

Report for Resolution

Report to Planning Applications Committee
Date 30th June 2011
Report of Head of Planning Services
Subject 11/00151/U Flat Above 15 Prince Of Wales Road Norwich
NR1 1BD

Item
6 (2)

SUMMARY

Description:	Change of use of second floor from dwellinghouse (Class C3) to karaoke bar (Class Sui Generis).	
Reason for consideration at Committee:	Objection	
Recommendation:	Approve	
Ward:	Thorpe Hamlet	
Contact Officer:	Miss Sarah Platt	Planning Officer - Development Management 01603 212500
Valid Date:	25th March 2011	
Applicant:	Mr Al Oulare	
Agent:	Mr David Hanton	

INTRODUCTION

The Site

Location and Context

1. The application site can be found on the south side of Prince of Wales Road. The premises are a four storey (including basement), brick building with clay pantile roof. The front elevation has an extensive and fully glazed shop front at ground floor level with appropriate signage areas and has recently been re-painted in a pale cream. The building is on the Council's Local List. The premises are currently being run as a bar on the ground and first floor with the basement used for associated storage. The second floor was used as a residential dwelling in association with the bar premises on the ground floor but prior to the receipt of this application the works to facilitate the change of use of the second floor to the karaoke bar had been carried out in full. It is understood that the karaoke bar, despite having been converted, is not operational or open to the public at this time. The second floor premise is accessed from within the ground floor premises only via the main internal stair access. There is an external courtyard area to the rear of the premises enclosed by a boundary wall but overlooked by residential properties on the Maidstone Road development.
2. This is a mixed-use area within the City Centre. Adjacent to the east of the property is another restaurant with residential accommodation above (number 17 Prince of Wales Road) currently with planning permission for change of use from restaurant/cafe (Class A3) to drinking establishment (Class A4) in the basement and on the ground floor only

(10/01838/U). It is important to note that the application on the premises at number 17 Prince of Wales Road would retain a residential flat on the first and second floors immediately adjacent with part of the application site. Adjacent to the west is an office building with office use on all floors. To the rear of the site lies a residential development built recently as part of the Greyfriars Road / Maidstone Road development, and the vacant ex-car park site. Opposite and also on Prince of Wales Road lie other late night uses including restaurants and bars and some ground floor offices and cafes.

Constraints

3. The application site falls within the Late Night Activity Zone and the City Centre Leisure Area. The site is also within the City Centre Conservation Area and the Area of Main Archaeological Interest.

Planning History

4. In addition to various advertisement consents for the premises (4/97/0414/A, 4/1998/0608/A and 4/2003/0373/A) permission was granted in 1999 for the erection of a single storey extension to the rear of the property to provide additional dining space. This extension remains in situ.
5. Under application reference 10/01765/U planning permission was granted for the change of use of the ground and first floor of the premises from a restaurant (Use Class A3) to a bar (Use Class A4) with a residential flat on the second floor.
6. There is an extensive Planning Enforcement History for this site relating to the ground and first floor premises ('Wafou'), along with several noise complaints. These are listed below chronologically for members' information:

22nd December 2010 Complaint that building works appeared to be commencing before permission granted letter sent to agent warning of enforcement action if commencement takes place without permission and compliance with conditions.

5th January 2011 Planning enforcement case started

21st February 2011 Noise complaint

4th March 2011 Enforcement visit information and education given

11th March 2011 Further enforcement visit to respond to letter of 9th March

28th March 2011 letter re licensing breeches

29th March 2011 Noise complaint

31st March 2011 Visit to ensure compliance with licensing and to improve compliance with planning conditions.

21st April 2011 Noise complaint

27th April 2011 Noise complaint

28th April 2011 Noise complaint

Equality and Diversity Issues

There are significant equality or diversity issues with regard to disability. Please see paragraph 34.

The Proposal

7. The application seeks the change of use of the second floor from a residential dwelling (Use Class C3) used in association with the ground and first floor premises, to a karaoke bar (Sui generis).
8. There are no external alterations proposed.

