

Mr Raj Bhatt Jewels Conference Suite Limited 171 Rolfe Street Smethwick B66 2AU	Removal of condition 2 of DC/14/57639 to continue use as wedding hall 171 & 72 Rolfe Street Smethwick B66 2AU
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Date Valid Application Received 3rd March 2017

1. Recommendations

Subject to no significant objections from the Head of Highways and the application being referred to Full Council as a departure from the approved development plan, approval is recommended with the following conditions:

- (i) Travel plan to be retained;
- (ii) Car parking management plan to be retained;
- (iii) Parking areas to both 72 Rolfe Street 172 Rolfe Street shall be retained;
- (iv) Directional signage shall be retained.

2. Observations

Your Committee is to visit the application site.

Site Surrounding

The application refers to former industrial premises in Rolfe Street, within an established industrial area. The application site comprises two sites, one on the south side of Rolfe Street (no. 171) along the boundary with Hill Street, and the other on the north side of Rolfe Street (no. 72) directly opposite no. 171. No. 171 contains an existing former industrial building with associated forecourt parking and no. 72 is an industrial building.

Background History

The application premises have significant recent history which is crucial in the understanding of the current submission.

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Your Committee granted temporary (3 year) planning consent in December 2010 (DC/10/52236) for the use of no. 171 as a conference centre with no. 72 to be used as an overflow car park. The use was limited to a conference centre only and the hours of operation to between 08.00 hours and 21.00 hours Monday to Friday with no Saturday, Sunday or Bank Holiday opening.

Prior to the submission of application DC/10/52236 the applicant originally wanted to use the premises as a wedding/banqueting hall and was informally advised that the use of the premises for that purposes would be contrary to adopted Policies Sme1 and DM6 in this locality. The applicant therefore submitted the application on the basis that it would be a conference centre only, a use that would complement the surrounding industrial environment, and requested a temporary period to comply with both policies.

Following the grant of planning permission, the premises were refurbished by the applicant to form a wedding/banqueting hall. A subsequent Building Regulations application failed to accord with the planning permission and the licensing application submitted to the local authority indicated that the venue would be used for weddings and parties with live music and dancing and would be open from 13.00 hours to 03.00 hours on any day: clearly this was not in accordance with to your Committee's decision on the planning application.

The applicant justified his actions by stating that during renovation works it became clear to him that there was a need for a wedding hall in the area from comments received from people visiting the site while work was being undertaken.

In July 2011, a retrospective application (DC/11/53628 refers) for the wedding hall was submitted. The application indicated that the wedding hall would be open from 12.00 hours to 24.00 hours Monday to Sunday and 12.00 hours to 01.00 hours on Christmas Day and New Year's Day. The submitted plans indicate that the hall could seat 200 people, although the approved building regulations application suggests that the hall could hold up to 400 people in terms of fire safety. Parking for 82 vehicles would be provided. The applicant also indicates that food would be prepared off-site and brought to the venue. A total of 30 staff would be employed at peak periods. This application was reported to your Planning Committee on 19th October 2011 and

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subsequently, retrospective conditional planning permission was granted for a temporary three year period to allow the impact of the use on highway safety matters to be assessed. In addition various conditions were included to ensure appropriate car parking management and to ensure that parking facilities were implemented. The items to be provided – within a 3 month time period most relevant was that a revised parking layout at 72 Rolfe Street was required to be submitted, approved and thereafter implemented and retained as such.

In April 2013, the local planning authority refused to discharge these conditions on the basis of insufficient information. Subsequently at a meeting in November 2013, it was suggested that the applicant should seek to rectify these matters as part of their new application.

This application (DC/14/57639) was reported to your planning committee in February 2015 with a recommendation for refusal, however members considered that a further temporary period of two years should be granted to review the highway situation and members made it clear that the conditions attached to the permission must be discharged and implemented. The conditions were discharged in June 2015 and the applicant had until September of the same year to implement the signage, travel plan, management plan but more particularly the revised parking layout to 72 Rolfe Street (the layout is attached to this report)

The current application

The application is now seeking full permission to operate the banqueting suite from the site. The submission incorporates the drawings and plans that formed the previous consent together with photographs showing the signage that has been erected within the car park and to the adjacent building, 72 Rolfe Street.

Publicity and Responses

The application has been publicised by press notice, site notice and neighbour notification and one objection has been received which states:-

- (i) During functions parking occurs outside businesses situated on Buttress Way. There is insufficient parking on the site and they consider that at least another 80 spaces

are required to alleviate the problems caused to local business.

Statutory Consultee Responses

The Strategic Policy Team has stated that the application site forms part of much wider area which is allocated for housing (SAD Policy H1) and that future employment uses need to be appropriately managed and controlled to ensure that their activities would not harm future housing led regeneration in this area. In addition DM6 (Community facilities including places of worship and/or religious instruction) refers to the application facility being situated on fringes of commercial centres, particularly district or local centres and being accessible by a wide range of public transport infrastructure. Finally EMP4 (Relationship between Industry and Sensitive Uses) refers to operations that would impact on neighbouring uses i.e. high traffic generation should be sufficiently controlled. To conclude the Policy Team are of the opinion that the proposal is contrary to policy, is not located adjacent to good public transport infrastructure and traffic and parking still remains a concern.

