

COMMITTEE REPORT

BY THE DIRECTOR OF ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 7th December 2022

Ward: Thames
App No.: 221544/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 F2 (Local Community Uses) to Christmas Party Events at Kings Meadow, with the site being restored to its former condition at, or before 14:00hrs on 31st December 2022
Applicant: Eventist Group Ltd
Target decision date: 31/1/2023

RECOMMENDATION

Delegate to the Assistant Director of Planning Development and Regulatory Services to GRANT Temporary Planning Permission subject to following conditions:

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 2022
2. Approved plans
3. In accordance with Traffic Management Plan
4. 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. In accordance with submitted noise assessment and noise mitigation measures
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

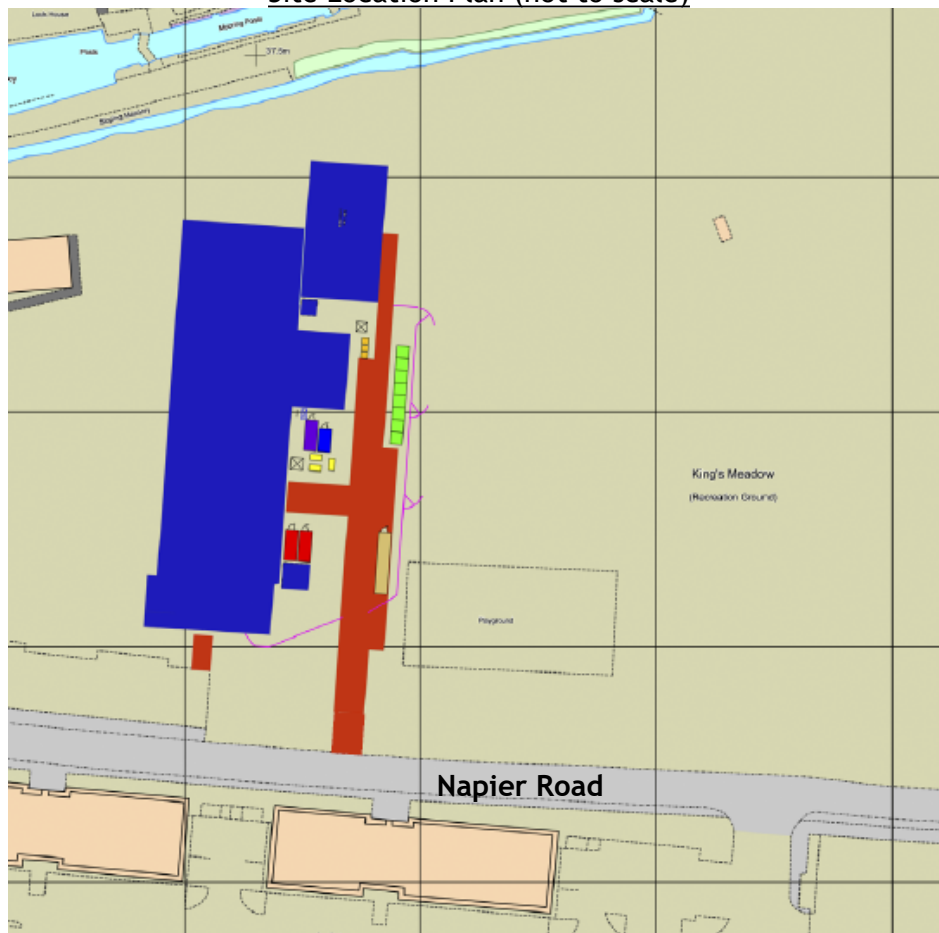
Informatives:

1. Positive and Proactive
2. Compliance with approved details
3. Recommended setup for future events

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 within Policy EN7Cd and a Major Landscape Feature as defined in Policy EN13 of the Reading Borough Local Plan. 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.
- 1.3 The application is being considered at Planning Applications Committee by virtue of the site area falling within the 'Major' applications category.

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 and maximum additional 45 days within the year 2022 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 A total of 12 parties are proposed within the 45 day period applied for. The capacity is for a maximum of 940 guests and each party will be held between 18:45hrs and 01:00hrs. The capacity has been reduced this year compared to previous years (there were 980 guests in 2019 & 2018). The first party of this year is to be held on 28th November 2022 with the last on 17th December 2022.
- 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 taxi-rank, 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 Drawings/ Documents:
Elevations TD-PS-GE-24m
Received 23rd November 2022
- Kings Meadow, Reading Christmas Parties (Flood Risk and Traffic Management Plan)
Received 8th November 2022
- Christmas Parties, King's Meadow Reading Noise Assessment Revision 0
Received 1st November 2022
- 1:1250 Location Plan
Received 17th October 2022
Application Form
CIL Form
Floor Plans Google Overlay ENT-UK-001
Block Plan R9
Received 17th October 2022