Representations Received

9. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 2 letters of representation have been received citing the issues as summarised in the table below.
- 10.

Issues Raised	Response
A noise complaint has been registered against the ground and first floor premises as noise emits from the premises until the early hours of the morning.	See paragraphs 20-28
The ground floor premises are in breach of its planning permission as it regularly opens past 1am as conditioned and the ground floor premises are in breach of planning as it is not considered that the necessary works to prevent noise disruption have been carried out.	See paragraphs 20-28
The conversion of the second floor premises will exacerbate the noise problem.	See paragraphs 20-28
There is a window on the first floor flat which looks directly into the bedrooms of the bedrooms of the flats on Maidstone Road resulting in a loss of privacy,	See paragraph 29
The sound insulation works for the second floor premises are not believed to have been carried out properly (photographs have been submitted and will be shown to members at the Committee meeting).	See paragraph 20-28
The most recent noise report falls short by several points: <ul style="list-style-type: none">• The report is not representative and it is not good scientific process to conduct a noise assessment for a karaoke bar at 12 noon when background noise is at its highest.• The report states that measurements were taken in the gardens of the flats	See paragraphs 14 and 20-28

<p>at Maidstone Road where there is a retaining wall several feet high. This may skew the measurements at ground floor level but the flats on the second and third floors will not benefit from this buffer.</p> <ul style="list-style-type: none"> • The additional noise report states that music from Room 4 is audible (albeit “barely”). If the music is audible at 12 noon when background noise is at its highest, this will be more of an issue in the early hours of the morning when background noise is minimal. 	
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Consultation Responses

11.

12. Transportation – The change of use of the upper floors of the premises would not have any transport implications. As the premises is located within the late night economy area it is accessible by all modes of transport, and most, if not all customers and staff, are likely to arrive on foot.

13. Environmental Health – (Comments on first submissions – 25.03.11): I have looked at the attached application and have some concerns regarding noise from the proposed venue affecting residential properties in the vicinity, particularly the adjoining upper floors of 17 Prince-of-Wales Road and also the block of flats in Maidstone Road directly to the rear of the site.

The nearby residential properties have been correctly identified in the Noise Impact Assessment from Loven Acoustics, report ref. LA/1131/02R/ML. The report has predicted theoretical noise limits that would be appropriate for the rooms on the relevant sides of the building.

The suggested noise limit of 79 dB(A) for the room adjoining 17 Prince-of-Wales Road appears to be reasonable, but the limit for room 4, which overlooks the Maidstone Road flats, is much higher at 110 dB(A). This higher figure is justified by the greater separation between the properties and also on insulation works being undertaken as detailed in para. 3.4 of the report.

During a recent visit to the premises on the 31st March, the karaoke rooms in the proposed site were almost complete, benefiting from their final decoration and undergoing the final fit of the karaoke equipment. It was obvious during this visit that the insulation works required in room 4 to justify the greater noise limit, had not been undertaken. The plasterboard covering the window had been cut to allow some sort of service hatch and although the plasterboard had been fitted back into the hole there was a crack around the edge that daylight could be seen through. This indicated that there were not 2 layers of plasterboard with staggered joints, nor was the window reveal lined with 2 further layers of plasterboard or the required mineral wool. If these works had been undertaken the fitting was very poor due to the light coming through.

The above omissions are likely to mean that appropriate noise levels for this room (room 4) would be below that as suggested by the noise report. This would mean that the maximum noise levels may need to be re-assessed to take into consideration the existing

insulation or alternatively the applicant may upgrade the insulation to the standard as detailed in the acoustic report.

Also the maximum noise levels considered appropriate for room 1, which directly adjoins no. 17, are relatively moderate as recognised in para. 5.3 of the noise report. Although the music system in this room can be limited to a maximum level, unfortunately the noise from persons taking part in karaoke cannot. As this room adjoins a residential premises it is therefore very sensitive, and it is my opinion that this room should not be used for any music and/or karaoke entertainment.

