

COMMITTEE REPORT

BY THE DIRECTOR OF ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 13th November 2019

Ward: Abbey
App No.: 191482/FUL
Address: Back of Beyond Public House, Kings Road, Reading
Proposal: Alterations to existing and new boundary treatment along Bembridge Place, to facilitate dual use of the service yard as a service yard/beer garden, and associated works.
Applicant: JD Wetherspoon PLC
Date received: 12th September 2019
Target decision date: 8th November 2019
Extension of time agreed: 22nd November 2019

RECOMMENDATION

GRANT Planning Permission, subject to the following conditions and informatives:

Conditions:

1. TL1 three year time limit for implementation
2. Approved plans
3. Materials to be used externally as applied
4. Standard hours of construction and demolition
5. Deliveries and servicing shall be undertaken in accordance with the Delivery Management Plan and the area required for servicing shall be kept free of obstruction and open to the public from 7:00am to mid-day.

Informatives:

1. Terms and conditions
2. Positive and proactive
3. Environment Agency permit may be required
4. Highways

1. INTRODUCTION

- 1.1 The application site is the Wetherspoon pub (Back of Beyond) on Kings Road. The site is an L-shaped plot that is bounded by the Kennet and Avon Canal to the south. The southernmost part of the application site is a hard-surfaced beer garden. The part of the application site to which this application is concerned is an ancillary part of the premises, presently used as a service yard for the pub and accessed from Bembridge Place. The area is to the rear of another pub on Kings Road, the Thirsty Bear (formerly The Wynford Arms).

1.2 The pub is located in an area of the town centre that is mixed residential and commercial. The 18-storey Verto residential block is located opposite the access from Bembridge Place.

Site Location Plan (not to scale)



2. PROPOSAL AND SUPPORTING INFORMATION

- 2.1 The proposal is for changes to the boundary with Bembridge Place including a cantilever sliding gate, reconfiguration of the fire doors to the eastern elevation of the pub, extension of an existing pergola and insertion of a new door and window. This will allow for the existing service yard to be retained and facilitate dual use as a service yard and extended beer garden. The extended beer garden will accommodate approximately 100 people (50 standing and 50 seated).
- 2.2 The existing off-street service yard houses cages, bins, parked vehicles and a large air-handling unit. The proposal seeks to retain these elements, as well as access to the service yard from Bembridge Place. The site will serve as a service yard between the hours of 7:00 am to 12:00 pm and as a beer garden to 11:00 pm when patrons are required to move indoors until the pub closes.

3. PLANNING HISTORY

- 920520/FUL - Change of use to A3 (food and drink). Permitted 24/09/1992.
- 960306/FUL - New window to Kennet/Avon Canal. New walls to form landscaped area. New wall to Bembridge Place. Erection of plant room. Permitted 01/11/1996.
- 070417/FUL - Erection of glazing to existing timber frame and wall-mounted heaters to rear garden area. Permitted 16/08/2007.
- 141537/FUL - Extension of current beer garden into existing delivery area including repaving, erection of new and alterations to existing walls, timber pergola, fenestration, external lighting and associated works. Refused 30/06/2015.

4. CONSULTATIONS

- RBC Transport - No objection, subject to conditions.
- RBC Environmental Protection - No objections
- RBC Licensing - No objections
- RBC Ecological Consultant - No objections
- Environment Agency - No objections, subject to conditions.
- RBC Access Officer - No objections

Public Consultation

- 4.1 Three notices were displayed around the site from 02/10/2019, one on Kings Road, one at the access from Bembridge Place and one at the residents' entrance for the Verto apartment block.
- 4.2 Letters were sent to the following addresses:
- 91 Kings Road
 - 93 Kings Road, flats 1-8
 - 95 Kings Road

- 99 Kings Road
- 104 Kings Road, flats 1-6
- Wynford Arms Public House, 110 Kings Road
- 1-2 Selbourne Court

4.3 One representation was received from a resident of Verto apartments citing concerns about noise from the intensification of use of the beer garden and the noise produced by the waste collection in the service yard.

5. LEGAL AND PLANNING POLICY CONTEXT

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Material considerations include relevant policies in the National Planning Policy framework (NPPF) - among them the 'presumption in favour of sustainable development'.

