

COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT AND NEIGHBOURHOOD SERVICES

READING BOROUGH COUNCIL

ITEM NO. 10

PLANNING APPLICATIONS COMMITTEE: 7th November 2018

Ward: Abbey
App No.: 181276/FUL
Address: Kings Meadow, Napier Road, Reading
Proposal: Temporary Change of use for up to 45 days in a Calendar year, to change from Class D2 Assembly & Leisure to Christmas Party Events at Kings Meadow, with the site being restored to its former conditions at, or before 14.00 on the 31st December 2018
Applicant: Eventist Group Limited
Date received: 23rd July 2018 (application valid: 9th August 2018)
Target decision date: 8th November 2018

RECOMMENDATION

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

Conditions:

1. The use of the land for Christmas Party events shall cease and the site shall be restored to its former condition on or before 1400 hours on 31 December 2018.
2. Approved plans.
3. Use to operate in accordance with Traffic Management Plan.
4. Use to operate in accordance with Flood Management Plan.
5. All walls or fencing constructed within or around the site shall be designed to be permeable to flood water.
6. Deliveries, collection of empty bottles, emptying of on-site portable toilets, construction and deconstruction of temporary structures, and similar noisy activities shall not be carried out between the hours of 2000 and 0800.
7. The noise emitted from the generator shall not cause an increase of the existing background noise level (determined to be 45 dB LA90, 15 minute) by more than 0 dB. An acoustic assessment to demonstrate that that this level has been met shall be submitted upon the request of the local planning authority. The noise levels shall be determined at the nearest noise sensitive premises and measurements and assessment made according to BS4142:2014.
8. Parties shall cease in sufficient time for all patrons and staff to have left the site by 0200 hrs and no further activity to take place between 0200hrs and 0800hrs.
9. Use to operate in accordance with submitted noise assessment and noise mitigation measures including acoustic barrier, etc.
10. No less than five percent of the parking spaces within the Kings Meadow car park shall be made available at all times for disabled users of the site.
11. No other temporary use permitted

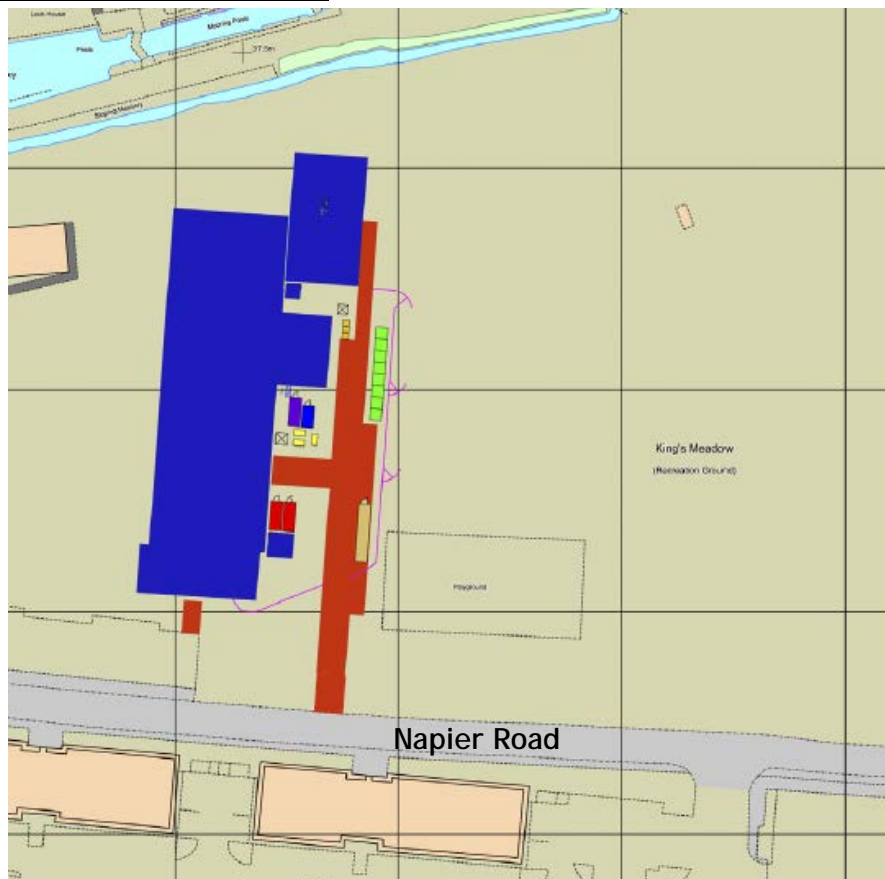
Informatives:

