

**Application No :** 10/02629/FULL2

**Ward:**  
**Crystal Palace**

**Address :** Grape And Grain 2 Anerley Hill Anerley  
London SE19 2AA

**OS Grid Ref:** E: 533734 N: 170711

**Applicant :** Mr Peter Hall

**Objections :** YES

**Description of Development:**

Change of use of public house (Class A4) and car showroom to a 2 screen cinema with ancillary foyer and cafe/bar provisions

Key designations:

Conservation Area: Crystal Palace Park  
London Distributor Roads

**Proposal**

The application seeks permission to change the use of the public house currently known as the Grape and Grain and the adjacent car showroom to a 2 screen cinema with an ancillary foyer and café bar provisions.

The conversion and renovation of the both properties will be within the existing footprint and no changes are proposed to increase the footprint or size of the buildings.

A separate application will be submitted for any external signage that is required. New back lit glazed screens with images and blockwork infill walls behind are to be located within the existing car showroom windows. New acoustic emergency access doors for means of escape are proposed in the north and west elevations. Provision of mechanical ventilation to both screens is through an air handling unit to be constructed in the roof void above the car showroom. New supply and extract grilles will terminate at roof level behind coloured metal grilles detailed into the vertical face of a discreet ventilation turret.

Cycle racks, motorcycle parking and disabled parking is to be provided on the forecourt area.

The public house is still in operation and the car showroom closed approximately six years ago. The car showroom is currently being used on a temporary basis to house art exhibitions.

**Location**

The Grape and Grain public house and adjoining car showroom are in a prominent location at the top of Anerley Hill opposite Crystal Palace Park. The site is located close to the main junction with Westow Hill, Church Road and Crystal Palace

Parade on the edge of the commercial area known as the Palace Triangle where the adjoining authorities of the three London Boroughs of Croydon, Lambeth and Southwark meet the London Borough of Bromley.

The site is located within the Crystal Palace Park Conservation Area and is accessible by good public transport links. The premises is located within a short walking distance from Crystal Palace train station, and the bus terminus which provides numerous bus routes to a number of destinations.

The site is in an area of public transport accessibility Level (PTAL) 6a.

### **Comments from Local Residents**

The comments received are summarised below:

A second D2 venue round the corner from an existing D2 venue which also has no parking provision and a 1,150 capacity will result in increased parking and congestion within the local area

The applicant has stated that if the proposal is successful he will seek to increase the size of the venue which would intensify the use of the site and cause even more congestion

The Grape and Grain and the picture gallery are two venues which do provide a good community facility

Contrary to the applicants statement the public house is now a well run community establishment with community activities provided on a regular basis which include a book club, and craft fair.

The public house provides a meeting point for a number of local community groups and provides regular entertainment

The cinema would be so small it is unlikely to be a viable going concern and is unlikely to be open every day. It would therefore not provide a community facility and would undermine getting a more viable cinema developed in an appropriate location in Church Road

In the past 18 months the pub has re established itself at the heart of the community and is the only pub in the locality in the Good Beer Guide and is an award winning pub which adds to the vitality and viability of the town centre.

To put this well run community facility in jeopardy for a small cinema which is of questionable viability particularly when there is a large bespoke theatre building only 100 yards up the road.

The Grape and Grain trades seven days a week and is experiencing business growth, whereas a proposed cinema with limited scale is unlikely to trade seven days.

The pub employs five full time staff and one part time rising to six full time and three part time during the summer. A cinema with limited capacity and a niche market is unlikely to require significant amounts of staff or long opening hours.

This is a well run establishment that provides a music, comedy and entertainment venue and hosts community fund raising events.

The cinema would benefit the local economy and bring visitors and cinema goers to the area

The full text of this correspondence is available to view on file.

### **Comments from Consultees**

The Advisory Panel for Conservation Areas, (APCA) were consulted on the application and no objections are raised.

From a heritage and urban design perspective, no objections are raised.

From a highway planning perspective the site is well served by public transport and there are adequate parking and servicing arrangements for the premises. No technical objections are raised subject to appropriate conditions on any approval.

With regards to refuse storage and collection, no objections are raised.

With regards to means of escape in the event of a fire, the London Fire and Emergency Planning Authority raise no technical objections to the proposals.

From an Environmental Health perspective, no technical objections are raised.

With regards to the security of the development the Boroughs Crime Prevention Design Advisor states that a condition should be imposed on any permission to ensure that 'Secure By Design' is achieved.

The London Borough of Croydon has raised no objections to the proposals.

The London Borough of Lambeth has raised no objection to the proposals.

Any further comments received from the adjoining Local Authorities will be reported verbally at the meeting.

