

04 October 2023



Title	PLANNING APPLICATION REPORT
Ward	Thames
Planning Application Reference:	231094/FUL
Site Address:	Hills Meadow Car Park, George Street, Caversham, Reading, RG4 8DH
Proposed Development	Temporary erection of ice rink, marquee structure and ancillary side stalls in connection with Christmas festival, for a period of time not to be before 15 October 2023 and not to extend beyond 21 January 2024
Applicant	Premier Winter Wonderland Events Limited
Report author	David Brett
Deadline:	07/11/2023
Recommendations	Grant planning permission, subject to conditions as follows
Conditions	<ol style="list-style-type: none">1. Temporary Planning Permission2. Approved Plans3. Opening Hours4. In accordance with the Event Management Plan5. External Lighting6. Flood Risk Measures As Specified7. Location of Permitter Fence
Informatives	<ol style="list-style-type: none">1. Positive and Proactive2. Terms3. Environmental Protection License4. No Tree Works

1. Executive summary

- 1.1. The proposal is recommended for approval subject to conditions as outlined above.
- 1.2. It is recognised that the development does not contribute positively to The Thames Valley Major Landscape Feature, however, the development is temporary with the site to be restored to its original state after 21st January 2024.
- 1.3. Policy CR4 of the Reading Borough Local Plan 2019 states that innovative solutions to leisure provision will be encouraged, particularly those that make best of use of available The Policy goes on to describe the River Thames as a prime location for new or improved tourist attractions, and as such, this area is suitable for informal recreation and sporting uses and associated small-scale development.

2. Introduction and site description

- 2.1. The application is to be determined at Planning Applications Committee as the development would generate an income for Reading Borough Council through the hiring of the site to the applicant, and by virtue of the site area falling within the 'Major' applications category.
- 2.2. The proposal site is Hills Meadow Car Park in lower Caversham. The proposal site is located within flood zone level 2, and partially within flood zone level 3. The car park is owned by Reading Borough Council and is partially used as an events space on several occasions per year for traditional fairs and circus'. Space at Hills Meadow Car Park is regularly let out by Reading Borough Council Leisure & Recreation Service for short term seasonal events during school holidays.
- 2.3. Location Plan:



3. The proposal

- 3.1. The proposed development is seeking planning permission for the temporary erection of an ice rink, marquee structure and ancillary side stalls in connection with Christmas festival, for a period of time not to be before 15th October 2023 and not to extend beyond 21st January 2024. The event is to be removed by 21st January 2024. The event is to be open to the public from 11:00am to 10:00pm in accordance with the Premises Licence obtained for the Event under the Licensing Act 2003.
- 3.2. 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.
- 3.3. The following plans have been received (double strikethrough denotes superseded documents):
 - Location Plan
 - Block Plan
 - Proposed Site Plan
 - Event Safety Management Plan 2023/2024

- Design and Access Statement prepared by Blandy & Blandy Solicitors – REA224/7

~~— Planning Statement prepared by Blandy & Blandy Solicitors – REA224/7~~

Received on 02/08/2023

- Planning Statement prepared by Blandy & Blandy Solicitors – REA224/7

Received on 08/08/2023

4. Planning history

4.1. Application History of Proposal Site

221171/FUL – Part retrospective temporary planning permission for erection of an ice rink, with marquee structure housing skate hire (and first aid) and ancillary side stalls in connection with holding a themed Christmas festival for a period of time not to be before 16th October 2022 and not extend beyond 16th January 2023 – Application Permitted on 27/10/2022

211918/FUL – Part retrospective temporary planning permission for erection of an ice rink, with marquee structure housing skate hire (and first aid) and ancillary side stalls in connection with holding a themed Christmas festival for a period of time not to be before 24 October 2021 and not extend beyond 16 January 2022 for a period of one year. – Application Permitted on 12/01/2022

4.2. Forbury Gardens Application History – Events considered similar to the development proposed within this application

191467/FUL - Temporary erection of an ice rink, with marquee structure housing skate hire and ancillary side stalls in connection with Christmas festival for a period of time not to be before 4 November and not to extend beyond 10 January for a period of one year (2019/2020). - Application Permitted on 04/11/2019

161588/VAR - Variation of conditions 2 (approved plans) and 4 (location of installations) of planning permission 151417 (for temporary Christmas festival), namely for amendments to the locations of the temporary installations. – Application Permitted on 10/11/2016

151897/APC - Approval of conditions 3 (Construction Method Statement) and 4 (Location of installations) of planning permission 151417. – Conditions Discharged on 11/12/2015

151417/FUL - Temporary erection of ice rink, marquee structure and ancillary side stalls in connection with Christmas festival, for a period of time not to be before 1 November and not extend beyond 10 January for a period of 3 years (2015/6, 2016/7 & 2017/8). – Application Permitted on 02/10/2015

5. Consultations

5.1. The following consultation responses were received:

RBC, Transport Development Control

5.2. The site is in a central location and only a 5 minute walk from Reading Station and Bus Interchange and within 10 minutes walk of Central Reading. In NPPF terms it is in a very sustainable location. Hills Meadow public car park is located immediately adjacent to the site providing 298 Pay & Display public parking spaces. Therefore, it is not anticipated that the event would cause a detrimental impact on the local highway network.