1. Positive and Proactive
2. Compliance with approved details.
3. Applicant to note other controls are relevant via Environmental Protection legislation

1. INTRODUCTION

- 1.1 The application site is located approximately 20 metres north of Napier Road and forms part of Kings Meadow. The site lies approximately 60 metres south of the River Thames and is located within and close to the northern edge of the Reading Central Area. The site is identified as an important area of public open space (Site RC14d) within the Reading Central Area Action Plan 2009 and a Major Landscape Feature as defined by Core Strategy Policy CS37 (Major Landscape Features and Strategic Open Space) and Policy SA17 (Major Landscape Features) of the Sites and Detailed Policies Document 2012. The site is located immediately to the north of the Kings Meadow car park. It is located within the Thames flood plain.
- 1.2 The context of the site comprises commercial business units and the railway line to the south, residential properties on Kings Meadow Road to the west, blocks of residential flats on Napier Road to the east (Luscinia View) and houses at Caversham Lock to the north.

Site Location Plan (not to scale)



2. PROPOSAL AND SUPPORTING INFORMATION

- 2.1 Schedule 2, Part 4, Class B of the Town and Country Planning (General Permitted Development) Order 2015 allows for the temporary use of land for any purpose for not more than 28 days in any calendar year and for the provision on that land of any moveable structures for the purposes of the permitted use. Any days over and above those 28 days permitted in that calendar year require planning permission.
- 2.2 Kings Meadow is the site for other temporary uses and owned by Reading Borough Council. The proposal seeks to extend the current 28 days allowed for a temporary use of the site for up to an maximum additional 45 days within the year 2018 for mixed leisure and entertainment use to include kitchen facilities, an eating and dancing area, a reception area and a dodgem tent contained within a marquee. The events would comprise seated Christmas dinners followed by dancing and entertainment.
- 2.3 The applicant has confirmed that 15 parties are proposed within the 45 day period applied for. 18 were held last year and 16 the year before. Each party would cater for a maximum of 980 guests and be held between 7pm and 1:30am (the proposed capacity was 850 guests last year, 900 the year before and the event has run for many years with the capacity being as high as 1300 in the past). The last party of this year events would be held on 22nd December 2018.
- 2.4 The proposed size of the main marquee is 65 metres by 24 metres. This would be surrounded by a number of smaller tents to provide ancillary facilities. The largest tent would have a maximum height above ground level of 8 metres.
- 2.5 The main pedestrian entrance and exit to the marquee structure would be from Kings Meadow Car Park. The Traffic Management Plan states that it is intended that around half the Kings Meadow car park would be used as a drop off area with the other half providing 40 spaces for visitors. Once this is full the Hills Meadow Car Park would be used as an overflow. The Traffic Management Plan also states that marshals will be permanently stationed on the roadside to ensure the Traffic Management Plan is adhered to, which includes management of coaches picking up and dropping off visitors to the site.
- 2.6 This application is supported to Planning Applications Committee because it is a major category application (site area of over 1ha).
- 2.6 Drawings:
Location Plan ref. 472112, 173937
Received on 24th July 2018
- Floor Plan ref. Reading x 750, BPE Reading 2018 CW R3 - Reading: Russia '18
BPE-17-01B (Elevations)
Received on 9th August 2018
- 2.7 Documents:

Design and Access, Flooding and Traffic Management Plan Statement ref. Kings Meadow
Reading Christmas Parties 2018
Received on 9th August 2018