5.2 Accordingly this application has been assessed against the following policies:

National Planning Policy Guidance

National Planning Policy Framework (2019)

National Planning Practice Guide

Reading Borough Local Development Framework Core Strategy (2008, altered 2015)

CS7: Design and the Public Realm

CS8: Waterspaces

CS34: Pollution and Water Resources

CS35: Flooding

Reading Central Area Action Plan (2009) policies

RC5: Design in the Centre

RC14: Public Realm

Sites and Detailed Policies Document (2012, altered 2015)

SD1: Presumption in Favour of Sustainable Development

DM4: Safeguarding Amenity

DM12: Access, Traffic and Highway-Related Matters

Reading Borough Local Plan 2019

At the time of writing, the new Reading Borough Local Plan is proposed to be adopted by the Council on 4 November 2019. Relevant planning policies, which at the time of your meeting are likely to be the adopted policies of the Development Plan, are:

CC1: Presumption in Favour of Sustainable Development

CC5: Waste Minimisation and Storage

CC7: Design and the Public Realm

CC8: Safeguarding Amenity

TR3: Access, Traffic and Highway-Related Matters

EN12: Biodiversity and the Green Network
EN16: Pollution and Water Resources
EN18: Flooding and Drainage

6. APPRAISAL

The main issues raised by this planning application are:

- Amenity and Design Considerations
- Transport
- Flooding
- Natural Environment

Amenity and Design Considerations

- 6.1 The pub is an existing A4 drinking establishments use and as such, the entirety of the application site including the present beer garden and the service yard, are in ancillary A4 use. Therefore, your officers advise that the application results in no change of use from the introduction of further outdoor seating/drinking/dining areas. However, it is accepted that the intensity of the use of the beer garden overall may increase, but not to a significant extent. The Council's Environmental Protection Team has not required the production of any noise report or recommended any conditions. On this basis, officers advise that the application is suitable in terms of neighbouring residential amenity and complies with policies CC7 and CC8.
- 6.2 The proposed boundary conditions and associated changes include: a sliding gate, reconfiguration of the fire doors, creation of a new wall, removal of one panel of the existing wall and new timber pergola. Additional works include resurfacing and reconfiguration of storage areas. The planning application is only seeking permission for changes to the boundary and additional alterations that would facilitate dual use as a beer garden, not permission for an extended beer garden in itself. The use of this area as a beer garden does not require planning permission, as it is within the area for ancillary uses associated with the public house.
- 6.3 These proposals are considered to be minor in nature and not considered to cause detrimental impacts on the living environment in terms of visual dominance or harm to outlook and comply with Policy CC8: Safeguarding Amenity of the new Local Plan (2019).
- 6.4 The development proposed reflects the existing character of the area, utilising brickwork windows and timber to match existing. As such, it complies with CC7: Design and the Public Realm.

Transport

- 6.5 The pub is currently serviced by vehicles which enter Bembridge Place forwards heading south and these vehicles then reverse and turn into the service yard, where unloading and loading takes place. The applicant's delivery and servicing management plan advises

that this is proposed to continue and that deliveries will only occur between the hours of 7 am and midday.

- 6.6 It is considered that the proposals would be acceptable from a transport and highway safety perspective, in accordance with policies DM12 (Access, Traffic and Highway-Related Matters) of Sites and Detailed Policies Document (2012, amended 2015) and TR3 (Access, Traffic and Highway-Related Matters) of the emerging local plan.

Flooding

- 6.7 The proposals would not reduce the capacity of the flood plain to store floodwater, impede the flow of floodwater or in any way increase the risks to life and property arising from flooding. Nevertheless because of the site's proximity to the Kennet and Avon Canal, it is subject to the Environment Agency's standing advice for minor development in a flood zone within 20 m of a main river and may require a separate permit. This will be addressed by way of informative.

Natural Environment

- 6.8 The Council's Ecological Consultant has confirmed that there are no objections to the proposal with regard to ecology. Therefore it is considered that the proposal accords with the aims of policies CS36 (Biodiversity and Geology) and policy EN12 (Biodiversity and the Green Network) of the new local plan.

Equalities Impact Assessment

- 6.9 In determining this application the Committee is required to have regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, sex, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, or sexual orientation. Otherwise, there is no indication or evidence (including from consultation on the application) that the protected groups have or will have different needs, experiences, issues and priorities in relation to the particular planning application.
- 6.10 In terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development and as such the proposal is considered to comply with Policy CS5 (Inclusive Access) of the Reading Borough LDF Core Strategy 2008 and CC7 (Design and the Public Realm) of the emerging local plan.

