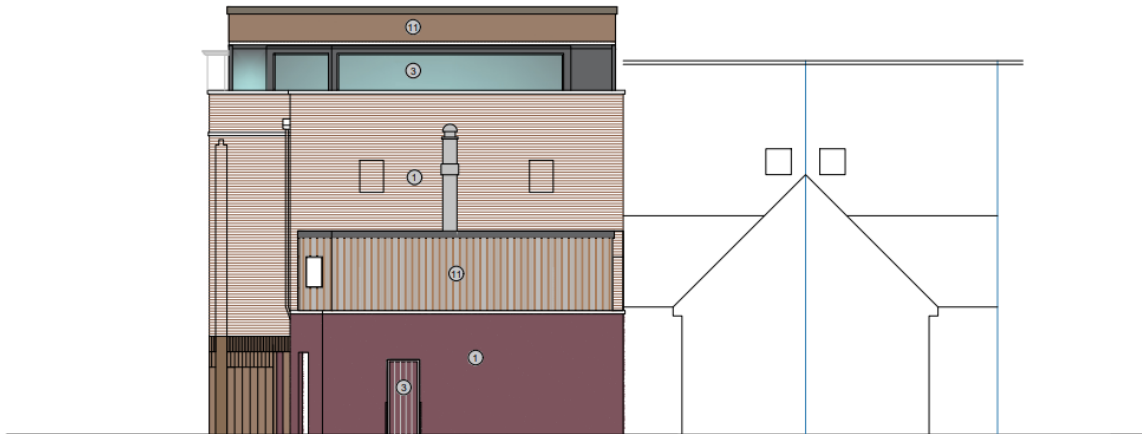
Side (west) elevation:



Side (east) elevation:



Rear (south) elevation:



PLANNING HISTORY

None directly relevant.

REPRESENTATIONS

Local Plan - Retail Centre Data/Calcs

Proposal supported as it would be in-line with Policy GP11: Mixed Use Sites of the adopted Newington Neighbourhood Plan, which aims to bring back into use the former Premiere Bar (this site) and Local Plan Policy 13 (Education, health and community facilities), Point 6 - which supports the development of new community facilities where they are located to best meet the needs of the anticipated users of the facility.

Conservation

No objections.

The locally listed building was damaged by fire and has been vacant since.

The proposal seeks to adapt the existing parts of the structure in combination with new builds. The creative adaptation of the building will further contribute to the significance of the site. It will enhance the significance, and the setting of the city's heritage asserts and improve the public realm.

Urban Design

Strongly support from a design perspective.

The location is highly accessible by public transport, and compatible with other service and amenity uses.

The proposal makes use of a currently vacant locally listed building, protecting its heritage value through active reuse, and more sustainable than replacement.

No concerns over the proposed alterations. The additional third floor would have very little impact on the appearance of the building from the street and would create a focal point when approaching from West Park.

The alterations to the façade, particularly at ground floor level have a positive impact and enhance the building's current appearance. The contemporary alterations to the west elevation retain the character of the building whilst offering glimpses of the winter garden inside.

Recommend condition section drawings at 1:20 of the ground floor façade to assess the projections and recesses of the door, stall riser, pilasters, fascia and windows.

Environmental Protection

The acoustics report has considered all the suggested noise sources from the premises and used appropriate standards to analyse them.

In general agreement with the report's findings.

Recommend conditions in relation to:

- Fixed plant, including fume equipment, once the equipment has been specified.
- A 'management plan' for patron noise and music outputs
- Sound attenuation scheme
- Details of mechanical ventilation including specification, location of intakes/vents and analysis of the impacts on the nearest sensitive receptors

Public Health

Support given due to the potential to improve the health of the population living in the Newington & Gipsyville ward.

A community facility in this area could help with identified health issues, including social isolation, providing affordable healthy food and healthy cooking sessions. Rooms could be provided to deliver some health services such as smoking cessation etc.

Urban Forestry

No objection. Recommend a condition in relation to planting.

Ecology

No objections. Conditions recommended in relation to:

- Nesting birds – protection of species
- Ecological Enhancement Management Plan – Creation of ecological features
- Landscape and Ecological Management Plan – Management of new habitats

Equality Officer

The proposals are supported from an access perspective. The intended community use will be accessible for all.

Hull Access Improvement Group (HAIG)

Support the revised designs. This is a community space and should ideally consider having a changing place, as the nearest publicly accessible changing place would be St Stephens.

