

Planning Applications Committee
14 May, 2009
Section C

Agenda Number:	C6
Section/Area:	Inner
Ward:	Thorpe Hamlet
Officer:	Sarah Platt
Valid Date:	20th March 2009
Application No.	09/00197/U
Site Address	75 Prince Of Wales Road Norwich NR1 1DG
Proposal:	Change of use from gaming/gambling arcade (sui generis) to drinking establishment (class A4) and ancillary associated uses.
Applicant:	Mr Steve Peri
Agent:	Mr Steve Peri

THE SITE

The application site is located to the South of Prince of Wales Road. Adjacent to the East is a newsagents at ground floor level and the proposed taxi office at first floor level (Approved by Committee on 23rd April 2009). Adjacent to the West is a hairdressers with residential above.

The application site is within the City Centre Conservation Area.

RELEVANT PLANNING HISTORY

Planning permission was granted under application 03/00260/U for the Change of Use from (A1) retail to amusement arcade including pool table facilities on the 26th November 2003.

In October 2007 planning permission was refused under application number 07/00857/F for the installation of a canopy and safety guard rail on Rose Lane elevation.

THE PROPOSAL

Change of use from gaming/gambling arcade (sui generis) to drinking establishment (class A4) and ancillary associated uses.

CONSULTATIONS

Advertised on site and in the press. Neighbouring properties have been notified in writing.

2 letters of objection have been received citing the following objections:

- The need for another bar in this area;
- The safety of pedestrians crossing the highway between venues;
- The effect on residential amenity, and;
- The “adult” nature of the establishment.

Environmental Health has no objections.

PLANNING CONSIDERATIONS

Relevant National Policy:

PPS1 – Delivering Sustainable Development
PPS1 Annex – Planning and Climate Change
PPS6 – Planning for Town Centres

Relevant Regional Policy:

ENV7 – High Quality of Development

Relevant Local Plan Policies:

AEC1 – Locations for Major Leisure/Late Night Activities
EP10 – Noise protection between uses.
EP22 – Residential Amenity
HBE8 – Development within a Conservation Area
City Centre Chapter

Introduction:

The applicant owns and runs a successful bar and nightclub on the opposite side of Prince of Wales Road and wishes to refurbish this currently empty building to the same high standard and open it with a similar use. The Licensing application has been accepted.

Policy:

The application site is located on the periphery of the Late Night Activity Zone but in practice leisure uses connected with the late night economy do extend beyond the boundaries as expressed in the Local Plan and there is a concentration of

late night uses already in this area. It is considered that care needs to be taken to confine the impacts of these uses (mainly noise and fumes) as they come closer into contact with residential uses also in this area. However, given the previous use of the premises as a gaming arcade and the existing sound insulation measures in place, this application is considered to be consistent with saved policy AEC1.

Representations:

The need for another bar/nightclub use in this area is not a planning consideration.

Whilst public safety on the highway is a consideration, it is not felt that the proposal would exacerbate the current situation on Prince of Wales Road. There can be no expectation that customers of the bar and nightclub on the opposite side of the road will be encouraged to enter this new bar more than any other pedestrian in the area. It is not considered that pedestrian movement outside of the licensed premises is the responsibility of the owner/manager.

The resident in the adjacent flat at 73 Prince of Wales Road (first floor) has raised some concerns regarding potential noise disturbance but the applicant is willing to provide any soundproofing measures required above those already in place in order to reduce the perceived impacts.

An objection was raised on the ground of the nature of the use of the bar. Some confusion arose from the licensing application which contains a section for adult entertainment/lap dancing venue. The applicant, as with other premises under his ownership, has sought a full licence. This includes the provision of adult entertainment. The applicant has confirmed verbally that there is no expectation at present that this will be implemented. In any case, a lap dancing venue would be a Sui Generis use and as such a further application for change of use would be required, unless it is ancillary to the main use as a bar/nightclub. The applicant has also confirmed that the same licence applies to other premises under his ownership but again, this part of the licence has not been implemented.

Conclusions:

It is not considered that the proposed change of use will have a detrimental impact on the surrounding area and that the currently vacant building will be brought back into use therefore increasing the vitality and viability of the area. It is felt that neighbouring residential properties can be protected with the addition of a sound proofing condition. There will be minimal impact on the City Centre Conservation Area and wider street scene. Therefore the proposals are considered acceptable.