If planning permission is granted then consideration should be given to the imposition of the following conditions.

1. No music and/or karaoke entertainment shall take place in the area marked as room 1 on the plan marked drawing no. 333/04.
2. There shall be no use of the premises for the development hereby permitted until a scheme for installing internal sound proofing measures has been submitted to and agreed in writing by the Local Planning Authority. The proposals shall be sufficient to secure a reduction in the level of noise emanating from the premises, such that noise levels from the application premises shall not exceed NR 30 over the full frequency range, as measured at a position 1 metre outside any noise sensitive premises, and shall not exceed NR 20 over the full frequency range as measured inside any adjoining noise sensitive premises.
3. Prior to the first use of the premises, the sound insulation measures shall be provided in accordance with the agreed details and methodology, and shall be retained thereafter for the duration of this planning permission, in accordance with the approved details.
4. Prior to the commencement of the use hereby permitted, full details of the amplification system to be permanently installed and used at the site shall be submitted to and agreed in writing by the Local Planning Authority.
5. No amplified music shall be played in the premises unless through the agreed permanently installed amplification system, and no alteration of this system may take place without prior written authority from the Local Planning Authority.
6. Prior to the commencement of the use hereby permitted, details of the maximum noise levels, expressed in dB LAeq(5 mins), measured at a point 2 metres from every loudspeaker forming part of the amplification system, shall be first submitted to and approved in writing by the Local Planning Authority. Thereafter the permitted maximum noise levels agreed as part of this planning condition shall not be exceeded at any time.
7. Prior to the commencement of the use hereby permitted, a management scheme detailing measures to be put in place to ensure that the amplification system cannot be adjusted beyond the maximum permitted noise levels as agreed, shall be submitted to and approved in writing by the Local Planning Authority, and shall only be operated in accordance with the agreed details thereafter.
8. Prior to the installation and first use of any fume extraction and ventilation systems at the site, details of their positioning, specification and use of noise reduction silencers to be provided as part of the system shall be first submitted to and approved in writing by the Local Planning Authority, and shall thereafter be installed and retained in full accordance with the agreed details.
9. The installation of any plant or machinery on the premises shall be in accordance with a scheme to be first submitted to and approved in writing by the Local Planning Authority for the reduction, where necessary, of the level of noise and vibration emanating from the premises.

14. Environmental Health – (Comments on additional noise report – 10.06.2011): I have read the attached updated report from Loven Acoustics regarding the likely noise levels in room 4.

The method used for measurement could be considered a little flawed due to the time of day that the measurements were undertaken, as during the most sensitive night-time period would have provided better information. Also the measurement position being at ground level and some distance from the outside wall is unlikely to have been fully representative of the full noise environment.

However, it has to be accepted that this site would provide difficulties with regard to taking the perfect measurements, and the updated maximum sound level for room 4 of 87dB LAeq is far more reasonable and in keeping with the rest of the building. Furthermore, it should be borne in mind by the applicant that this maximum level must include the noise generated by customers singing as well as the music itself and this should be taken into account in any noise management scheme undertaken by the applicant (as detailed in my previous condition recommendations).

15. Norfolk Police – I commented on the 6th December 2010 in relation to a separate application for this premises where the second floor of the building was not part of the application (10/01765/U refers). At this time I stated; *the premises is situated on Prince of Wales Road Norwich a busy street with heavy footfall leading to a busy night time economy area. The pavement at this point is extremely wide and I believe it is wide enough to support any queuing at the premises whilst allowing pedestrians to pass without conflict.*

The layout of the interior of the premises open to public access appears to be laid out so that surveillance is maximised; most areas appear to be monitored by CCTV with little or no unsupervised areas. A survey should be conducted to ensure that stairways are similarly monitored. The systems should be NSI approved with date stamping and hard drive memory, with images retrievable for a period of 14-21 days.