Flood Team

No objections. Conditions required covering:

- Flood resistance and resilience measures
- Place of safety
- Flood management plan prior to commencement of use
- SuDS features

Recycling Officer

No objection. Bin store of adequate size for commercial collection included. The collection can easily be completed on Perry Street as the plans show.

Highways Development Control

No objections.

Anlaby Road is served by various regular bus services with bus stops on both sides of the road and various residential areas within walking distance. There are dedicated cycle lanes in place on both sides of the road, and on-street parking lay-bys along Perry Street and Ruskin Street, although all car parking is restricted to use and stay.

There will be no car parking associated with the development contrary to the requirements of the Local Plan, which will increase the demand for parking on the surrounding streets.

The applicant has provided a car parking survey, the results of which highlight likely sufficient reserve capacity to accommodate the on-street parking required by the proposed development, with a measured reserve capacity of at least 33 PCU (Passenger Car Units) during the weekday survey and at least 49 PCU during the weekend survey.

Cycle parking has been provided and is acceptable. Refuse will be stored and accessed from dedicated area to the rear of the property on Perry Street which is acceptable.

The Environment Agency

The application is covered by Local Flood Risk Standing Advice. The applicant must therefore seek to meet the standard mitigation measures required within Mitigation Note 3.

Hull Civic Society

Hull Civic Society believe that the plans that Giroscope have submitted for this historic building will be of great benefit to the local community and to the city as a whole.

APPLICANT'S CASE

The proposed scheme involves opening up elements of the façade to create an internal wintergarden, the introduction of a lift to make the building more accessible and the incorporation of renewable energy technologies to make the building more energy efficient and to reduce the impact on the environment.

The main concept looks to create an internal wintergarden at the back of the building, that can contain a variety of plants and form a setting for activities and events to enliven the building, along with new enterprise zones are created for small businesses or entrepreneurs to grow their businesses, whilst being able to collaborate with others. There is a small vertical extension to create step free access to the roof and to create a new external roof garden with expansive views of West Park opposite.

The applicant is constantly being approached by people interested in setting up new social and community enterprises. It always seeks to help them but there is always a shortage of available space, and limited capacity to deliver support has hindered the pace of change and growth.

The centre will be fully managed with a programme of activities to encourage good health, healthy eating and community interaction with classes and workshops. This project would create a unique space for these uses that cannot be found in the local area.

PLANNING FRAMEWORK

Hull Local Plan 2016 to 2032

Policy 11 – Centre Hierarchy

Policy 12 – District, Local and Neighbourhood Centres

Policy 13 – Education, Health and Community Facilities

Policy 14 – Design

Policy 15 – Local distinctiveness

Policy 16 – Heritage considerations

Policy 17 – Energy Efficient design

Policy 18 – Renewable and low carbon energy

Policy 25 – Sustainable Travel

Policy 26 – Location and layout of development

Policy 32 – Parking Standards

Policy 36 – Walking, Cycling, and Powered Two Wheelers

Policy 39 – Sustainable Drainage

Policy 40 – Addressing Flood Risk in Planning Applications

Policy 44 – Biodiversity and wildlife

Policy 49 – Noise Pollution

Area Action Plans

Newington and St Andrew's Area Action Plan – Adopted February 2010

NaSA 1 - development posing risk to NaSA vision not permitted

NaSA 3 - policies for West Park area

NaSA 11 - design of new development

NaSA 13 - heritage - retain and respect historic form

NaSA 15 - walking and cycling

Newington Neighbourhood Plan (9 November 2023)

GP1 – Design Guidance

GP2 – Encouraging maintenance and repair

GP6 – Locally important buildings

GP8 – Parking provision at new premises

GP9 – Small scale green spaces, planting and public realm

GP11 – Mixed use sites – housing and/or commercial

GP12 – Encourage walking and cycling – routes or facilities

GP13 – Retain existing and encourage new employment opportunities

AR2 – Reuse of buildings

Other Material Considerations:-

SPD 2 - Heritage and Archaeology

SPD 3 – Environmental Quality

SPD 4 – Living with Water

SPD 9 - Vitality and Viability of Centres

SPD 12 - Ecology and Biodiversity

National Planning Policy Framework

NPPF7 Ensuring the vitality of town centres (paras 90 to 95).

NPPF8 Promoting healthy and safe communities (paras 96 to 108).

NPPF9 Promoting sustainable transport (paras 109 to 118).