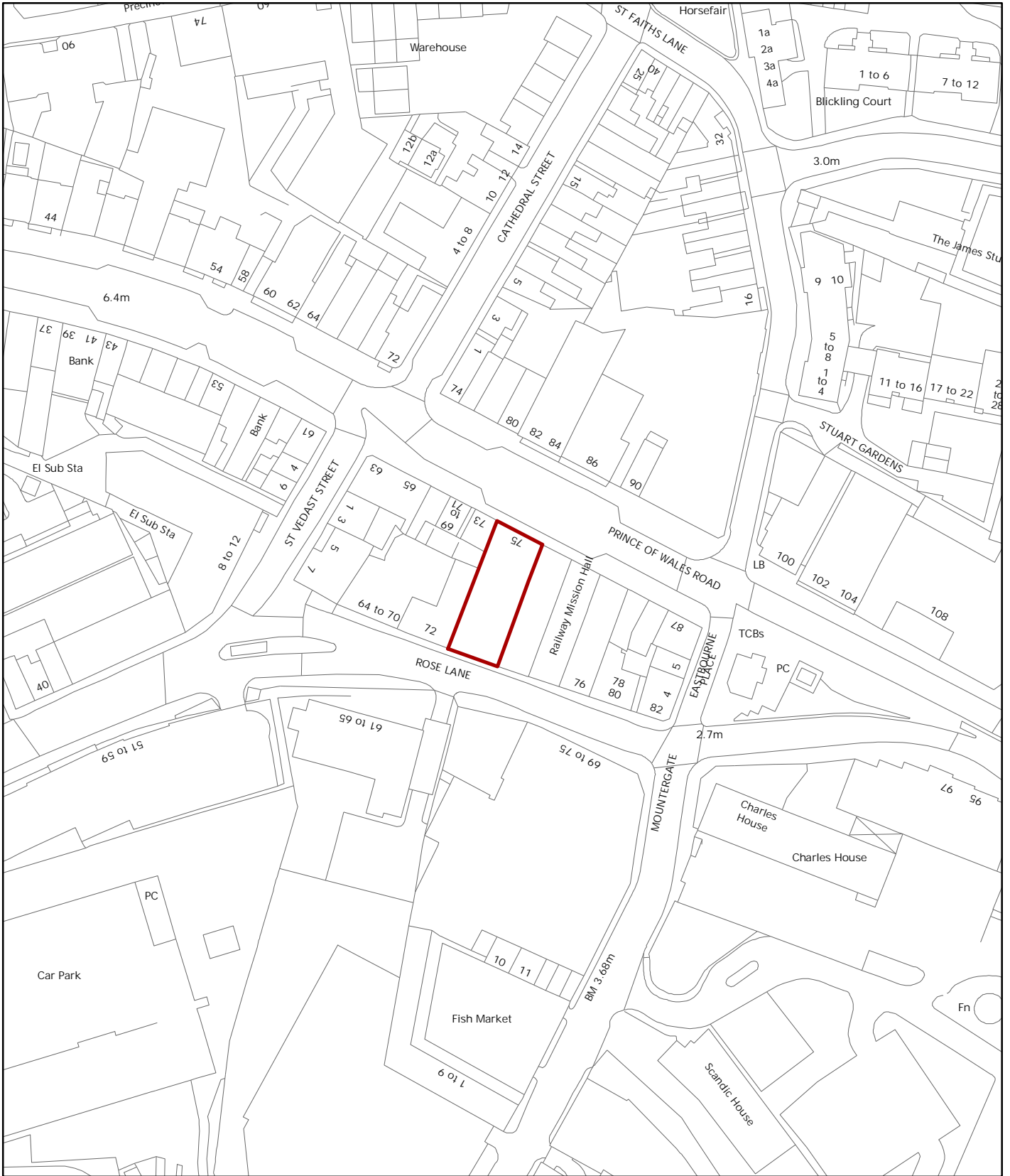
RECOMMENDATIONS

Recommended to APPROVE PLANNING PERMISSION subject to the following conditions:

1. Standard time limit
2. Sound proofing measures
3. Opening hours restriction in line with the approved licensing application:
The premises shall be shut between the hours of 07:00 and 08:00 hrs on any day.
4. Control of amplified sound
5. Details of fume/flue outlets
6. Plant and machinery

Reasons for Approval:

The change of use hereby permitted is not considered to have a detrimental impact on the wider conservation area as it is located within the City Centre Leisure Area. There will be minimal impact on residential amenity which can be further mitigated through additional sound proofing measures. Therefore the proposals are considered to be in accordance with PPS6 and saved policies AEC1, HBE8, EP10 and EP22 of the City of Norwich Replacement Local Plan (Adopted Version November 2004).



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 Site Address - 75 Prince of Wales Road
 Scale - 1:1,250



NORWICH
City Council

DIRECTORATE OF REGENERATION
 AND DEVELOPMENT

