
Committee Date:	18/06/2020	Application Number:	2020/02817/PA
Accepted:	14/04/2020	Application Type:	Full Planning
Target Date:	19/06/2020		
Ward:	Erdington		

220 High Street, Erdington, Birmingham, B23 6SJ

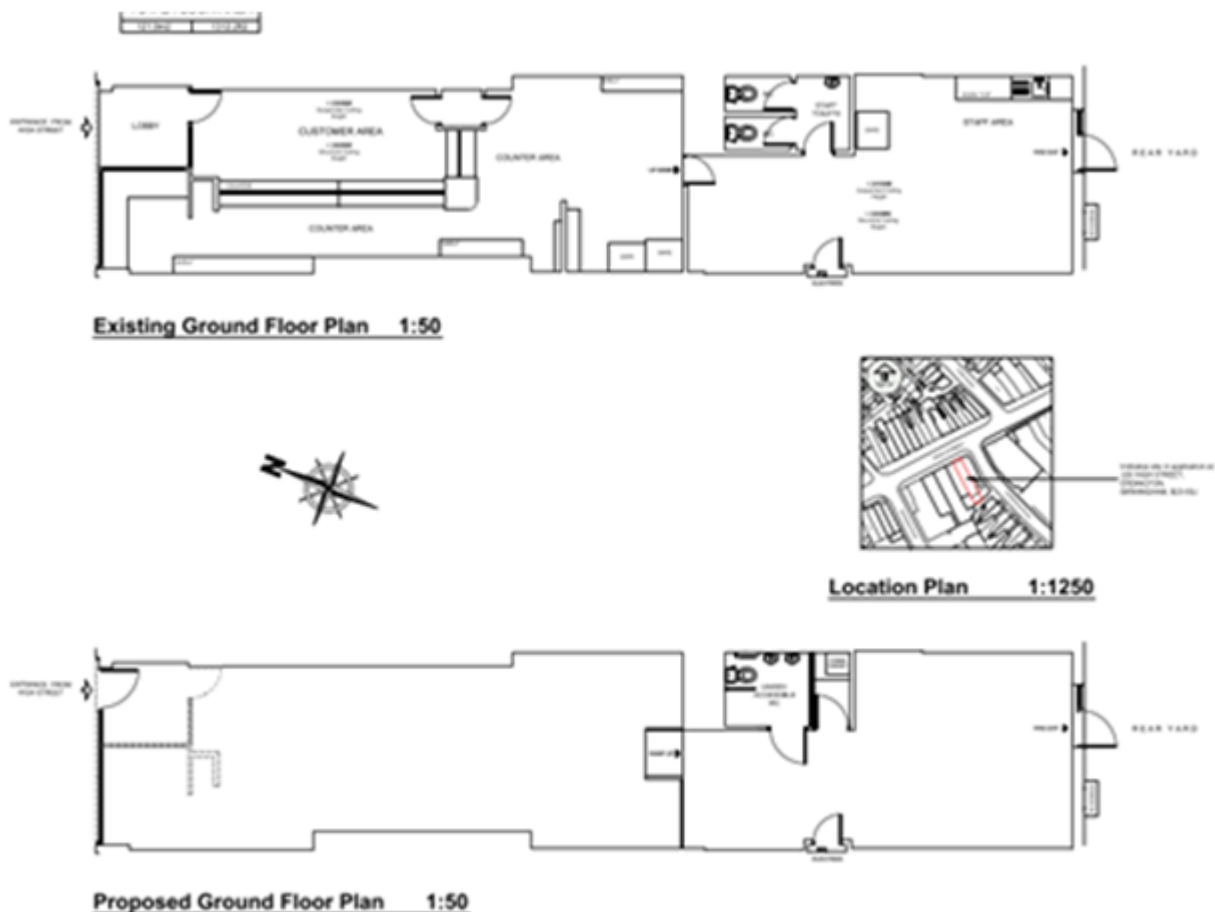
Change of use from pawnbrokers shop to an adult gaming centre

Recommendation

Approve subject to Conditions

1. Proposal

- 1.1. Planning consent is sought for the proposed change of use of a vacant pawnbrokers shop (Sui Generis) to an adult gaming centre (Sui Generis) at 220 High Street, Erdington.
- 1.2. The submitted design and access statement and application form state that the proposed use would be to the ground floor and would employ a total number of five full time staff.
- 1.3. The proposal would be sound insulated. No external works are proposed.
- 1.4. The proposal would be accessed from the High Street frontage. Internal alterations are proposed which include the conversion of the existing staff toilets to a unisex wc.
- 1.5. The proposed hours of opening would be 07:00 to 00:00 daily (including Bank Holidays).
- 1.6. There would be no increase over the existing total gross internal floor space area of 121.9 square metres.
- 1.7. Below are the existing and proposed ground floor plans.