NPPF11 Making effective use of land (paras 124 to 130).

NPPF12 Achieving well-designed places (paras 131 to 141).

NPPF14 Meeting the challenge of climate change, flooding and coastal change (paras 161 to 186).

NPPF15 Conserving and enhancing the natural environment (paras 187 to 201).

NPPF16 Conserving and enhancing the historic environment (paras 202 to 221).

East Inshore and East Offshore Marine Plans

None directly relevant

PLANNING APPRAISAL

Principle of Development and Sustainability

Insofar as the principle of development is concerned, and in accordance with the provisions of section 38(6) of the Planning and Compulsory Purchase Act 2004, the starting point for the determination of the planning application is the development plan, in this instance comprises the Hull City Plan (2017).

The proposed scheme looks to refurbish and reconfigure a vacant and fire damaged building to create a multi purpose community and enterprise space. The proposed development would create a community centre that local people can utilise for meeting, socialising and generating new enterprise, with a programme of activities to

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encourage good health, healthy eating and community interaction with classes and workshops.

Local Plan Policy 12 sets out that community facilities should be located in or adjacent to district, local or neighbourhood centres where they serve a significant catchment, to promote linked trips and ease of access by public transport.

Whilst the site is not located within a centre, it does sit within approx. 70m of the nearby Anlaby Road Local Shopping Centre (LC-6 as defined on the LP Proposals Map). The NPPF recognises 'edge of centre' for main town centre uses as 300m from the centre boundary, therefore at 70m distance, the site is considered to constitute edge of centre, or 'adjacent' for the purposes of and compliance with Local Plan policy 12.

Local Plan Policy 13 sets out that development of new community facilities will be supported where they are located to best meet the needs of the anticipated users of the facility. Where the facility incorporates main town centre uses, then development should be subject to the sequential approach and consider relevant centres including within the City Centre, District, Local and Neighbourhood Centres. Other community facilities should consider centres where sites or properties are available, where they could promote linked trips and support the vitality and viability of centres, and where they would have an acceptable impact on the amenity of the surrounding area.

The proposed use does include some elements which of their own accord would constitute main town centre uses, such as office space, some retail and leisure space, but given the size of the site and the building, the mixed-use nature of the proposals, and the primary local community focus of the facilities provided, it is considered that that the proposals would not be of a scale or catchment more suited to the city centre or higher order designated district centre location and the local centre is considered to be an appropriate order of centre for the proposed use.

Given the size of the proposal, in line with local plan policy 12, an assessment of the impact of the proposal on the adjacent shopping centre would not be required.

The applicant has not submitted a sequential test to demonstrate that the proposals could not be located within the neighbouring Local Centre, as required by policy 13. However, Planning Policy have not objected to the proposal on the basis that it has

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not been demonstrated that the proposals would not impact upon the vitality and viability of the Local Centre, but recognise that as a new community facility, it would be located to best serve the needs of the anticipated users of the facility, in this instance the surrounding community of Newington.

The Planning Policy response also recognises the significance of the Newington Neighbourhood Plan 2022 – 2032 to the determination of this application, and particularly the site specific policy GP11, which sets out that the re-use of the building involving one or more uses from within Use Classes C3, E(a) (display or retail sale of goods, other than hot food), E(b) (sale of food and drink for consumption on the premises), E(d) (indoor sport, recreation or fitness), E(g)i (offices to carry out any operational or administrative functions), will be encouraged and supported subject to the sequential approach outlined in Local Plan policy 12.3 and 12.4.

Policy GP6 of the Newington Neighbourhood Plan (NNP) also identifies the application site as a locally important building where the preservation, maintenance and re-use for appropriate purposes will be encouraged and supported, identifying it as a vital community asset and feasibility studies undertaken to renovate the building and turn it into a multi-use entertainment, training and hospitality venue, whilst restoring it to its former glory as an iconic local landmark.

Policy GP2 of the NNP sets out that the repair and/or re-use of vacant properties, and other properties having an adverse effect on the visual or residential amenities of the surrounding area, will be encouraged and supported provided that any proposed uses have no undue adverse effects on highway or public safety, public health or the residential amenities of the area.

The building is locally listed and has been identified as an important local asset which is important to the history and heritage of the area. The proposed development would bring the building back into beneficial use and be generally in line with local plan policies 12 and 13 and the overall vision for the site as set out in the Newington Neighbourhood Plan (NNP). The proposed development would therefore be acceptable in principle subject to the detailed considerations, which are discussed further below.