The Head of Highways has confirmed that parking complaints have been received from the occupiers of Buttress Way, however further observations from the Highways team have noted that this area is congested even when the wedding venue is closed. They did also note that part of the car park to the east of the wedding hall is often parked up by other businesses serving the same industrial estate and hence question whether the applicant had ownership rights to this area. A land registry search has identified that this area is not in the ownership of the applicant and therefore the applicant has now duly served the relevant notice on these businesses (five in total). Any comments received following the expiration of the notice period will be reported to your Committee meeting.

The Head of Environmental Health has no objections.

Key Considerations

In the first instance the permanent grant of permanent planning permission for this proposal constitutes a departure from adopted policy, given that within Sandwell's adopted Smethwick Area Action Plan the site is allocated for residential led development (Sme1). Therefore should members be minded to grant full

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permission, the application will need to be reported to Full Council.

In terms of setting aside the policy, I am mindful of the fact there are no current residential proposals for the area and any future ones would need to be on a comprehensive basis involving larger tracts of lands. On the other hand in the short-term permission for the wedding hall was granted on the basis that the temporary arrangement would enable continued use of the premises without detriment to future regeneration proposals. Whilst granting a permanent consent for the wedding hall is contrary to SAD H1 and Policy Sme1, on the basis that the facility re-uses an existing building and comprehensive redevelopment would be required to fulfil the allocation, it is considered that the use would be acceptable.

It is also worth acknowledging that the use has led to considerable investment and improvement in the external (and internal) fabric of the building, which is significantly better in appearance than the wider area in general.

Turning to the issues of highway safety which included specific conditions in relation to managing traffic and vehicle movements associated with the proposal. Policy DM6 guides such community facilities to the edge of local or district centre sites and where public transport is available and easily accessible. In particular, Policies DM6 and EMP4 also advise that such proposals should not adversely impact on existing on-street parking for existing occupiers. Whilst it is accepted that the applicant has complied with conditions relating to signage, I am not convinced that the site is being managed appropriately in terms of overspill parking and management given that the owner does not have control over the whole of the car park and hence there may be conflict with other users of the parking area when both activities occur at the same time. Therefore the key determining issue is whether the lack of parking provided is causing highway safety difficulties.

Members should be mindful that three temporary permissions have been granted for the premises, with 5 years being granted specifically for the wedding hall, in order to review highway issues. Planning practice guidance on the use of planning conditions states that temporary permissions are appropriate to provide trial runs to assess the development, however further permissions should normally either grant permission in full or be

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refused where there is clear justification for doing so. National Policy also refers to highway considerations namely the importance of travel plans, ensuring that there is safe and suitable access and opportunities for public transport. Furthermore it states that development should only be prevented or refused where the residual cumulative impacts of the development are severe. In this instance, a travel plan has been provided and agreed and the parking layout and pedestrian routes are also acceptable, in terms of public transport, the site however is not well served by public transport. In addition both Rolfe Street and Hill Street have parking restrictions (double yellow lines) in place. When considering the times of high demand for the Wedding Hall, these rarely coincide with the high demand for the existing businesses and hence provided that sufficient parking is provided and managed within the two sites, I do not consider that the cumulative impacts would be so severe as to warrant refusal.

To conclude, it is considered that the Wedding Hall offers substantial benefits to the area, both visually and in providing a local need. Whilst the proposal causes more traffic generation in the area, there is no evidence to suggest that this is severe. In terms of the policy allocation given that the area is unlikely to come forward for wholesale residential redevelopment, the re-use of this building should be seen as a benefit to the area.

3. Relevant History

DC/10/52236	Proposed change of use to conference suite and café/bar for conference suite patrons and associated car parking	Approved 9/12/2010 for 3 years
DC/11/53628	Retention of use as wedding hall	Approved 2/11/2011 for 3 years
DC/14/57639	Retention of use as wedding hall	Approved 12/3/2015 for 2 years

4. Central Government Guidance

NPFF: Promotes sustainable development

5. Development Plan Policy

DEL1: Infrastructure Provision

HOU1: Delivering Sustainable Housing Growth

SAD H1: Housing Allocations

SAD DM6: Community Facilities including Places of Worship and/or Religious Instruction

6. Contact Officer

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Alison_bishop@sandwell.gov.uk

