

DELEGATED APPLICATION REPORT

Ward:

App Ref: PL/24/0619 Full planning permission

Address: Bel & The Dragon Restaurant, Gas Works Road, Reading, RG1 3EQ

Proposal: Proposed temporary change of use of the existing public house to a public house staff training facility, for a temporary period of up to five years.

Applicant: Fuller Smith and Turner Plc

Extended Target Decision date: 12/09/2024

Case Officer: Nathalie Weekes

1. SITE DESCRIPTION

The 'Bel & Dragon' site is located at Blake's Lock, a group of historic buildings adjacent to the River Kennet. The application site comprises a boathouse building historically in use as a public house, with guest bedrooms in C1 use. The building is adjoined to a Grade II listed building, the Engine House (in use as a sewage pumping station) and is therefore listed in itself. The 'Bel & Dragon' car park is located to the west of the building with blocks of residential flats on the opposite side of Gas Works Road and the river. The applicant owns the adjacent part of Gas Works Road which forms a private access road to the restaurant.

The site is located within a green link (policy EN12) within the Reading Central Area, within flood zone 3 and in an area of potential contaminated land.

2. PROPOSAL AND SUPPORTING INFORMATION

The proposal is to convert the currently vacant public house into a training facility for a 'Proposed temporary change of use of the existing public house to a public house staff training facility, for a temporary period of up to five years.' The food preparation, customer service, and staff training will be undertaken for internal business purposes only and no public functions or events will be held. The temporary use proposed will be the only business function of the site and the public house will be closed and the guest rooms will be unoccupied during this temporary period.

Plans considered:

KH/B0048/24 Cover letter Walsingham Planning, 13 May 2024

~~Planning Statement including Flood Risk Assessment, Walsingham Planning, May 2024~~

Site Location Plan - Promap

Proposed Ground Floor Plan Drawing No 3719/01 04

Proposed First Floor Plan Drawing No 3719/01 05

Proposed Elevations Drawing No 3719/01 06 Rev A

Existing Elevations Drawing No 3719/01 03 Rev A

CIL Form

As received 13 May 2024

Planning Statement including Flood Risk Assessment, Walsingham Planning, June 2024

As received 27 June 2024

KH/B0048/24 Cover Letter – Heritage statement, Walsingham Planning, 16 July 2024

Email from the Narrowboat Riverside Museum, 27/06/2024 14:08

Email with the Reading museum manager agreeing current arrangement. 27/06/2024 14:07

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H. M Land registry Underlease, land at Blakes Lock
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Relevant planning history

171103 Application for a non-material amendment following a grant of planning permission ref 161260 (removal of condition no. 5) Granted

161260-FUL & 161261-LBC - Proposed change of use at first floor to create five guest bedrooms and associated internal alterations – Granted subject to S106 legal agreement.

11-00363-LBC – Internal decoration, bar counter works, removal of lightweight decorative screens – Granted.

02-00459-FUL - Upper terrace with lower deck staff living accommodation on a barge to include moorings – Granted.

01-01170-LBC - Part change of use to restaurant (A3). Demolition of industrial sheds and extension and internal refurbishment of museum buildings – Granted.

3. CONSULTATIONS

The following were consulted:

- Conservation Officer – No objection as no internal or external changes are proposed.
- Licensing – No objection.
- Environmental Protection – No objection.
- Conservation Area Advisory Committee – No response at time of writing the officer report.
- Reading Civic Society Consultations – No response at time of writing the officer report.
- Transport Development Control – No objection.

The Riverside museum was consulted by letter, A site notice was displayed at the site for the required period and an advert was placed in a local newspaper. No letters of representation have been received.

Equality Act 2010:

In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. However, there is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application. Therefore in terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

4. LEGAL AND PLANNING POLICY CONTEXT

Relevant Planning Policy and Guidance

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'. The following local and national planning policy and guidance is relevant to this application:

National Policy and Guidance

National Planning Policy Framework

National Planning Practice Guidance (in particular on flooding)

<https://www.gov.uk/guidance/national-planning-policy-framework/annex-3-flood-risk-vulnerability-classification>

Reading Borough Local Plan (2019)