3. PLANNING HISTORY

- 211725/FUL Temporary Change of Use for up to 45 days in a calendar year, to Change from Class F2 (Local Community Uses) to Christmas Party Events at Kings Meadow, with the site being restored to its former condition at, or before 14:00hrs on 31st December 2021 - Application Approved 2/12/2021

No application in 2020

- 191209/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 and Sporting Activities at Kings Meadow, with the site being restored to its former condition at, or before 14:00hrs on 31st December 2019 - Application Approved 10/10/19
- 181276/FUL - Temporary Change of the 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 2.00pm on the 31st December 2018 - Application Approved 16/11/18
- 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

Prior to the above annual applications since:

- 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.
- RBC Environmental Protection - No objection subject to condition requiring the event to operate in accordance with the submitted noise management plan, which includes how noise will be managed during the event and also during the build, and also noise from mechanical plant associated with the site.
- RBC Leisure - No comments received.
- RBC Licensing - No objection.
- RBC Ecological Consultant - No objection.
- RBC Natural Environment - No comments received.
- Environment Agency - No comments received.

Public Consultation

- 4.1 Four site notices were displayed around the site with formal public consultation period ending on 24th November 2022. No representations have been received at the time of writing.

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 (2021)
National Planning Practice Guide

5.4 Reading Borough Local Plan (2019)

CC1: Presumption in Favour of Sustainable Development
CC6: Accessibility and the Intensity of Development
CC7: Design and the Public Realm
CC8: Safeguarding Amenity
TR1: Achieving the Transport Strategy
TR3: Access, Traffic and Highway-Related Matters
TR5: Car and Cycle Parking and Electric Vehicle Charging
RL2: Scale and Location of Retail, Leisure and Culture Development
EN7: Local Green Space and Public Open Space
EN8: Undesignated Open Space
EN12: Biodiversity and the Green Network
EN13: Major Landscape Features and Areas of Outstanding Natural Beauty
EN14: Trees, Hedges and Woodland
EN15: Air Quality
EN16: Pollution and Water Resources
EN17: Noise Generating Equipment
EN18: Flooding and Drainage

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 As in previous years, this proposal seeks to provide festive party events on a commercial basis over a temporary period on a site identified on the Local Plan Proposals Map as an Important Area of Open Space as defined in Policy EN7Cd. It is also a Major Landscape feature as outlined in Policy EN13. Policies EN7, EN8, CR3 of the adopted local plan similarly 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 Kings Meadow to any significant extent as the application site is towards 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 policies EN7 and EN8. Mitigating factors 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 2022, 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 are approximately 50 metres to the west along Kings Meadow Road and Napier Road. Policy EN16 (Pollution and Water Resources) 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 permitted 28 days 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 to secure acceptable maximum noise levels and hours of operation.
- 6.6 The applicant has provided a noise assessment. Due to the issues experienced in previous years (particularly 2017 when a number of complaints were received) this noise assessment report also includes a number of additional noise mitigation measures, including provision of an acoustic barrier along the full length of the North End, and West Side of the marquee for the length of the dining/dance floor area, a more 'distributed' sound system and a maximum music noise level of 89 dBA (5 min) on the dance floor itself. 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 necessary to ensure that noise levels are kept to a reasonable level, particularly as these events take place in the evening/night. 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 Environmental Protection officers have advised that the acoustic assessment is satisfactory and can be controlled by appropriately worded conditions. Additionally, an informative is recommended that a revised stage location be considered for future years to further negate impact of noise on nearby sensitive receivers.
- 6.9 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 and the cumulative effect from other

Hills Meadow uses have been considered by Environmental Protection officers. The restrictions to noise levels and hours of use that can be secured by condition are considered reasonable when balancing the enjoyment of participants against the nuisance to other people, given the temporary nature of the use. It is also pertinent to note that no neighbour letters of representation have been received.

- 6.10 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 EN16 (Pollution and Water Resources) and CC8 (Safeguarding Amenity) subject to a condition limiting the hours of use of the site being imposed.

Transport

- 6.11 Policy TR1 (Achieving the Transport Strategy) seeks 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 again intends to provide parking within the existing Kings Meadow car park and in previous years has agreed that at least five percent of these spaces will be for use by persons with disabilities. It is recommended that this disabled parking provision should again be secured by condition.
- 6.12 The site is close to major public transport facilities that would help serve the events proposed and a Traffic Management Plan has been submitted with the application. Reading Borough Council Transport Officers 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.
- 6.13 This planning application does not include a proposal for signage on the public highway. However, if agreed with RBC Highways Department, temporary signs 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.
- 6.14 It is considered that the proposals would be acceptable from a transport and highway safety perspective given previous applications for this development, in accordance with Policy TR1 (Achieving the Transport Strategy) of the Reading Borough Local Plan (2019).