3. PLANNING HISTORY

- 171445/FUL - Temporary Change of use for up to 45 days in a Calendar year, to change from Class D2 Assembly & Leisure to Christmas Party Events at Kings Meadow, with the site being restored to its former conditions at, or before 16.00 on the 31st December 2017. Approved 10/11/2017
- 161558/FUL - Temporary change of use for up to 40 days in a calendar year, from Class D2 Assembly & Leisure to Christmas Party Events at Kings Meadow. Approved 14/12/2016
- 151329/FUL - Temporary change of use for up to 30 days in a calendar year, to
- change from Class D2 Assembly & Leisure to Christmas Party Events at
- Kings Meadow. Approved 18/11/2015
- 141252/FUL- Temporary change of use for up to 30 days in calendar year 2014 to change from class D2 assembly and leisure to Christmas party events at Kings Meadow. Approved 22/10/2014
- 130996/FUL - Temporary change of use for up to 30 days in calendar year 2013 to change from class D2 assembly and leisure to Christmas party events at Kings Meadow. Approved 10/09/13
- 12/00990/FUL - Temporary change of use for up to 34 days in calendar year 2012 to change from class D2 assembly and leisure to Christmas party events at Kings Meadow - approved 24/08/12
- 11/00950/FUL - Temporary change of use for up to 39 days in a calendar year, this being 2011, to change from Class D2 assembly and leisure to Christmas party events at Kings Meadow - approved 24/08/11
- 10/01139/FUL - Temporary change of use for up to 34 days in calendar year 2010 to change to class D2 assembly and leisure for Christmas party events at Kings Meadow - approved 16/09/10
- 09/01022/FUL - Temporary change of use for up to 24 days in calendar year 2009 to change to class D2 assembly and leisure for Christmas party events at Kings Meadow - approved 15/09/09
- 08/00825/FUL - Temporary change of use for up to 26 days in calendar year 2008 to change from class D2 assembly and leisure to Christmas party events at Kings Meadow - Approved 17/10/08
- 07/01086/FUL - Temporary change of use for up to 20 days in calendar year 2007 to change from class D2 assembly and leisure to Christmas Party Events at Kings Meadow - Approved 22/11/07
- 06/00900/FUL - Temporary change of use for up to 25 days in calendar year 2006 to change from class D2 assembly and leisure to Christmas Party Events at Kings Meadow - Approved 17/10/06
- 05/00747/FUL - Temporary change of use for up to 25 days in calendar year 2005 to change from class D2 assembly and leisure to Christmas Party Events at Kings Meadow - Approved 14/10/05
- 04/01138/REG3 - Temporary change of use for up to 19 days in the calendar year 2004 (in addition to the 28 days permitted by the Town and Country Planning General Permitted

Development Order 1995) - from class D2 assembly and leisure to Christmas Party Events
- Approved 17/11/04.

4. CONSULTATIONS

- RBC Transport - No objection subject to conditions.
- RBC Environmental Protection - No objection, subject to conditions to secure implementation of noise mitigation measures to include provision of an acoustic barrier, distributed sound system and a maximum music level as well as controls on permitted hours for deliveries and noise from generators
- RBC Leisure - No objection
- RBC Licensing - No objection
- RBC Ecological Consultant - No objection
- RBC Natural Environment - No objection
- Environment Agency - No objection, subject to conditions.

Public Consultation

4.1 Four site notices were displayed around the site. No representations have been received.

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:

5.3 National Planning Policy Guidance
National Planning Policy Framework (2018)
National Planning Practice Guide

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

CS3: Social Inclusion and Diversity

CS4: Accessibility and the Intensity of Development

CS7: Design and the Public Realm

CS22: Transport Assessments

CS23: Sustainable Travel and Travel Plans

CS24: Car/ cycle parking

CS25: Scale and Location of Retail, Leisure and Culture Development

CS28: Loss of Open Space

CS34: Pollution and Water Resources

CS35: Flooding

CS36: Biodiversity and Geology

CS37: Major Landscape Features and Strategic Open Space

CS38: Trees, Hedges and Woodlands

5.5 Reading Central Area Action Plan (2009) policies

RC5: Design in the Centre

RC14: Public Realm

5.6 Sites and Detailed Policies Document (2012, 2015)

SD1 Presumption in Favour of Sustainable Development

DM4 Safeguarding Amenity

DM12 Access, Traffic and Highway-Related Matters

SA16 Public and Strategic Open Space

SA17 Major Landscape Features

6. **APPRAISAL**

The main issues raised by this planning application are:

- Impact upon open space provision
- Noise and Disturbance
- Transport
- Flooding
- Natural Environment

Impact upon open space provision

6.1 The proposal seeks to provide festive party events on a commercial basis over a temporary period on a site identified on the Proposals Map as an Important Area of Open Space. Core Strategy Policy CS28, RCAAP Policy RC14 and SDPD Policy SA16 seek to resist proposals that would result in the loss of such areas, or jeopardise their enjoyment by the public.

