

Report to Planning applications committee

Item

12 January 2017

Report of Head of planning services

Subject Application no 16/01578/F - 52 Prince of Wales Road,
Norwich, NR1 1LL

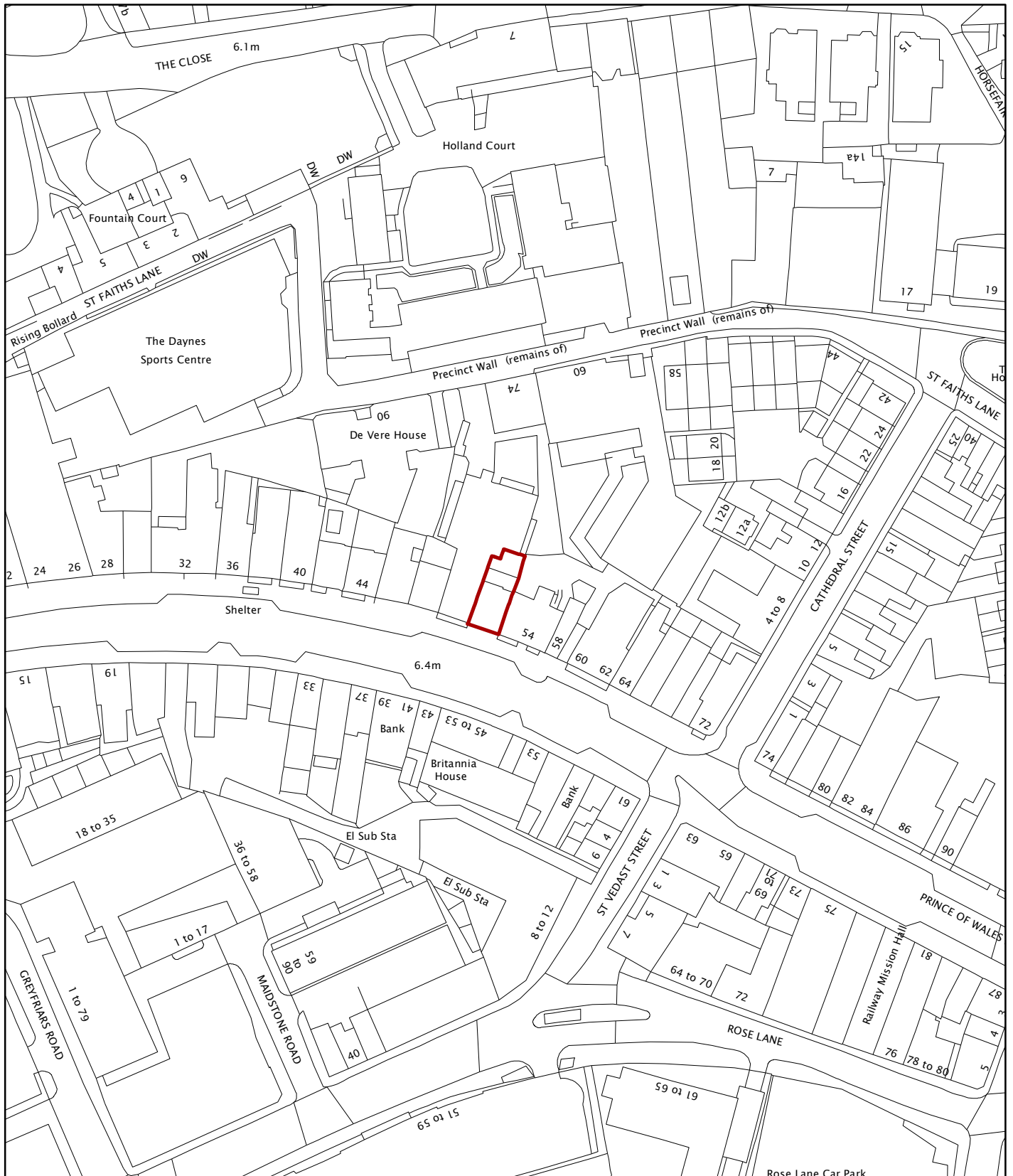
**Reason
for referral** Objections

4(d)

Ward:	Thorpe Hamlet
Case officer	Becky Collins - beckycollins@norwich.gov.uk

Development proposal		
Alterations and change of use to Lap Dancing Venue (Sui-Generis).		
Representations		
Object	Comment	Support
5	0	0

Main issues	Key considerations
1	Principle
2	Amenity
3	Crime
4	Design and Heritage
Expiry date	29 December 2016
Recommendation	Approve



© Crown Copyright and database right 2017. Ordnance Survey 100019747.