DC117160372

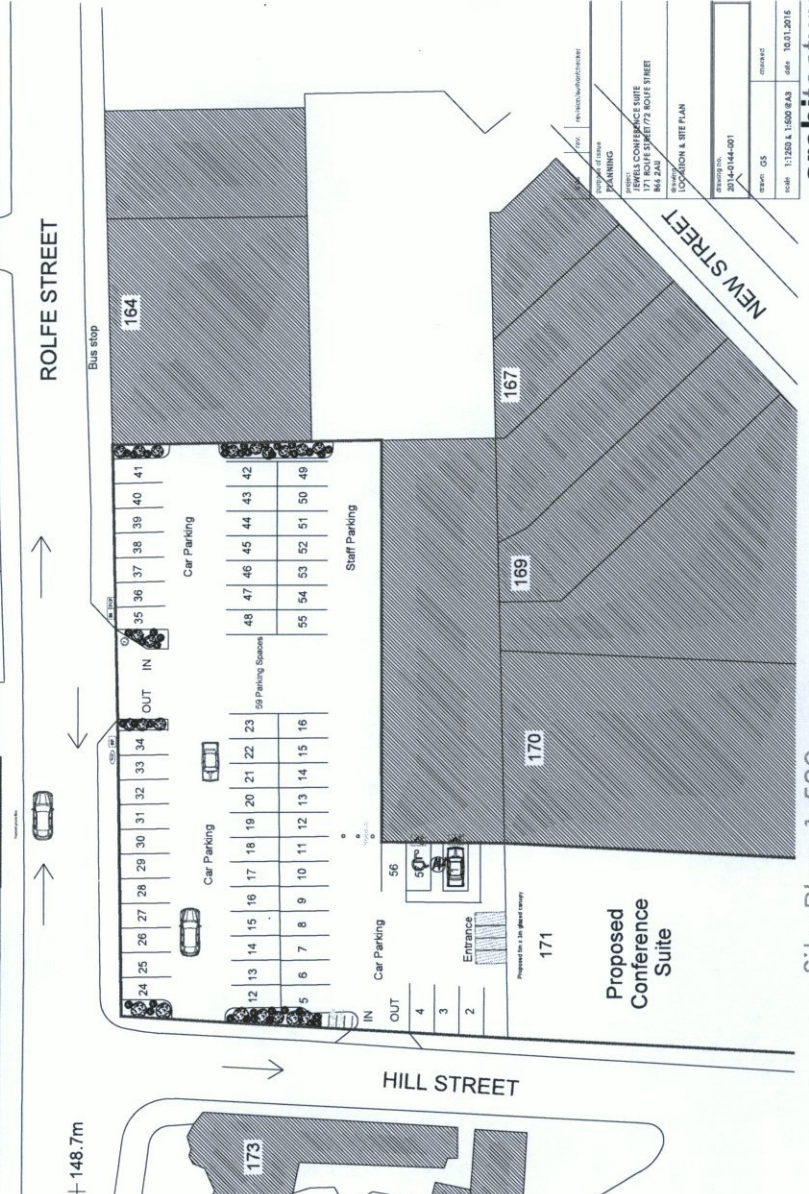
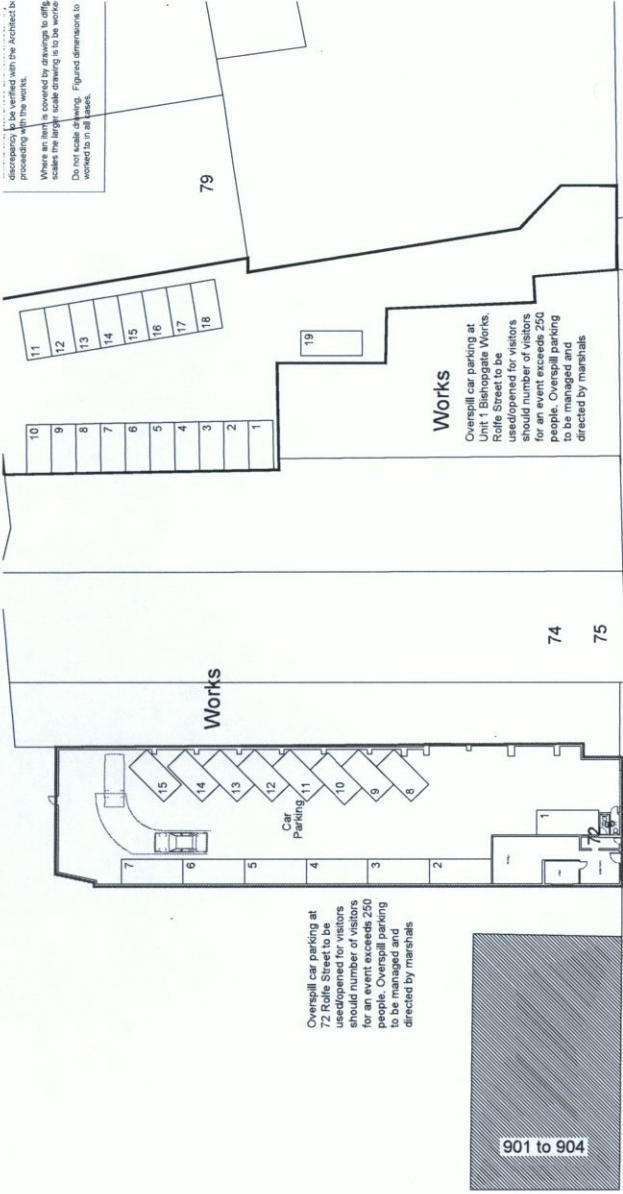


