

05/05040/P

29/11/2005

Ashburton

Application for full planning permission

Applicant:

Milford Group Ltd
854 Brighton Road
Purley
Surrey
CR8 2BH

Location: Black Horse Inn Public House, 335 Lower Addiscombe Road, Croydon,
CR0 6RG

Description: Demolition of existing building; erection of three/four storey mixed use building comprising ground floor use within class A1 (retail) / A 3 (food and drink) and residential accommodation of 21 two bedroom and 2 one bedroom flats; formation of vehicular access and provision of associated parking (without compliance with condition 3 - requiring 50% of ground floor to be used for A3 purposes - attached to planning permission 04/2957/P)

Drawing No(s):

Recommendation: **Grant Permission**

Subject to the following condition(s) and reason(s):-

1. The development shall be begun within three years of the date of the permission.

Reason: To comply with the provisions of the Town and Country Planning Act 1990

In granting permission the local planning authority had regard to the following policies:-

1. The relevant policy of the Unitary Development Plan is SH8
2. The relevant policy of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan) is SH5

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

- (a) the shopping policies of the development plan and having regard to all other matters raised.

Ward: Ashburton DEVELOPMENT CONTROL COMMITTEE
Lead Officer: Head of Planning Control. 16th March 2006

Application Number: 05/5040/P Black Horse Inn Public House, 335 Lower Addiscombe Road, Croydon

1. SUMMARY

This report relates to an application for the removal of Condition 3 of the planning permission 04/2957/P for demolition of existing buildings; erection of part 3/ part 4 storey mixed use building comprising ground floor A1/A3 Use and residential accommodation of 2 x one-bedroom flats and 21 x two-bedroom flats and parking for 16 vehicles. Condition 3 requires that 50 % of the ground floor is used for restaurants, public houses, snack bars, cafes, wine bars and shops for the sale of hot food as defined by under Class A3 of the use classes Order 1987.

2. RECOMMENDATIONS

2.1 Grant planning permission for the removal of Condition 3.

3. BACKGROUND

(a) Site Description

- 3.1 The site has frontages to Lower Addiscombe Road of 34m and to Blackhorse Lane of 39m, and an area of 0.15ha (0.36 acres). Fronting Lower Addiscombe Road was the Black Horse Public House, a two storey Victorian building which has since been demolished.
- 3.2 Adjoining and nearby the application site, and fronting Lower Addiscombe Road are mostly two storey inter war render and brick faced terraced buildings, many with front gables, and with retail and related uses on the ground floor and residential and commercial uses above. The only exception in the immediate vicinity is the three storey Barclays Bank building at No 341.
- 3.3 In Blackhorse Lane, opposite the application site, and to the north, is two storey terraced Victorian housing, in single family use, faced in render and brickwork, and with tiled roofs. Immediately to the north of the site is an access road leading to the car park and service yard of the Co-op Supermarket. The service yard is located immediately to the west of the site.
- 3.4 The application site is located within Addiscombe Local Centre as identified in the Unitary Development Plan (U.D.P) and the Second Deposit Draft Replacement U.D.P (the Croydon Plan). It is not located within a designated Main Retail or Secondary Retail frontage. Lower Addiscombe Road is identified as a Borough Distributor Road in the U.D.P. Blackhorse Lane is identified as a Local Distributor Road in the U.D.P and draft Croydon Plan.

(b) Relevant Planning History

- 3.5 03/4518/P- In March 2004 permission was refused for the demolition of the existing public house and the erection of a three storey building with accommodation in the roofspace comprising 21x 2 bed and 3x 3 bed flats, the provision of 24 parking spaces and the formation of a vehicular access from Blackhorse Lane. It was refused on the grounds of lack of a mixed use development, unacceptable height and design, impact on the outlook for the occupiers in Blackhorse Lane, inadequate car and cycle provision and lack of regard to the principles of sustainable development.

3.6 04/2957/P-This application sought permission for the demolition of existing buildings; erection of part 3/part 4 storey mixed use building comprising ground floor A1/A3 Use and residential accommodation of 2 x one-bedroom flats and 21 x two-bedroom flats and car parking spaces for 16 vehicles- .The Section 106 legal agreement relating to affordable housing and contributions towards local open space and public art was signed and planning permission issued in July, 2005 and works began shortly after.

3.7 (c) Proposal

When considering application 04/2957/P members of the Development Control Committee imposed the following Condition 3:-

“At least 50% of the ground floor retail use shall be retained as A3 retail (restaurants, pubs, snack bars, cafes, wine bars and shops for the sale of hot food) as defined by the Town and Country Planning (Use Classes) Order 1987 Reason: To maintain the vitality of the area.”

3.8 The application is to remove this requirement which would result in the entire ground floor being used for A1 purposes only. The applicants have indicated that there is interest in the unit from a local travel agent but only for the whole unit.

3.9 The applicants maintain they have had no interest from potential A3 users and that the commercial unit is likely to be at least partially vacant unless this restriction is removed. The Housing Association has also written to express support to remove the need for any future A3 use on the ground floor and that , in their experience some occupiers may have difficulty obtaining mortgages above A3 uses.

4. **PLANNING POLICIES**

4.1 The relevant policy of the Unitary Development Plan is SH8

4.2 The relevant policy of the Second Deposit Draft Replacement Unitary Development Plan (referred to as the Croydon Plan) which would amend the above and which impact upon the proposal is SH5.

5. **CONSULTATIONS**

5.1 The occupiers of thirty adjoining and nearby occupiers have been consulted.

5.2 4 letters have been received querying why works have already started on site.

5.3 Cllr Fitzsimons has stated the following objection

“The demolition of the only proper public house in the Addiscombe District Centre was a serious blow to area's economy and residential amenities were severely weakened as a result. There is now only one small bar, to cater for one of the most successful district centres in Croydon. Local people need to have a local place to visit and socialise and have a drink, rather than having to go long distances.

There has been a public house on this site for over 140 years and there is a demand for this type of the premise locally. New building materials and designs,

plus proper management will minimise potential impact on the new occupiers of the scheme.”

5.4 Cllr Arram has no objection if it “means that now there will be no A3 on site.”

6. CONSIDERATIONS

6.1 The sole issue to be considered is whether the removal of condition 3 would have a detrimental impact on the retail vitality of the area.

6.2 Matters regarding the demolition of the public house, the size, scale and design of the new building have already been determined by the grant of planning permission under 04/2957/P.

6.3 The uses covered by Condition 3 in the old A3 class include cafe, restaurant/ take away and public houses. This was prior to recent changes to the legislation regarding the use classes order. These uses now fall within classes A3 and A4.

6.4 There are no policy restrictions in either the UDP or draft Croydon Plan that would prevent changes of use away from A3/A4 uses .The proposal still provides a mixed used development of retail and residential uses by maintaining all the ground floor retail floorspace albeit within class A1 (retail).The proposal thereby would maintain the retail vitality of the area.

7. ENVIRONMENTAL CONSIDERATIONS

7.1 None

8. EQUALITIES CONSIDERATIONS

8.1 None.

Case Officer: Kieran Gilmore

Background Documents: 3 letters received

Contact Officer: Letter received from Cllr Arram
Letter received from Cllr Fitzsimons
Housing Association Letter
Philip Mills 020 8760 5419