

DC/18/109536 | Demolition of existing public house with bed & breakfast at the Forresters Arms 53 Perry Vale SE23 2NE

While we have no objection to the principle of a hotel, in addition to a pub, operating on this site, we object to this planning application on the grounds set out below. We also include issues that we wish to raise in relation to this or a future similar application.

1. Loss of public house contrary to planning policy

We believe demolition of the All Inn One public house is contrary to DM20 (Public houses) of Lewisham's Development Management Local Plan and Policy HC7 (Protecting public houses) of the Draft New London Plan.

DM20 (Public houses) states:

"1. The Council will only permit the change of use or redevelopment of a public house (A4) after an assessment of the following:

a. a viability report that demonstrates to the Council's satisfaction that the public house is no longer economically viable, including the length of time the public house has been vacant, evidenced by the applicant of active and appropriate marketing for a constant period of at least 36 months at the existing use value

"b. the role the public house plays in the provision of space for community groups to meet and whether the loss of such space would contribute to a shortfall in local provision, including evidence that the premises have been offered to use or to hire at a reasonable charge to community or voluntary organisations over a 12 month period and there is no longer a demand for such use "

c. the design, character and heritage value of the public house and the significance of the contribution that it makes to the streetscape and local distinctiveness, and where appropriate historic environment, and the impact the proposal will have on its significance"

Policy HC7 (Protecting public houses) states:

"Boroughs should ... protect public houses where they have a heritage, economic, social or cultural value to local communities ... Applications that propose the loss of public houses with heritage, cultural, economic or social value should be refused unless there is authoritative marketing evidence that demonstrates that there is no realistic prospect of the building being used as a pub in the foreseeable future."

1.1 Social or local community value

This is covered by section 1(b) of DM20 (cited above) and also section 7.7.6 of Policy HC7, which states:

"When assessing whether a pub has heritage, cultural, economic or social value, boroughs should take into consideration a broad range of characteristics, including whether the pub:

...

- (e) has rooms or areas for hire*
- (f) is making a positive contribution to the night-time economy*
- (g) is making a positive contribution to the local community"*

The existing All Inn One is used by local groups because its size and layout can accommodate different functions at the same time as the main pub custom, eg group meetings such as the Women's Institute, book club, Forest Hill Society committee meetings, and Burns' Night dinner. It is a functioning business that makes a positive contribution both to the night-time economy and to the local community (by providing space for the groups mentioned above, and having a pub garden and children's play area for customers).

1.2 Economic viability

Section 1(a) of DM20 states:

"a. a viability report that demonstrates to the Council's satisfaction that the public house is no longer economically viable, including the length of time the public house has been vacant, evidenced by the applicant of active and appropriate marketing for a constant period of at least 36 months at the existing use value"

And section 7.7.7 of Policy HC7:

"... marketing evidence that there is no realistic prospect of a building being used as a pub in the foreseeable future ... The pub should have been marketed for at least 24 months as a pub ... "

The All Inn One is still operating as a pub and the applicant has not provided evidence that there is no realistic prospect of this continuing in future. Nor has evidence been provided that the pub was marketed unsuccessfully for the requisite period. To our knowledge, the applicant purchased the site solely for redevelopment.

1.3 Outside space

Policy HC7 section 7.7.8 recognises the value of beer gardens and outside space:

"Beer gardens and other outside space are also at risk of loss to residential development."

The existing All Inn One has a covered outdoor seating area at the front of the building which is used as a smoking area. The rear garden provides both a large seating area and a children's play area. Neither are to be retained in the proposed development.

In relation to other pub provision in the area, the existing rear garden at the All Inn One is unique: it has gated access to the road which means large items can be brought in without being carried through the building. This broadens the scope of what can be provided - one memorable Christmas the garden was visited by Father Christmas and two reindeer. Events such as this cannot be accommodated in enclosed gardens such as the one in The Hill venue on Dartmouth Road.

1.4 Character and heritage value

Section 1(c) of DM 20 states:

"c. the design, character and heritage value of the public house and the significance of the contribution that it makes to the streetscape and local distinctiveness, and where appropriate historic environment, and the impact the proposal will have on its significance"

We believe the All Inn One has a heritage value and makes a critical contribution to the local character of Forest Hill. The original part of the building dates from the 1850s and this part, plus the two Grade 2 listed Victorian cottages at 101 and 103 Perry Vale, are the only notable buildings that remain on the 500m stretch of Perry Vale between the railway station and the start of the Christmas houses. All other buildings are of post-war construction and this has resulted in a weak streetscape, which is unfortunate given the proximity to the centre of Forest Hill. The absence of historic buildings on this part of Perry Vale reinforces the perception of Forest Hill's delineation by the railway line and the notion that the area west of the railway is the 'real' Forest Hill and everywhere to the east was a later add-on.