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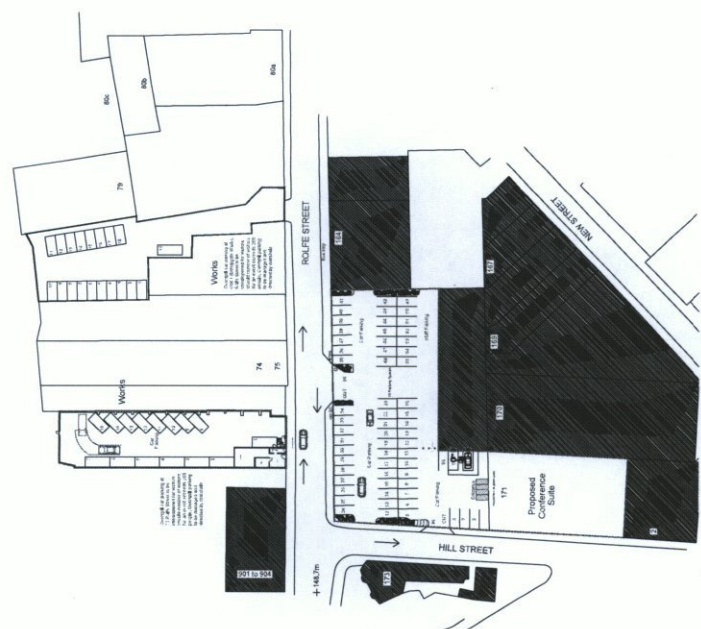
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discrepancy to be verified with the Architect before proceeding with the works.
Where an item is covered by drawings to be drafted, scale the larger scale drawing is to be used.
Do not scale drawing. Figured dimensions to be used to in all cases.



PROJECT NAME	PROPOSED CONFERENCE SUITE
PROJECT ADDRESS	171 ROLFE STREET/73 ROLFE STREET
CLIENT	844 ZAM
DATE	15/05/2017
SCALE	1:1250 & 1:500 (R.A.S)
DATE	10.01.2016
PROJECT NO.	2014-144-001
SCALE	1:500
DATE	10.01.2016



Location Plan 1:1250

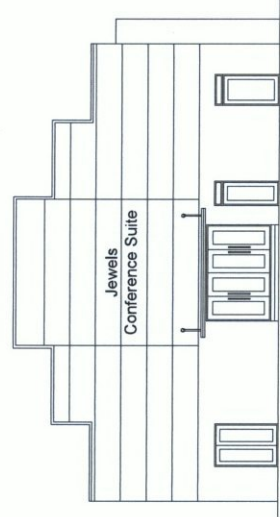
The contractor is responsible for checking dimensions, tolerances and references. Any discrepancy to be verified with the Architect before proceeding with the work.
 Where an item is covered by drawings to different scales the larger scale drawing is to be worked to.
 Do not scale drawing. Figured dimensions to be worked to in all cases.

DC/17/60372

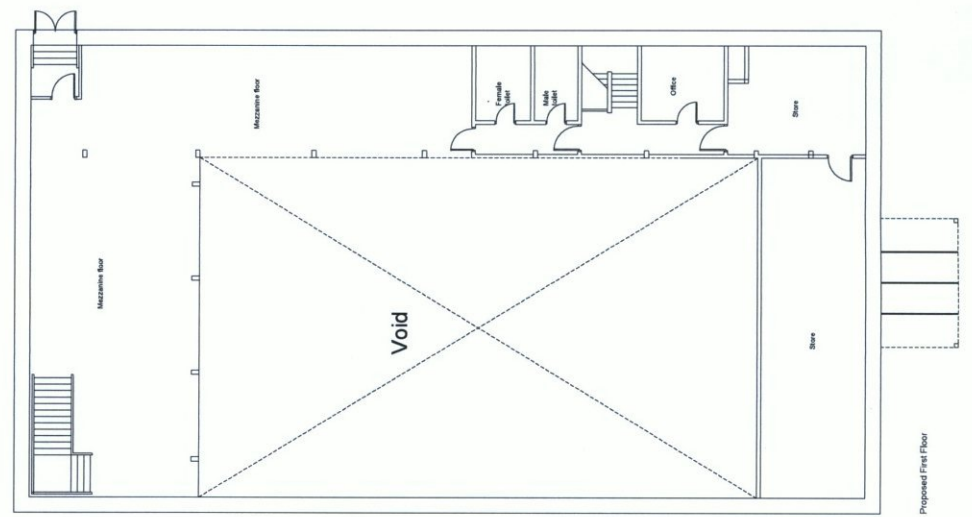
17 COLVILLE ROAD, BARNHURST, MIDDLESEX, M20 6LH
 TEL: 0121-752-4111 MOB: 0782135845
 Email: g@architectstudio.co.uk www.architectstudio.co.uk

DATE	NO.	DESCRIPTION/REVISION
		PLANNING
PROJECT NAME JEWELS CONFERENCE SUITE		
PROJECT ADDRESS 171 BOULE STREET BARNHURST, M20 6LH		
DRAWN BY Proposed plans and elevations		
DRAWING NO. 2014-0144-003		
DRAWN BY GS	CHECKED	DATE 20.10.2014
SCALE 1:200 (M.A.)		