These conditions should still apply for the additional use of the second floor, public accessed areas leading to and including the karaoke rooms. Staff should be able to view these areas in real time in order to respond if necessary.

In seeking to police areas of the City Centre which cater for the late night economy in an efficient and effective manner i.e. the Late Night Activity Zone as defined by saved policy AEC1 of the City of Norwich Replacement Local Plan (Adopted Version November 2004), Norfolk Constabulary has to take into account the size of the patrol area and recent history with regard to public disorder, which may include crime figures relating to the night time economy.

Norwich City Council, under Section 17 of the Crime and Disorder Act, 1998, has a duty to minimise the potential for crime, disorder and public nuisance in their area. With specific regard to Planning, this duty should be carried out in accordance with the key principles of local and national planning policies.

Given the above requirements, Norfolk Constabulary request that planning permissions for late night uses be restricted by conditions so that premises are not permitted to open past 0400 hrs on any day given the constraints of the Police cover in the Late Night Activity Zone with the additional police resources dedicated to the Late Night Activity Zone

finishing at 0500 hrs.

Additionally Norfolk Constabulary requests that no premises outside the Late Night Activity Zone should be permitted to be open past 1200 hrs midnight, unless it can be clearly demonstrated that there would be no detrimental impact on the living conditions of nearby residents or that there is no potential threat of crime and disorder to the public.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

Relevant National Planning Policies

PPS1 - Delivering Sustainable Development
PPS4 – Planning for Sustainable Economic Growth
PPS5 - Planning for the Historic Environment
PPG13 - Parking
PPG24 – Planning and Noise

Relevant policies of the adopted East of England Plan Regional Spatial Strategy 2008

NR1 - Norwich Key Centre for Development and Change
ENV6 - The Historic Environment
ENV7 - Quality in the Built Environment

Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011

Policy 1 – Addressing climate change and protecting environmental assets
Policy 2 – Promoting good design
Policy 5 – The economy
Policy 6 – Access and transportation
Policy 11 – Norwich City Centre

Relevant saved policies of the adopted City of Norwich Replacement Local Plan 2004

HBE8 - Development in Conservation Areas
HBE12 - High quality of design in new developments
EP10 – Noise protection between different uses
EP22 - High standard of amenity for residential occupiers
AEC1 – Major art and entertainment facilities – location and sequential test

Supplementary Planning Documents and Guidance

City Centre Conservation Area Appraisal (September 2007)

Written Ministerial Statement: 23 March 2011: Planning for Growth

Support of enterprise and sustainable development.

Principle of Development

Policy Considerations

16. There is one key issues to address in terms of the principle of this development; the acceptability of a Sui Generis use in this location.
17. The proposed Sui Generis use is considered to be acceptable in this location in principle. The site is located within the late night activity zone as defined under saved local plan policy AEC1 and the local plan proposals map. Policy AEC1 details that within the late night activity zone, late night activities are acceptable subject to detailed assessment in

each case. Such an assessment is provided within the sections below.

18. The boundaries of the late night activity zone will be reviewed under new development management policies and this plan is currently at an early stage and requires further consultation and examination. The Development Management policies Development Plan Document is not considered to be at a stage where any weight can be given to its policies however it is worth noting that this premises would still be situated within the Late Night Activity Zone defined area.
19. In summary, the proposed use is considered to be acceptable in principle subject to the considerations discussed further below and it is in accordance with local plan policy AEC1, joint core strategy policies 5 and 11 and the objectives of PPS4 to promote economic development.