7. CONCLUSION

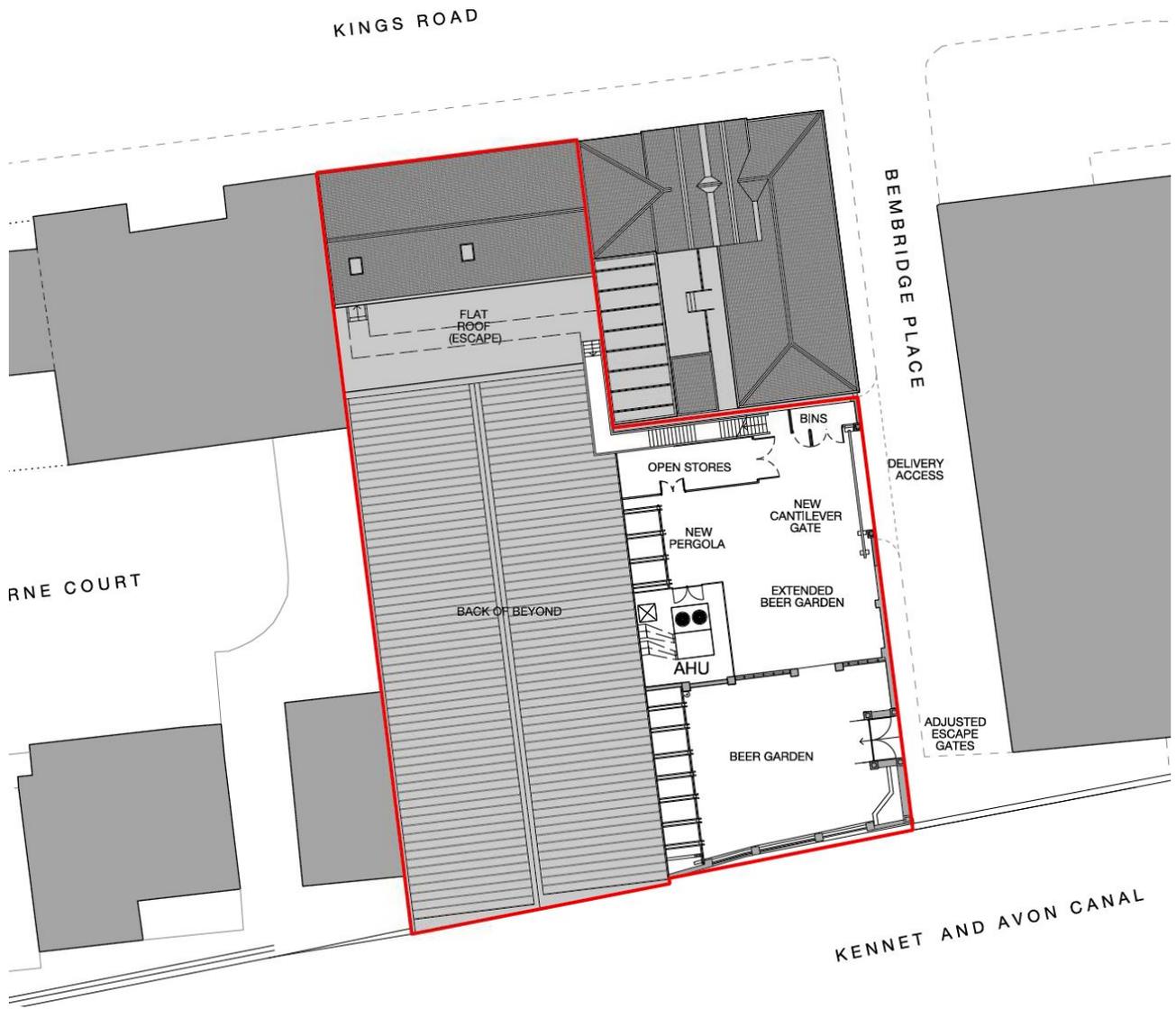
- 7.1 The proposal, with the recommended conditions outlined in the recommendation, is considered to be acceptable in terms of the principle of the use and the impact upon the amenity of the area. It is considered that, for the reasons set out in the report, the development is acceptable. The proposal is considered to accord with the policies above.

Case Officer: Sarah Burr

- Document No. 19-266-001A - Site Location Plan
- Document No. 19-266-002A - Existing Site Plan (Block Plan)
- Document No. 19-266-003A - Proposed Site Plan
- Document No. 19-266-004A - Existing Ground Floor Plan
- Document No. 19-266-005A - Proposed Ground Floor Plan
- Document No. 19-266-006A - Proposed Service Yard Diagram
- Document No. 19-266-010A - Existing East Elevation
- Document No. 19-266-011A - Existing Sections
- Document No. 19-266-015A - Proposed East Elevation
- Document No. 19-266-016A - Proposed Sections
- Design and Access Statement
- Planning Statement
- Delivery and Service Management Plan



Existing Site Plan



Proposed Site Plan