

<b>Item No.</b> 7.1	<b>Classification:</b> Open	<b>Date:</b> 7 March 2018	<b>Meeting Name:</b> Planning Sub-Committee B
<b>Report title:</b>	<b>Development Management planning application:</b> Application 17/PAP/4421 for: Full Planning Application  <b>Address:</b> 31-33 GROVE VALE, LONDON SE22 8EQ  <b>Proposal:</b> Change of use of the upper floors of The Cherry Tree Public House from ancillary staff accommodation (Class A4 Use) to create a 47 bed bunk house hostel (Sui Generis) across five rooms.		
<b>Ward(s) or groups affected:</b>	South Camberwell		
<b>From:</b>	Director of Planning		
<b>Application Start Date</b> 24/11/2017		<b>Application Expiry Date</b> 19/01/2018	
<b>Earliest Decision Date</b> 02/02/2018			

## RECOMMENDATION

1. That planning permission be granted, subject to conditions.

## BACKGROUND INFORMATION

### Site location and description

2. The site is located to the northern side of Grove Vale Road and is occupied by a detached red brick two storey building with accommodation in the roof. The ground floor comprises a large external seating area to the front with a symmetrical traditional façade with a single access door flanked by additional double doors as well as large glazed panels. Internally, the ground floor forms the main part of the public house with a parlour, bar/snug and garden lounge. There is also a kitchen and associated amenities at ground floor. To the rear, there is a large enclosed beer garden and secret garden area. At the western elevation, there is an external smoking area, whilst to the east, there is a gated side entrance lane providing access to the rear of the property.
3. Externally at the first floor, there are traditional arched sash windows, whilst the second floor traditional dormer sash windows are set within the roof. Internally, the upper floors currently comprise of ancillary accommodation for the Pub, including bedrooms for staff and kitchen/living rooms. These are not separate Class C3 Use dwellings, as they are ancillary to the primary use of the application site and inherently linked to the operation of the Pub. The rooms are accessed both internally and externally via a rear staircase.
4. The immediate surrounding area on Grove Vale is a combination of commercial, retail, restaurants, community facilities and residential and is primarily 2 – 2.5 storey semi-detached and terraced properties. The houses and shop units are mostly traditional in appearance, although there are more modern houses as well. There are a variety of styles present including brick and painted render exterior. The site is not located

within a conservation area, nor is it a listed building.

### **Details of proposal**

5. The proposed development aims to create a bunk house hostel accommodation in the upper floors above The Cherry Tree Pub. The accommodation will provide a total of 47 beds with communal associated facilities and amenities across 5 bedrooms. The pub will be retained on the ground floor and the proposal involves the conversion of the upper floors only and requires no external alterations. In land use terms, this constitutes a change of use from A4 (drinking establishments) to a sui generis use.
6. There will be two entrances available to visitors to the bunkhouse, one through the main entrance to the pub and up the stairs during the operation of the ground floor use and one via the side alley nearest to 37 Grove Vale, where the upper floors can be accessed via the staircase. A covered cycle shelter will also be provided in this location.

### **Planning history**

7. None

### **Planning history of adjoining sites**

8. **Development Management planning application:**  
Application 10-PAP-3741 for: Full Planning Permission  
**Address:**  
29 GROVE VALE, LONDON, SE22 8EQ  
**Proposal:**  
Change of use from a Sui-Generis Launderette to Class A1 use Retail Unit and remove existing rear door.  
DEC: GRA

**Development Management planning application:**  
Application 14/PAP/1104 for: Full Planning Permission  
**Address:**  
29 GROVE VALE, LONDON, SE22 8EQ  
**Proposal:**  
Erection of single storey side and rear extension to provide additional storage space to A1 (retail) use.  
DEC: GRA

**Development Management planning application:**  
Application 16/PAP/2810 for: Full Planning Permission  
**Address:**  
29 GROVE VALE, LONDON, SE22 8EQ  
**Proposal:**  
Erection of single storey rear and side extension with part conversion of the rear of the ground floor from A1 to C3 to include 1 studio flat with some internal and external alteration and part demolition.  
DEC:GRA