Planning Application No 16/01578/F

Site Address 52 Prince of Wales Road

Scale 1:1,250



NORWICH
City Council

PLANNING SERVICES



The site and surroundings

1. No. 52 Prince of Wales Road is a mid-terraced, 4 storey building with a basement situated on the north side of Prince of Wales Road. The basement and ground floors were previously used as a bar. The upper floors of the premises was previously used as a hotel, its current use is unknown.
2. No. 50 Prince of Wales Road is occupied by a bar and club (Mantra) at basement and ground floor level with residential accommodation above.
3. There is a four storey office building to the rear that has planning permission to be turned into a 47 unit apart-hotel complex (Class C1) and Britannia House, at 45-53 Prince Of Wales Road, which is located opposite the proposal site, has permitted development rights to change the use of the first, second and third floors from commercial to residential flats.
4. The property falls within the Late Night Activity Zone and City Centre Conservation Area.

Constraints

1. Conservation Area – Prince of Wales Road character area
2. Locally Listed building
3. Area of main archaeological interest
4. Late Night Activity Zone
5. City Centre Leisure Area

Relevant planning history

1.

Ref	Proposal	Decision	Date
4/2002/0916	Infilling of basement area at rear.	REF	23/12/2002
4/2002/0086	Change of use from offices to Hotel (Class C1) and associated restaurant.	APPR	09/05/2002
4/1989/0409	Demolition of chimney stack.	REF	01/06/1989
4/1997/0733	Change of use of ground floor and basement from office (Class B1) to taxi control office and waiting room	LAPSED	12/12/1997

Ref	Proposal	Decision	Date
03/00124/D	Condition 10 - Details of extract ventilation system for previous planning permission (Application No. 4/2002/0086/F) 'Change of use from offices to Hotel (Class C1) and associated restaurant at 52 - 52a Prince Of Wales Road'	APPR	23/09/2005
13/01038/U	Change of use of basement and ground floor from restaurant (Class A3) to drinking establishment (Class A4).	APPR	18/10/2013
13/01913/A	Display of 1 No. internally illuminated fascia sign.	APPR	02/04/2014
14/00014/F	Erection of glazed entrance and enclosure to bar.	APPR	04/04/2014
14/00389/MA	Variation of condition 7 by enlarging lobby behind new double doors and removal of condition 11 of planning permission 13/01038/U 'Change of use of basement and ground floor from restaurant (Class A3) to drinking establishment (Class A4)'.	APPR	19/05/2014

The proposal

- Alterations and change of use to Lap Dancing Venue (Sui-Generis). No alterations to the external elevations of the property.

Summary information

Proposal	Key facts
Scale	
Total floorspace	159 sqm
Transport matters	
Vehicular access	As existing to the rear of the building
No of car parking spaces	1 (as existing)
No of cycle parking spaces	To be located to the rear of the building

Representations

3. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Two letters of representation have been received citing the issues as summarised in the table below. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Issues raised	Response
National planning policy states that planning decisions “should aim to achieve places which promote safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.” (NPPF, para 69) Residents have made it clear on a number of occasions that they do not wish to see a proliferation of these uses in Norwich, and that these establishments make them feel less safe. The area is already avoided, despite being the main route to/from city centre to rail station, and adding sexual arousal to the drunkenness that afflicts the late night zone will only worsen this situation and result in the likelihood of harassment and threats towards women.	Main Issue 3 - Crime
There are flats above no.52 and 54, and the impact on these residential properties needs to be considered. Although the noise impact is likely to be similar to existing use, other aspects of amenity also have to be considered (local plan policy DM23). Noise pollution may change from what is already present, undermining the principle of a fair city for all, and our policies on equality. Also, the quality of life of residents will be impacted in negative manner.	Main Issue 2 - Amenity
Exterior advertising will change the character of the area, particularly given that the site is close to a school. Bars and lap-dancing clubs are not viewed as equivalent, either in planning terms (hence the separate use class) or by the public.	Main Issue 4 – Design and Heritage
The proposal would not preserve the moral integrity of Norwich. The use is	Main Issue 1 - Amenity

Issues raised	Response
inappropriate.	
The proposal will add to the poor reputation of Prince of Wales Road, not improve it.	Main Issue 4 – Design and Heritage
If the council is serious about regenerating the Thorp Hamlet/King Street area, what sort of message will the addition of a lap dancing club will convey to potential investors? Encouragement should be given to greater economic diversity.	Main Issue 4 – Design and Heritage

Consultation responses

4. Consultation responses are summarised below the full responses are available to view at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Norfolk Constabulary

5. I have considered the alterations relative to the proposed change of use and have no architectural comment to make.

Environmental protection

6. Propose the imposition of acoustic measures as set out in the submitted Design and Access Statement and applied as conditions to the previous permission reference 13/01038/U (acoustic measures, amplification/max sound measures, sound level management, prevention of inappropriate use of outside areas, ventilation/extraction, plant and machinery).

