

**Report to** Planning applications committee

**Item**

9 January 2020

**Report of** Area development managers

**Subject** Application no 19/00875/F - 82 - 96 Prince of Wales Road  
Norwich NR1 1NJ

**Reason for referral** Objection

4(a)

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<b>Ward:</b>	Thorpe Hamlet
<b>Case officer</b>	Robert Webb - <a href="mailto:robertwebb@norwich.gov.uk">robertwebb@norwich.gov.uk</a>

Development proposal		
Alterations and extensions, including additions of 4th and 5th floors, change of use from night club to a mixed use, including 49 dwellings with associated facilities.		
Representations		
Object	Comment	Support
6	0	0

Main issues	Key considerations
1	Principle of development
2	Design
3	Heritage
4	Amenity
5	Transport and servicing
6	Energy and water efficiency
7	Flood risk
8	Biodiversity
9	Contamination
10	Archaeology
11	Affordable housing
<b>Expiry date</b>	14 February 2020 (agreed timescale)
<b>Recommendation</b>	Approval



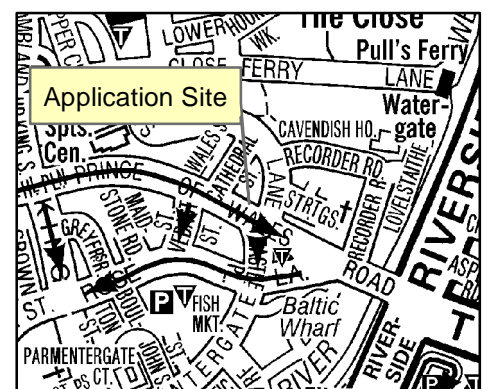
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Planning Application No 19/01875/F  
 Site Address 82 - 96 Prince of Wales Road

Scale 1:1,000



**NORWICH**  
 City Council  
 PLANNING SERVICES



## The site and surroundings

1. The site is a building formerly occupied by Mercy nightclub, at 82-96 Prince of Wales Road, Norwich. The oldest parts of the building date from the 1890s, forming the first block of residential flats in Norwich, known as Alexandra Mansions, with shops on the ground floor. In 1923 the building was converted to a cinema, and this use continued until the late 1990s. In 2003 it reopened as Mercy nightclub, which operated until 2018.
2. The building is situated in a prominent location, on the main thoroughfare between the railway station and city centre. It is surrounded by commercial uses, including those related to the nighttime economy, together with shops, offices, and other services. There is residential development in close proximity, including on St. Faith's Lane and Cathedral Street, and further along on Prince of Wales Road in Grosvenor House.
3. The original 'Alexandra Mansions' part of the building is characterised by a highly attractive frontage on the upper storeys, featuring distinctive windows, balconies and decorative facades, with pitched pantile roofs, although it has suffered from a lack of maintenance and modern additions. The St. Faith's Lane frontage is similarly decorative and attractive, albeit this has been a dead frontage for many years due to the nightclub not making use of the windows and openings other than for servicing purposes. The ground floor level of the building facing Prince of Wales Road has suffered from significant alteration relating to the cinema and later the nightclub use, and this is not sympathetic to the character of the building. The rear of the building features a large extension formed of brick with corrugated roof which was originally the cinema auditorium, and later the main nightclub dancefloor with associated bars and seating.
4. There is a distinctive 'Regent's Cinema' protruding sign on the rear of the building, and beneath that is a Victorian terrace which adjoins the building and extends to the north along St. Faith's Lane. Also to the rear is a car park, and the rear gardens and yards of properties on St. Faith's Lane and Cathedral Street.

## Constraints

5. The site is within the city centre conservation area, the Prince of Wales frontage part of the building is locally listed and the site is within a Late Night Activity Zone. It is also within an area of main archaeological interest.

## Relevant planning history

6. The records held by the city council show the following planning history for the site:

Ref	Proposal	Decision	Date
4/1991/0010	Change of use from restaurant (Class A3) to ten-pin Bowling Alley (Class D2) with snack bar.	APCON	07/03/1991

Ref	Proposal	Decision	Date
4/1991/0656	Alterations to shop front.	APCON	19/11/1991
4/1991/0735	Variation of condition no.2; "The premises the subject of this permission shall not be open to the public on Sundays" for previous permission (app. no. 4910010/U) "Change of use from restaurant to Ten-Pin Bowling alley with snack bar"	APPR	07/11/1991
4/1991/0903	Demolition of chimney stacks at rear.	APCON	06/01/1992
4/1991/0949	One fascia level neon name sign to be positioned behind line of glass above entrance door.	TEMP	06/01/1992
4/1991/0952	Demolition of two, three storey extensions at rear of building and removal of roof from existing single storey building.	APCON	06/01/1992
4/1991/0935	Retrospective application for demolition of two, three storey extensions at rear of building and removal and replacement of roof on single storey structure at rear of building.	APCON	06/01/1992
4/1992/0651	Variation of Condition No.1.of planning permission 4910735/F to allow the premises to be open to the public untill 11pm Monday to Saturday and 10pm on Sunday.Also variation of condition No.2.of planning permissions 4901098/U and 4830295/U(revised)to allow the premises to be open to the public untill 11pm Monday to Saturday and 10pm on Sunday.	INSFEE	01/10/1992
05/00100/F	Change of use to (A3) restaurant/bar, external alteration includes installation of new shop front and railings.	APPR	15/08/2005
05/00973/VC	Removal of condition 2 of previous planning application 05/00100/F 'Change of use to restaurant/bar to allow 24 hour opening'.	REF	13/12/2005

## The proposal

7. Permission is sought for the change of use, conversion and upward extension of the building to create 49 flats (1-3 bedroom), with two offices and a café on the ground floor. Communal facilities for the residential occupiers would be provided in the basement, including storage pods, a gym and cinema room. There would be parking for 19 cars on the ground floor at the rear of the building, accessed from St. Faith's Lane, alongside secure cycle parking and bin storage.
8. The residential properties would be formed within the upper floors of the building, with new and existing internal light wells providing natural light. New openings would be created in the side and rear of the building and on the St. Faith's Lane frontage. The upward extension of the rear of the building would provide a new fourth and fifth floor, where 4 penthouse flats would be accommodated. Some of the flats would benefit from balconies next to the internal light wells.
9. Two new separate offices would be accessed from the Prince of Wales Road frontage, alongside a café unit on the corner of the building. The existing nightclub frontage would be replaced with a matching brick façade, with new windows and doors and features of the original building restored where possible.

## Representations

10. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 6 letters of representation have been received citing the issues as summarised in the table below. The comments were all based on the original submitted plans. A further consultation was carried out on the revised plans, to which no comments have been received at the time of writing. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Issues raised	Response
Many respondents welcome the principle of conversion from nightclub to residential/office/café. However concerns were raised regarding the original plans as set out below.	
Concerns about loss of light to properties on St. Faith's Lane caused by extensions 4 <sup>th</sup> and 5 <sup>th</sup> floor extensions.	See main issue 4
Concerns about overlooking and loss of privacy caused by new windows and balconies on rear (north) wall of development.	See main issue 4
Consider that shadow diagrams should be produced showing overshadowing impact during different seasons of the year.	See main issue 4

<b>Issues raised</b>	<b>Response</b>
Consider that a visual impact assessment should be provided	See main issue 2 and 3
Concerns about impacts on views of Norwich Cathedral.	See main issue 2 and 3
Concerns about impacts of the development on the appearance of St. Faith's Lane frontage, impact on conservation area and locally listed building.	See main issue 2 and 3
Concerns about lack of parking	See main issue 5
Policy does not meet policy requirement for affordable housing	See main issue 10
No community consultation carried out.	The application has been publicised by the city council.
Object to the proposed car park onto St. Faith's Lane due to the noise increase, which will negate recent improvements that have been gained from closing St. Faith's Lane to through traffic.	See main issue 5
Concerns that the proposed café will have a negative impact on The Feed social enterprise, which has a café in an adjacent building. Concerns about impacts on profits from increased completion and resultant impact on ability to help homeless people.	It is not the role of the planning system to regulate competition between similar businesses.