**Development Management planning application:**  
Application 17/PAP/1340 for: Full Planning Application  
**Address:**  
29 GROVE VALE, LONDON, SE22 8EQ  
**Proposal:**  
Construction of part two, part single storey rear and side ground floor extension

together with L-shaped dormer extension over the main roof and outrigger to facilitate conversion of upper floors into x2 flats  
DEC: GRA

## **KEY ISSUES FOR CONSIDERATION**

### **Summary of main issues**

9. The main issues to be considered in respect of this application are:
  - a. The principle of the development with respect to land use and its conformity with strategic policies
  - b. The impact on the amenity of occupiers of neighbouring properties
  - c. The quality of accommodation for future occupiers
  - d. The impact on the appearance and character of the building and the streetscape

### **Planning policy**

#### National Planning Policy Framework (the Framework)

10. None considered directly relevant.

#### The London Plan 2016

11. Policy 4.5 London's visitor infrastructure

#### Core Strategy 2011

12. Strategic Policy 12- Design and Conservation  
Strategic Policy 13- High Environmental Standards

#### Southwark Plan 2007 (July) - saved policies

13. The council's cabinet on 19 March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

Policy 1.9 – Change Of Use Within Protected Shopping Frontages

Policy 1.12 – Hotels And Visitor Accommodation

Policy 3.2 – Protection Of Amenity

Policy 3.14 – Designing Out Crime

#### Draft New Southwark Plan - Preferred Option

14. P32: Protected shopping frontages  
P36: Hotel and visitor accommodation

#### Supplementary Planning Documents

15. Dulwich Supplementary Planning Document

## **Principle of development**

16. The proposal seeks to change the ancillary use of the upper floors currently used as accommodation for staff and provide visitor accommodation in the form of a hostel, which is also intended to complement the use of the Public House on the ground floor.
17. Policy 4.5 of the London Plan advises that visitor accommodation which is proposed outside of the CAZ should be in town centres, opportunity areas or intensification areas. It is noted that this development is beyond the CAZ and is not within a defined town centre, opportunity area or intensification area. It is however within a shopping parade which encourages visitors and shoppers with a variety of land uses on ground floor such as commercial, retail, restaurants, community facilities, such as the Grove Vale Library. As a whole these variety of uses all invite daytime and night time visitors, as such it is deemed that the location for the proposal would be appropriate.
18. Policy 1.9 of the saved Southwark Plan acknowledges that visitor accommodation contributes to local job opportunities and prosperity, as well as promoting Southwark as a tourist destination, however this is only supported in areas with good access to public transport, where the scale of the proposal is appropriate to the context and location. This policy also advises that hotels and visitor accommodation will not be permitted where it would result in a loss of existing residential accommodation, or an over dominance of visitor accommodation in the locality.
19. There are no other visitor accommodations in the immediate vicinity of Grove Vale. The nearest visitor accommodations in the borough are The Salvation Army (Grove Hill Road, Camberwell) and The Victoria Inn (Peckham).
20. The proposal also does not result in the loss of A1 (retail) use as it is currently in use as A4 use, as such emerging policy P32 Protect shopping frontages of the New Southwark Plan and Policy 1.9-Change of Use within Protected Shopping Frontages is still complied with. The proposal does not include any external alterations to the building as such this will not affect the character of the protected shopping frontage.
21. P36 of the New Southwark Plan also notes that proposals for hotels and other forms of visitor accommodation must not harm the local character or amenity by the design, scale, function, parking and servicing arrangements. These policy issues are further assessed below.