Flooding

- 6.15 The site is located in Flood Zone 3b. Policy EN18 (Flooding and Drainage) state 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.
- 6.16 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.
- 6.17 Acceptable uses within Zone 3b are limited to those of water compatibility and essential infrastructure. Whilst the Environment Agency have not provided comment on the proposal to date, previously they have raised no objection to the proposal on

flooding grounds due to the temporary nature of the application 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.

- 6.18 On this basis it is considered that the proposal would not result in an unacceptable increase in flood risk and the proposal, at the time of writing, is considered in accordance with Policy EN18 (Flooding and drainage) and national policy in the NPPF.

Natural Environment

- 6.19 The area to be directly affected by the marquee is amenity grassland and the Council's Ecologist has confirmed that this is likely to be of low ecological value and that there is no objection to the proposals. No formal comments have been received from the Council's Natural Environment Officer at the time of writing. However, no objections were raised to the application in previous years with regards to the impact upon protected trees/landscaping.

- 6.20 Further to the above, it is considered that any degradation to this area will be temporary in duration, and it will quickly regenerate. The effects of any increased light or sound pollution as a result of this temporary change of use will be minimised by the marquee and will happen at a time of year when the potential effects on wildlife will be naturally reduced as species such as bats will be hibernating. The context of the site is considered to remain as described, with the marquee being located in the same location as previously. Therefore, it is considered that the proposal accords with policies EN12 (Biodiversity and the Green Network) and EN14 (Trees, Hedges and Woodlands) of the Reading Borough Local Plan (2019) and in the absence of contradictory information from the Natural Environment officer.