Impact on Living Conditions

Noise and Disturbance

20. The main implication to assess in terms of amenity is the impact of noise to adjacent properties. Currently there is one residential property immediately adjoining the application site (No. 17 Prince of Wales Road) and a block of residential flats to the rear. These residential properties represent the most sensitive uses in the area during the evening and night.
21. A noise assessment has been submitted with the application which provides surveys of sensitive receptors, details of construction and design of the existing building, noise assessments for rooms 1 and 4 of the original submissions and recommendations including recommended mitigation measures. The mitigation measures are as follows:
 - Sound insulation between the internal rooms;
 - Construct an independent self-supporting timber or metal frame at least 25mm from the existing party wall with number 17 Prince of Wales Road, such that there is no mechanical contact with the existing structure;
 - Infill between the studs with 50+mm, open face mineral wool of density between 20 and 40kg/m³;
 - Face the studs with 1x19mm plasterboard plank and 1x15mm SoundBloc acoustic plasterboard or similar, or 3x12.5mm SoundBloc, with staggered joints;
 - Seal around the perimeter of all boards with flexible acoustic mastic;
 - Ensure that speakers are attached only to internal walls and not the party wall or external wall.
22. A site visit was carried out on the 31st March 2011 at which time it was established that the works to facilitate the conversion had taken place and that the sound mitigation measures as outlined in the acoustic report had not been completed as recommended. The applicant was e-mailed after receipt of the comments of Environmental Health requesting that Room 1 be amended and not be used for the purposes of entertainment. In addition, it was also requested that the sound insulation be carried out in the remainder of the property and that noise levels were re-assessed, particularly in room 4 of the premises which had been recommended for levels of up to 110dB (A).
23. An additional noise assessment was submitted on the 8th June 2011 after the sound insulation works have been upgraded and completed in accordance with the recommendations outlined in the original noise report. The second report recommends a noise level of just 87dB for room 4. Room 1 has been amended on the plans and is now proposed to be an office.

24. There is an external area to the rear of the premises which it will be conditioned should not be open to or used at any time by patrons of the premises unless in the case of emergency.
25. It has not been advised if any plant or machinery or extract ventilation is proposed as a result of this change of use. As such conditions requiring details will be attached to any permission if granted.
26. It is considered that the representations made with regard to noise can be mitigated through the imposition of planning conditions as outlined in the Recommendations section of this report. The representations with regards to noise also raised concerns over the non-compliance with planning conditions on the ground floor premises. Whilst it is accepted that there is a history of non-compliance with planning conditions at this address this is not a material planning consideration and cannot form a reason for refusal of an otherwise acceptable proposal.
27. Representations have also raised concerns over the adequacy of the sound insulation works carried out at the second floor premises. The photographs submitted will form part of the committee presentation for members. Noise levels have been measured since the works have been carried out and recommendations made with regards to appropriate dB levels for music. Conditions 7 and 9 proposed to be imposed on the planning permission if granted would ensure that maximum noise levels for each entertainment room are agreed with the Local Planning Authority before the first use of the premises and details of how those levels will be managed via the amplification system or management operations.
28. On the basis of the above and subject to the imposition of appropriate conditions to ensure the provision of the necessary noise mitigation measures, it is not considered that there would be any arising detrimental impact on noise sensitive premises as a result of these proposals and it is in accordance with local plan policies EP10 and EP22 and the objectives of PPG24 to protect against noise nuisance.

Loss of Privacy

29. Representations have raised concerns over the loss of privacy to occupiers of the flats at the Maidstone Road development through the windows to the rear of the application site, i.e. the second floor premises. There are 3 windows to the rear of the application site premises; one in proposed room 4 and 2 on the stairwell. The window in room 4 has been blocked up internally and is not accessible. The two windows on the stairwell have also been blocked up and insulated to some level. It is therefore considered that there will be no arising instances of loss of privacy to the flats at the Maidstone Road development as a result of this change of use.

Transport and Access

Access and Servicing

30. In terms of access the site is extremely well catered for the proposed use. Bus, train and taxi services are easily accessible. The property has no ground floor external space associated with it which could be made available to patrons or staff of the premises (whilst the premises is in operation) for the provision of cycle storage and as such provision of cycle parking is not feasible, however there are existing cycle parking facilities available nearby in Tombland and on Prince of Wales Road.