## **Environmental impact assessment**

22. Not required with the scale and nature of the development proposed.

## **Impact of proposed development on amenity of adjoining occupiers and surrounding area**

23. Consultation comments have been raised relating to potential noise and disturbance from 47 additional people coming into the area which will exacerbate the already high level noise emanating from the ground floor public house use. It is also noted that concerns have been raised that anti-social behaviour will be increased as result of the additional visitors coming into the area.
24. In order to manage additional noise the agent has proposed the following management practices and restrictions to manage the duration of operation of the change of use:
  - Time of check in from between 11am to 11pm;
  - Time of check out will be open;

- There will be no access to the front and rear gardens between the hours 10pm to 11am
  - There will be a duty manager on site during the night;
  - There will be no access to the pub after hours and it will be fully locked off;
  - In terms of measures to mitigate anti-social behaviour there will be CCTV, usual appropriate signage, staff training and duty manager on site;
  - Food/drink offer will be restricted to the pub and operating hours as there will be no in room catering available.
25. The above measures could form part of a management plan for the operation of the hostel accommodation on the upper floors and officers are satisfied that the measures should reduce the potential for anti-social behaviour as a result of the change of use.
26. Consultation comments have noted concerns related to types of visitors that will be coming into the area on a regular basis as a result of this change of use and the impact of this on the character of a residential area. Concerns are raised that there will be an influx of youth, from pre-wedding events, which will typically affect the residential nature of this area and the amenity of neighbours
27. Although it is important to note that saved Policy 1.9 of the Southwark Plan states that hotel and visitor accommodation is encouraged where the scale of the proposal is appropriate to the context and location and P36 of the new emerging Southwark Plan states that proposals for hotels and other forms of visitor accommodation must not harm the local character or amenity by the design, scale, function, parking and servicing arrangements, it is advised that planning cannot discriminate against certain potential types of clientele. As explained above, it is noted that the proposal is not in a defined town centre, opportunity area, intensification or within the Central Activities Zone, however it is within a shopping parade, which encourages both day and night visitors through the mix of uses on the ground floor. The restrictions on the operation of the hostel should mitigate additional noise arising from the use of the hostel. An assessment of existing noise issues from the ground floor use of the public house is a material consideration for this application.
28. Comments have been received saying that the proposal attempts to provide too many bedspaces across 5 rooms, which is considered overdevelopment and providing poor accommodation for users. These objections also suggest that due to the high number of visitors using the hostel this will have an impact on the amenity of neighbouring properties as the proposed use will cause additional noise which will impact the neighbours
29. In terms of quality of accommodation, it is noted that although a high number of bedspaces are proposed, it is important to note the proposal is for temporary short stay of tourists/visitors and not permanent living accommodation. The primary function is providing facilities for visitor accommodation on a temporary basis, each bedroom also provides at least 7 sqm per bedspace and in some cases more, which is in line with the minimum standards for a single bedroom for residential permanent accommodation. Although the rooms are not dual aspect it is deemed that for a hostel this is acceptable. As such it is not deemed that quality of accommodation for this proposed hostel is a reason for refusal.
30. In terms of impacts to amenity in terms of noise, it is noted that the residents have indicated that the current use of the A4 use on the ground floor is already raising concern due to current noise levels. The use in relation to arrivals, departures and use of the two rear gardens will be contained within the existing hours of the public house on the ground floor, as no additional noise will be caused outside of these hours, it is only the additional impact of potentially 47 additional users to the property within the current operation of the ground floor use which would be as a consequence of the

approval of this proposal.

31. Due to the nature of the public house which does not have a cap on the amount of visitors that can attend at anyone time, it is not deemed that the proposed change of use of the upper floors and the potential maximum of 47 additional users this could give rise to would materially aggravate the current noise levels which originate from the ground floor use. Guests would usually enter through the pub with the additional activity expected to be moderate in comparison to the activity of the pub.

#### **Quality of accommodation**

32. There is no guidance relating to the format or quality of hostel accommodation within planning policy. It is noted that the proposal provides the following: at first floor level, 3 bedrooms comprising of 1 x 9 bunk bedspaces and 2 x 12 bunk bedspaces as well as 6 x shower rooms and 5 x WCs. This will mean 33 users of the property on the first floor will share 5 WCs and 6 shower rooms. Second floor (loft space): 2 bedrooms comprising 1 x 8 bunk bedspaces and 1 x 6 bunk bedspaces and also 2 x shower room and 3 x WCs. This will mean 14 users will be sharing 2 shower rooms and 3 WCs. Both floors will have access to a kitchen and communal area. The kitchen will not have cooking equipment other than a microwave as users are expected to consume food obtained either from the public house in the ground floor or outside and bring to the upper floors. The kitchen and communal area is primarily used for reheating food, consuming prepared food or as a communal area.