6.2 It is considered that the proposal would not reduce the overall public amenity provided by the Kings Meadow to any significant extent as the site is to the edge and majority of the space and public footpaths would be unaffected. However it is considered that the proposed marquee would detract from the visual appearance and open character of the surrounding area and would therefore conflict with policy CS28. Mitigating factors however are the temporary nature of the use and the fact that it would be for a leisure purpose. Furthermore, the proposal would occupy only a small proportion of the open space and for a relatively short period over and above the 28 days that are already 'Permitted Development'. On this basis the proposal is considered to be acceptable in this instance. A condition is recommended to ensure that the use has ceased and all structures removed by 2pm on 31st December 2018, to ensure the open space is restored as soon as possible after the series of events has ended.

Noise and Disturbance

6.4 The nearest residential properties to the site would be approximately 50 metres to the west along Kings Meadow Road. Policy CS34 states that 'Development will only be permitted where it would not be damaging to the environment through air, land, noise, or light pollution.'

- 6.5 Events held on the site that take advantage of the 28 days permitted under the General Permitted Development Order do not come under the control of the local planning authority in terms of the hours of use or intensity of activities on site and any associated noise or disturbance (although these can be controlled separately under the Licensing Act or Environmental Protection Act). However, the activities proposed under the current application during the additional days *can* be controlled by conditions in order to secure suitable maximum noise levels and hours of operation.
- 6.6 Environmental Protection Officers have advised that residents in nearby properties were affected by the music at the Best Parties Ever events last year, which operated 18 parties for up to 850 guests. On this basis and given that the number of events has increased gradually over the years, officers sought a noise assessment report of the proposed events to be submitted for consideration alongside this year's application. This noise assessment report includes a number of additional noise mitigation measures beyond that required for previous events, including provision of an acoustic barrier, distributed sound system and a maximum music noise level of 89 dBA (5 min) on dance floor. This noise assessment has been reviewed by Environmental Protection Officers who are satisfied with its content and mitigation measures proposed which can be secured by way of a condition. This is in addition to conditions to control permitted hours for deliveries, emptying of on-site toilets, construction or dismantling of structures and other noisy activities (not to take place between 2000 and 0800 hours), limiting the maximum noise of the generators and the end time of the parties (all visitors and staff to have left the site by 0200 hours) which have been used to control previous years' events.
- 6.7 These measures are considered to be reasonable and necessary to ensure that noise levels are kept to a reasonable level to protect residential amenity. Additional music noise controls can be secured through licensing and environmental protection measures. The proposals themselves do not differ significantly from those approved in previous years.
- 6.8 The mixed use of the surrounding area and the background noise generated by other commercial and transport activities should also be considered in assessing the appropriateness of the proposal in this location. The restrictions to noise levels and hours of use that can be secured by condition are considered reasonable when balancing the enjoyment of guests against the nuisance to other people, given the temporary nature of the use.
- 6.9 Given the above, it is considered that the proposal would not result in harm to the amenity of neighbouring residents due to noise or disturbance and is therefore in accordance with Policy CS34 (Pollution and Water Resources) and Policy DM4 (Safeguarding Amenity), subject to a condition limiting the hours of use of the site being imposed.

Transport

- 6.10 Policies CS22 and CS23 seek to ensure an adequate level of accessibility and safety by all modes of transport and there is a commitment to implement measures to improve sustainable transport facilities. The applicant intends to provide parking within the existing Kings Meadow car park and in previous years has agreed that at least five

percent of these will be for use by persons with disabilities. It is recommended that this disabled parking provision should again be secured by condition.

- 6.11 The site is within close proximity of major public transport nodes that could help serve the events proposed and a Traffic Management Plan has been submitted with the application. Development Control Transport has confirmed that there is no objection to the principle of the proposal, subject to the proposal being carried out in accordance with the submitted Traffic Management Plan.
- 6.12 This planning application does not include a proposal for signage on the public highway. However, if agreed with RBC Highways Department, these could be erected without the need for Advertisement Consent under Class G, Schedule 1 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
- 6.13 It is considered that the proposals would be acceptable from a transport and highway safety perspective, in accordance with policies CS22 (Transport Assessments), CS23 (Sustainable Travel and Travel Plans) and DM12 (Access, Traffic and Highway-related Matters).