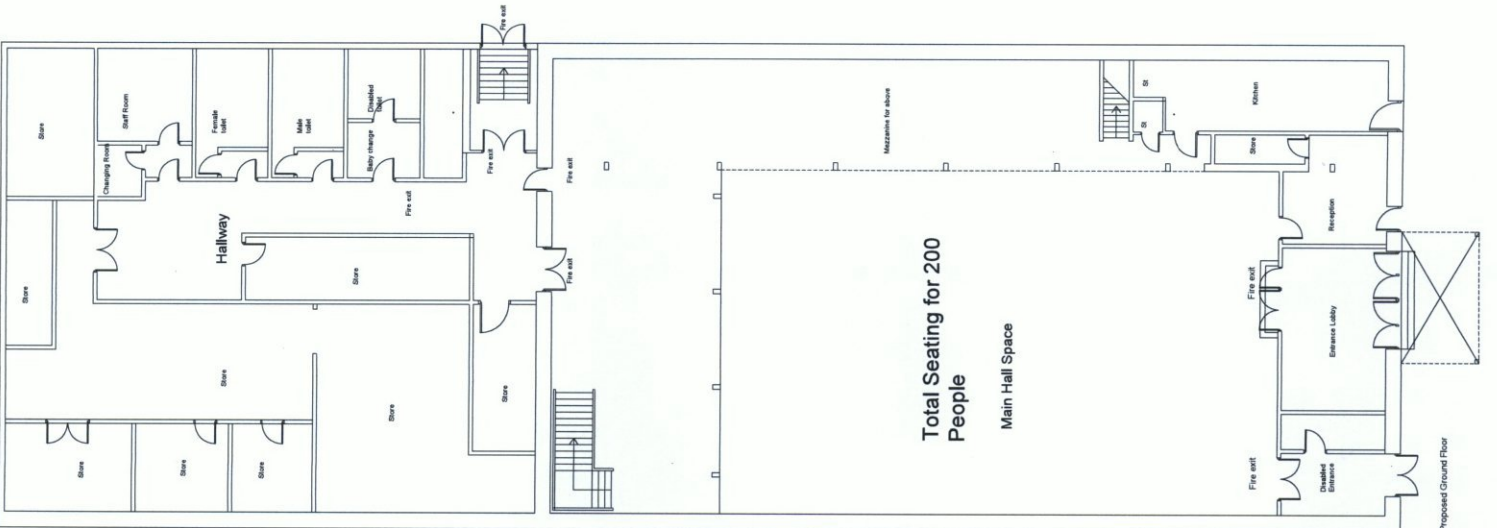
architect
design studio



Proposed Front Elevation



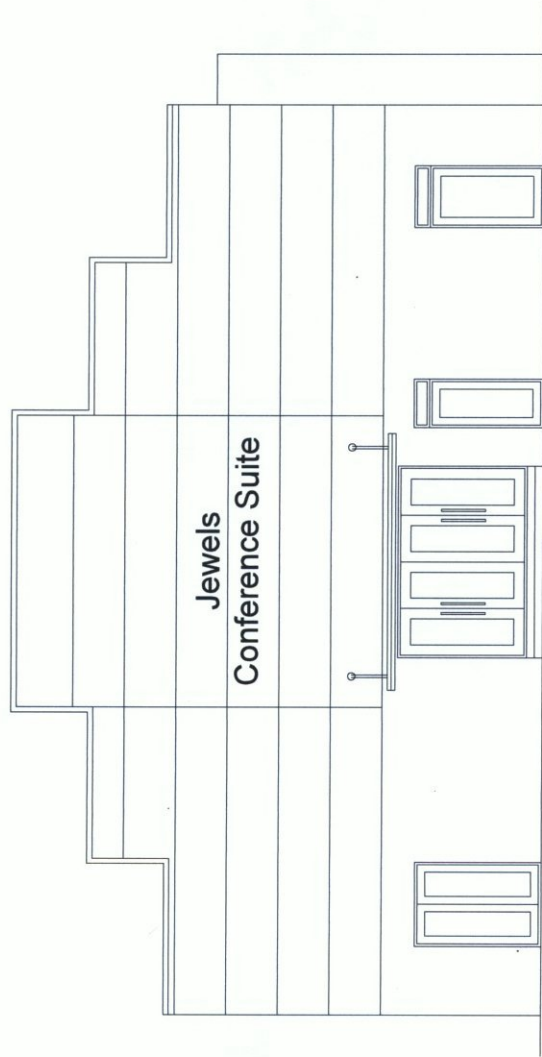
Proposed First Floor



Proposed Ground Floor

DC/17/60372

The contractor is responsible for checking dimensions, tolerances and references. Any discrepancy to be verified with the architect before proceeding with the work.
Where an item is covered by drawings to different scales the larger scale drawing is to be worked to.
Do not scale drawing. Figured dimensions to be worked to in all cases.



Proposed Front Elevation

DATE	NO.	DESCRIPTION
		PLANNING
PROJECT TITLE		
JEWELS CONFERENCE SUITE		
171 BOLLÉ STREET		
866 ZAVI		
PROPOSED ELEVATION		
DRAWN BY		
2014-01-14-206		
CHECKED		
DATE		
29.10.2014		