Following the receipt of amended plans, a further consultation was carried out with neighbours. No comments were received to this.

## **Consultation responses**

11. 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.

### **Design and conservation**

12. The advice of the conservation officer has been sought verbally during the application process. The restoration, enhancement and reuse of the building is supported and no objections are raised to the proposal.

## **Environmental protection**

13. I have looked at the acoustic report and find that the acoustic measures for the residential uses are of a very good standard to prevent noise from the street and other local uses creating airborne noise from impacting on residents. Following a meeting on site I am satisfied that noise from the adjacent nightclub can be mitigated to an acceptable level.

## **Highways (local)**

14. No objection on highway grounds. The development will not be entitled to on-street parking permits.

## **Historic England**

15. Historic England has no objection to the application on heritage grounds. We consider that the application meets the requirements of the NPPF, in particular paragraph numbers 7, 8, 193, 194 and 196. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. Your authority should take these representations into account in determining the application.

## **Norfolk county planning obligations**

16. CIL contributions towards libraries and local green infrastructure sought.

## **Norfolk historic environment service**

17. In some respects we concur with the conclusions of the archaeological desk-based assessment, but have noted some omissions within the document. In terms of below-ground archaeology the desk-based assessment identifies the application site as having high potential, but lacks specific detail on potential impacts. If planning permission is granted, we therefore ask that this be subject to a programme of archaeological work in accordance with National Planning Policy Framework 2019 paragraphs 199 and 189.

## **Norfolk police (architectural liaison)**

18. Principle of the conversion supported, subject to detailed design measures being considered to reduce the potential for crime to occur, including keeping the proposed commercial and residential uses separate in terms of accesses.

## **Assessment of planning considerations**

### **Relevant development plan policies**

19. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
  - JCS1 Addressing climate change and protecting environmental assets
  - JCS2 Promoting good design
  - JCS3 Energy and water



- JCS4 Housing delivery
- JCS5 The economy
- JCS6 Access and transportation
- JCS7 Supporting communities
- JCS9 Strategy for growth in the Norwich policy area
- JCS10 Locations for major new or expanded communities in the Norwich policy area
- JCS11 Norwich city centre
- JCS20 Implementation

**20. Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**

- DM1 Achieving and delivering sustainable development
- DM2 Ensuring satisfactory living and working conditions
- DM3 Delivering high quality design
- DM4 Providing for renewable and low carbon energy
- DM5 Planning effectively for flood resilience
- DM6 Protecting and enhancing the natural environment
- DM9 Safeguarding Norwich's heritage
- DM11 Protecting against environmental hazards
- DM12 Ensuring well-planned housing development
- DM13 Communal development and multiple occupation
- DM16 Supporting the needs of business
- DM17 Supporting small business
- DM23 Supporting and managing the evening and late night economy
- DM28 Encouraging sustainable travel
- DM29 Managing car parking demand in the city centre
- DM30 Access and highway safety
- DM31 Car parking and servicing
- DM32 Encouraging car free and low car housing
- DM33 Planning obligations and development viability

**Other material considerations**

**21. Relevant sections of the National Planning Policy Framework July 2018 (NPPF):**

- NPPF2 Achieving sustainable development
- NPPF4 Decision-making
- NPPF5 Delivering a sufficient supply of homes
- NPPF6 Building a strong, competitive economy
- NPPF7 Ensuring the vitality of town centres
- NPPF8 Promoting healthy and safe communities
- NPPF9 Promoting sustainable transport
- NPPF11 Making effective use of land
- NPPF12 Achieving well-designed places
- NPPF14 Meeting the challenge of climate change, flooding and coastal change
- NPPF15 Conserving and enhancing the natural environment
- NPPF16 Conserving and enhancing the historic environment



## **22. Supplementary Planning Documents (SPD)**

- Affordable housing SPD adopted March 2015
- Landscape and trees SPD adopted June 2016
- Heritage interpretation adopted Dec 2015

## **Case Assessment**

23. 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**

24. Key policies and NPPF paragraphs – JCS1, JCS4, JCS5, DM1, DM12, DM13, DM17, DM23, NPPF paragraphs 8, 10, 11, 59, 68, 80, 85, 121 and 117.
25. The site is previously developed land within Norwich city centre, and the building is suitable for conversion to a residential-led mixed use scheme. It is located within the late night activity zone, where under policy DM23 noise sensitive uses are not permitted where the impact of noise from late night entertainment use is shown to have an unacceptably harmful impact on living and/or working conditions for future occupants. The applicant has demonstrated that this would not be the case due to proposed mitigation measures.
26. The proposal would lead to the loss of a major nightclub facility, with its conversion to residential and office use having a positive impact on the local neighbourhood due to a reduction in late night noise and anti-social behaviour likely to have been associated with its former use. Further benefits would be realised in terms of improved safety and security for the local community from the occupation of a building which has been vacant for some time, including the creation of a more active frontage onto St. Faith's Lane.
27. The development would contribute towards local housing need, whilst local shops and other businesses would benefit from increased customers. Commercial uses would be maintained on the ground floor, with offices and a café proposed, which would assist in maintaining vitality and activity within the street scene of Prince of Wales Road. In addition, the proposal would result in the restoration, refurbishment, and enhancement of a locally listed building within the conservation area, providing it with a viable use for the future.
28. These are all strong material considerations which weigh in favour of the proposal, and the principle of development is considered acceptable, subject to an assessment of the relevant local and national planning policies as set out below.

### **.Main issue 2: Design**

29. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 124-132.

30. In terms of external alterations to the existing building, the proposal would significantly enhance the existing frontage on Prince of Wales Road by refurbishing existing features and replacing the unattractive modern nightclub frontage with a more sympathetic matching brick façade, with new openings following the vertical emphasis of windows on the existing building to form a far more attractive frontage. Further enhancement would be carried out to the St. Faith's Lane façade, with the decorative façade restored and openings created sympathetically in terms of the historic design of the building. New windows would be formed on the side and rear of the premises, in appropriate locations, and existing upvc windows would be replaced with softwood casement windows in the style of the original windows.
31. Separate accesses would be provided for users of the office, café and residential parts of the building respectively from Prince of Wales Road, to avoid conflicts arising between different users and to maintain security. The design of internal corridors, balconies, and landscaped light well areas together with the shared facilities in the basement would help foster a communal feeling for occupiers of the residential properties, with the precise detail of the internal landscaping controlled by condition. Car parking, bin storage and cycle storage would be conveniently located on the ground floor, with multiple stairwells and lifts providing access to upper floors.
32. The rooftop extensions would be sited on the rear part of the building, which is less sensitive in heritage terms and generally not be visible from the principle Prince of Wales Road frontage, except when looking down St. Faith's Lane. The size and scale of the extension has been reduced following discussions with the applicant. The extensions would be set back from the outer walls of the current building, helping to reduce the impact, with the fifth floor further set back from the new fourth floor. Whilst they would be quite prominent in views from parts of St. Faith's Lane, and the car park and gardens to the rear of the building, they would not be particularly visible from most other parts of the locality due to the proximity of other buildings in the foreground. Careful consideration of the materials and discussions with the conservation officer has resulted in a combination of zinc and cedar cladding for the extension. The full details of materials, windows and doors would be controlled by condition.