CC1: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

CC2: SUSTAINABLE DESIGN AND CONSTRUCTION

CC8: SAFEGUARDING AMENITY

CR1: DEFINITION OF CENTRAL READING

CR2: DESIGN IN CENTRAL READING

CR4: LEISURE, CULTURE AND TOURISM IN CENTRAL READING

EN1: PROTECTION AND ENHANCEMENT OF THE HISTORIC ENVIRONMENT

EN11: WATERSPACES

EN12: BIODIVERSITY AND THE GREEN NETWORK

EN15: AIR QUALITY

EN16: POLLUTION AND WATER RESOURCES

EN18: FLOODING AND DRAINAGE

EN4: LOCALLY IMPORTANT HERITAGE ASSETS

RL2: SCALE AND LOCATION OF RETAIL, LEISURE AND CULTURE DEVELOPMENT

RL6: PROTECTION OF LEISURE FACILITIES AND PUBLIC HOUSES

TR1: ACHIEVING THE TRANSPORT STRATEGY

TR3: ACCESS, TRAFFIC AND HIGHWAY-RELATED MATTERS

TR5: CAR AND CYCLE PARKING AND ELECTRIC VEHICLE CHARGING

SPD

Supplementary Planning Document: Parking Standards and Design (2011)

Supplementary Planning Document: Sustainable Design and Construction (2011)

5. APPRAISAL

The main issues are:

- a) Principle
- b) Design and Historic Character of the Listed Building
- c) Impact on Neighbours
- d) Transport
- e) Flooding

a) Principle

Policy RL6 seeks that there should not be a loss of leisure, culture and tourism facilities in the centre, 'Existing leisure facilities or public houses will generally be retained.'

The proposal seeks to retain the existing museum and the building will be used for training purposes for employees working for the public house company within the same business sector. The proposed change of use is temporary for a period of up to 5 years after which the public house would return to its former permanent use, and is not considered to result in a long term loss of existing leisure/recreation facilities.

The proposal itself would also accord with the aims of Policies CR4 and RL2 in retaining a future range of leisure, culture and tourism facilities and restoring a public house to its former use following a change in use for a temporary period of 5 years, on a site within the Reading Centre area.

It has been confirmed that the existing guest bedrooms will remain unoccupied. The ancillary guest bedrooms are required under a previous planning application to remain in C1 use, this was secured by a S106 agreement. The previous Section 106 was considered necessary to prevent any possible change to a C3 use which would not be appropriate in this location. A condition is recommended for the use of the guest rooms during to temporary use period to remain unoccupied, or within C1 use until the building reverts back to its former use. This would allow the guest rooms to be used by the public house staff training facility if required, but secure the overall future use of the site in accordance with policies CC8, CR4 and RL2.

The legal agreement included the following provisions:

- no guest bedroom shall be used for any use other than as a C1 Use
- no guest bedroom shall be used or occupied as a residential dwelling or dwelling-house (C3 Use)
- not to let or licence for occupation or permit or suffer occupation of any of the guest bedrooms for a continuous period of more than 3 months to the same occupier or occupiers
- other than those Customers staying in accordance with the above, not to let or licence for occupation or permit or suffer occupation of any guest bedroom for a continuous period for more than 3 months to the same Customer or Customers
- not to require Customers of any guest bedroom to agree to any minimum period of occupation (of whatever duration)
- to provide to the Council within 14 days of written request evidence regarding the use or occupation of the guest bedrooms or any of them.

With these measures in place it is considered that the proposed use would accord with the relevant local policy and guidance. A condition is considered to comply with the National Planning Policy Framework in that it would be: i) necessary to make the development acceptable in planning terms, ii) directly related to the development and iii) fairly and reasonably related in scale and kind to the development.

The principle of the proposed temporary change of use is considered acceptable subject to the relevant further planning considerations as set out below.

b) Design and Historic Character of the Listed Building

The proposal does not seek any external or internal alterations to the building.

The temporary change in use is not considered to detrimentally impact the fabric or the historic character of the listed building and would not adversely affect the visual amenities of the surrounding area or the relationship of the site and building with the adjacent waterway. The temporary use of the building would also ensure continued use of the building. The proposal is considered to be in accordance with policy EN1. The Local Authority has discharged their duties under the relevant section of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Policies CC7, CC8, EN1 and CR2.

c) Impact on Neighbours

There are no external changes to the building that would introduce any harm to the amenity of surrounding occupiers. It is not considered that the proposed temporary change of use would result in

any significant noise or disruption to the amenities of the surrounding residential occupiers above that of the existing situation. Environmental Protection Officers have raised no objection to the proposal. Policies CC8 and EN16.

d) Transport Issues

It is stated that the proposed kitchen training facility will be open from 9AM until 5PM Monday to Friday, closed on weekends and bank holidays, and will only be used for a maximum of 11 members of staff at any one time. It is envisaged that the facility will be used on an ad hoc basis based on the needs of the wider business. There are 24 parking spaces located within the site.