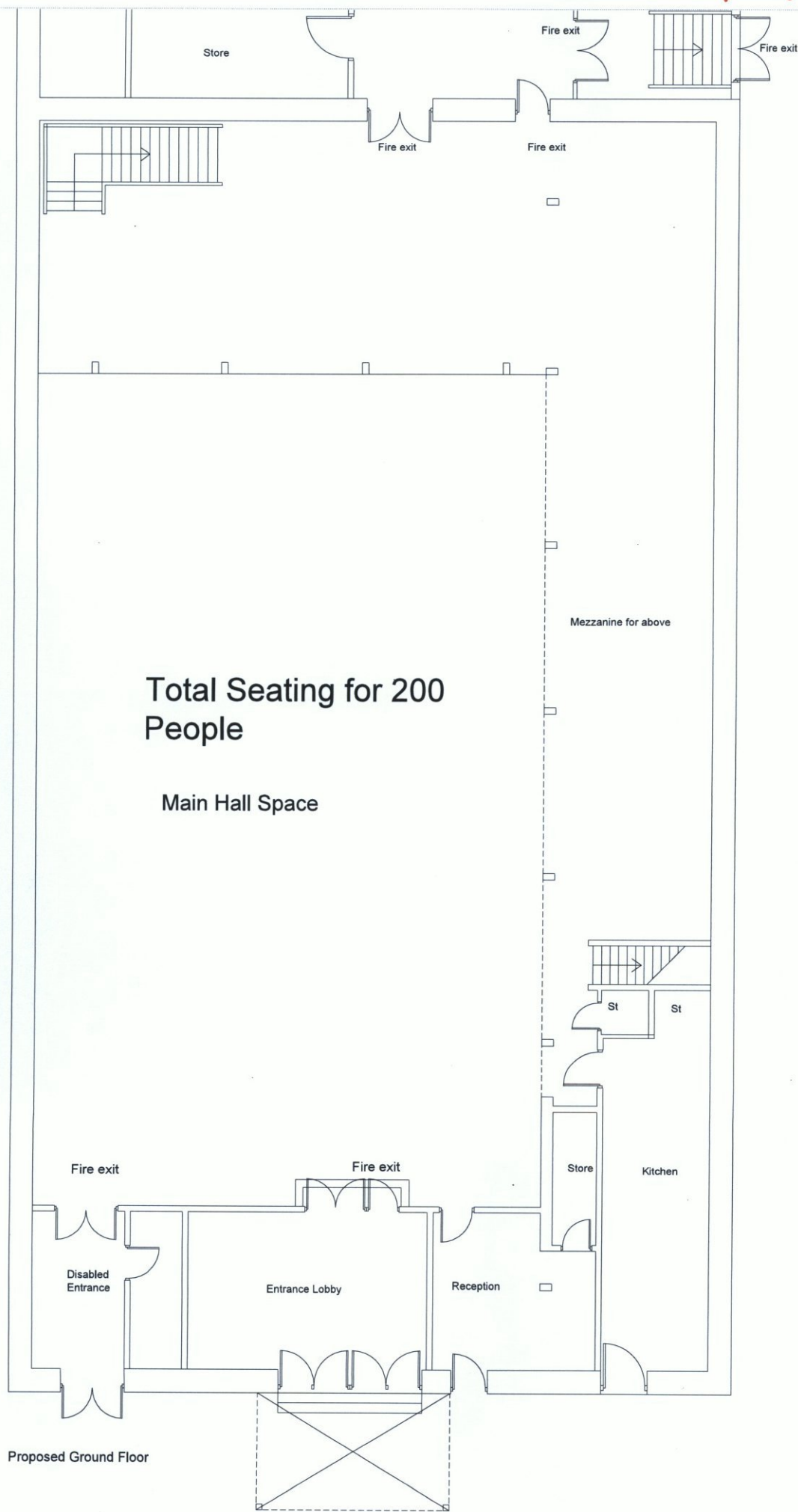
architect
design studio

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TEL: 0121-283-4211 FAX: 0121-283-4212
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The architect is responsible for checking dimensions, tolerances and references. Any discrepancy to be verified with the architect before proceeding with the works.
Where an item is covered by drawings to different scales the larger scale drawing is to be worked to.
Do not scale drawings. Figured dimensions to be worked to in all cases.



Date:	17.10.2014
Drawn:	GS
Checked:	
Scale:	1:100 (A3)
Project No.:	2014-014-004
Project Name:	JEWELS CONFERENCE SUITE
Address:	171 MOULDER STREET, BIRKENHEAD, MERseyside, L3 8JY
Client:	WYNDHAM
Architect:	ARCHITECTURE DESIGN STUDIO
Project:	PLANNING
Phase:	PLANNING
Author:	REVISION: ARCHITECT