### **Main issue 3: Heritage**

33. Key policies and NPPF paragraphs – JCS2, DM9, NPPF paragraphs 184-202.
34. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 place a statutory duty on the local authority to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possesses and to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Case law (specifically *Barnwell Manor Wind Energy Ltd v East Northamptonshire DC* [2014]) has held that this means that considerable importance and weight must be given to the desirability of preserving the setting of listed buildings and conservation areas when carrying out the balancing exercise.
35. The restoration, refurbishment and improvement of the existing external walls of the building is a clear enhancement of the locally listed building and Conservation Area.

36. A visual impact assessment has been undertaken and it has been demonstrated that the proposed rooftop extensions would not impede key views of Norwich Cathedral or Castle.
37. The rooftop extensions would introduce a significant new built form, which is not necessarily characteristic of the host building or prevailing character of the surrounding buildings, although there are other flat roof modern buildings and additions in the locality. Some harm would occur to the character of the Conservation Area, mainly affecting views from St. Faith's Lane towards the site. However this harm has been minimised with the amended plans which have set back and reduced the scale of the extensions. The harm is categorised as less than substantial, due to the limited viewpoints which would be affected and the status of the building, which is locally, and not statutorily listed.
38. Paragraph 196 of the NPPF sets out that in such instances where less than substantial harm would occur, the harm should be weighed against the public benefits of the proposal. In this instance there are multiple, significant benefits. This includes social benefits in terms of a reduction in noise and anti-social behaviour associated with the former use, the benefits of introducing new activity and vitality to a large vacant premises, and the provision of new housing in a sustainable location. Economic benefits would be achieved through the construction work itself and the availability of new office and café premises, as well as increased custom for local businesses from the new residents. Benefits to the historic environment would be realised through the restoration and improvement of the Prince of Wales and St. Faith's Lane frontages. These benefits are considered to far outweigh the less than substantial harm identified.
39. The development would preserve the setting of nearby listed assets including the Railway Mission Hall on Prince of Wales Road and Stuart Gardens.
40. A condition is recommended to secure the provision of heritage interpretation, relating to Alexandra Mansions and the former cinema use.

#### **Main issue 4: Amenity**

41. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 8 and 127.

##### **Amenity for existing occupiers**

42. Concerns have been raised by some local residents in terms of the potential for increased overshadowing and loss of privacy as a result of the proposal. In terms of loss of daylight and sunlight, the applicant has carried out a detailed assessment of the impact on all neighbouring windows and gardens that would be affected. They have used Building Research Establishment (BRE) guidance in doing so, calculating the Vertical Sky Component for daylight and the Annual Probable Sunlight Hours and Winter Probable Sunlight Hours for sunlight. The level of detail provided is more accurate and detailed than shadow diagrams, which have not been requested.
43. For daylight, the BRE recommendations are that the Vertical Sky Component measured at the centre of a window should be no less than 27, or if reduced to below this, no less than 80% of its former value. The report demonstrates that all of

the assessed windows meet the 80% criteria for daylight, and will therefore have no noticeable impact on neighbouring residents in terms of daylight.

44. For sunlight, the centre of each window should receive at least 25% of available annual sunlight hours and more than 5% during the winter months (September 21st to March 21st), and 80% of its former value. The report states that all windows would retain greater than 80% of their existing sunlight levels, which indicates that the impact of the development on sunlight levels would be minimal and acceptable in terms of BRE guidance.
45. In terms of gardens, the same “80%” rule is applied in terms of reduction of sunlight. The nearest garden on St. Faith’s Lane would retain 95% of its sunlight as a result of the development, with the other gardens retaining 100% of their existing sunlight levels on March 21<sup>st</sup> (the applicable test). The impact is therefore acceptable.
46. In terms of overlooking, steps have been taken during the application process to reduce the number of windows facing towards the rear of the development. It is acknowledged that the introduction of new windows in the side and rear elevations will increase the potential for overlooking and the feeling of being overlooked. A careful balance needs to be struck between minimising overlooking, whilst maintaining a good standard of outlook and daylight for the proposed flats. The solution that has been agreed is to have windows where the lower portion is obscure glazed, to minimise downward views but to allow views across the townscape to the north and of the sky. This is considered an acceptable compromise in terms of the benefits of the overall development.
47. Overall, whilst it is undeniable that some new impacts in terms of directly facing windows and overlooking would occur, this must be weighed against the significant benefits of the proposal, including to neighbouring amenity which would arise from the loss of the nightclub facility. It is considered that the correct balance has been struck and the scheme as a whole would keep neighbour impacts to a minimum whilst having an overall positive impact on the local environment, to the benefit of existing residents.

#### **Amenity for future occupiers**

48. All of the residential units would meet or exceed the national minimum space standards for internal floorspace. The built up nature of the site and proximity of neighbouring occupiers places constraints on the ability to provide external amenity space, although balconies on the rooftop and facing internal light wells have been provided where possible for a number of the flats. It is noted that the James Stuart Garden is very close by, and this would provide residents with the opportunity for outdoor relaxation, together with the nearby riverside path and associated seating areas.
49. In addition communal facilities including a gym, pool room and cinema room would be provided, and the site is in close proximity to a myriad of leisure and entertainment uses in the city centre and at Riverside. Levels of outlook and daylighting would generally be good for all of the flats, although some would suffer from a fairly restricted outlook due to their position within the development. This is somewhat inevitable given the constraints of the site, but on the whole amenity

levels for proposed occupiers are considered to range from very good to acceptable.

50. A noise assessment has been submitted which provides detail on mitigation of potential noise nuisance from the adjoining nightclub and activity on Prince of Wales Road. The measured levels have been assessed against the National Planning Policy Framework and currently available standards and guidance documents including World Health Organisation *Guidelines for Community Noise* (1999) and BS8233:2014 *Guidance on sound Insulation and noise*.
51. Noise from the adjacent bar at ground floor level has been considered. Recommendations to mitigate noise from the bar include splitting any structural connections while dividing the bar, apply independent linings to the rooms against the party wall and appropriate glazing (secondary glazing) to rooms overlooking the roof of the bar. Appropriate external and internal noise criteria have been considered to minimise adverse impacts on health and quality of life as a result of the new development. Appropriate mitigation measures have been outlined which should be developed during detailed design, including proprietary thermal double-glazing, secondary glazing and ventilation strategies.
52. The Environmental Protection Officer has confirmed that the proposed mitigation would be acceptable and no objections are raised. The precise details of the mitigation would be agreed by condition. Further conditions to safeguard residential amenity are proposed, including restricting the opening of the café between 22.00 and 06.00 hours, to safeguard residential amenity for future occupiers, control over any extract flues for the café use. Under local policy, 10% of the residential units should be built to lifetime homes (or equivalent) standard, and this will be secured by condition.

### **Main issue 5: Transport and servicing**

53. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 8, 102-111.

The site is in a highly sustainable location, with good access to shops, services and employment locations within the city centre, and easy walking distance to the railway station. A large secure cycle store would be provided, together with 19 car parking spaces, including 3 electric vehicle charging points. This means that most flats would be car free, which is acceptable in this location. New residents and businesses would not be entitled to parking permits, including for visitors, which would minimise parking impact on surrounding streets. Rose Lane multi storey car park is in close proximity however, and would provide a useful facility for visitors and workers in the office and café. An internal bin store would be accessed from St. Faith's Lane which has been approved by Citywide Services. The Transport Officer raises no objections to the transport implications of the proposal.