5.3. The event safety management plan states that the event organiser has arranged the use of Hills Meadow for all parking needs and the storage of vehicles needed for the set up and take down of the event, and for maintenance and restocking during the event.

- 5.4. In view of the above, there are no transport objections to the granting of the temporary planning permission.

RBC, Environmental Protection

- 5.5. How will the event ensure that the music does in fact remain at background levels? The level of 65 dBA at the nearest resident is mentioned as a condition on the parks agreement but this is way above background level therefore the event will need to ensure that the music level is lower and not noticeable at the surrounding residents' properties.
- 5.6. I request a list/photos of the fairground rides that will be used. One particular ride where the riders go round and round and up and down (I am not sure what the ride is called) for the last two years has caused a 'crashing' type noise off site due to the mechanics and if this ride is to be used then I recommend refusal of this planning application.

RBC, Natural Environment

- 5.7. I raised concerns in both 2021 (211918) and 2022 (221171) about the potential impact on the adjacent trees and this was never properly resolved, the matter being left to an Informative last year.
- 5.8. As stated last year, whilst the submissions indicate that the proposals are entirely on the existing hard surface, which is acceptable (if this is the case), it does appear from the Proposed plan that the proposed structures impinge on the canopies.
- 5.9. No comment is provided on this by the applicant, e.g. necessary pruning, and should be clarified.
- 5.10. In addition, 8.6 of the Planning Statement says:
- 5.11. *'...the Applicant will be erecting close-boarded fencing around the Site which will be effective protective fencing for the trees to the south-east of the Site, as well as for security purposes. The fencing is approximately the same height as the Heras fencing used last year.'*
- 5.12. I assume this fencing will also prevent ANY activity relating to the proposal outside this fenced area where it may impact trees – it would be prudent to attach a condition to deal with this.
- 5.13. In addition, confirmation of the close boarded fence details and its erection are required. Heras fencing can be put on weighted feet to keep it in place, i.e. no intrusion into the ground, whereas close boarded fencing implies dug posts at regular intervals, i.e. within RPAs. Clarity is required.
- 5.14. I would suggest that a brief AMS be provided to deal with any pruning (for the proposals or fence installation), installation of fence posts into the ground (if applicable) and protection of trees, i.e. stating that no activity relating to the proposal will take place outside the fencing area (which I assume follows their red line).

RBC, Parks

- 5.15. With an active skate area owned by RBC, please can I request that the fencing for be at least 2 metres away from the perimeter skate fence for Health and Safety reasons.

RBC, Licensing

- 5.16. Licensing do not have any comments for this consultation.

Public/local consultation and comments received:

- 5.17. Three site notices were displayed at the application site for a period of 21 days.
- 5.18. Three letters were received to the application, one of which was from the Caversham and District Residents' Association (CADRA). As a result, the following comments were received (as summarised):

- Concerns that the development would harm trees within and surrounding the site.
- Concerns of noise and pollution arising from the development and the harm that this would bring to local residents.

6. Legal context

- 6.1. 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'. However, the NPPF does not change the statutory status of the development plan as the starting point for decision making (NPPF paragraph 12).
- 6.2. In this regard, the NPPF states that due weight should be given to the adopted policies of the Local Plan 2019 according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).
- 6.3. Accordingly, the latest NPPF and the following development plan policies and supplementary planning guidance are relevant:

Reading Borough Local Plan 2019

Policies:

CC7 Design and the Public Realm

CC8 Safeguarding Amenity

EN7 Local Green Space and Public Open Space

EN12 Biodiversity and The Green Network

EN13 Major Landscape Features and Areas of Outstanding Natural Beauty

EN14 Trees, Hedges and Woodland

EN18 Flooding and Drainage

TR3 Access, Traffic and Highway-Related Matters

TR5 Car and Cycle Parking and Electric Vehicle Parking

CR1 Definition of Central Reading

CR2 Design in Central Reading

CR3 Public Realm in Central Reading

CR4 Leisure, Culture and Tourism in Central Reading

- 6.4. Supplementary Planning Documents

Revised Parking Standards and Design SPD (2011)