31. Servicing can be undertaken from the street during off peak hours. The basement

currently provides for storage and refuse storage for the ground and first floor premises and it is envisaged that this will also be the storage area for the refuse for the second floor premises. A condition requiring a refuse and servicing statement and a condition restricting the hours of collection of trade waste and deliveries will be imposed on the decision if permission is granted in order to ensure the requirements of policy TRA8 are met and in order to protect residential amenity.

Crime and Disorder

32. The police architectural liaison officer has commented on the application and the comments are provided in the representations sections above. In particular this seeks an hours of use restriction of 4:00am due to the provision of dedicated police resources on Friday and Saturday evenings which finish at 5:00am on the Saturday and Sunday mornings. Given that the upper floor of the premises is only accessible through the ground floor entrance and the application seeks the change of use to a karaoke bar, not a nightclub, it is considered that the character of the activity proposed is not expected to operate throughout the night as late as a nightclub use would be expected to. Therefore, in order to be consistent with permissions granted for premises forming part of the same application site, and in order to protect residential amenity, an opening hours restriction until 01:00hrs is proposed and will be conditioned on the decision notice if permission is granted.

33. Internal CCTV has also recommended by the Police and can form a condition of any consent.

Equality and Diversity Issues

Disability

34. There is no level access into the premises at ground floor level. A condition was placed on the decision for the change of use of the ground floor premises (10/01765/U) to provide level or ramped access, but this condition remains extant and outstanding. However, lift access is not provided to upper levels of the building and the staircases are too small to provide any form of stair lift. Given the constraints of the building and its existing layout it is not considered that provision of a lift would be feasible or reasonable to condition nor would it be reasonable to refuse permission for the lack of disabled access reason alone..

Conclusions

35. The proposed use is considered acceptable in the late night activity zone. Since the receipt of the initial acoustic report and drawings the applicants have amended the scheme to take account of the comments of the Environmental Health Officer such that he is content that the potential noise issues can be mitigated. Subject to conditions it is not considered that the proposals would have a significant detrimental impact on the amenity of neighbouring residential or commercial premises. The recommendation is therefore to approve application number 11/00151/U subject to conditions.

RECOMMENDATIONS

To approve Application No (11/00151/U) and grant planning permission, subject to the following conditions:-

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
- 2) The development hereby approved shall be carried out in accordance with the plans and

details as specified on this decision notice.

- 3) The premises which form the subject of this permission and outlined in red on the approved location plan [plan reference 333/01] shall not be open to the public, trading, or have members of the public, as customers or guests, on the premises between the hours of 01:00am and 08:00am on any day.
- 4) No use of the premises as a karaoke bar establishment shall take place until a scheme for the provision and operation of internal CCTV has been submitted to and agreed in writing with the Local Planning Authority. The scheme shall include:
 - a. the size and specification of all cameras;
 - b. the location of all cameras;
 - c. the combined coverage of all cameras;
 - d. the method of recording;
 - e. the times of operation of the cameras (including recording);
 - f. the length of time records will be kept for.

The CCTV system shall to be provided in full working order and in accordance with the agreed details prior to the first use of the premises as a drinking establishment and shall be retained in full working order thereafter.