54. Conditions are recommended to secure the provision of a dropped kerb to assist bin collections from St. Faith's Lane, to ensure the car park is solely used by residents of the site, and to ensure the submission of a construction management plan.

## **Main issue 6: Energy and water efficiency**

- 55. Key policies and NPPF paragraphs –DM1, JCS3, NPPF paragraphs 8, 148, 151-154.
- 56. The existing building provides constraints on the types of renewable energy technologies that can be used, however it is considered that a 10% level of renewable energy (or equivalent carbon reduction) could be achieved. This matter would be controlled by condition. Water efficiency measures would be sought by condition.

## **Main issue 7: Flood risk**

- 57. Key policies and NPPF paragraphs – JCS1, DM5, NPPF paragraphs 155-165.
- 58. The site is within flood zone 1 and therefore at the lowest risk of flooding from fluvial sources and there is no significant risk from surface water flooding. There would be no increase in terms of built footprint of the development, therefore the proposal would not increase flood risk to the surrounding area. Drainage would be to the main sewer, as per the existing situation. The proposal is considered acceptable in terms of flood risk.

## **Main issue 8: Biodiversity**

- 59. Key policies and NPPF paragraphs – JCS1, DM6, NPPF paragraph 8, 170, 175-177.
- 60. The building has been assessed as being of low/negligible potential for bat roosts and a precautionary approach is recommended during the construction process. Nesting opportunities for birds were found to be limited, although some pigeons had managed to find their way into the upper storey. Recommendations for ecological enhancement including new habitat provision for swifts and other birds are considered suitable, the detail and provision of which would be sought by condition.

## **Main issue 9: Contamination**

- 61. Key policies and NPPF paragraphs – DM11, NPPF paragraphs 178-179.
- 62. The previous uses of the site would suggest that ground contamination is unlikely, however a condition is recommended seeking investigation and remediation of any contamination that is discovered during construction.

## **Main issue 10: Archaeology**

- 63. Key policies and NPPF paragraphs: JCS2, DM9, NPPF paragraphs 187, 189, 190
- 64. A desk study report has been submitted which confirms there is a high possibility of archaeological features being present beneath the site. Conditions are recommended to ensure appropriate investigation and recording of such features takes place during the development process.

## **Main issue 11: Affordable housing**

65. Key policies and NPPF paragraphs – JCS4, DM33, NPPF paragraphs 57, 63 and 64.
66. The proposal relates to a large building which has been vacant for some time. As such it is eligible for vacant building credit, which is an incentive designed by government to encourage and enable the re-use of brownfield sites and bring vacant buildings back into use. The amount of vacant gross floorspace can be used as a 'credit' against the affordable housing requirement. Following the deduction of vacant building credit, a contribution of £327,999 plus administration fee is sought towards the off-site provision of affordable housing. This equates to a 5.3% provision of affordable housing. It would be secured via a section 106 legal agreement.

## **Other matters**

67. A condition is recommended removing permitted development rights for the change of use of the offices and café, to ensure the commercial uses are maintained at the ground floor level, due to their contribution to the vitality of the street and city centre.

## **Equalities and diversity issues**

68. There are no significant equality or diversity issues.

## **Local finance considerations**

69. 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.
70. 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.
71. In this case local finance considerations are not considered to be material to the case.

## **Conclusion**

72. The proposal would lead to the change of the use of the site to a mixed use development which would be a significant improvement to the amenity of the neighbourhood compared to the existing lawful use of a large nightclub, with its associated potential for noise and anti-social behaviour to occur. It would also lead to the occupancy of a building and site which has been vacant for some time, to the benefit of the vitality and safety of the area. It would deliver a substantial amount of new homes in a sustainable location, together with new offices and a café, and contribution towards the provision of affordable housing. There would be a notable improvement to the appearance of the locally listed building and wider conservation



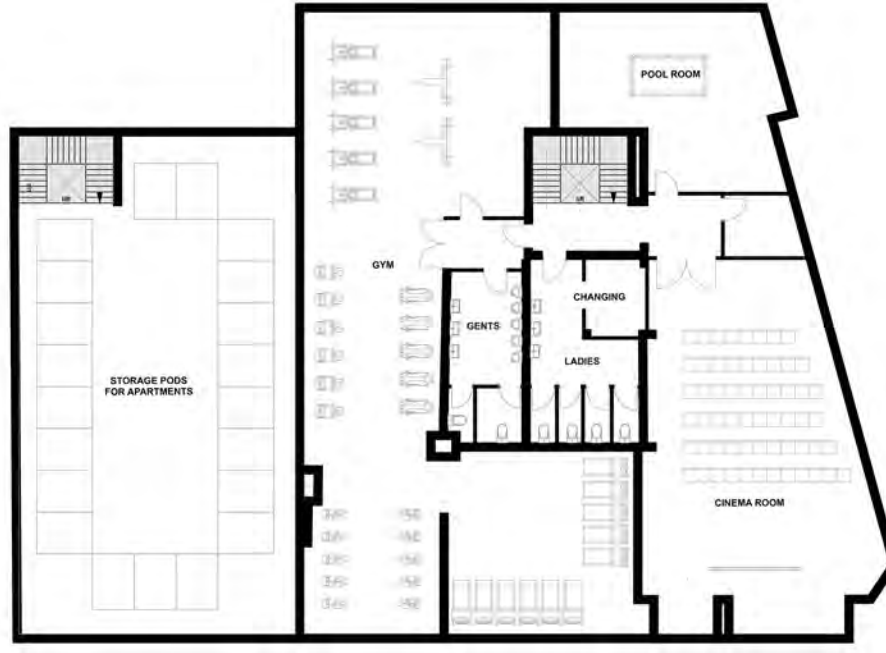
area, with the restoration and enhancement of the historic frontages on Prince of Wales Road and St. Faith's Lane.

73. These factors outweigh the negative aspects of the proposal, which includes a degree of less than substantial harm due to the rooftop extensions and alterations, and the impacts that would occur in terms of directly facing windows and increased overlooking compared to the existing situation. Steps have been taken to minimise these impacts as far as is practicable.
74. The development is 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 reference 19/00875/F at 82-96 Prince of Wales Road and grant planning permission subject to the following conditions and completion of a Section 106 agreement to secure a contribution to affordable housing:

1. Standard time limit;
2. In accordance with plans;
3. External materials
4. Details of external joinery
5. Details of rear (north facing windows)
6. Lifetime homes/Accessible, adaptable dwellings
7. Removal of permitted development rights for change of use of office and café
8. Finished floor levels
9. Heritage interpretation
10. Renewable energy details
11. Water efficiency commercial and residential
12. Landscaping details
13. Residents parking only
14. Dropped kerb for bin store to be provided
15. Details of noise mitigation measures in accordance with approved report
16. Specification of extract system for car park
17. Café premises not to open between 22.00 and 07.00
18. Construction method statement
19. Archaeological written scheme of investigation
20. Stop work if unidentified features revealed
21. Ecological mitigation/enhancement details
22. Unknown contamination
23. Details of external flues/extract equipment



-01: BASEMENT  
Scale: 1/100

Front ▲

Shaded area indicates common areas

141/151

PROPOSED REDEVELOPMENT OF  
FORMERLY MERCY NIGHTCLUB, PRINCE OF  
WALES, NORWICH, REGENTS PLACE  
ESTATEDUCATION

PLANNING DRAWING



1

2

TBC

PL0001

A



PLANNING DESIGN REVISION  
PLANNING DESIGN REVISION

14.11.2019  
05.12.2019

A  
B

PROPOSED REDEVELOPMENT OF  
FORMERLY MERCY NIGHTCLUB, PRINCE OF  
WALES, NORWICH; REGENTS PLACE  
ESTATEDUCATION

PLANNING DRAWING



TBC

PL 0002

B



PLANNING DESIGN REVISION	14.11.2019	A
PROPOSED REDEVELOPMENT OF FORMERLY MERCY NIGHTCLUB, PRINCE OF WALES, NORWICH, REGENTS PLACE		
ESTATEDUCATION		
PLANNING DRAWING		
TBC	10	PL 0003
		A