There are no transport objections based on the small scale of the training facility.

Policies TR3 and TR5.

e) Flooding

The site, already in use as a public house with guest rooms, is located within flood zone 3 and has a high probability of flooding. The proposed temporary classification of use will be 'less vulnerable' in a minor application for a proposed change of use that does not include a residential element. The National Planning Policy Framework categorises buildings used for retail and other services and car parks to be less vulnerable. Hotel rooms are classified a 'more vulnerable development' but the rooms located on the first floor are proposed to remain unoccupied. Safe access and egress to the adjacent Gas Works Road which is located at a higher ground level than the application site and as such would provide suitable access for emergency vehicles and that the risks of flooding from surface and ground water is negligible/low. Due to the decreased level of use proposed and notwithstanding that the temporary change of use proposal does not include any changes to the footprint of the building, is not considered that the proposal would be detrimental in terms of non-residential flood risk. The council accepts that no sequentially preferable sites have been presented for this minor development. The proposed temporary use should be able to remain operational and safe for users in times of flood, result in no net loss of floodplain storage and not impede water flows and not increase flood risk elsewhere. It is advisable for future staff to be aware of dealing with a flood and evacuation measures and what action to take in the event of a flood in accordance with [What to do before or during a flood - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/what-to-do-before-or-during-a-flood).

Policy EN18.

Other issue

Sustainability

Due to the change in use proposed and the fact that no alterations are proposed internally or externally, and there are no material changes proposed, the application is not considered to have any impact in respect of the Council's Sustainable Design and Construction SPD.

Policy CC2.

6. CONCLUSION

Whilst the temporary closing of the public house and ancillary guest rooms is a concern for the future provision of leisure and recreational use of the site, it remains a positive alternative use for the benefit of the hospitality industry. The proposed temporary change of use is considered to be acceptable for the reasons outlined above. Conditions are recommended where additional information is needed for

flood risk measures and to protect the future use of the public house and guest rooms in accordance with policies CC8, EN1, EN16, EN18, RL6, TR3 and TR5.

7. RECOMMENDATION
Approve

Recommended Conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission was granted.

REASON: To prevent an accumulation of unimplemented planning permissions and in accordance with Section 91 of the Town & Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. This permission relates only to the following plans and documents:
KH/B0048/24 Cover letter Walsingham Planning, 13 May 2024
Site Location Plan - Promap
Proposed Ground Floor Plan Drawing No 3719/01 04
Proposed First Floor Plan Drawing No 3719/01 05
Proposed Elevations Drawing No 3719/01 06 Rev A
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H. M Land registry Underlease, land at Blakes Lock
As received 16 July 2024

REASON: To clarify which plans and documents have been approved.

3. The ancillary 'guest' rooms as shown on the first floor approved plan Proposed First Floor Plan Drawing No 3719/01 05 shall be retained as 'unoccupied' or remain in C1 internal use only during the proposed period of temporary use as a public house staff training facility.

REASON: To ensure that the overall future use of the site remains in accordance with policies CC8, CR4, EN18 and RL6.

4. The 5 year temporary use of the premises to cease on or before 12 September 2029 or prior to that date if the temporary use shall cease, whichever shall first occur, and to be restored to its former use, and all materials and equipment brought on to the premises in connection with the temporary use shall be removed.

REASON: The temporary change of use for this type of building is not one that the Local Planning Authority is prepared to approve in this location other than for a limited period, having regard to the restoration of the former use of the building proposed and the future protection of leisure facilities and public houses in accordance with policy RL6.

Informatives:

1. Your attention is drawn to the terms and conditions of this permission. Any development which is carried out but differs materially from the approved plans and details, or does not comply with any condition (s) or planning obligation (s) attached to the permission may result in the Council taking action to remedy the breach of planning control. If you are in any doubt please contact the council.
2. A section 106 legal agreement relates to planning permission 161260/FUL to restrict the use of the first floor guest rooms.
3. Officers have worked positively and proactively to provide a recommendation for approval to be made.
4. It is advised that all staff working at the site are notified of measures to be taken in the event of a flood and evacuation procedures to ensure flood resilience and safety in the flood zone.