Flooding

- 6.14 The site is located in Flood Zone 3b. Policy CS35 (Flooding) states that planning permission will not be granted for development in an area identified as being at high risk of flooding, where development would 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.
- 6.15 The NPPF and NPPG emphasise the importance of properly assessing flood risk at all stages of the planning and development process, avoiding inappropriate development in areas at risk of flooding and indicates the increased weight that the Government wishes to be given to this issue. Local Authorities are advised to adopt a risk-based approach to proposals for development in, or affecting, areas at risk from flooding.
- 6.16 Acceptable uses within Zone 3b are limited to those of water compatibility and essential infrastructure. However due to the temporary nature of this proposal, the Environment Agency has confirmed that they do not object to the proposal on flooding grounds subject to a condition being imposed requiring fences and walls to be permeable to flood water and to restrict raising of ground levels within the site. It is considered reasonable to impose a condition with regard to the fencing, however raising or lowering of ground levels would constitute an Engineering Operation requiring Planning Permission and no such permission is sought. It is therefore considered unnecessary to include a condition controlling this. The submitted flood risk management plan is considered to be in accordance with EA advice and is the same as approved in previous years.
- 6.17 On this basis it is considered that the proposal would not result in an unacceptable increase in flood risk and is therefore in accordance with policy CS35 (Flooding) and national policy within the NPPF.

Natural Environment

- 6.18 The Council's Ecological Consultant and Natural Environment Officer have confirmed that there are no objections to the proposal with regard to ecology, affect upon protected species or trees. Therefore it is considered that the proposal accords with the aims of Policies CS36 (Biodiversity and Geology) and CS38 (Trees, Hedges and Woodlands).