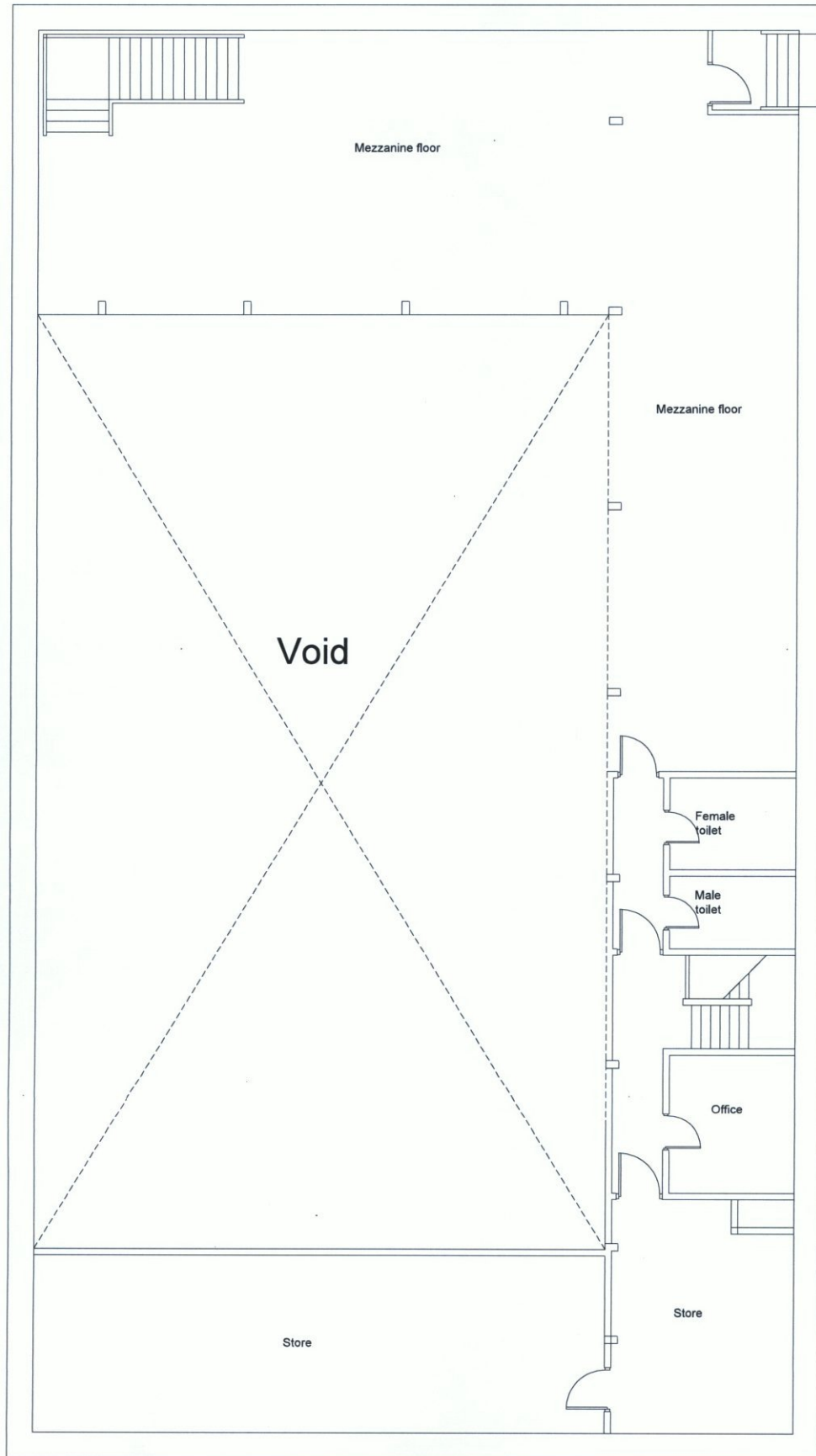
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design studio

Proposed Ground Floor

DC/17/60372

17 COLSTON ROAD, BIRMINGHAM, BIRMINGHAM B4 7DQ
TEL: 0121-7814211 FAX: 0121-7814212
Email: g@architecturaldesignstudio.co.uk www.architecturaldesignstudio.co.uk

The contractor is responsible for checking dimensions, tolerances and references. Any discrepancy to be verified with the Architect before proceeding with the works.
Where an item is covered by drawings to different scales the larger scale drawing is to be worked to.
Do not scale drawing. Figured dimensions to be worked to in all cases.



Proposed First Floor

DATE	NO.	DESCRIPTION
		17 COLSTON ROAD
		BIRMINGHAM
		B4 7DQ
		17 COLSTON ROAD
		BIRMINGHAM
		B4 7DQ
		JEWELS CONFERENCE SUITE
		17 COLSTON ROAD
		BIRMINGHAM
		B4 7DQ
		Proposed plan
		2014-01-14-05
		GS
		2014

architectural
design studio

Discharge of condensation
 Condenser 4.
 + Condenser 7

DC1141516372

DC117160372

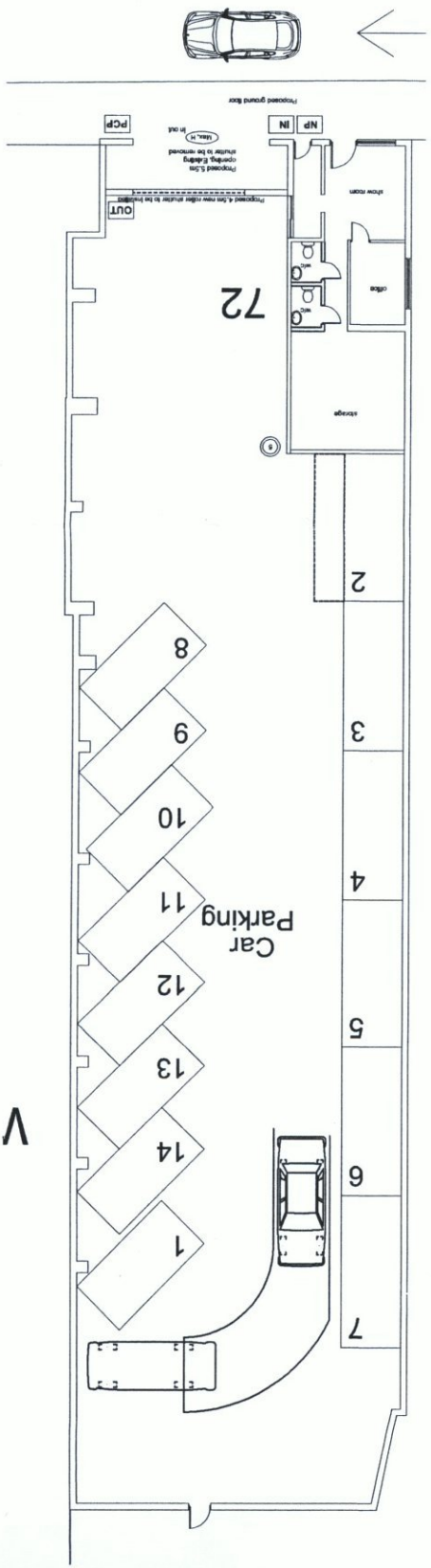
The contractor is responsible for checking dimensions, tolerances and references. Any discrepancy to be verified with the Architect before proceeding with the works.
 Where an item is covered by drawings to different scales the larger scale drawing is to be worked to.
 Do not scale drawing. Figure dimensions to be worked to in all cases.