1.8. [Link to Documents](#)

2. [Site & Surroundings](#)

- 2.1. The application site relates to the ground floor of a three storey property situated within the Primary Shopping Area of Erdington District Centre. The application site is situated near to the junction of Erdington High Street and Harrison Road and comprises of a vacant pawnshop (Sui Generis) with a shop front at ground floor and vacant first and second upper floors and boarded up first floor windows to the rear elevation. To the rear is a small private courtyard that is related to the ground floor.
- 2.2. The upper floors of the property are finished in red brick with a single pitched dormer at second floor level, slate roofs and timber windows.
- 2.3. The site offers no off street parking provision.
- 2.4. The High Street is predominantly a mixture of ground floor commercial uses with commercial storage or residential flats at first and second floor. Harrison Road, to the east of the High Street, is predominantly residential in nature.
- 2.5. There are double yellow lines and Traffic Regulation Order parking restrictions on the High Street and double yellow lines to the east of the application site along Harrison Road.

- 2.6. The adjacent uses comprise of No. 222 High Street, a charity shop (Use Class A1) with commercial storage use at first and second floor and No. 218 High Street, a vacant unit, formerly a double glazing supplier (Use Class A1) which has been granted consent for one apartment at first floor and second floor under 2019/03389/PA on 28/06/2019 but has not been implemented.
- 2.7. [Site Location](#)
3. [Planning History](#)
- 3.1. 1999/00083/PA: Retention of existing shop front: Refused: 11.05.99: Allowed on Appeal: APP/P4065: 21.02.00.
- 3.2. 1999/00082/PA: 1: Approve: Display of fascia sign and projecting canopy. 2: Refuse: Retention of traditional pawnbroker's balls: Part Approve/Part Refuse: 29.03.99.
4. [Consultation/PP Responses](#)
- 4.1. Transportation Development – no objection.
- 4.2. Regulatory Services - no objection subject to conditions for noise insulation between residential and commercial uses and opening hours of 07:00 – 00.00 daily.
- 4.3. West Midlands Police - no objection.
- 4.4. Local residents and Ward Councillors were consulted and a site notice displayed.
- 4.5. Councillor Alden – objection on the grounds that the application has caused significant concerns locally amongst residents and other businesses on the High Street. The application would lead to a loss of A1 retail unit on the High Street. The proposal is unsuitable for the High Street, and would be counter to the district centre policies that the Birmingham Development Plan and the Council set out. While the addition of another gambling unit on the High Street would worsen the on going ASB linked to existing gambling outlets, causing more crime and increasing the fear of crime in the area.
- 4.6. 3 individual letters of objection have been received from local residents. These objections are based upon the following issues:
- Anti-social behaviour
 - Noise disturbance.
 - Too many gambling premises, a total of 8 premises within a 200m of the site.
 - Harmful impact and decline in Local Centre attractions to retailers and public.
 - Harm to continuity of shopping displays within Primary Shopping Area.
 - If approved, restrict trading hours to either normal shop hours or 9pm latest to protect residential amenity.
5. [Policy Context](#)
- 5.1. The following local policies are applicable:

- Birmingham Development Plan (BDP) 2017 - Policy TP24
- Birmingham Unitary Development Plan 2005 (Saved Policies)
- Shopping and Local Centres SPD (2012)
- Places For All SPG (2001)
- Car Parking Guidelines SPD (2012)

5.2. The following national policies are applicable:

- National Planning Policy Framework (2019).

6. Planning Considerations

6.1. This application has been assessed against the objectives of the policies as set out above.

6.2. Key material considerations are the principle of the use, impact upon residential amenity, impact on visual amenity impact and highway matters.

Principle of the development

6.3. The National Planning Policy Framework (NPPF) seeks to ensure the provision of sustainable development, of good quality, in appropriate locations and sets out principles for developing sustainable communities. It promotes high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

6.4. Policy 8.9 of the adopted UDP states that amusement centres may be appropriately located within larger shopping areas, but regard must be paid to the potential for noise or disturbance to any nearby residential accommodation. Policy 8.10 highlights that planning permission is likely to be refused in cases where the site is in a predominantly residential area, is within an identified primary retail frontage, would cause unduly obtrusive noise and disturbance, creates areas of dead frontage or affects the appearance or setting of a listed building.