03: SECOND FLOOR PLAN  
Scale 1/100

Front

\* Second Floor Reference  
On level to level

PROPOSED REDEVELOPMENT OF  
FORMERLY MERCY NIGHTCLUB, PRINCE OF  
WALES, NORWICH, REGENTS PLACE  
ESTATEDUCATION

PLANNING DRAWING



1 2

TBC 130 PL 0004



03: THIRD FLOOR PLAN

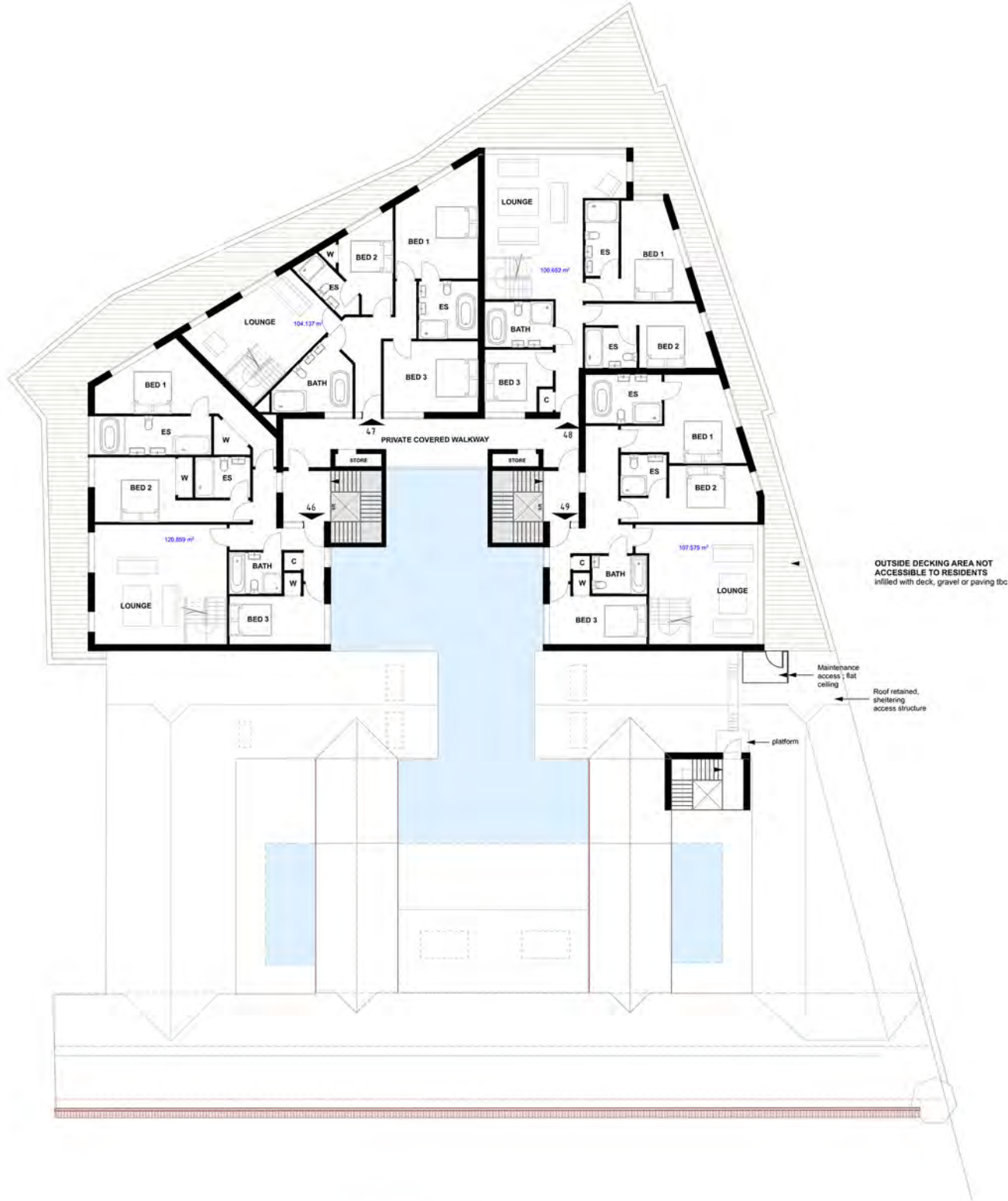
Front

Third Floor  
Reference

PROPOSED REDEVELOPMENT OF  
FORMERLY MERCY NIGHTCLUB, PRINCE OF  
WALES, NORWICH, REGENTS PLACE  
ESTATEDUCATION

PLANNING DRAWING





04: FOURTH FLOOR PLAN

Front ▲

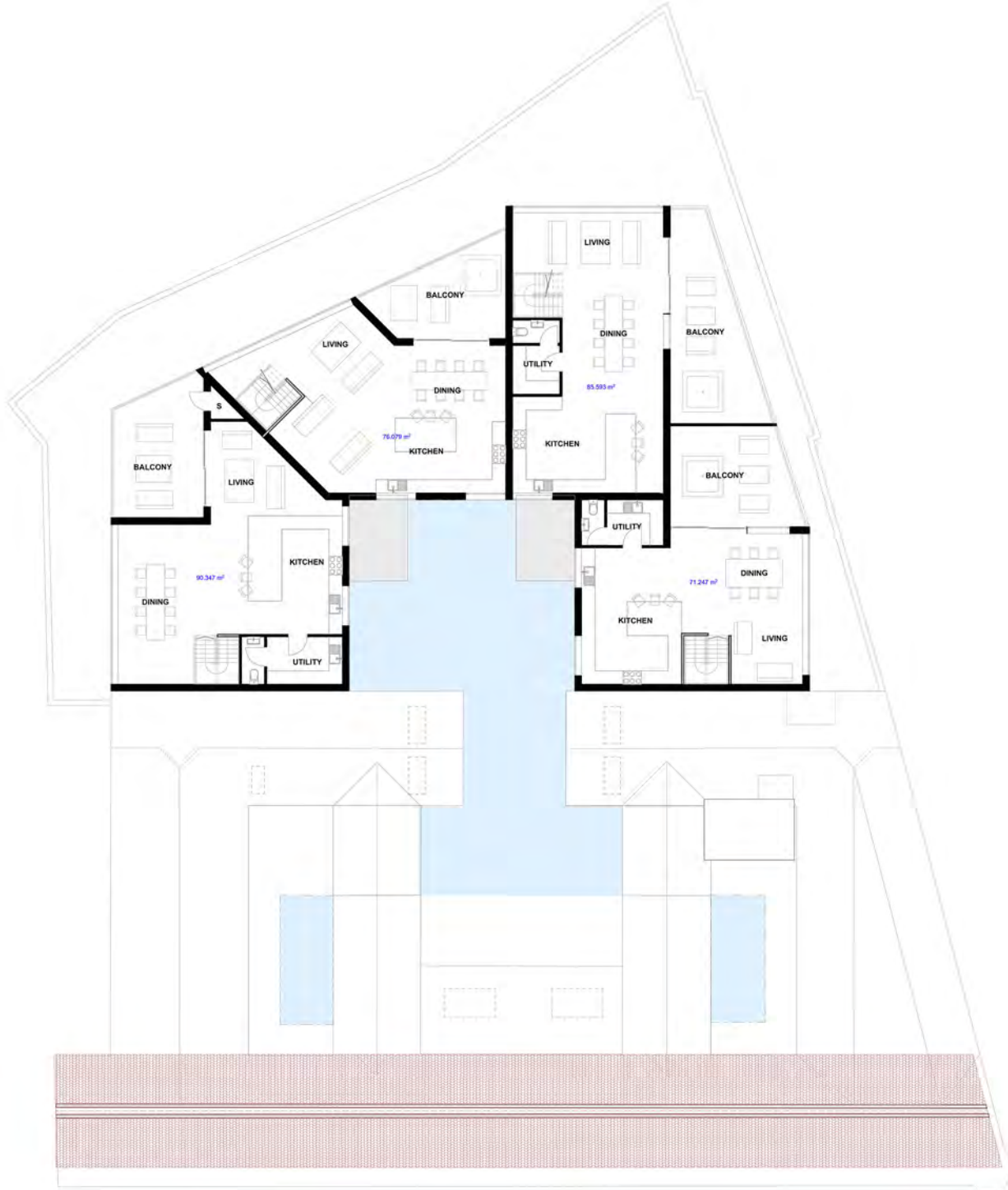
PLANNING DESIGN REVISION	15.10.2019	A
PLANNING DESIGN REVISION	14.11.2019	B
PLANNING DESIGN REVISION	21.11.2019	C