Design and Conservation

Polices 14, 15, and 16 of the Local Plan, on matters of design, local distinctiveness, and heritage considerations respectively, are relevant. Paragraphs 131-141 of the NPPF relating to achieving well-designed places, and 202-221 on conserving and enhancing the historic environment are also relevant.

The application site is not located within a conservation area. The site is locally listed, with the listing identifying the building as a *'striking example of a former Edwardian cinema built in Classical style. Known as the West Park Picture Palace, the cinema opened in November 1914 and closed in January 1959. Good stuccoed façade with colonnade to the upper storeys supporting a pediment'*.

The building front is to be refurbished and repaired with the ground floor opened up to show activity on to the street and new hard and soft landscaping installed within the forecourt, linking into the planting theme of the wintergarden beyond. The proposal would therefore preserve and enhance the retained special interest of the locally listed building, which is now mostly in its façade.

The amount of new glazing proposed in the west elevation has been significantly reduced since the pre-application proposals and the scheme now retains more of the original building fabric and more of the existing character of the building, which is welcomed, whilst still providing a more animated frontage to Perry Street.

The west façade would also feature green wall panels from the first floor height to the roof, framing the windows and the art deco features on the existing façade and adding interest to the elevation and also increasing biodiversity and ecology benefits with the scheme.

Along the ground floor on the west elevation (side elevation facing Perry Street), a metal cladding is proposed to the surface of the brickwork. This would hide unattractive concrete lintels and brickwork additions done in the building recent history and would help unify the façade and provide a robust and cleanable finish.

The proposed extensions to the rooftop and the first floor rear would take a similar approach in terms of design and materials, which would also tie in with the ground

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floor external alterations to the west elevation referenced above. They would appear as a contemporary intervention whilst referencing the materiality of the historic building and would not therefore appear out of keeping with but would complement the character and appearance of the existing building. The extensions, being set back from the edge of the roof/building, with the rooftop extension being set back behind a parapet wall, would not appear overly dominant or prominent either in relation to the building or the wider street scene, and the limited height of the first floor rear extension would ensure that it would not unacceptably enclose the gap in the street scene between the rear of the existing building and the neighbouring terrace of residential properties to the south which front onto Perry Street.

Full details of all external materials, as well as detailed drawings of the design of all new windows/doors/areas of glazing and their position within their reveal, as well as the alterations to the ground floor front entrance should be provided and can be secured by condition. Further details of the number, siting and appearance of the solar pv panels to be installed on the flat roof of the new rooftop extension are also required and this can also be secured by condition.

New plant would be enclosed within the rooftop extension and fume extraction equipment would be located centrally along the back wall of the building, away from the Perry Street frontage which would help to minimise its visual impact. Full details of the final design for the kitchen extraction equipment will be required to ensure that it is appropriate for the food that will be cooked and the usage and this can be secured by condition.

Overall, the proposal seeks to retain, and refurbish, as much original fabric as possible and express the new additions and changes in a contemporary way which would complement and not detract from the overall character and appearance of the locally listed building. Subject to the conditions recommended above, it is considered that the proposals would be sensitive to the existing building and help bring this locally listed building back in to use, safeguarding its future upkeep and contributing to and enhancing the character and visual amenity of the surrounding area. Consequently, it is considered that the proposals would comply with local plan policies 14, 15 and 16.

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Designing out crime and designing in community safety should be central to the planning and delivery of new development. Section 17 of the Crime and Disorder Act 1998 requires all local authorities to exercise their functions with due regard to their likely effect on crime and disorder, and to do all they reasonably can to prevent crime and disorder.

Given the nature of the proposal it is considered that there would not be, or likely to be, an increase in crime or disorder or the potential for such an increase as the proposal would bring the building back into beneficial use and with the introduction of new areas of glazing in the west elevation, would provide active frontages to adjacent streets and improve natural surveillance of the surrounding area. External lighting will be incorporated in the refurbished north and west elevations, full details of which should be provided by condition. Overall, the refurbishment of the building to enable its appropriate re-use would improve upon the general amenity of the surrounding area.

Parking/Highways

Policy 26 requires new development to have an acceptable impact upon highway safety and the surrounding road network and to provide access to a range of transport modes. Policy 32 identifies parking standards to be considered for new development.