6.5. Policy TP24 of the Birmingham Development Plan (2017) promotes a diversity of uses within local centres identified in the hierarchy of local centres outlined in Policy TP21. These uses include leisure, offices, restaurants, community/cultural facilities and residential on upper floors where it provides good quality, well designed living environments.

6.6. Policy TP24 of the Birmingham Development Plan (BDP) 2017 and policy 1 and 2 of the Shopping and Local Centres SPD states that within Primary Shopping Areas 55% of all ground floor units in District Centres should be retained as retail (Use Class A1). The 'Shopping and Local Centre' SPD defines existing Local Centres within Birmingham. The site falls within the Primary Shopping Area of Erdington Local Centre. The surrounding area is mixed use in character.

6.7. The most recent survey of the centre has identified that within the Primary Shopping Area 64.52% of uses are A1 retail uses within the primary shopping area. The proposed Sui Generis use would not reduce the percentage of A1 uses (as the existing use is not an A1 retail use but a Sui Generis Use), thus not falling below the 55% threshold for the overall District Centre as a result of the proposal.

- 6.8. It is considered that the proposal would conform to Policy TP24 of the Birmingham Development Plan (BDP) 2017, Policy 1 and 2 of the Shopping and Local Centres SPD. The surrounding area is characterised by predominantly retail (Use Class A1) uses. The proposed opening hours would ensure the character and function of the District Centre is maintained.
- 6.9. The application site is situated within a sustainable location and within the Primary Shopping Area of Erdington District Centre, which is well served by good public transport links. The proposal would bring back a vacant unit into active use and as such would enhance the viability and vitality of the District Centre. Therefore, the principle of development is acceptable.

Residential Amenity

- 6.10. The agent has confirmed that the proposal would be sound insulated, would not play amplified music or have noisy machines and tannoy systems found in seaside amusement centres. Furthermore, the proposal would have footfall levels similar to many high street shops and staff would not allow anyone into the premises who is intoxicated.
- 6.11. The High Street is predominantly a mixture of ground floor commercial uses with commercial storage or residential flats at first and second floor. The adjacent uses comprise of No. 222 High Street, a charity shop (Use Class A1) with commercial storage use at first and second floor and No. 218 High Street, a vacant unit, formerly a double glazing supplier (Use Class A1) which has been granted consent for one apartment at first and second floor under 2019/03389/PA on 28/06/2019 but has not been implemented. The residential dwellings situated on Harrison Road, to the east of the High Street are sited a sufficient distance away from the proposal not to be adversely affected in terms of potential noise and disturbance.
- 6.12. West Midlands Police have raised no objection in respect to the proposal, the proposed opening hours and the potential crime and security risks to customers, residents and staff. Regulatory Services have raised no objection to the proposed opening hours of 07:00 – 00.00 7 days a week and have stipulated a scheme of noise insulation between residential and commercial uses will be required to be submitted to the Local Planning Authority for approval.
- 6.13. I concur with Regulatory Services viewpoint regarding the imposition of the planning conditions noted above. I consider that the proposal is unlikely to have an adverse impact upon the amenity of residential occupiers and other commercial uses within the immediate vicinity of the site by virtue of noise disturbance, anti-social behaviour, crime and safety issues.

Highways Safety

- 6.14. The application site is located within the within the Primary Shopping Area of Erdington District Centre which is a sustainable location with good public transport accessibility and is located in an area that is subject to limited on street parking. Transportation Development have raised no objection to the proposal and it is considered that the proposal would not have a detrimental impact on highways or pedestrian safety.

Visual Amenity

6.15. The proposal would not have a detrimental impact on the visual amenity and character of the surrounding area as no external alterations are proposed. The existing shopfront would be retained and the proposal would bring the present vacant unit back into use which would enhance the public realm.

7. Conclusion

7.1 The proposed Sui Generis use would not reduce the percentage of A1 uses, thus not falling below the 55% threshold for the overall District Centre as a result of the proposal. The proposal would not have a detrimental impact on residential amenity, highways and pedestrian safety or the visual amenity of the surrounding area. I therefore do not consider that there are sustainable grounds upon which to recommend refusal of the application.