PROPOSED REDEVELOPMENT OF  
FORMERLY MERCY NIGHTCLUB, PRINCE OF  
WALES, NORWICH: REGENTS PLACE  
ESTATEDUCATION

PLANNING DRAWING







05: FIFTH FLOOR PLAN

Front ▲

PLANNING DESIGN REVISION	15.10.2019	A
PLANNING DESIGN REVISION	14.11.2019	B
PLANNING DESIGN REVISION	09.12.2019	C

PROPOSED REDEVELOPMENT OF  
FORMERLY MERCY NIGHTCLUB, PRINCE OF  
WALES, NORWICH; REGENTS PLACE  
ESTATEDUCATION

PLANNING DRAWING



- KEY
- 1 Red facing brickwork to match existing
  - 2 Light coloured render
  - 3 Architectural metalwork to be reconditioned and redecorated
  - 4 Cedar timber tongue and groove cladding
  - 5 Aluminium windows and doors to the ground floor
  - 6 Existing particle roofs to be retained and re-used
  - 7 Existing brickwork to be repaired
  - 8 Porphyry stone wall cladding
  - 9 Glass balustrade





SOUTH ELEVATION; PRINCE OF WALES

PLANNING DESIGN REVISION	14.11.2019	A
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PROPOSED REDEVELOPMENT OF  
FORMERLY MERCY NIGHTCLUB, PRINCE OF  
WALES, NORWICH; REGENTS PLACE  
ESTATEDUCATION

PLANNING DRAWING



TBC	30	PL 0008	A
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- KEY
- 1 Red facing brickwork to match existing
  - 2 Light coloured render
  - 3 Architectural metalwork to be reconditioned and redecorated
  - 4 Cedar timber tongue and groove cladding
  - 5 Aluminium windows and doors to the ground floor
  - 6 Existing particle roofs to be retained and re-used
  - 7 Existing brickwork to be repaired
  - 8 Polycarbonate rain cladding
  - 9 Glass balustrade

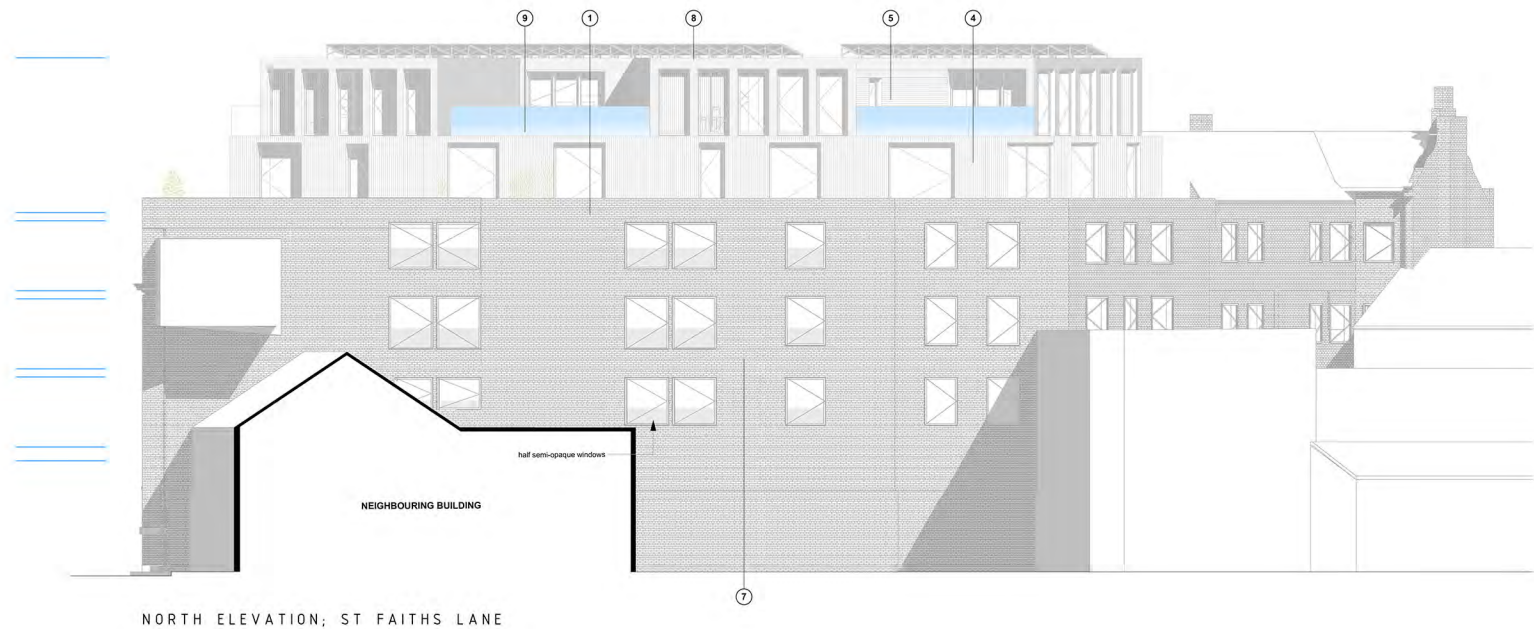
PLANNING DESIGN REVISION	14.11.2019	A
PLANNING DESIGN REVISION	21.11.2019	B

PROPOSED REDEVELOPMENT OF  
FORMERLY MERCY NIGHTCLUB, PRINCE OF  
WALES, NORWICH; REGENTS PLACE

ESTATEDUCATION

PLANNING DRAWING





- KEY
- 1 Red facing brickwork to match existing
  - 2 Light coloured render
  - 3 Architectural metalwork to be reconditioned and redecorated
  - 4 Cedar timber tongue and groove cladding
  - 5 Aluminium windows and doors to the ground floor
  - 6 Existing particle roofs to be retained and re-used
  - 7 Existing brickwork to be repaired
  - 8 Polycarbonate main cladding
  - 9 Glass substructure

PLANNING DESIGN REVISION	14.11.2019	A
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PROPOSED REDEVELOPMENT OF  
FORMERLY MERCY NIGHTCLUB, PRINCE OF  
WALES, NORWICH; REGENTS PLACE  
ESTATEDUCATION