Assessment of planning considerations

Relevant development plan policies

National Planning Policy Framework:

Policy 1 – Building a strong, competitive economy

Policy 2 – Ensuring the vitality of town centres

Policy 12 - Conserving and enhancing the historic environment

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

Policy 2 – Promoting good design

Policy 5 – The economy

Policy 8 – Culture, leisure and entertainment

Policy 11 – Norwich City Centre

Norwich Local Plan:

DM1 Achieving and delivering sustainable development

DM2 Ensuring satisfactory living and working conditions

DM3 Delivering high quality design

DM9 Safeguarding Norwich's heritage

DM23 Supporting and managing the evening and late night economy

Case Assessment

7. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning Framework (NPPF), the Councils standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

Main issue 1: Principle of development

8. Key policies and NPPF paragraphs – DM23, JCS8, NPPF Policy 2.
9. The property falls within the Late Night Activity Zone, Leisure Area and City Centre Conservation Area. The Late Night Activity Zone is where activities such as nightclubs and entertainment facilities can be provided, with the intention of excluding conflicts with residential properties in the area.
10. Policy DM23 seeks to assist in managing the evening and night-time economy and to encourage a diverse range of complementary leisure, evening and night-time uses. This policy permits leisure and entertainment uses within defined areas, on the basis that they would not give rise to unacceptable amenity and environmental impacts, which could not be overcome by the imposition of conditions. Where necessary, permissions can be granted subject to conditions restricting hours of opening to protect the amenity of surrounding occupants; the vitality and viability of the area generally; and to minimise the potential for crime and disorder. Subject to matters of amenity and environmental impacts, further discussed below, this proposal is not considered to be materially different from the buildings current operation, given its long opening hours, music licence and location within the Late Night Activity Zone. It is therefore considered acceptable in principle, subject to matters of amenity, further discussed below.

Main issue 2: Amenity

11. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
12. There are existing residential properties in close proximity to the site, especially at first floor levels, including residential units above number 54 Prince of Wales Road. Above the proposal is a Hotel, above number 52 there are residential units. The proposal does have the potential to impact the amenity of local residents and act as a disturbance to residents of the hotel. However, given the sites existing use as a bar, its consented opening hours (not between 4am and 9am) and other surrounding uses, it is not considered that this proposal would have significant additional impact on the amenity of neighbouring properties.
13. Environmental Health suggest a number of conditions, similar to those imposed on the consented use of the site as a bar, to ensure the amenity of residents and those using the hotel are protected from this development. These conditions include acoustic measures, amplification/max sound measures, sound level management, prevention of inappropriate use of outside areas, ventilation/extraction, plant and

machinery conditions. A condition will also be applied restricting the hours of deliveries in order to protect amenity.

14. On this basis, the proposal for a change of use at 52 Prince of Wales Road is considered acceptable and unlikely to significantly further impact the amenity of neighbouring properties in comparison to the existing use of the premise. The proposal is therefore considered in accordance with policies DM2 and DM23 of the Norwich Local Plan.

Main Issue 3: Crime

15. Key policies and NPPF paragraphs – JCS2, DM3 NPPF paragraph 58
16. Key policies within the development plan require new development to minimise opportunities for crime, disorder and anti-social behaviour. Policy 6 of the NPPF encourages development which creates safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. Given the existing use of the site and the current permitted opening hours, it is not considered that this proposal would lead to an increase in crime or the fear of crime, the numbers of people exiting such a use is likely to reduce and could reduce the incidence of crime in this area. The Police have raised no objection to the application and it is therefore not considered that there will be a material increase in crime sufficient to warrant refusal of planning permission in this instance.

Main Issue 4: Design and Heritage

17. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF paragraphs 9, 17, 56, 60-66 and 128-141.
18. The application site lies within the Norwich Conservation Area. The proposal includes no changes to the external alterations of the building other than the addition of film coating on the internal side of the glass at the entrance to the site off Prince of Wales Road, this change is not considered to be development requiring planning permission. On this basis it is considered that the proposal would not materially change the character or appearance of the Conservation Area or the street scene.
19. A minor change to the existing signage is proposed, although this would advertise the venue as a lap-dancing club, this is a change to text on an existing advertisement and therefore would not require consent. On the basis that the use is considered acceptable in principle, this proposed advertising is also considered acceptable.
20. One of the objectives within the Conservation Area Appraisal for the Prince of Wales Road character area is to provide greater control of advertising and lighting on buildings, advertising is covered by separate regulations, as set out above. However, it is considered reasonable to add a condition with regards to lighting to protect and enhance the character and appearance of the Conservation Area.