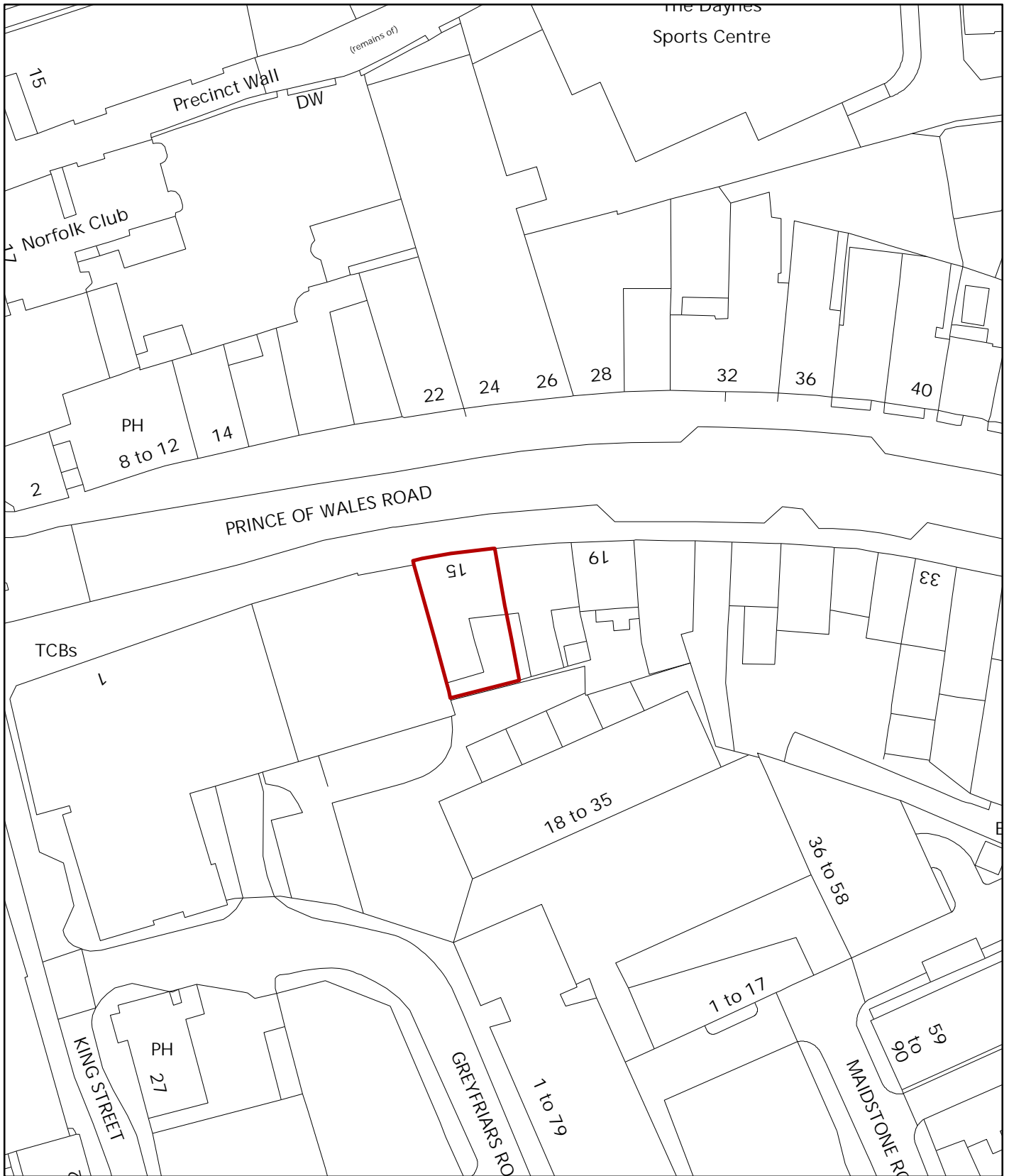
- 5) There shall be no music and/or karaoke entertainment taking place at any time in the room marked as "office" on plan reference 333/04 Revision A.
- 6) The sound insulation measures as detailed in the Noise Impact Assessment [LA/1131/02R/ML] received 24th March 2011, at paragraphs 5.1 to 5.3 inclusive, and as confirmed to be carried out in the additional Noise Impact Assessment [LA/1131/03R/ML] received 8th June 2011 shall be installed and retained in perpetuity so as to secure a reduction in the level of noise emanating from the premises, such that noise levels from the application premises shall not exceed NR30 over the full frequency range, as measured at a point 1 metre outside any noise sensitive premises, and shall not exceed NR20 over the full frequency range as measured inside any adjoining noise sensitive premises.
- 7) Before the first use of the premises hereby permitted, full details of the amplification system to be permanently installed and used at the site shall be submitted to and agreed in writing with the Local Planning Authority. This system shall thereafter be retained in perpetuity and no alteration of this system may take place without the prior written approval of the Local Planning Authority.
- 8) No amplified music shall be played in the premises unless through the agreed permanently installed amplification system.
- 9) Before the first use of the premises as a karaoke bar hereby permitted, details of the maximum noise levels expressed in dB LAeq(5mins), measured at a point 2 meters from every loudspeaker forming part of the amplification system in each of the karaoke/entertainment rooms shall be first submitted to and approved in writing by the Local Planning Authority. Thereafter the permitted maximum noise levels agreed as part of this planning condition shall not be exceeded at any time.
- 10) Before the first use of the premises as a karaoke bar hereby permitted, a management scheme detailing measures to be put in place to ensure that the amplification system cannot be adjusted beyond the maximum permitted noise levels as agreed by condition 9 of this permission, shall be submitted to and agreed in writing by the Local Planning Authority, and shall only be operated in accordance with the agreed details thereafter.
- 11) Prior to the installation and first use of any fume extraction and ventilation equipment at the site, details of their positioning, specification and use of noise reduction silencers to be provided as part of the system shall be first submitted to and approved in writing by the Local Planning Authority, and shall thereafter be installed and retained in perpetuity in full accordance with the agreed details.
- 12) The installation of any plant or machinery on the premises shall be in accordance with a scheme to be first submitted to and approved in writing by the Local Planning Authority for