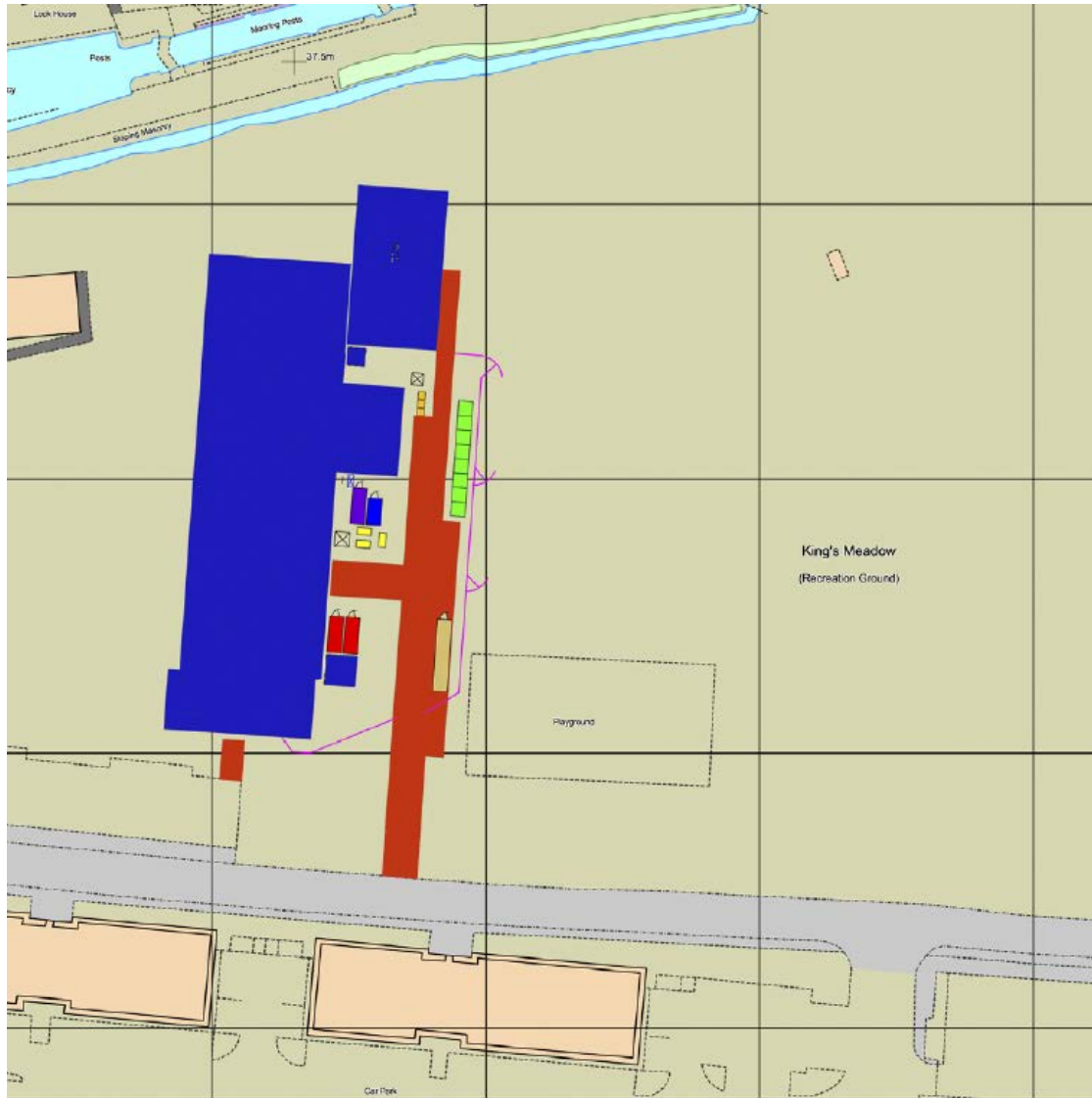
Equalities Impact Assessment

- 6.19 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, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, or sexual orientation. The site will be accessible for disabled users and a condition requiring five percent of the parking spaces to be made available for those with disabilities is recommended. 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.
- 6.20 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 CS3 (Social Inclusion and Diversity) and Policy CS5 (Inclusive Access) of the Reading Borough LDF Core Strategy 2008.