KEY - PROPOSED

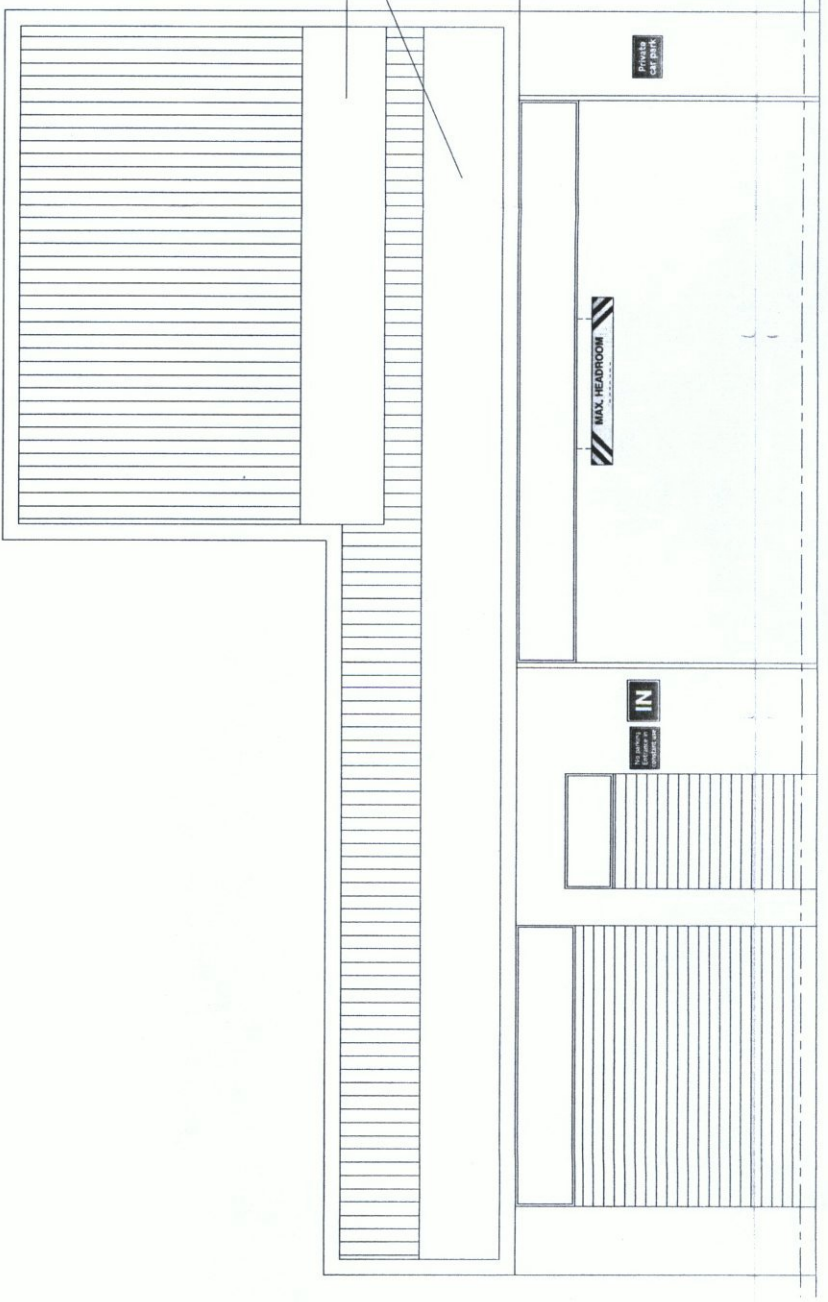
- ⊙ Max. 5 M.P.H Sign Class 1 Reflective with cap extrusion
- PCP Sign depicting 'Private car park'
- NP Sign depicting 'No parking entrance in constant use'. To be displayed by parking entrance.
- IN Sign depicting 'IN' to indicate vehicle direction.
- OUT Sign depicting 'OUT' to indicate vehicle direction.
- ⊙ Hung sign depicting 'MAX HEADROOM'. Placed at vehicle entrance below rolling shutter.

Revised 11.6.15

REVISED PARKING LAYOUT FOR 72 ROLFF STREET



Existing 'Kitchens and Bathrooms Centre' and opening times signage to be removed



11.06.2015 A. Changes in accordance to highway constraints	
Date	11.06.2015
Author	Architecture
Client	177 ROLFF STREET/72 ROLFF STREET
Project	PROPOSED PLANS & DETAILS
Scale	1:1000 (A3)
Sheet	05
Drawn	11.06.2015
Checked	

architecture
 design studio