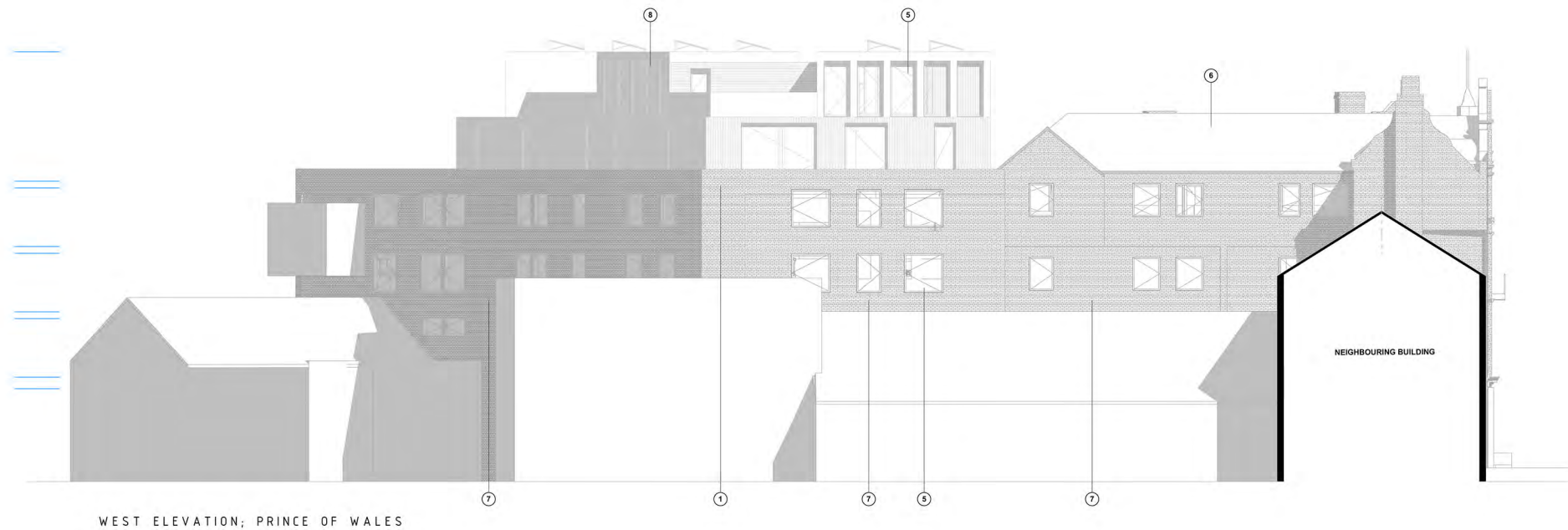
PLANNING DRAWING



TBC	30	PL_0010	A
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- KEY
- 1 Red facing brickwork to match existing
  - 2 Light coloured render
  - 3 Architectural metalwork to be reconditioned and redecorated
  - 4 Cedar timber tongue and groove cladding
  - 5 Aluminium windows and doors to the ground floor
  - 6 Existing particle roofs to be retained and re-used
  - 7 Existing brickwork to be repaired
  - 8 Polycarbonate rain cladding
  - 9 Glass balustrade



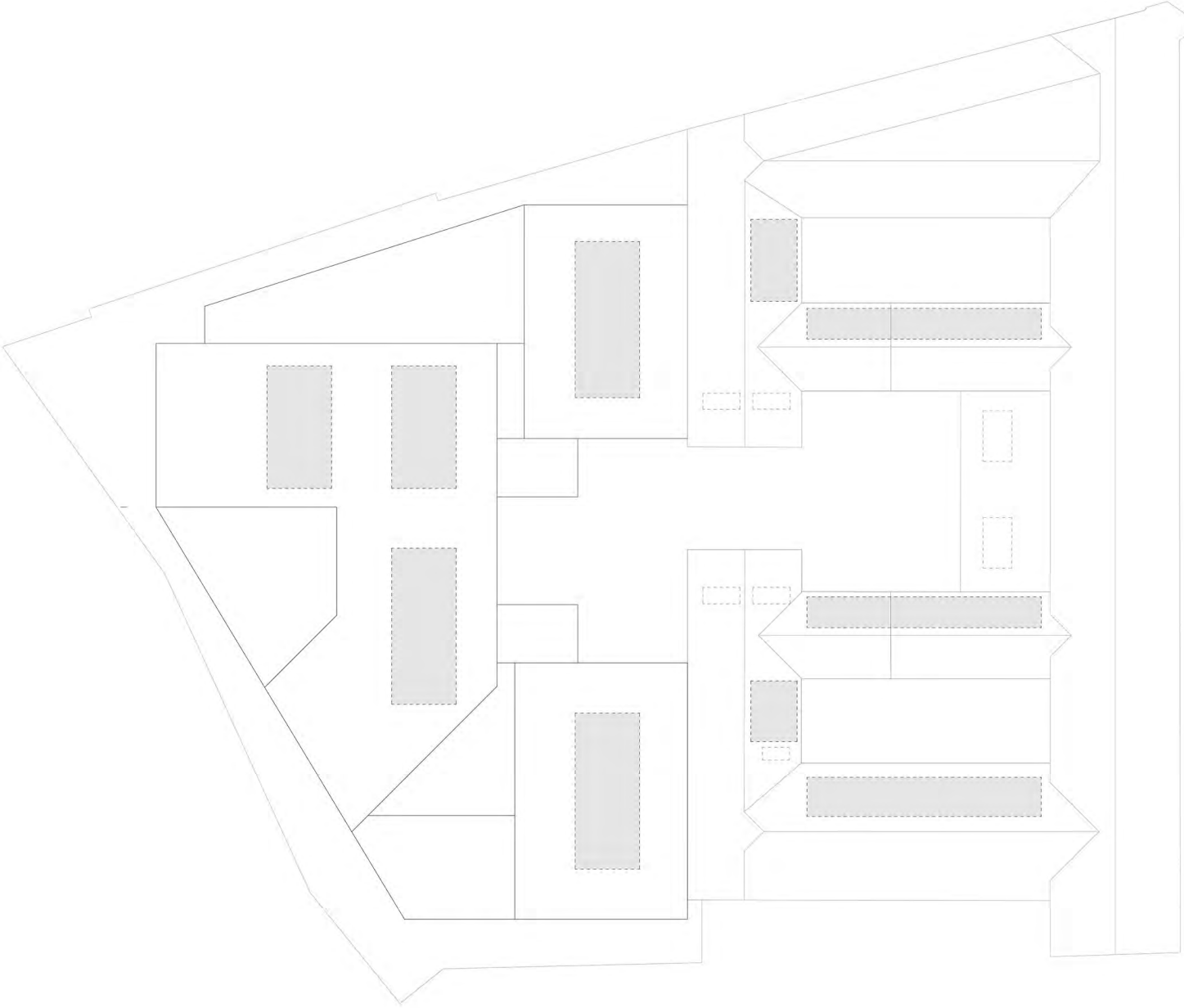
PLANNING DESIGN REVISION	14.11.2019	A
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PROPOSED REDEVELOPMENT OF  
FORMERLY MERCY NIGHTCLUB, PRINCE OF  
WALES, NORWICH; REGENTS PLACE  
ESTATEDUCATION

PLANNING DRAWING

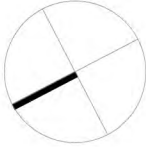
			
<b>S</b>		<b>N</b>	
			
TBC	SO	PL 0011	





KEY

PROPOSED ROOF ALTERATIONS  
PHOTOVOLTAICS SHOWN (see area of  
approx 150m²)