### **Planning Considerations**

The application falls to be determined in accordance with S.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that conservation area. The proposal therefore falls to be considered with regard to the following policies of the Unitary Development Plan including:

- BE1 Design of New Development
- BE11 Conservation Areas
- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- C1 Community Facilities
- C3 Access to buildings for people with disabilities

There are a number of other relevant policy documents that come under the general category of other 'material considerations'. These include:

- PPS1: Delivering Sustainable Development
- PPS4: Planning for Sustainable Economic Growth
- PPG13: Transport

Due to the significant public interest in the application it is considered appropriate for a decision to be made by a Committee.

### **Planning History**

Under planning application ref. 06/01114, planning permission was allowed at appeal for the change of use of the car showroom to a restaurant / café (class A3) with ventilation duct to rear.

### **Conclusions**

The main issues in this case are whether the current proposals represent an appropriate use of this part of the building, whether they would result in an over-intensive use of the site, whether they would adequately protect the amenities of adjacent residents in terms of increased noise and disturbance associated with the use, and whether the proposal would be in keeping with the character of the locality in general and the vitality and viability of the area.

The application site is located within a predominantly commercial area and it is acknowledged that this should provide a high quality and safe environment if it is to remain attractive and competitive. It is also necessary to consider the scale of leisure developments and their potential impact. The cumulative impact on the character and function of the centre, anti-social behaviour, crime and the amenities of local residents are all matters which would need to be considered carefully.

In respect of the appropriateness of the use, the car showroom has been vacant for some time and is currently used temporarily for the display of art exhibitions. The proposal would bring back into permanent use this part of the site and provide a much needed community facility. Whilst it is acknowledged that the public house may now be a well run establishment, the proposed use would replace this with a larger community facility which should improve the vitality and viability of the area.

The proposal would result in the provision of a mixture of uses within the area and would not necessarily result in an unacceptable loss of a public house as there are a number of other public houses within the immediate area.

In these circumstances and given the existing commercial use of the site, it is considered that the proposed use is appropriate. The proposed cinema use would provide employment for 6 full time and 12 part time staff and it is not considered that there will be any adverse impact on employment as a result of the proposal. The proposal is therefore considered to be compliant with Policy C1.

Policy BE1 contained within the Unitary Development Plan stipulates that development should respect the amenity of the occupiers of the neighbouring buildings and those of future occupants and ensure their environments are not harmed by noise and disturbance.

As regards the intensity of the use, there will clearly be a significant amount of activity associated with the use but this needs to be judged against the original office use and previously permitted health centre. On balance, it is not considered that the use would be so harmful as to warrant a refusal of planning permission. Indeed it may be argued that the proposal represents a good opportunity to bring forward a mixed use development on the site that could maximise its potential by adding diversity to the local economy.

In respect of the impact on amenities, it is not considered that the change of use will result in any significant adverse impacts to the residential amenities of nearby properties in terms of overlooking and noise and disturbance given the fact that the proposal involves an existing building.

In terms of the character of the area in general, the proposal does not involve an increase in the size of the building and the external alterations proposed are of an acceptable scale and design.

The surrounding area is a mixture of commercial and residential properties close to this commercial centre known as the Palace Triangle where the adjoining authorities of the three London Boroughs of Croydon, Lambeth and Southwark meet the London Borough of Bromley.

The site is located within an area of good public transport accessibility. On balance it is therefore considered that the proposal would contribute to the character of the area by maintaining the vitality and viability of the area without causing undue traffic problems.

The application is considered to satisfy the relevant policy requirements. The desirability of bringing these buildings into productive use and the benefits that will result from the proposals can be considered to provide a good degree of justification for this scheme.

Members are therefore asked to consider whether the proposal would result in an unacceptable loss of an existing community facility and whether the level of increased activity and disturbance generated by the use would be acceptable and contribute to the vitality and viability of this commercial area.

Background papers referred to during production of this report comprise all correspondence on files refs. 06/01114 and 10/02629, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- 1      ACA01      Commencement of development within 3 yrs  
          ACA01R      A01 Reason 3 years
- 2      ACH22      Bicycle Parking  
          ACH22R      Reason H22
- 3      ACH24      Stopping up of access  
          ACH24R      Reason H24
- 4      The use shall not operate before 09:00am and after 11:30pm on any Sunday to Thursday or any Bank Holiday nor before 09:30am and after 11:30pm on any Friday to Saturday.

**Reason:** In the interests of residential amenities.

- 5      ACK01      Compliance with submitted plan

**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of surrounding residential properties and the character and appearance of the area.