The All Inn One pub is a last surviving fragment of the original history of this part of central Forest Hill and the building should be retained on the grounds that it contributes character to the town centre. Rather than be demolished, the building could be extended and adapted to secure its continued use as a pub and social focus for the local community.

1.5 New A4 unit to replace existing pub

Should Lewisham Council accept the provision of a new A4 unit as a satisfactory replacement for the loss of the All Inn One public house, we strongly urge the Council to take steps to safeguard the long-term operation of the unit as a pub, which we expand on below.

2. Proposed A4 unit: incomplete information and ensuring future use as a pub

We assume the inclusion of an A4 unit ('drinking establishment') rather than a restaurant (as would be expected in a hotel planning application) is an attempt to provide a replacement pub to satisfy the planning department that the application complies with pub protection policies.

We have reservations that an A4 unit could replicate the current provision, and our concerns are exacerbated by the absence of detailed information about the unit in the application.

The amenities and physical accessibility of the All Inn One pub are unique in Forest Hill; provision of this type, scale, and entirely on the ground floor is not found in other local pubs. Such amenity and accessibility will not be replicated by an A4 unit without considerable forethought of design, and no such thought is included in the application.

Internally, the All Inn One has a substantially-sized public area that is entirely contained on the ground floor. The size and layout can accommodate different functions at the same time as the main pub custom, eg group meetings such as the Women's Institute, book club, Forest Hill Society committee meetings, and Burns' Night dinner. The toilets are also on the ground floor and aren't accessed via a staircase. The internal amenities of the All Inn One are therefore physically accessible to everyone.

Without layout diagrams, it cannot be judged whether the unit can sufficiently reproduce the internal amenities and physical accessibility provided by the All Inn One pub. Therefore, we request that the applicant produces a layout showing potential kitchen/bar facilities, toilets, storage areas, and seating areas.

We also request a condition that the A4 unit is completed and fitted out before the operation of the hotel, to ensure continued provision of community use and to avoid the unit being left as an empty shell.

We note that A4 is defined as a 'drinking establishment', eg a pub or wine bar. What measures can be taken to ensure the unit operates as a pub? How can future owners or operators be compelled to operate it as a pub? We believe there is a risk that the A4 unit will evolve into a more typical hotel restaurant and bar, which is completely different in character to a pub.

Is the unit to be run separately from the hotel? It appears the developer has engaged an agent to market the hotel and pub bistro (<http://www.vanquishiconic.com/crib-11/>) - quoted text:

“South London-based developer Vanquish Iconic are set to create their biggest site to date – a 66 bedroom hotel pulling in next to Forest Hill mainline rail station. The proposed development features the first hotel in the area and a brand new pub bistro at over four-thousand square feet in size, flooded with natural light. Knight Frank will market both parts & the hotel will be offered on a 25 year lease in early 2020.”

Does the reference to marketing "both parts" mean the pub bistro will be operated independently of the hotel? We note there is no breakfast seating area in the hotel, although there is a room marked "Breakfast Prep" on the ground floor. Is breakfast for hotel residents to be served in the A4 unit? No internal access between the hotel and the A4 unit is visible on the plan. What is the implication for breakfast provision if the A4 unit is run independently?

Also, in relation to the Service Management Plan, will the A4 unit have servicing and delivery requirements in addition to those of the hotel?

3. Massing and scale

A 6-storey building is not appropriate for the streetscape and does not fit with the character of the surrounding area, particularly Hindsley's Place. The City Walk apartments were designed to scale down towards Hindsley's Place: on the corner of Perry Vale and Hindsley's Place the flats are 4 storeys, and further into Hindsley's Place they step down to 3 storeys plus a set-back 4th storey. The proposed building is 6 storeys, both on the Perry Vale frontage and most of the Hindsley's Place side.

The nearby 5-storey blocks (Church Vale and Perrystreet) are set back some distance from the pavement and do not dominate the streetscape to the extent that this proposal would. Additionally, the ground the Church Vale block is built on is at a lower level than Perry Vale road, and so the building does not appear as tall as it otherwise would.

4. Daylight report: Negative effect on neighbouring residences

It is considered that the daylight and sunlight assessment included with the application shows bias, potentially underreports impacts, and is potentially misleading in the scenarios it presents.

The geographical scope of the assessment is considered to be inadequate. Effects on 2 Hindsleys Place have been assessed but no consideration has been given to other properties on Hindsleys Place, despite their proximity and hence their potential to be affected. In the absence of an assessment of the effects on these properties, it is considered that there may be additional negative effects from the development that are not reported.