06: ROOF PLAN

Scale: 1/100

Front

PLANNING DESIGN REVISION

14.11.2019

A

PROPOSED REDEVELOPMENT OF  
FORMERLY MERCY NIGHTCLUB, PRINCE OF  
WALES, NORWICH, REGENT'S PLACE  
ESTATEDUCATION

PLANNING DRAWING  
ROOF PLAN



2

10

11

12

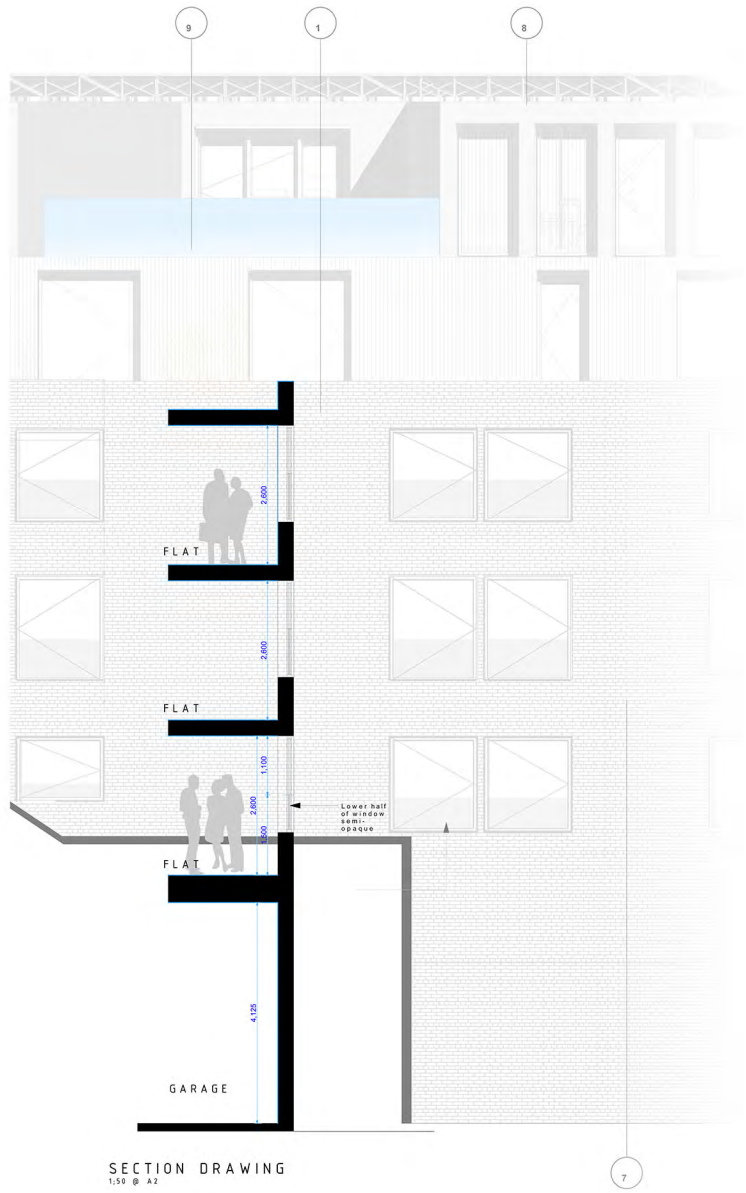
TBC

50

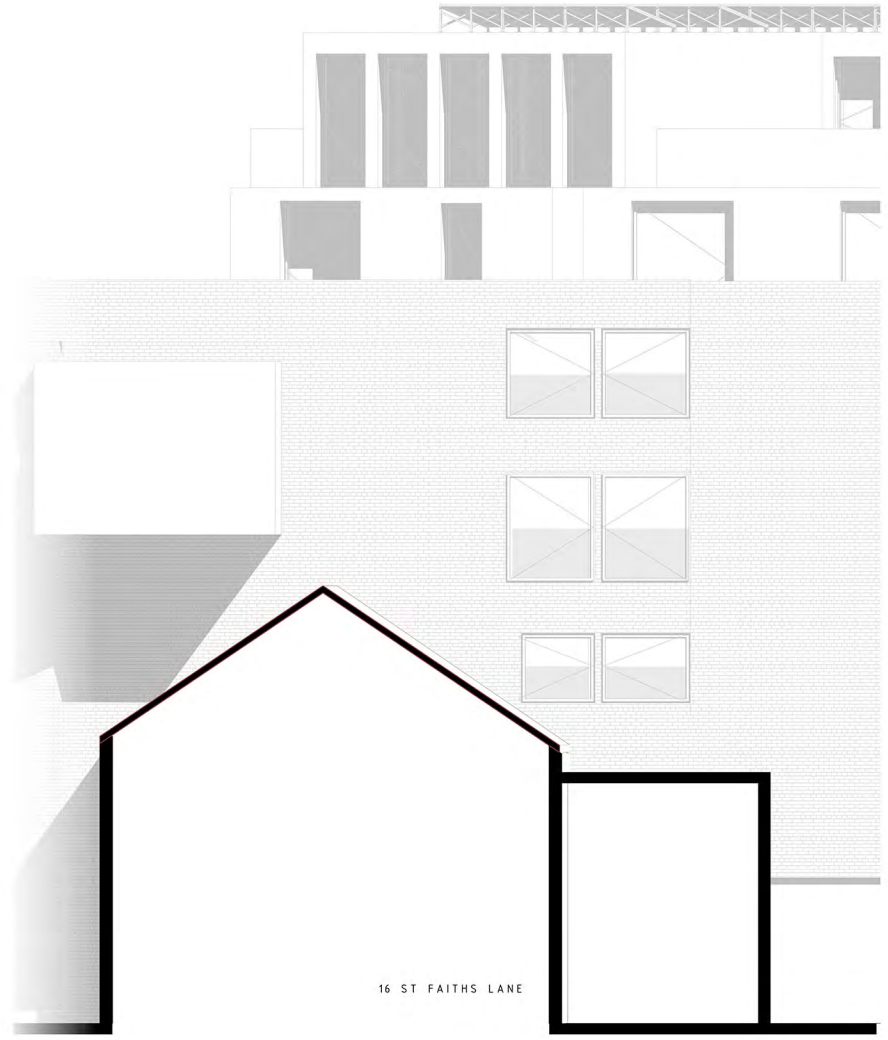
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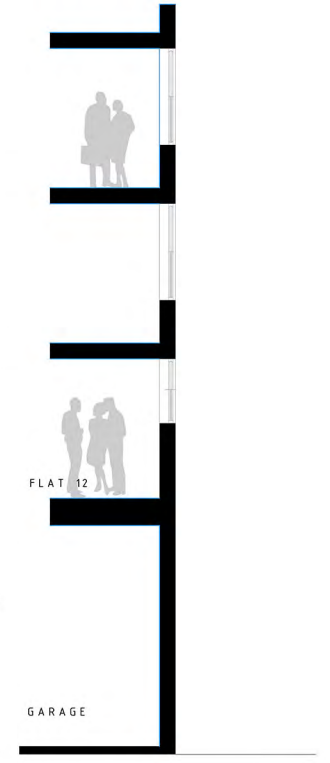




SECTION DRAWING  
1:50 @ A2



PARTIAL ELEVATION;  
showing connection to no.16 st faiths ln



SECTION DRAWING

PLANNING DRAWING  
pl - 014

Amended due to planning comments

05/12/19

A

PROPOSED REDEVELOPMENT OF  
FORMERLY MERCY NIGHTCLUB, PRINCE OF  
WALES, NORWICH; REGENTS PLACE

ESTATEDUCATION

PLANNING DRAWING  
SECTIONAL DETAILING



3

14

1

1

TBC

SD

PL 0014

A