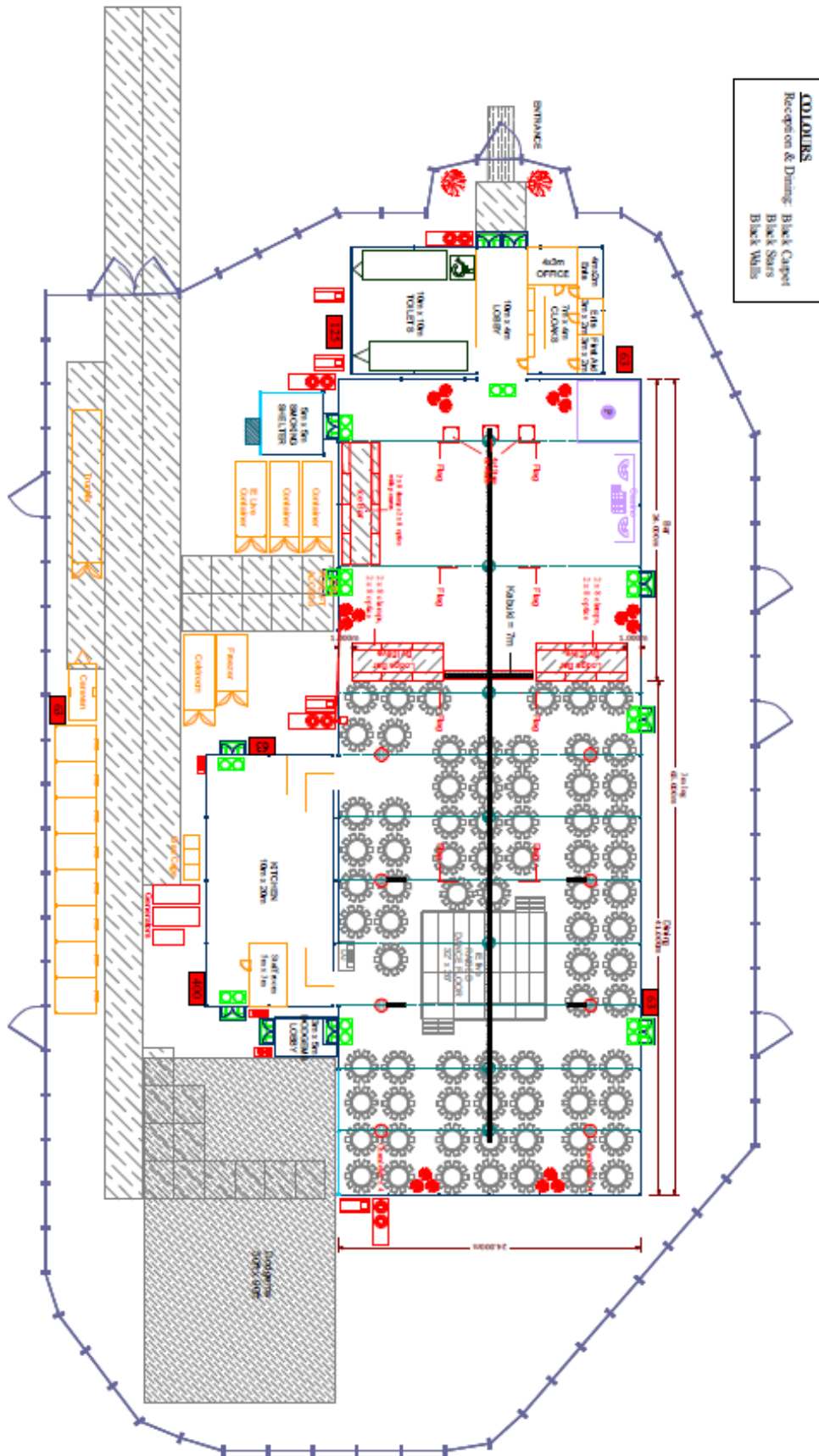
7. CONCLUSION

- 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 notwithstanding the temporary loss of public open space that would result. The proposal is considered to accord with Policies CS3, CS4, CS7, CS22, CS23, CS24, CS25, CS28, CS34, CS35, CS36, CS37 and CS38 of the Cores Strategy 2008, 2015, Policies RC5 and RC14 of the Reading Central Area Action Plan 2009 and Policies SD1, DM4 and DM12 of the Sites and Detailed Policies Document 2012, 2015.

