

Case Officer Report.

Application Ref. DER/606/938

Location. The Walker bingo and Social Club, Green Lane, Derby.

Proposal: Change of Use from Bingo and Social Club to Theatre.

Site inspection Date. 19 Sept 2006

Site notes/ appraisal

The application premises is located at the junction of Green lane and Macklin Street. The premises is currently in use as a bingo and social club having been converted to that use from a variety theatre many years ago.

The building is a grade II Listed Building.

The building is a large purpose built building built in the early part of the 20th century as a Variety Theatre. Its use as such appears to have declined and by the early 1950s planning applications were received to redevelop the site on a couple of occasions for shops and offices and later for shops and maisonettes. In both instances the uses were considered to be unacceptable. The theatre closed on 31 January 1959. In April 1962 the use changed to a bingo hall but there are no planning records of this.

The current use as a bingo hall is in class D2 of the T&CP Use Classes Order but the use as a theatre is a sui generis use.

It seems that the proposed change back to a theatre is part of a City wide approach to improve the amount and quality of performance space throughout the City. The reuse of the Hippodrome is referred to in a report to the City Council titled Derby Performance Spaces Study.... A copy of which is attached to the file.

From a Town Planning perspective the main consideration would appear to be

- The suitability of the use of the building
- The physical impact of any changes to the Listed Building.
- The impact of traffic generation
- Impact on neighbouring occupiers.

As the building was originally constructed as a variety theatre and as many of the original internal features remain, the re-use of the building would seem to be most appropriate, purely from the point of view of its use. This would satisfy PPG15 which carries the following statement regarding the alternatives.

“The best use will very often be the use for which the building was originally designed, and the continuation or reinstatement of that use should certainly be the first option when the future of a building is considered. But not all original uses will now be viable or even necessarily appropriate: the nature of uses can

change over time, so that in some cases the original use may now be less compatible with the building than an alternative. "

I consider that looking only at the use itself, the reuse of the premises as a theatre has to be the most appropriate use. This is not to say that the use will necessarily be the most commercially appropriate use for the building but I don't consider that to be a planning consideration but a matter for the prospective investors to consider.

Reuse as a theatre is also likely to be the best way of ensuring that the listed building status is most closely respected. I would imagine that the major spaces would be reused as originally intended and that much of the original interior features could be retained. As the current application is only for the change of use there is no indication as to the extent of any works to the building that might be necessary to make it available for reuse. These would have to be subject to a future application for listed building consent.

The building is still currently in use as bingo hall where largish numbers of people (in the region of 170 to 200 according to the manager) gather on a regular basis. The locality would therefore be used to the exodus of clients at the end of sessions. The performance Spaces Study gives a potential capacity of 1800, for the reuse as a theatre which is 9 times the number currently using the building. This difference in numbers and a shift in closing times if the premises were to return to theatre, would have a considerable extra impact on neighbouring occupiers but I believe that nearby occupiers would be somewhat used to the idea of crowds leaving at the end of sessions and that in City Centre Locations such activity, even into the late evening is part and parcel of City Centre Living. There are few alternative economic uses that I can think of for a building of this size. As it is the Bingo Hall use only actively occupies the ground floor stalls level of the premises. The circle and balcony are at present unused. The building appears to be deteriorating from lack of maintenance so the proposal seems to be an ideal opportunity to arrest the deterioration and hopefully reverse the decline. This can only be seen as being beneficial to help protect and restore the listed building which is part of the City's Heritage.

It is assumed that being in a city centre location; most visitors will arrive on public transport, in taxis or in private cars. Visitor parking would be absorbed within the normal city centre car parks as happens with the current bingo use. It would be impractical and undesirable to require dedicated visitor parking provision.

Concern is raised in the Performance Spaces Study as to the potential problems that may occur for vehicles that would have to deliver the equipment and paraphernalia associated with the range of performances that are envisaged would use the venue. The report suggest these would be long, large vehicles likely to be used 7 days a week and that this would involve considerable noise pollution as vehicles would have to approach through residential streets. Although there is only very small off street servicing for the premises off Macklin Street, this would be true for any future use of the

building and I would consider that loading and unloading will always be somewhat problematic in this location. We cannot predict what size vehicles may ultimately be used for deliveries and collections. It would be an operational decision for the theatre management which could influence the types and scope of performances that are booked or the size of delivery vehicles. I don't consider that some inherent servicing problems should preclude the reuse of this building as a theatre.

Disabled access would need a great deal of attention. The age and layout of the existing building means that there are many internal changes in level that are unfriendly to disabled users. I consider at a very minimum a lift would have to be installed. The Disabled Access Officer has raised an objection to the change of use but advises that the applicant will have to consider disabled access requirements with any future application. I agree that the time to consider disabled access would be at the listed building application/ building regulation stage of proceedings, not at the change of use stage.

Although there are a small number of matters to be resolved such as access for servicing and disabled access I consider the benefits to the community and the City as a whole that would result from the bringing the theatre back into use outweigh the perceived disadvantages some of which may be surmountable given adequate funding being made available to carry out the internal alterations that are necessary.

The proposal does in my view meet with CDLPR Policy CC1 which seeks to encourage new investment which strengthens the retail, employment leisure cultural and residential functions within the City Centre.

History. None relevant to this proposal.

Policies: ST 12 ...amenity, CC1 City Centre Strategy, CC31... Central Area Parking, E22 ...Listed Buildings, E23... Buildings of archaeological or historic importance, E27... Community Safety, L9 ...Leisure and entertainment facilities, T4... Access Parking and Servicing, T10 Access for disabled people.

Consultation responses:

Built Environment. Raise no objections subject to the submission of an application for Listed Building Consent for any alterations to the building.

Highways raise no objection to the proposal from the point of view of visitor parking.

Plans and Policies.

The site is not allocated for any particular use in the CDLPR.

Policy L9 allows for leisure and entertainment facilities subject to a number of

criteria. The policy refers to D2 Uses, whereas theatres are a sui generis use, but can still be used in this case as the character of the proposed use is comparable. As in effect, a like for like replacement use in the City Centre the proposal is generally in accordance with policy.
No policy objections.

CAAC. No objection.

Disabled Access. Raise no objections to the change of use.

Third Party Responses

One letter of support has been received from a third party.

Recommendation. To grant planning permission.

Conditions:

1) Before the use is commenced full details shall be submitted for a scheme of alteration to make the building more accessible to disabled people. Any details that involve alteration to the fabric of the Listed Building shall be made in the form of an application for Listed Building Consent

Reasons:

1) In its current state the building is not readily accessible to disabled users contrary to policy T10 of The CDLPR.