#### **Transport issues**

34. The hostel would be located within a site which has a Public Transport Accessibility Rating (PTAL) of 4 - good. Both the London Plan and local policies require visitor accommodation to be in areas with good transport links
35. Although this is not the highest PTAL rating it is considered to be sufficient as it is within 55 metres of two bus stops (serving different directions) which cover a number of bus routes heading towards Penge, Tottenham Court Road, Lewisham, Victoria Station, Dulwich, Aldgate, London Bridge, and Liverpool Street, Camberwell and Peckham. The proposal is also within 100m of East Dulwich Station and 1km from Denmark Hill Station.
36. The site also has over 20 cycle stand spaces available in the immediate vicinity along Grove Vale Road.
37. Under London Plan Policy 6.9, a hostel of this nature could be considered to require between 2 and 24 cycle spaces for long stay visitors, depending on whether it is considered to be more akin to hotel use or student accommodation, with a further short stay cycle space. The Agent has agreed to provide 6 covered cycle spaces in the form of a cycle shelter in the rear amenity space, which also functions as a secondary entrance to visitors for the hostel. Having considered the nature of the use where most customers would arrive with luggage do be less likely to cycle and in light of the noted accessibility to other forms of public transport above, it is deemed that this cycle storage proposed is acceptable.
38. The Design and Access Statement also confirms that this is to be a car-free development. Further information has been obtained from the agent to ensure limited impact on the highway from this change of use in terms of car parking or taxi drop offs.
39. The agent has confirmed that guests, when booking accommodation, will be notified that there is no on-site parking available and will be made aware of the public

transport and encourage to visit the property via those methods. The accommodation will be advertised, via the owner's (Redcomb Pub Ltd) website as well as online booking channels. Both of these methods will notify guests of the lack of on-site parking and direct guests to the public transport. All bookings will be managed by the on-site general manager, who will notify guests of the check in/out times.

#### Waste Management

40. The Agent has confirmed that waste management will remain the same for the ground floor use of the public house than for the proposed change of use of the upper floors

#### **Design issues**

41. The proposal does not include any external changes and the quality of accommodation is addressed above.

#### **Conclusion on planning issues**

42. Overall, for the reasons further explored above, it is deemed that management controls and restrictions on the proposed change of use on the upper floors will ensure that the amenity of the neighbouring properties that the character of the function of the area is protected and that impacts to the highway will be kept to a minimum. As such, it is recommended that planning permission is granted.

#### **Community impact statement**

43. In line with the council's community impact statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.

a) The impact on local people is set out above.

#### **Consultations**

44. Details of consultation and any re-consultation undertaken in respect of this application are set out in Appendix 1.

#### **Consultation replies**

45. Details of consultation responses received are set out in Appendix 2.

#### Summary of consultation responses

46. The main concerns are:
- Increased noise and disturbance which is already an issue from the existing use of the pub on the ground floor, this will be exacerbated by the use of the upper floors as a hostel accommodation introducing 47 bed spaces for visitors.
  - Concerns raised for people coming in and out of the area at different times.
  - Concerns that the nature of the hostel will attract anti-social behaviour.
  - Hostel accommodation is not appropriate in a residential area.
  - Poor quality of accommodation proposed, with 47 bedspaces on two floors, being exploitative and overcrowding.
  - A more traditional bed and breakfast would be appropriate;
  - The proposal is not in keeping with character of the area and will attract a different demographic.

- Additional pressure will be placed on transport.