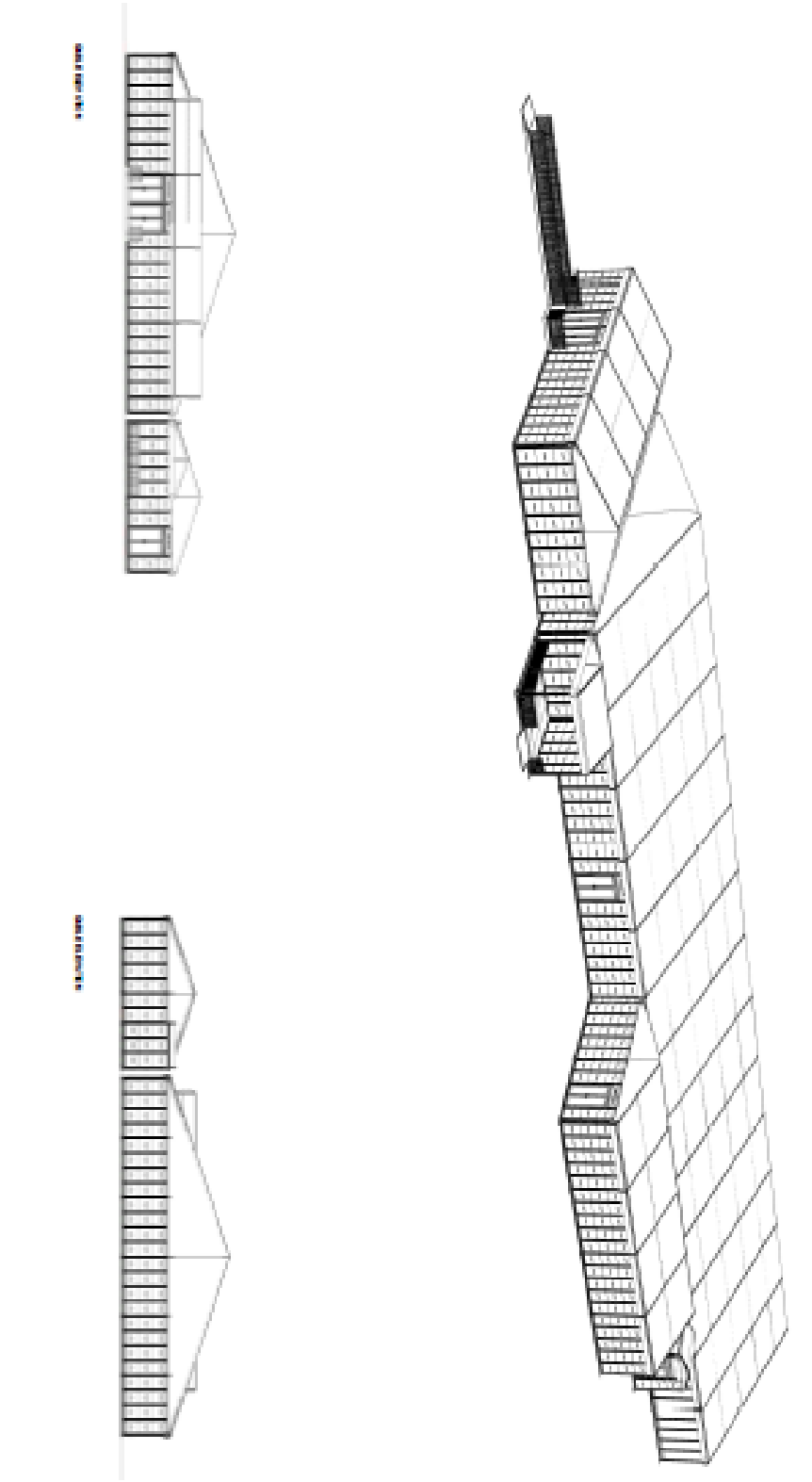
Case Officer: Matt Burns



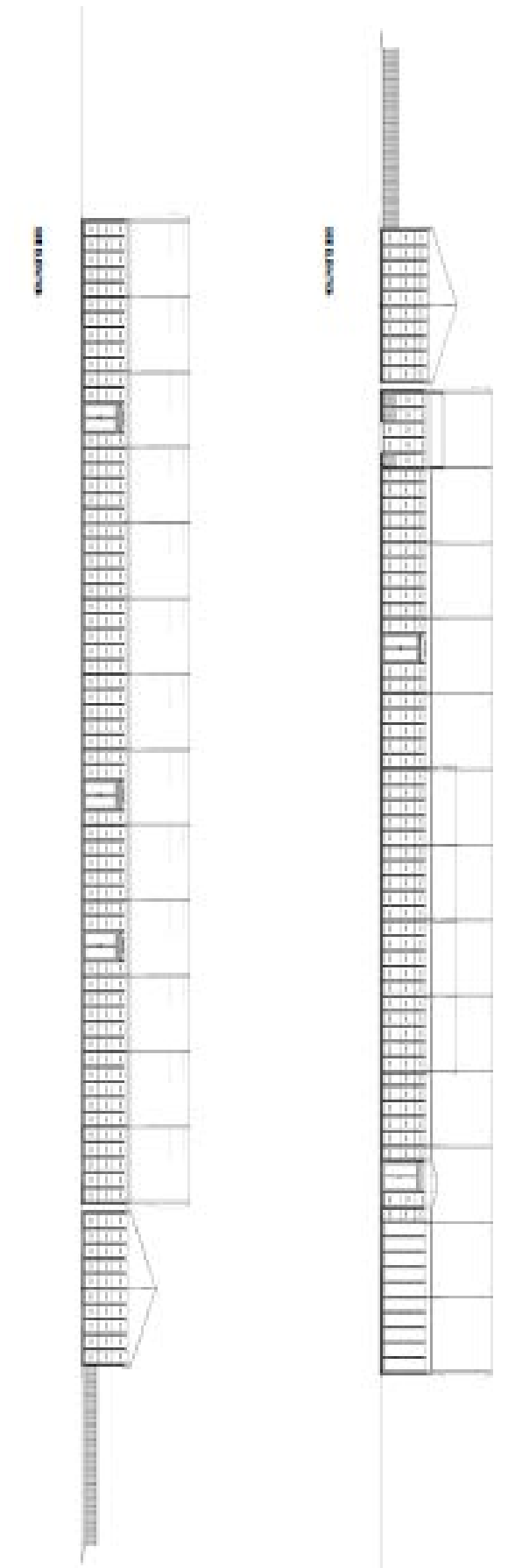
Location Plan



Floor Plan



Proposed Elevations



Proposed Elevations