

Protecting theatres for everyone



Ref.: TC/886

14 May 2021

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Walsall Council
Civic Centre
Darwall Street
Walsall
WS1 1TP

By email: planningservices@walsall.gov.uk

Application: 21/0549

Site: FORMER THE IMPERIAL, DARWALL STREET, WALSALL, WS1 1DA

Proposal: Change of use from Public House to 21 x 1 bed apartments

Remit:

The Theatres Trust is the national advisory public body for theatres. We were established through the Theatres Trust Act 1976 'to promote the better protection of theatres' and provide statutory planning advice on theatre buildings and theatre use in England through The Town and Country Planning (Development Management Procedure) (England) Order 2015, requiring the Trust to be consulted by local authorities on planning applications which include 'development involving any land on which there is a theatre'.

Comment:

This application has come to the attention of the Trust because the site is a theatre building, the former Imperial. It is proposed that the building be converted to residential use. We have not been formally notified.

The Imperial originally dates back to 1868 as the Agricultural Hall but was used for theatrical performances from the start. This makes it quite an early theatre. It was altered around twenty years later and re-named St. George's Hall, changing to Imperial Hall in 1899. It screened films from 1908 with substantial alterations including to the façade taking place in 1914. It closed in 1968 and converted to bingo use; this was a common conversion although this was also a time when a number of theatre buildings were lost and pre-dated Theatres Trust's formation. Bingo conversions also tended to be sensitive to the character and function of cinemas and theatres with minimal alteration and potential for future reversibility. Following closure of the bingo hall in 1996 the Imperial was converted to a public house the following year. Again, there are a number of cinema and theatre buildings in such use. Both bingo halls and pubs are in any case community and cultural facilities which means there is an onus on applicants to demonstrate they

Theatres Trust

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Chair Tim Eyles **Director** Jon Morgan

Trustees Richard Baldwin, Paul Cartwright, Paddy Dillon, Annie Hampson, Richard Johnston, Gary Kemp, Jane Spiers, Truda Spruyt, Katie Town

The National Advisory Public Body for Theatres

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are surplus to requirements before change of use can occur; paragraph 92 of the NPPF (2019) guards against unnecessary loss. This is notwithstanding any heritage matters.

The Imperial is a non-designated heritage asset. It does not appear to be on the Council's Local List but we could consider there would be great merit and justification in its addition; it meets a number of the criteria for inclusion (possessing both special architectural and historic interest, having local rarity in design, a landmark within the townscape, and being well preserved). Although stated the façade was altered in the 1914 works, the Trust's database suggests it is substantially that of the original 1869 hall with broad entrance arch and pedimented gable at the centre. Internally it appears to retain much of its historic character and decoration from the cinema conversion which itself occurred over one hundred years ago.

The proposed development would result in the complete loss of the Imperial's internal features and decoration and substantial alteration to its north-east, south-east and south-west elevations, although the principal elevation to Darwall Street would be retained which we welcome. Given the impact on the significance of the Imperial as a non-designated heritage asset arising from the scale of harm we consider there should be greater justification and analysis of significance than is currently provided, with reference to paragraph 197 of the NPPF. The plans do not show how the front entrance doors will be treated and this will be vital in retaining the character of the historic façade; this would require a condition for submission of details. Similarly the ground floor plant room would impact on the historic façade so it should be clarified how windows will be treated and for grilles and ducts from the side wall to be restricted so as not to interfere with the front façade.

More fundamental is the loss of the Imperial as a community facility and consideration of alternative options, its change of use from a public house not being accompanied by any evidence of lack of need within the applicant's submission. We note that Spatial Objective 5 of the Walsall Town Centre Area Action Plan (2019) seeks to strengthen Walsall's cultural offer, citing cinema, performance venues and community facilities along with bars to "provide an attractive centre for visitors both day and night". An existing cinema/theatre building would seem an obvious candidate to provide such an offer. Policy AAPLV4 protects community facilities in the centre; pubs clearly sit within this definition. The fact it has been vacant for four years prior to the pandemic does not in itself demonstrate lack of need because there is no information on marketing effort at an appropriate rental or sale value.

Whilst matters such as the proposed unit mix falls and size standards sits outside of our remit, the Council should assure itself of the suitability of the residential scheme with regards to minimum space and amenity standards, accessibility and in particular compliance with fire regulations so as not to do so may compromise the building.

Therefore in conclusion whilst we keen to see this vacant building brought back into use and welcome that the proposed scheme retains at least the front façade, we are unable to support the application at present due to a lack of justification it is surplus to requirements. The three

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strands of sustainable development set out in paragraph 8 of the NPPF include a social objective to provide accessible services which support future needs and social and cultural well-being and an environmental objective to protect the historic environment. The Area Action Plan is an up to date expression of evidenced policy which suggests scope for new cinema and performance provision in Walsall, for which the Imperial potentially provides a compelling opportunity.

If the Council is minded to approve this application, we urge inclusion of a condition to provide a detailed photographic recording report within the building. It is possible there may be features of significance concealed within the building such as historic equipment. This will ensure the history and significance of the Imperial can be appreciated by future generations.

Given the Imperial's substantial cinema use we would also urge that Cinema Theatre Association are consulted on this application.

Please contact us should you wish to discuss these comments in more detail.

A handwritten signature in black ink that reads "T Clarke".

Tom Clarke MRTPI
National Planning Adviser

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