
Committee Date:	19/09/2013	Application Number:	2013/03721/PA
Accepted:	25/06/2013	Application Type:	Full Planning
Target Date:	24/09/2013		
Ward:	Perry Barr		

Former Clifton Cinema, Walsall Road, Great Barr, Birmingham, B42 1LR

Change of use of vacant former cinema/bingo hall to a conference/banqueting hall with restaurant at first floor, external works to include a glass canopy, two storey side extension, new ventilation duct work pipes and various other external works/alterations.

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Recommendation

Approve Subject To Conditions

1. Proposal
- 1.1 This application proposes the change of use of a vacant former cinema/bingo hall to a conference/banqueting hall with a restaurant at first floor and external works to include a two storey side extension, front glass canopy and new ventilation duct work pipes. The building is Grade II Listed and a number of both internal and external changes are also proposed to both repair/restore this historically important building and to facilitate the proposed change of use.
- 1.2 The previous use of the building as a bingo hall provided seating for 600 persons along with small associated bar areas and games rooms. This application seeks to create a conference /banqueting hall & restaurant to the upper balcony level with seating and meeting space. The proposed occupancy would be up to the 600 customers accommodated by the previous use.
- 1.3 From the entrance at the front of the building the main foyer and stairs remain unaltered by the proposals, with the exception of a new opening to assist flow. The main double height auditorium and side ancillary toilets to the side and rear are retained in their original format with minor upgrading of the toilet facilities and partitioning off of the upper balcony to form the restaurant facility.
- 1.4 In order to cater for the number of customers the premises requires a commercial kitchen to be located close to or adjacent the main seating area. The scheme proposals seek to create an extension to the side elevation to incorporate the kitchen area in this space.

- 1.5 The location of the kitchen at this point also provides for mechanical extraction to be located at high level and away from residential properties to the rear. The split level of the kitchen allows service to both banqueting and restaurant aspects.
- 1.6 The first floor balcony would remain within the proposals creating an external seating space.
- 1.7 The first floor area to the front of the building had been utilised within the bingo hall as a games area and is currently isolated from the main auditorium. This space has been reduced in scale by the insertion of a lower ceiling with the existing windows and stained glass blanked out by having been painted over. It is proposed that this space be opened out with the removal of the existing ceiling and by stripping and refurbishing the existing stained glass windows thus allowing vision and the addition of daylight into this space. This area is then intended to provide a meeting & social space outside of the main banqueting hall & restaurant.
- 1.8 The building has suffered a degree of neglect in recent years and also a fire within the building in January 2012 and it is evident that through previous alterations to the building (and fire damage), some of the original features of the building have been lost or severely damaged. Within the proposals it is intended to undertake extensive refurbishment of the existing external facades and interior to bring back the building to its former glory. Features such as the existing first floor stained glass windows and decorative niches to the higher side walls of the auditorium would be restored as part of the proposals.
- 1.9 To the exterior it is proposed to remove the later additions to the building which are out of character with the original architecture and restore and refurbish the features of the existing façade and landscaped areas which have fallen into disrepair. The principle of recreating signage and illumination in the style of the original is consistent with the applicants desire to promote the buildings use and add to the vitality of the surrounding area.
- 1.10 Within the building the proposals seek to refurbish the building interior, the style of which introduce finishes and features sympathetic to the buildings original architecture.
- 1.11 The main entrance steps and hard standings have deteriorated over time and the steps and planters to the main road front require repairs/reconstruction and bringing back into use to enhance the buildings approach. A new glazed canopy is proposed above the front entrance. Additional repair and alteration to the former planters to the front elevation is proposed to further enhance and soften the building.
- 1.12 Later additions providing storage areas to the building along the Tower Hill elevation would be removed within the proposal and replaced with an external yard area for refuse away from view from the highway. Additional security provision is envisaged by a new enclosure to the basement steps to the rear of the building and a new dwarf boundary wall to the footpath edge to Tower Hill.
- 1.13 A total of 59 parking spaces, 4 disability spaces and 4 cycle spaces would be provided on the existing car park. The vehicular and pedestrian access to the site and building would remain unaffected by these proposals, although it is considered that improvements to define the car parking layout and provide way finding signage to the principle entrance is required within the proposals.

- 1.14 The proposed use would provide employment for 2 full time and 51 part time staff and would be open between 09:00 and 23:00 daily.