Compliance with other relevant development plan policies

21. A number of development plan policies include key targets for matters such as parking provision and energy efficiency. The table below indicates the outcome of the officer assessment in relation to these matters.

Requirement	Relevant policy	Compliance
Cycle storage	DM31	Yes subject to condition
Car parking provision	DM31	Yes
Refuse Storage/servicing	DM31	Yes subject to condition

Other matters

22. The following matters have been assessed and considered satisfactory and in accordance with relevant development plan policies, subject to appropriate conditions and mitigation:

Transport

23. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
24. The car parking and servicing arrangements will remain as per the current use, with one car parking space provided. Given the sites location close to the city centre, public transport nodes, local car parks and in an area where low car parking provision is encouraged, then it is not considered necessary for this development to provide additional car parking.
25. The plans show an area for bin and cycle storage to the rear of the existing building. The waste storage and collection arrangements are the same as the existing use and given that the proposal is comparable to that of the existing, these arrangements are considered acceptable. Sufficient cycle storage should be provided, on this basis a condition is proposed to ensure secure cycle provision.

Equalities and diversity issues

26. Despite some concerns being raised about the proposed use of the premises, it is not considered that there are significant equality or diversity issues.

Local finance considerations

27. Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant or the Community Infrastructure Levy.

28. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority.
29. In this case local finance considerations are not considered to be material to the case.

Conclusion

30. The development is considered to be in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

Recommendation

To approve application no. 16/01578/F - 52 Prince Of Wales Road Norwich NR1 1LL and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Cycle storage;
4. Acoustic measures;
5. Amplification/max sound measures;
6. Sound level management;
7. Prevention of inappropriate use of outside areas;
8. Ventilation/extraction;
9. Plant and machinery
10. Deliveries
11. Lighting.

Article 35(2) Statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined in the officer report.



PROPOSED GROUND FLOOR PLAN
scale - 1:50@A1



PROPOSED BASEMENT FLOOR PLAN
scale - 1:50@A1



- Brick Flat Arch
- Buff Facing Brick
- Timber Sash window (Painted White)
- Original Cast Iron Railing (Painted White)
- Powder Coated Aluminium Fascia (colour black)
- Emergency Lighting
- Charcoal finish Through Colour Render
- Decorative Iron Railing Painted Black
- Existing Door changed to Window & blacked out with film internally

- Name changed sign-age as shown
- Powder Coated Aluminium Doors (colour-charcoal grey)

PROPOSED FRONT ELEVATION
scale - 1:50@A1

DRAWING KEY

- New & in-filled walls
- Licensed Area
- Fire Call Point
- Fire Extinguisher
- Fire Exit Sign
- Accident Book
- Closed Circuit T.V
- Smoke Detector
- Emergency Lighting
- First Aid Station
- Fire Alarm Cntrl Panel

Rev	Description
1	As shown
2	As shown
3	As shown
4	As shown
5	As shown
6	As shown
7	As shown
8	As shown
9	As shown
10	As shown
11	As shown
12	As shown
13	As shown
14	As shown
15	As shown
16	As shown
17	As shown
18	As shown
19	As shown
20	As shown
21	As shown
22	As shown
23	As shown
24	As shown
25	As shown
26	As shown
27	As shown
28	As shown
29	As shown
30	As shown
31	As shown
32	As shown
33	As shown
34	As shown
35	As shown
36	As shown
37	As shown
38	As shown
39	As shown
40	As shown
41	As shown
42	As shown
43	As shown
44	As shown
45	As shown
46	As shown
47	As shown
48	As shown
49	As shown
50	As shown
51	As shown
52	As shown
53	As shown
54	As shown
55	As shown
56	As shown
57	As shown
58	As shown
59	As shown
60	As shown
61	As shown
62	As shown
63	As shown
64	As shown
65	As shown
66	As shown
67	As shown
68	As shown
69	As shown
70	As shown
71	As shown
72	As shown
73	As shown
74	As shown
75	As shown
76	As shown
77	As shown
78	As shown
79	As shown
80	As shown
81	As shown
82	As shown
83	As shown
84	As shown
85	As shown
86	As shown
87	As shown
88	As shown
89	As shown
90	As shown
91	As shown
92	As shown
93	As shown
94	As shown
95	As shown
96	As shown
97	As shown
98	As shown
99	As shown
100	As shown

Project Title:	52 Prince Of Wales Road Proposed Change of Use
Drawing Title:	Plans & Elevation As Proposed
Drawing No:	CP-16-07-003
Drawn:	As shown @A1
CWP:	As shown @A1
Client:	Petril Viadi
Date:	07/10/16
Job No:	CP-16-07

This drawing is the copyright of CPA Architectural Services and should not be reproduced without Prior Consent