the reduction, where necessary, of the level of noise and vibration emanating from the premises.

- 13) No amplified or acoustic music shall be played within any outside areas of the application site as outlined in red on the Site Location Plan on plan number 333/01 dated September 2010.
- 14) The outside area to the rear of the premises the subject of this permission shall not be open to, or used by, the public or customers other than for use in the case of an emergency, for example, in case of fire.
- 15) All internal doors between the karaoke rooms and access stairs will be acoustic doors and shall be fitted with self-closing devices that shall be in operation at all times when music is played within the application premises.
- 16) No noise or vibration emitting devices shall be fitted to the wall adjoining 17 and/or 13 Prince of Wales Road.
- 17) Before the first use of the premises as a karaoke bar, full details of how services have been fitted throughout the property shall be submitted to and approved in writing with the Local Planning Authority. The details shall specify how intrusions through the ceilings, wall and floors have been minimised, such as by avoiding holes being cut into the plasterboard, and instead using flush mounted electrical sockets and fittings and light fittings. The services shall then be installed in full accordance with the agreed details and retained in perpetuity. If any new services are required full details shall be first submitted to and approved in writing by the Local Planning Authority.
- 18) Prior to the commencement of the use hereby permitted, full details of the refuse storage areas and a servicing statement outlining how collections will be made shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be constructed in full accordance with the agreed details and retained as such in perpetuity.
- 19) No trade deliveries or collections, including trade waste, will take place between the hours of 19:00hrs and 07:00hrs Monday to Saturday. There will be no trade deliveries or collections, including trade waste on Sundays or Bank Holidays.

(Reasons for approval:

The decision has been made with particular regard to PPS1, PPS4, PPS5, PPG13, PPG24 policies NR1, ENV6 and ENV7 of the adopted East of England Plan, policies 1, 2, 5, 6 and 11 of the adopted Joint Core Strategy and saved policies HBE8, HBE9, HBE12, HBE19, EP10, EP18, EP22, EMP3, AEC1, TRA7 and TRA8 of the adopted City of Norwich Replacement Local Plan. The proposed use is acceptable in the late night activity zone. Subject to conditions it is not considered that the proposals would have a significant detrimental impact on the amenity of neighbouring residential or commercial premises.



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Planning Application No 11/00151/U
Site Address Flat above 15 Prince of Wales Road
Scale 1:750



NORWICH
City Council

PLANNING SERVICES