[Proposed plans](#)

2. Site & Surroundings

- 2.1. The site is within the Tower Hill local centre and fronts Walsall Road (A34), which is a principal route into the City. The application property is of grand proportions and is an imposing feature within the street scene, and is the largest building within the vicinity. The Cinema was constructed in 1937-38 and closed in 1979. The building was converted to a bingo hall c.1980 and was listed Grade II in October 2000. The bingo hall ceased trading in August 2008.
- 2.2. The building is of significant architectural merit, although many of the original features are damaged and in need of repair. A number of architectural features have been obscured through the previous conversion (through, for example, the installation of suspended ceilings).
- 2.3. The building sits within a significant plot, which is almost entirely hard surfaced providing parking to the northwest and south/southeast of the building. There is a narrow vehicular access between 550 and 546 Walsall Road, although the principal access to the car park is from Tower Hill to the north.
- 2.4. The adjacent properties between 550 - 562 Walsall Road form a mixed-use parade, with the centre continuing to the north on the other side of Tower Hill. Other properties to the south, southeast and east are largely in residential use.

[Site location](#)

[Street view](#)

3. Planning History

- 3.1. Current- 2013/06723/PA- Listed Building consent for works to a Grade II listed building to include part demolition, two storey side extension, new glazed enclosure to first floor frontage, new ventilation duct work pipes as well as other external and internal works- this is the listed building application for the proposed works following the withdrawal of the earlier submission.
- 3.2. 20.08.2013 – Withdrawn - 2013/03722/PA - Listed Building consent for works to a Grade II listed building to include part demolition, two storey side extension, new glazed enclosure to first floor frontage, new ventilation duct work pipes as well as other external and internal works.
- 3.3. 21.05.2009 – Refused - 2009/01426/PA - Variation of condition C7 attached to planning application N/05159/08/FUL to restaurant to allow opening hours as 9:30-02:30am Monday-Sunday.
- 3.4. 27.05.2009 - Approved subject to conditions - 2009/01048/PA - Various minor internal and external alternations (external alterations are the installation of new extraction grilles and provision of emergency access to rear) to facilitate change of use to restaurant.

- 3.5. 27.05.2009 - Approved subject to conditions - 2009/01047/PA - Formation of new doorway to ground floor store & raising of one level to internal balcony seating area.
- 3.6. 05.03.2009 – Approved subject to conditions - 2009/00240/PA - Alterations, extensions and repairs to listed building to facilitate the change of use to a restaurant (Class A3).
- 3.7. 06.03.2009 - Approved subject to conditions - 2009/00241/PA - Change of use of former bingo hall to form restaurant (class A3) and ancillary development including the erection of a single storey side extension.
- 3.8. 25.02.2009 - Withdrawn - 2009/00275/PA - Installation of two fish-shaped water features to frontage in existing planters.
- 3.9. 25.02.2009 – Withdrawn - 2009/00276/PA - Installation of two fish-shaped water features to frontage in existing planters.
- 3.10. 11.12.2008 - Approval - N/05160/08/LBC - Alterations and repairs to listed building to facilitate the change of use to a restaurant (Class A3).
- 3.11. 11.12.2008 - Approval - N/05159/08/FUL - Change of use of former bingo hall to form restaurant (Class A3) and ancillary development.
- 3.12. 22.01.2008 - Refusal - N/06847/07/FUL - Erection of awnings
- 3.13. 16.01.2008 - Refusal - N/06848/07/LBC - Erection of 2 no. 2.6m deep canopies and 5m long wall mounted rests for smokers
- 3.14. 17.09.2007 - Approval - N/02089/07/FUL - Erection of canopy and wall mounted rest for smokers
- 3.15. 09.07.2007 - Approval - N/02559/07/LBC - Erection of canopy and wall mounted rest for smokers

4. Consultation/PP Responses

- 4.1. Site and press notices were posted and surrounding properties, ward members, local MP and resident associations were consulted –
- 4.2. 1 letter of concern received from Councillor Karen Hamilton. She expresses her concerns with regard to traffic and noise that the development would generate.
- 4.3. 5 objections have been received with the following concerns:
 - Noise
 - Late night opening
 - Significant works going on
 - Traffic/parking demand
 - Cooking smells/extractor fumes
 - Residential areas to side and rear
 - One already near by

- 4.4. 1 letter of support has been received with the following comments:
- Desperately needs development
 - One of the few historic and impressive buildings in the locality
 - Enhance historic features
 - Community benefit
 - Banqueting venue would also provide a restaurant open to the public
- 4.5. 2 letters of support in principle have been received, but with some concerns raised, including the following:
- Removal of incongruous communications equipment from roof
 - Parking standards being to the satisfaction of the local highway authority
 - Relocation or improvement of the unsightly municipal recycling facilities
 - Extensions and alterations out of keeping
 - Lack of detail and information submitted
- 4.6. Transportation Development – No objection subject to conditions.
- 4.7. Regulatory Services – No objection subject to conditions relating to extraction and odour control details and noise levels for plant and machinery.
- 4.8. West Midlands Police - Awaiting comments.