The methodology used in the assessment shows bias. For example, favourable assumptions have been made throughout the assessment of average daylight factors (ADF). Again, this raises the potential of underreporting of negative effects.

In spite of the potential bias and underreporting of impacts, and the adoption of modified daylight targets supposedly appropriate for an urban area, the assessment acknowledges that there will be negative effects on neighbouring residences.

Finally, the report presents an irrelevant comparison by presenting a 'mirror' scenario of the effects if the City Walk development were to be replicated on this site. As there is no proposal to construct such a scheme, this scenario is irrelevant and potentially misleading, and should be disregarded. The focus must be on the difference between the baseline and the proposed scenario.

However, if the applicant wishes to argue the mirror image scenario in relation to blocking light to City Walk, then the scenario should also be applied to the applicant's proposed building. Should this building change use to residential in future, and if a similar sized building were to be built on neighbouring land, such a building might block light to the residents of this building. Therefore, the applicant should apply the mirror image concept and calculate light levels to their own rooms, in the event that a similar building were to overshadow them in future.

5. Ensuring future use of the building as a hotel

We ask that Lewisham Council seeks confirmation of interest from a hotel chain before granting permissions for the work to start. The fact that the developer has engaged an agent to sell the hotel on a 25-year lease suggests that there is no firm interest at present.

If the developer cannot find a buyer, or if demand for a hotel is insufficient in the long-term, what are the options for change of use? We would not want the building to become a temporary accommodation hostel. We understand that a hotel is C1 and a hostel is sui generis. Is this sufficient to ensure an application for change of use would be necessary or do we need to ask for a planning condition to be attached to planning permission?

Is the proposed internal design suitable for conversion to residential units? Would this be a more likely outcome than a hostel?

Additional issues:

(a) Perry Vale car park: utilisation levels and inadequate pedestrian access

Has any assessment been done of the usage levels of the Perry Vale car park? The Transport report assumes there will be sufficient space and that the hotel will generate mainly overnight parking which will have little effect on daytime use. However this presupposes that hotel residents will use their cars during the day and only park overnight. Has it been considered that some residents may leave their car in the car park for the duration of their stay and use public transport for travel within London? This would increase daytime use of the car park.

In light of the proposal to build a hotel on the Co-op site on Waldram Park Road, we ask that an assessment should include likely car park use generated by both hotels.

Is there a proposal for the hotel to reach an agreement with Lewisham Council relating to the use of the Perry Vale car park for extended parking for hotel users? We understand that similar schemes exist for car parks in other locations close to hotels.

We wish to point out that pedestrian access to the Perry Vale car park (and by extension, the Royal Mail delivery office) is dire and not fit for purpose. The entrance/exit slope is steep and the 'pavements' on each side are too narrow to be walked on. There is also no dropped curb to reach the ticket machine. The current pedestrian provision is barely adequate for able-bodied pedestrians and is certainly not suitability for anyone with impaired mobility.

(b) Access for disabled visitors

There is no on-street parking in the immediate area around the building so car drivers would have to park well away from the hotel. Is it possible to have a designated drop-off point in Hindsley's Place? Could this function be incorporated into the service parking bay?

We also have concerns about the entrance/exit to the Perry Vale car park and its safe use by pedestrians and anyone using a wheelchair or mobility scooter, which we have outlined above.

(c) Pedestrian crossings on Perry Vale

We disagree with the claim in the Transport Statement that "Pedestrian crossing provision in the surrounding vicinity is of a very high standard with numerous instances of formalised crossing points and pedestrian controlled signalised crossings ..." as the included examples are not in the immediate vicinity but in the town centre (London Road) and on the junction with Waldram Park Road.

In the immediate area of the proposed hotel the highest pedestrian use will be across Perry Vale itself: to/from the proposed hotel to the other side of the road, either to/from the car park, the train station or the town centre.

On Perry Vale there is only one formal pedestrian crossing near the site - a pedestrian refuge to the south, only useful to reach the car park (and which entails walking away from the car park/hotel and then doubling back after crossing the road).

To the north of the site there is no formal crossing on Perry Vale to reach the station and town centre. This has been an issue that local residents have raised for years with Lewisham Council but have been told repeatedly that a crossing on the curved section of Perry Road is not viable for road safety reasons.

(d) Community Infrastructure Levy or Section 106 agreement

As part of this, or any future application for this site, we request consideration of improvements to either pedestrian crossing facilities on Perry Vale or pedestrian access to the car park. This would benefit the pub and hotel as much as the public.