Metropolitan Police

47. No objection.

Environmental Protection team

48. No objection.

Transport team (Southwark)

49. Request a transport statement detailing how sustainable transport will be encouraged in relation to arrivals and departures. (Details have been provided)

Flood risk and drainage team

50. No objection.

### **Human rights implications**

51. This planning application engages certain human rights under the Human Rights Act 2008 (HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
52. This application has the legitimate aim of providing visitor accommodation. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

### **BACKGROUND DOCUMENTS**

Background Papers	Held At	Contact
Site history file: TP/2122-31  Application file: 17/PAP/4421  Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquires telephone: 020 7525 5403 Planning enquires email: planning.enquiries@southwark.gov.uk Case officer telephone: 0207 525 4929 Council website: www.southwark.gov.uk

### **APPENDICES**

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendation



## AUDIT TRAIL

<b>Lead Officer</b>	Simon Bevan, Director of Planning		
<b>Report Author</b>	Yvonne Sampoh, Planning Officer		
<b>Version</b>	Final		
<b>Dated</b>	8 February 2018		
<b>Key Decision</b>	No		
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>			
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>	
Strategic Director of Finance and Governance	No	No	
Strategic Director of Environment and Social Regeneration	No	No	
Strategic Director of Housing and Modernisation	No	No	
Director of Regeneration	No	No	
<b>Date final report sent to Constitutional Team</b>		22 February 2018	

## APPENDIX 1

### Consultation undertaken

**Site notice date:** 05/12/2017

**Press notice date:** n/a

**Case officer site visit date:** 12/01/2018

**Neighbour consultation letters sent:** 28/11/2017

#### Internal services consulted:

Environmental Protection Team Formal Consultation [Noise / Air Quality / Land Contamination / Ventilation]  
Flood and Drainage Team

#### Statutory and non-statutory organisations consulted:

Metropolitan Police Service (Designing out Crime)

#### Neighbour and local groups consulted:

29a Grove Vale London SE22 8EQ  
39 Grove Vale London SE22 8EQ  
The Vale 31-33 Grove Vale SE22 8EQ  
6 Vale End London SE22 8EG  
29 Grove Vale London SE22 8EQ  
37b Grove Vale London SE22 8EQ  
37a Grove Vale London SE22 8EQ  
37 Grove Vale London SE22 8EQ  
39a Grove Vale London SE22 8EQ  
10 Besant Place London SE22 8DA  
10 Besant Place London SE22 8DA  
10 Besant Place London SE22 8DA  
32 Grove Vale London SE22 8DY  
24 Derwent Grove London SE22 8EA  
Flat 6 15a Grove Vale SE22 8ET

30 Fellbrigg Road London SE22 9HH  
158 Grove Lane London SE5 8BP  
6 Besant Place SE22 8DA  
43 Adys Road Peckham Rye SE15 4DX  
30 Derwent Grove London SE22 8EA  
26 Derwent Grove East Dulwich SE22 8EA  
93 Copleston Road Peckham SE15 4AH  
39 Derwent Grove London SE22 8DZ  
15 Blackwater St London SE22 8SS  
111a Grove Vale London SE22 8EN  
24 Derwent Grove London SE22 8EA  
16 Derwent Grove London SE22 8EA  
31 Derwent Grove London SE22 8DZ  
43 Grove Vale London SE22 8EQ  
1 15a Grove Vale London SE22 8ET

**Re-consultation:** n/a

## APPENDIX 2

### Consultation responses received

#### Internal services

None

#### Statutory and non-statutory organisations

Metropolitan Police Service (Designing out Crime)

#### Neighbours and local groups

Flat 6 15a Grove Vale SE22 8ET  
1 15a Grove Vale London SE2 28ET  
10 Besant Place London se22 8da  
10 Besant Place London SE228DA  
10 Besant Place London SE228DA  
111a Grove Vale London Se228en  
15 Blackwater St London Se22 8SS  
158 Grove Lane London SE5 8BP  
16 Derwent Grove London SE22 8EA  
24 Derwent Grove London SE22 8EA  
24 Derwent Grove London SE22 8EA  
26 Derwent Grove East Dulwich SE22 8EA  
30 Derwent Grove London SE22 8EA  
30 Fellbrigg Road London SE22 9HH  
31 Derwent Grove London SE22 8DZ  
32 Grove Vale London SE22 8DY  
39 Derwent Grove London SE22 8DZ  
43 Adys Road Peckham Rye SE15 4DX  
43 Grove Vale London SE22 8EQ  
6 Besant Place SE22 8DA