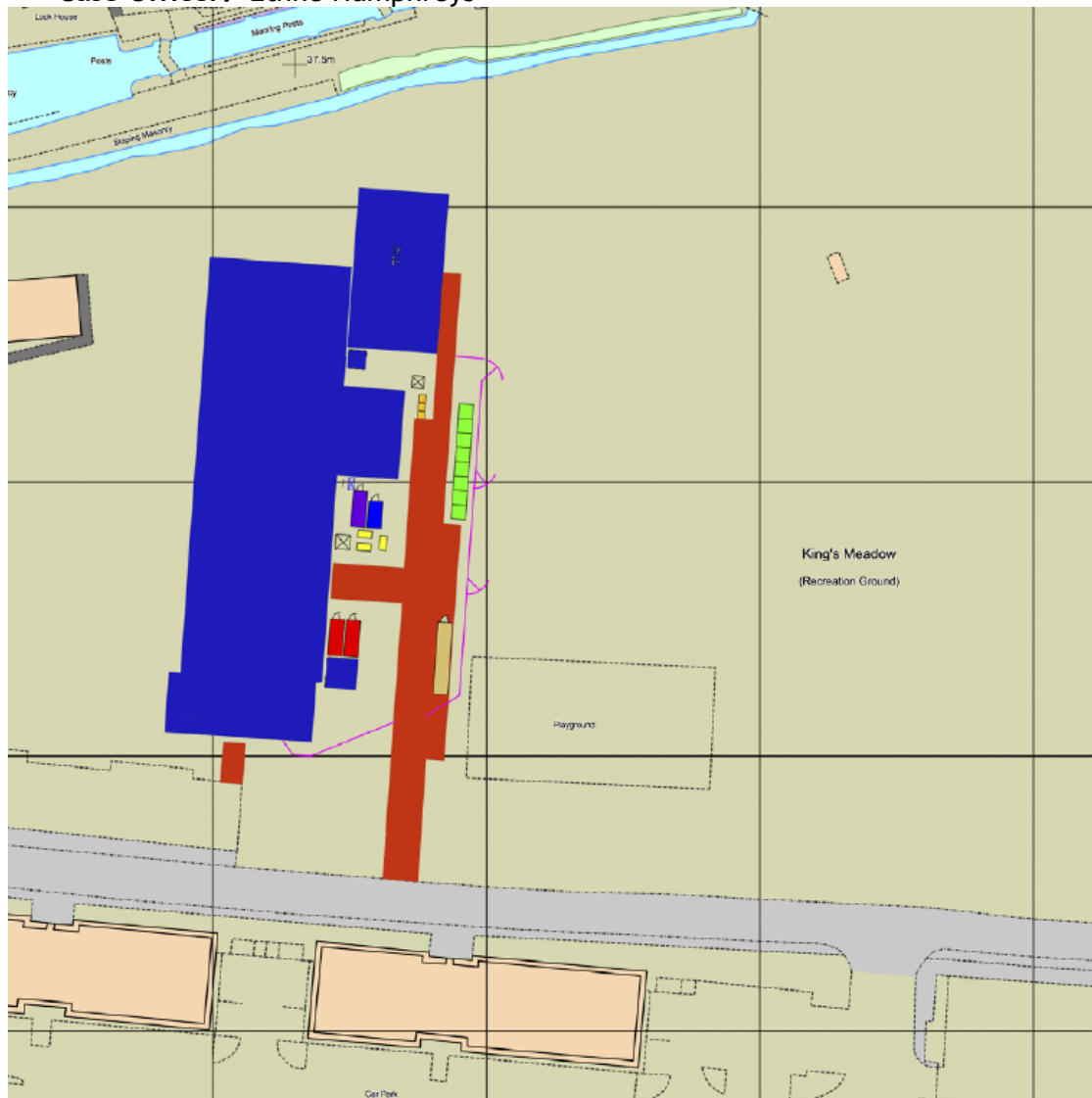
Equalities Impact Assessment

- 6.21 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. 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. In terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

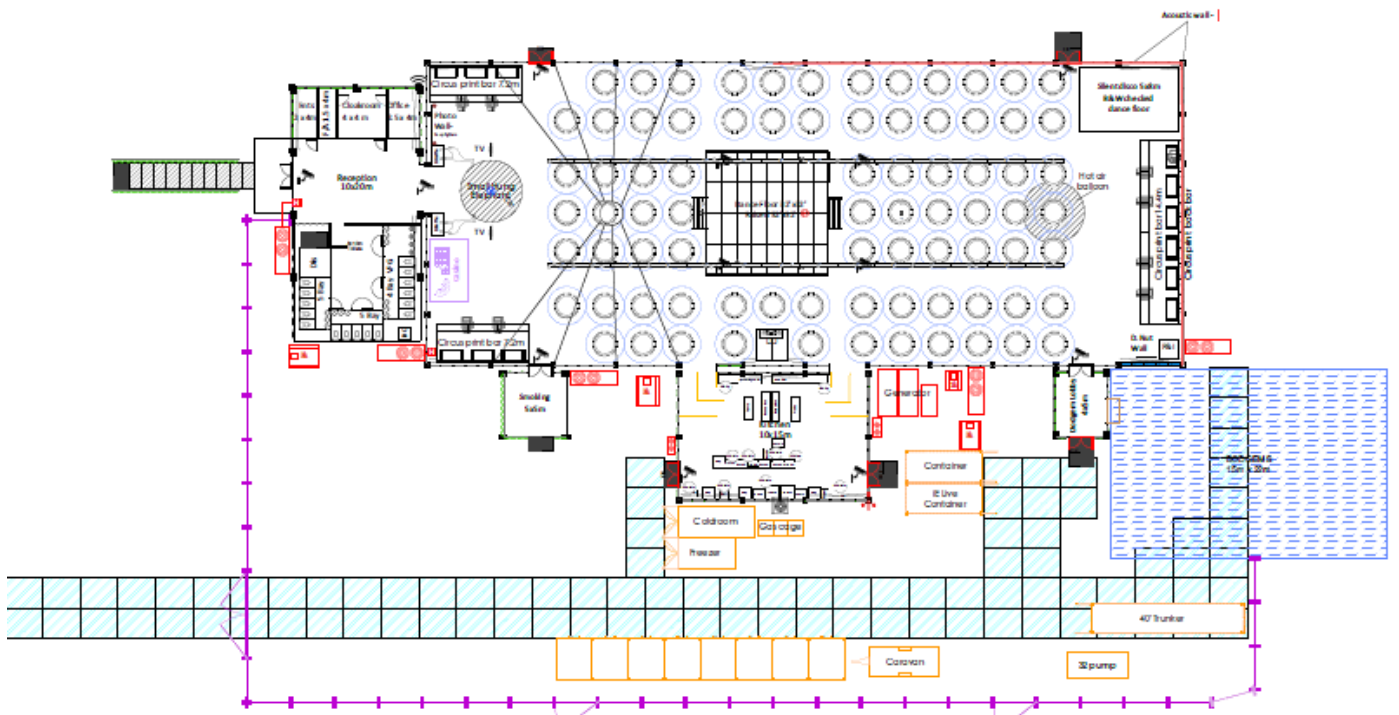
7. CONCLUSION

- 7.1 For the reasons set out in the report the development is acceptable notwithstanding the temporary loss of public open space. Not all consultees have managed to formally respond but given the same details have been commented on previously, Officers are satisfied that the proposal can be supported at the time of writing. Planning conditions in line with those on recent previous permissions are recommended. Should any consultee or neighbour responses be received before the committee meeting, these will be outlined in an update report.

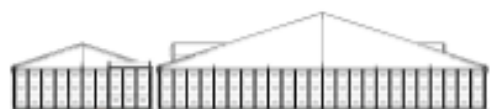
Case Officer: Ethne Humphreys



Location Plan



Proposed Floor Plan



Proposed Elevations