### **Reasons for granting permission:**

In granting permission the Local Planning Authority had regard to the following policies of the Unitary Development Plan:

- BE1    Design of New Development
- BE11    Conservation Areas
- T1    Transport Demand
- T2    Assessment of Transport Effects
- T3    Parking
- C1    Community Facilities
- C3    Access to Buildings for People with Disabilities

The development is considered to be satisfactory in relation to the following:

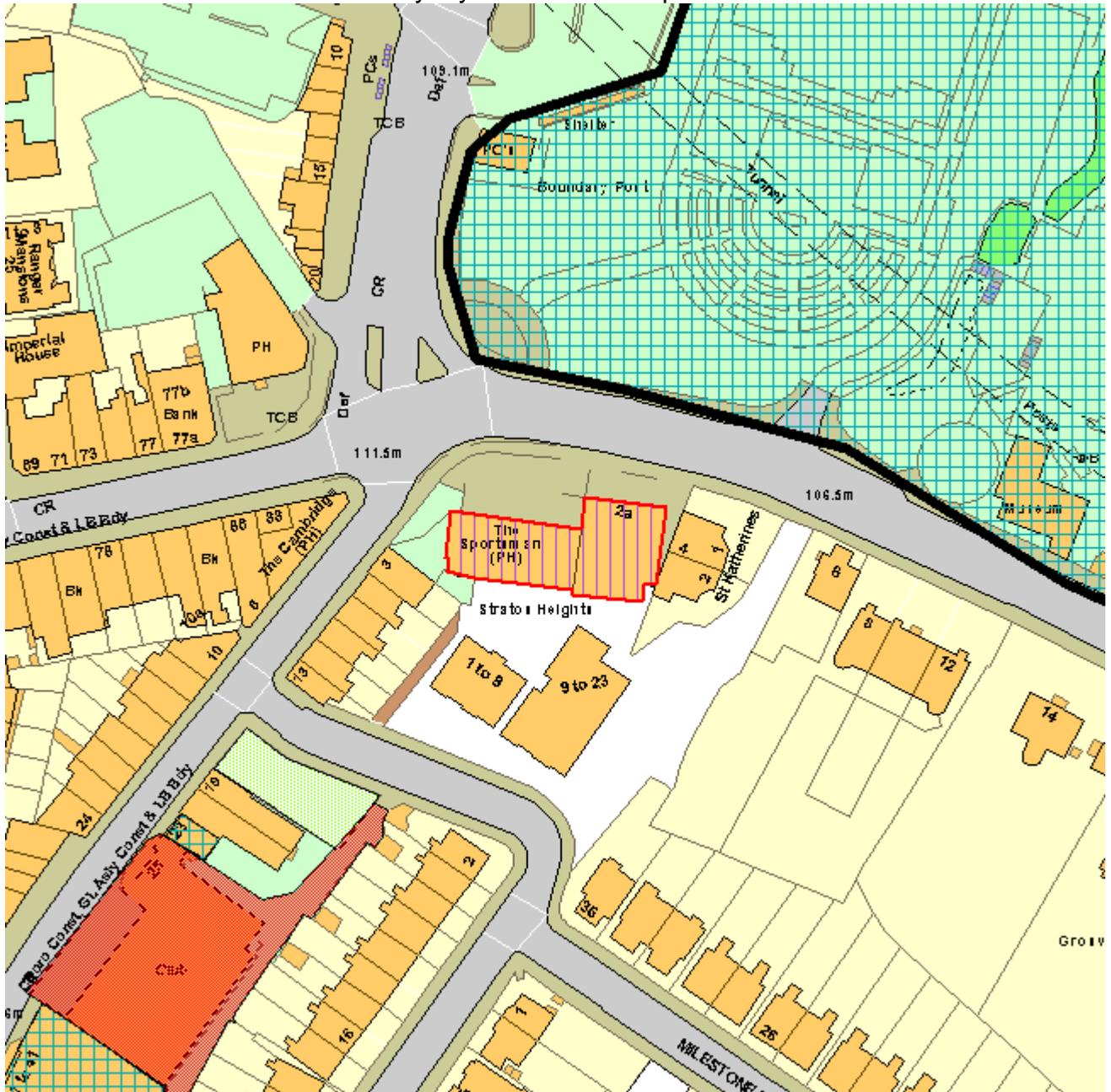
- (a)    the relationship of the development to adjacent property;
- (b)    the character of the development in the surrounding area;
- (c)    the impact on the amenities of the occupiers of adjacent and nearby properties;
- (d)    the privacy of occupiers of adjacent and nearby properties;
- (e)    the impact on highway safety and road conditions
- (f)    the impact on parking conditions
- (g)    the impact on the vitality and viability of the commercial area
- (h)    the impact on the community facilities within the area

and having regard to all other matters raised.

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