The proposal is to provide a multi purpose community and enterprise space for a variety of different uses. It does not therefore fall comfortably within a particular use class in terms of determining which parking standards should be applied. However, in general terms, the local plan sets out that for community centres and public halls/places of assembly provision should be made for 1 space per 9 sq m plus 1 space per FTE staff and for offices, provision should be made for 1 space per 30 sq m.

In line with the above standards, the proposed development would require a minimum of approx. 43 parking spaces based on the proposed floor space and that there would be at least 1 staff manager on site at all times.

There is no formal parking provision for the site and there is no off-street parking proposed as part of this development. However, this was also the case for the

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previous/last use of the site as a bar/nightclub, which would have had a more intense requirement for car parking spaces than the proposed use, based on a local plan parking standard for a public house of 1 space per 5 sq m of public floorspace and would have required approx. 40 car parking spaces (38 car parking spaces for the public house public floorspace + 2 spaces for the self contained 2 bedroom flat on the upper floors).

However, following initial concerns raised by Highways that the proposal will increase the demand for parking on the surrounding streets, the applicants have carried out parking surveys to understand whether there is existing capacity for the additional cars to park on-street within the vicinity of the site.

Parking surveys were undertaken at circa 2100 hours on Thursday 24th April 2025 to represent peak overnight parking demand on a weekday and at circa 1200 on Sunday 27th April 2025 to represent typical midday weekend parking levels. The study area for the surveys covers on-street parking areas within a circa 200m walk of the site, including sections of Perry Street, Carnegie Street, Walliker Street, Ruskin Street and Anlaby Road.

The parking surveys identified that there was a total of approx. 113 car parking spaces available within the study area. The parking survey results highlighted that there was a reserved (spare) capacity of at least 33 car parking spaces available during the weekday survey and at least 49 car parking spaces available during the weekend survey.

The parking surveys demonstrate that there is sufficient reserve capacity to accommodate any additional on-street parking required by the proposed development compared to the previous/last use of the site.

Highways have been re-consulted following receipt of the parking surveys and have removed their previous concerns with the proposal.

Local Plan policy 25 states that developments should promote sustainable transport objectives and that where possible development should include provision for walking, cycling and public transport and reduce the need to travel, reduce congestion and give priority to public transport, pedestrians and cyclists.

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The site is located within close proximity to large residential areas, which makes it accessible to pedestrians and reduces the need to travel by car to the site. The site is located on Anlaby Road, a main arterial route, served by a regular bus service. The site is also located within approx. 1.75km (as the crow flies) of the main transport interchange. The site is therefore easily accessible by public transport.

The application proposes cycle parking to the front of the site with a covered cycle store with planting on top. The applicants have stated that internal stores within the ground floor of the building could be utilised for cycle parking for staff where required. This provision would further aid mode choice and further details of the number, design and siting of cycle parking can be required by condition.

The proposal would therefore comply with the general provisions of the local plan and the NPPF which seek to reduce reliance on the private car and encourage more sustainable forms of transport.

The benefits of bringing a locally listed building which has lain vacant for a number of years back into use must also be weighed against the lack of off-street parking provision, and in this case it is considered that the benefits would outweigh any disadvantages associated with the lack of off-street parking provision.

It is considered that the proposal would not result in a material change in the pattern and potentially the number of vehicular movements, compared to the previous use, and given the sustainable location of the application site, and in the absence of an objection from Highways, it is considered that the proposal would not result in any highway or pedestrian safety issues or associated amenity issues.

Impact on amenity

Policy 14 of the Local Plan requires development to deliver a high-quality environment in terms of the relationship between new and existing uses.

The opening hours for the proposed new community use would be split between the tenants of the enterprise spaces and the public. The tenants would be able to access the building from 7am – 11pm Monday to Saturday to allow them to work within their chosen businesses. The public would be able to access the building for a range of

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activities from: Monday – Friday 9am – 11pm; Saturday 9am – 11.30pm; and Sunday 10am – 10.30pm.

The opening hours are considered to be reasonable.

The exact staff numbers for the proposed community use are not known at this stage but there will be a dedicated centre manager on site at all times to facilitate the smooth running of the building and to monitor uses and activities. Numbers of tenants and the public will vary depending on occupancy levels/use of the different spaces and the uses/activities taking place on any given day/evening, which is likely to vary. However, the space within the building with the largest capacity, the winter garden, which would be used as an events space, is smaller than the public area on the ground floor of the previous bar/nightclub use.