5. Policy Context

- 5.1. Birmingham Unitary Development Plan 2005
- 5.2. Places for All (2001) SPG
- 5.3. Statutory Grade II Listed Building
- 5.4. NPPF (2012)
- 5.5. Draft Birmingham Development Plan

6. Planning Considerations

- 6.1. POLICY
The UDP recognises that uses which include the production of hot food can give rise to amenity issues (late night opening, noise, disturbance, smell, litter) and this, in combination with their impact on traffic generation, means that such uses should generally be confined to shopping areas or areas of mixed commercial development. The cumulative impact of such uses in terms of traffic generation, impact on amenity and the vitality/viability of the retail function of the local centre will also be important material considerations.
- 6.2. The UDP recognises that redundant historic buildings offer a range of opportunities for conversion to new uses. It states that proposals that would adversely affect buildings or areas of architectural interest will not normally be allowed and that any development affecting a listed building should preserve or enhance its character.
- 6.3. The NPPF states in part 131 that “In determining planning applications, local planning authorities should take account of: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable use consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness”.

- 6.4. The UDP states that local circumstances should dictate parking provision and availability of public transport is an important factor.
- 6.5. Therefore the material considerations for this proposal are the principle of the uses and the proposal's impact upon the character and appearance of the building, the residential amenity of dwellings within the vicinity and highway matters.
- 6.6. **PRINCIPLE**
The application site is within a local centre and previously accommodated leisure uses. The re-use of this vacant listed building is to be welcomed and would add to the vitality of the local centre. I therefore raise no objection to the principle of the proposed use.
- 6.7. **AMENITY**
The potential impact upon residential amenity should be considered in light of the lawful use of the building as a bingo hall and related material considerations including the proximity of residential properties to the building and the proposed opening times.
- 6.8. Regulatory Services raise no objection subject to conditions. I concur with this conclusion and recommend suitable conditions limiting the maximum level of noise from plant and machinery, restricting opening times as proposed and requiring details of the extraction equipment. Subject to compliance with these conditions, I raise no objections.
- 6.9. The external seating area is noted, however this fronts onto the busy Walsall Road (with the dwellings opposite being some 55m away) and adjacent properties are in commercial use. Therefore, subject to a condition regarding a suitable lighting scheme, I raise no objection to this element of the proposals on amenity grounds.
- 6.10. **APPEARANCE/DESIGN**
The proposed scheme of works has been designed to restore the historic character and appearance of the listed building. The design of the side two storey extension is flat roofed in sympathy with this character and the glazed canopy is an appropriate modern addition. A listed building application has been received and will be brought to your committee separately. The detailed works are consistent with this application and have the support of my conservation officer. The scheme of refurbishment associated with the proposed use could not be implemented until the listed building application has been approved.
- 6.11. **HIGHWAY MATTERS**
Transportation Development raise no objection subject to conditions. I concur with this view. The site is well served by public transport and good pedestrian facilities are provided in this area (such as a signalised crossing to the front). Applying the latest parking standards, the proposed use would attract the demand for a maximum of 75 car parking spaces. 63 are proposed which is 84% of the maximum provision. It is therefore considered this is sufficient provision in this highly accessible area.
- 6.12. **ACCESS**
Given the Listed status of this building, a specific scheme needs to be designed which balances the needs of people with mobility disabilities with the possible harm to the listed building. I therefore recommend a condition requiring the submission of such a scheme.

7. Conclusion

7.1. The proposal would bring a historically important building back into a use that would not require extensive alteration. The proposed use would enable the building to be treated in a way that would be more consistent with the original cinema in its heyday and lend itself to a comprehensive scheme of external lighting.

7.2. I therefore recommend that this application be approved subject to appropriate conditions.

8. Recommendation

8.1. That planning permission is granted.

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- 1 Limits the hours of use to 0900-2300 daily
 - 2 Requires the prior submission of extraction and odour control details
 - 3 Limits the noise levels for Plant and Machinery
 - 4 Requires the prior submission of sample materials
 - 5 Requires the scheme to be in accordance with the listed approved plans
 - 6 Requires the prior submission of a mobility access scheme
 - 7 Requires the prior submission of boundary treatment details
 - 8 Requires the prior submission of cycle storage details
 - 9 Requires the prior submission of hard and/or soft landscape details
 - 10 Requires the prior submission of a lighting scheme
 - 11 No open storage
 - 12 Requires the parking area to be laid out prior to use
 - 13 Limits the approval to 3 years (Full)
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Reason for Approval