8. Recommendation

8.1 Approval subject to the following conditions:

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|---|---|
| 1 | Requires the scheme to be in accordance with the listed approved plans |
| 2 | Implement within 3 years (Full) |
| 3 | Limits the hours of operation between the hours of 07:00-00:00 7 days a week. |
| 4 | Requires the prior submission of noise insulation (variable) |
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Case Officer: Harjap Rajwanshi

Photo(s)

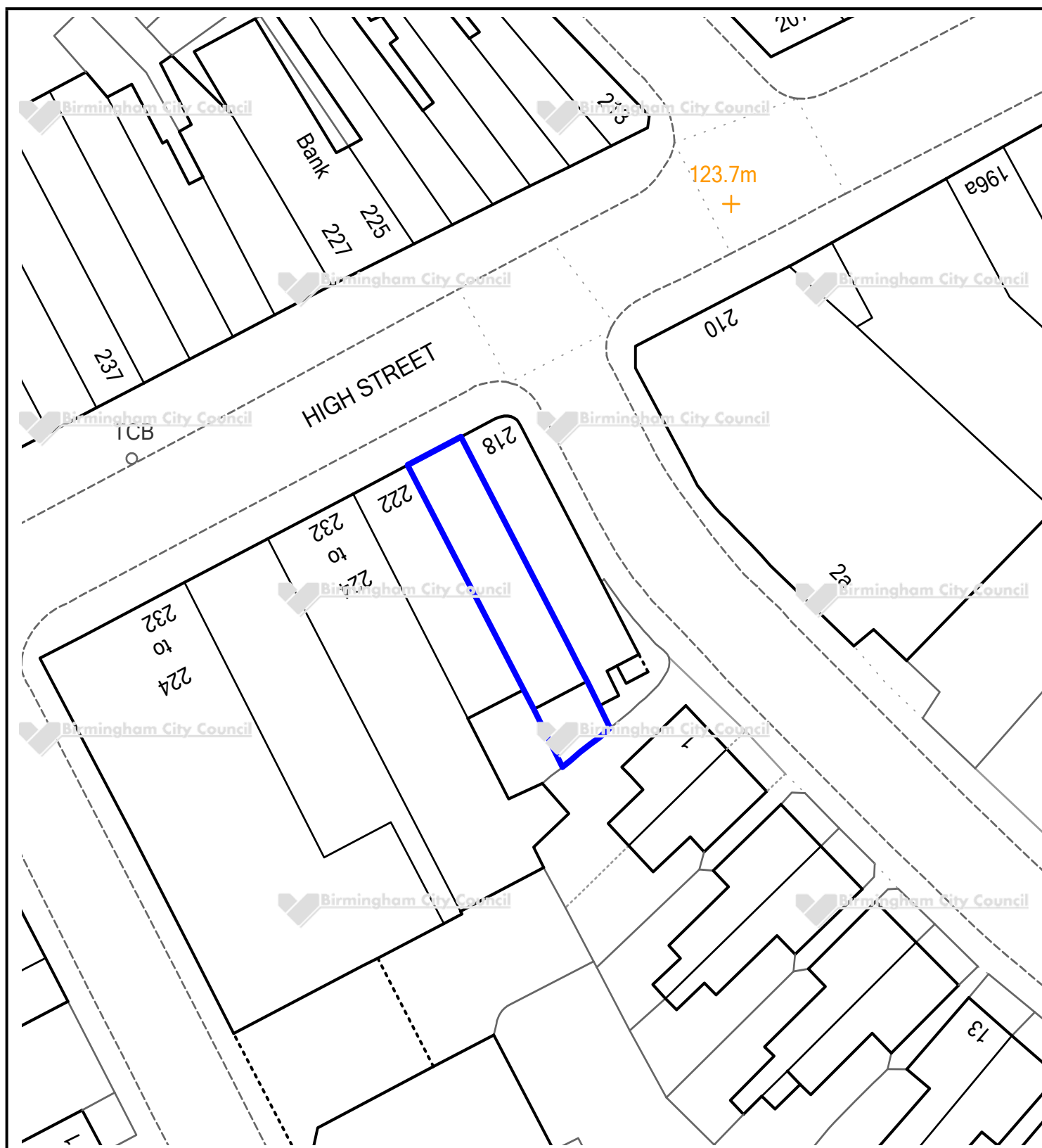
Figure 1 – Front elevation



Figure 2 – Rear Elevation



Location Plan



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