The existing neighbouring residential uses would have been present at the time that the building was last used as a bar/nightclub, which would have likely resulted in greater noise emissions than those associated with the proposed use.

However, in response to concerns raised in relation to noise, the applicants have submitted a Noise Impact Assessment. Environmental Health have reviewed the information, and agree with the conclusions. Subject to conditions to secure the recommended mitigation measures and details in relation to sound attenuation for plant and fume extraction and ventilation along with a premises management plan covering such aspects as patron noise, music outputs and use of the kitchen at the rear of the site for street trade and the front forecourt for pop-up food retailers, have not raised any objections.

It is considered that the proposed development is unlikely to result in a material increase in activity and associated noise and disturbance to neighbouring properties and the surrounding area, compared to the previous/last use of the site and through the imposition of the suggested conditions, would not have an adverse effect on the amenity of neighbouring properties and the wider surrounding area.

The proposed roof top and first floor rear extensions and proposed fume extraction equipment, given their siting, it is considered that they would not have a material

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adverse impact on the amenities of neighbouring properties in terms of overdominance, sense of enclosure, overshadowing, loss of light, loss of outlook and loss of privacy.

The external alterations, which predominantly relate to the replacement of existing openings new areas of glazing would be installed at ground floor level in the front (north) elevation and in the west elevation, however, the nearest neighbouring properties to the north and west are located on the opposite sides of the road and that the largest areas of new glazing in the west elevation would predominantly serve the new internal winter garden opportunities for looking out of the building, it is considered that the proposal would not result in a material loss of privacy to neighbouring properties.

The refuse store would be located at the rear of the site with access on to Perry Street. There is space for 4 x 360L bins, should be sufficient and the frequency of collections can be changed to meet their requirements. As the refuse store is located within relatively close proximity to 1 Perry Street, in addition to a condition to secure the provision of the refuse store, details of measures to minimise noise arising from the use of the refuse store should also be provided.

Subject to conditions, the proposal would result in an acceptable relationship between existing and new uses and would comply with Policy 14 of the Local Plan.

Biodiversity

Policy 44 of the Local Plan requires development to seek to achieve a net gain in biodiversity. This is in line with and supported by the Natural Environment and Rural Communities (NERC) Act 2006 and the Environment Act. This requires all developments to deliver a minimum 10% gain in biodiversity.

In England, biodiversity net gain is required under a statutory framework (“the Framework”) introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). This Framework is referred to as ‘biodiversity net gain’ in Planning Practice Guidance to distinguish it from other or more general biodiversity gains. In this case the application is exempt from this requirement as specified within the Framework, because the building footprint occupies the majority

of the site, apart from a small forecourt at the front which comprises an area of hardstanding.

However, as set out above, the proposal includes the provision of an internal winter garden, which includes a variety of new trees and other planting, which is welcomed, as well as other planting and small trees on the forecourt, the roof terrace and the proposed green roof to the rear of the building, whilst the west façade of the building will feature green wall panels. Full details of all soft landscaping, to ensure that proposed species are acceptable, and their management and maintenance should be provided, and this can be secured by condition.

Ecological Impact/Protected Species

Due to the potential for European Protected Species, notably roosting bats within the site, surveys have been carried out and submitted in support of the application. These have concluded that there are no active bird nests in the building, that the building is unsuitable for barn owls, that there were no signs of roosting bats or bat activity, that the building has few features to support roosting bats and therefore the building has low suitability to support roosting bats.

Ecology has confirmed that the scope and conclusions of the surveys are acceptable.

Subject to suitable conditions, it is considered that there would be no adverse impact on areas or species of ecological significance because of the proposed development and the proposal would comply with Local Plan Policy 44.

Energy efficiency and renewables

Policy 17 of the Local Plan promotes design which reduces energy and water use and mitigates flooding, pollution and over-heating.

Policy 18 of the Local Plan sets out that development that includes renewable or low carbon technology as an integral part of the design will be encouraged.

Keeping heritage assets, such as this locally listed building, in use, or as in this case, bringing it back into use, avoids the consumption of large amounts of building materials

and energy and the generation of waste from the construction of replacement buildings.

New insertions into the historic fabric aim to improve the thermal efficiency of the building and the development incorporates passive environmental design to minimise artificial ventilation and help regulate internal temperatures. The development would also incorporate pv panels, green roofs and rainwater harvesting to reduce energy and water use.