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- 1 Birmingham City Council grants Planning Permission subject to the conditions listed below. The reason for granting permission is because the development is in accordance with:
Policies 8.6 & 8.7 of the Birmingham Unitary Development Plan 2005; Places for All (2001), which has been adopted as Supplementary Planning Guidance; Shopping and Local Centres 2012, which has been adopted as a Supplementary Planning Document and the National Planning Policy Framework.
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Case Officer: Stephanie Salmon

Photo(s)

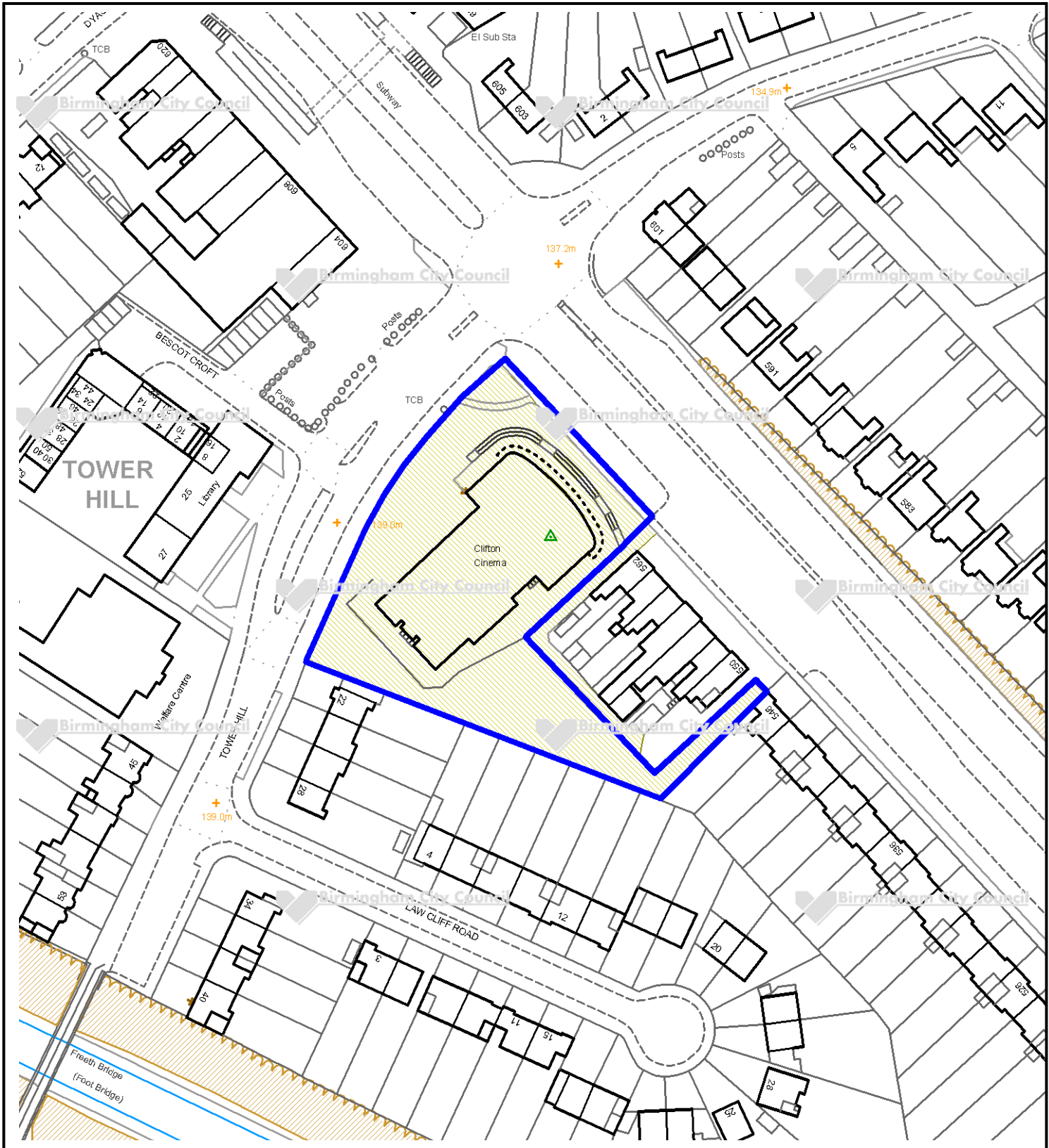


Figure 1 - Application site front elevation



Figure 2 - Car park area at rear

Location Plan



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