As such, it is considered that the proposal promotes energy efficient design and takes opportunities to include renewable energy technologies to help cut greenhouse gases and mitigate climate change and therefore complies with local plan policies 17 and 18.

Flood Risk

The application site is located within flood zone 3a (i) (low hazard) of the high risk area of the national high risk flood zone, as identified by the Environment Agency. Flood depths could reach up to 900mm and therefore the applicant must seek to meet the standard mitigation measures required within Mitigation Note 3.

The proposed community use would constitute a “less vulnerable” use.

A revised flood risk assessment (FRA) has been submitted which sets out that the existing finished floor levels (FFLs) cannot be raised and will be retained as existing and therefore flood resistance (up to 600mm – 3m AOD) and flood resilience (up to 900mm – 3.3m AOD) measures will be incorporated, full details of which can be secured by condition.

As the existing ground FFL of the building is 2.6m AOD, the required place of safety above 4m AOD would be available on the upper floors of the building. The FRA also recommends that an emergency flood plan should be prepared for users of the development in the event of a flood that exceeds the design parameters or in the event of a breach of flood defences. This can be secured by condition.

Subject to the above conditions, it is considered that the proposal would comply with local plan policy 40 and would be acceptable in flood risk terms.

Local Plan Policy 39 sets out that all development should incorporate sustainable drainage systems (SuDS) unless it has been demonstrated this is not technically or economically feasible.

In terms of SuDs, the site is somewhat constrained given that the existing building footprint takes up the majority of the site, however it is able to incorporate some measures, which include rainwater harvesting (which will provide a water supply for irrigating the wintergarden), a green roof to the rear of the development at second floor level, with the possibility of also incorporating permeable paving to the site frontage.

Full details of the proposed SuDS and their future maintenance, to achieve efficient functionality and long lasting performance, should be provided and this can be secured by condition. Subject to appropriate conditions, the proposal would comply with local plan policy 39.

Equalities

Under the Equality Act 2010 S149, the Council has a duty to consider equality issues. A Public Authority must, in the exercise of its functions have due regard to (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act: (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (c) foster good relations between people who share a relevant characteristic and persons who do not.

This proposal has been considered against the duty of the Council to consider equality issues. This development is considered to comply with these requirements because level access would be provided to the front and side of the building with both doors having at least a 1m clear opening. The front access will be a power assisted door to allow for automated opening.

The proposal does not include a changing place facility. The applicant has stated that this was considered in the design development phase but was discounted due to constrained layout and potential costs. Accessible WCs have however been provided at ground and 2nd floor level and a new lift would be installed that connects all levels of the building across the three floors (including the roof terrace), thereby minimising travel to sanitary facilities for people with accessibility needs.

Equalities has been consulted and has raised no objections to the plans or the lack of a changing place facility. A condition is recommended in order to secure appropriate manifestations to the front entrance door and ensure suitable access for partially sighted persons.

Conclusion and Contribution to sustainable development

In accordance with the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the starting point for the determination of this application is the Hull City Local Plan 2017.

It is concluded that the proposals accord with relevant development plan policy as described in the various preceding sections of this report and in the absence of other, overriding material considerations to the contrary, the application is recommended for approval.

In addition to the need to determine the application in accordance with the development plan, regard also needs to be had to other material considerations (and which would include the requirement to be had to other policies, such as those set out in the National Planning Policy Framework (2024)). The NPPF contains a presumption in favour of sustainable development and when having regards to the three objectives of sustainable development, it is concluded as follows:

Economic Objective:

The development would help support community and early start up enterprises and other users and will provide specialist community enterprise support to business tenants and users of the different spaces as well as delivering employment through its redevelopment and subsequent use/operation.

Social Objective:

The proposed development would create a community centre that supports the needs of the local people and provide a programme of activities to encourage good health, healthy eating and community interaction thereby improving the wellbeing of the local population.

Environmental Objective:

The proposed development aims to reuse and adapt the existing locally listed building thereby avoiding the consumption of large amounts of building materials and energy and the generation of waste from the construction of replacement buildings. The proposal also includes the incorporation of renewable energy technologies to make the building more energy efficient and to reduce the impact on the environment.

The proposal would, subject to conditions, comply with policies 12, 13, 14, 15 and 16 of the Hull Local Plan and policies contained within the Newington Neighbourhood Plan, and there are no material considerations, including the objectives of the NPPF to suggest a determination other than in line with the development plans for this area should be made.