Tree Strategy (2021)

7. Appraisal

- 7.1. The main considerations are:
- Principle of Development
 - Design
 - Safeguarding Amenity

- Flooding
- Natural Environment
- Transport
- Other Matters

Principle of Development

- 7.2. Hills Meadow is designated a Local Green Space (LGS) and Public Open Space (POS) and is therefore subject to Policy EN7 of the Reading Borough Local Plan. Policy EN7 states that any proposals that would result in the loss of these open areas, their quality, and jeopardise their enjoyment by the public will not be permitted.
- 7.3. The proposal site is also located within The Thames Valley Major Landscape Feature and is therefore subject to Policy EN13 of the Reading Borough Local Plan. Policy EN13 states that planning permission will not be granted for any development that would detract from the character or appearance of a Major Landscape Feature.
- 7.4. Whilst the above is noted, the event itself took place within the car park associated within Hills Meadow, upon hardstanding surfacing and not within the areas of Hills Meadow which contribute to the features of landscape importance. However, the event would be set against the backdrop of mature trees lining the edge of the car park.
- 7.5. Hills Meadow Car Park is located within Central Reading, the prime focus of which is for major leisure, cultural and tourism development. One of the assessment criteria for proposals within Central Reading under Policy CR3 of the Reading Borough Local Plan is for development to make imaginative uses of open space and the public realm, which contribute to the offer of the centre. The temporary development at Hills Meadow Car Park is considered to make effective use of the car park in providing a seasonal leisure event, whilst expanding the offer of Central Reading. The temporary nature of the event also means any harmful impact on the landscape would not be permanent.
- 7.6. The development is also subject to Policy CR4 of the Reading Borough Local Plan, which states that innovative solutions to leisure provision will be encouraged, particularly those that make best of use of available (often limited site area). The Policy goes on to describe the River Thames as a prime location for new or improved tourist attractions, and as such, this area is suitable for informal recreation and sporting uses and associated small-scale development.
- 7.7. The proposed development is therefore considered in line with Policy CR4, bringing a temporary, seasonal leisure attraction to the town centre. Given the temporary context of the proposed development and the location of the development within the proposal site, it is considered that proposed temporary use of the site as an events space is appropriate.
- 7.8. It is considered appropriate to condition that the use of the site will cease, and all structures be removed by 23:59 on 21st January 2024. This is to ensure that the space is restored for full public access and use.

Design

- 7.9. The proposed development seeks the temporary erection of an ice rink, Ferris Wheel, and several attractions including traders, wooden chalets and food outlets. The fairground attractions are considered utilitarian in design and typical of a seasonal event of this nature.
- 7.10. Despite the location of the event within a hard-standing car park; the structures are considered visually jarring against the verdant backdrop of Hills Meadow. It is, however, considered by officers that due to the strictly temporary nature of the event, the development would not result in lasting damage to the character and appearance of Hills Meadow in accordance with Policies CC7, EN13 and EN14 of the Reading Borough Local Plan.

Safeguarding Amenity

- 7.11. As per the response from Reading Borough Council Environmental Protection; concerns have been raised regarding noise levels from music within the event, and the noise generated from rides.
- 7.12. The Event Safety Management Plan submitted for this application states that any music that is played will be for background purposes and will be kept low to avoid disturbance to the local residents. The Planning Statement states that for a maximum of 1 hour per evening, there may be carol singers or local bands playing and that noise levels will be monitored to ensure that the levels stay below 65Db.
- 7.13. In response to the comments from the Environmental Protection Team, the ride that has caused the crashing sound in previous years is not returning for this year's event. The music levels are monitored daily using the same system as previous years, and in addition this year comparative readings when the attractions are operating, and stationery will be recorded to ensure the music levels are background. The readings will be taken at different places over the area of the site.
- 7.14. The sound levels are set each day to ensure they are background level only, by means of the operator of the site, starting the sound systems prior to opening of the attractions to the public. The levels at which the music is set is below the levels of participants to the event and the organisers ensure it does not exceed the levels caused by operation of the Winter Wonderland event itself. The setting of sound levels at this point ensures that the music level is low and not noticeable at the surrounding residents' properties. The levels are set in the morning prior to opening and those levels are policed by the organisers and no individual ride is authorised to adjust the music level.
- 7.15. One of the conditions for the Premises Licence for this event states that; "The premises licence holder shall ensure that the noise level measured at least 1m from the façade of the nearest and all other noise sensitive premises (being premises where occupants are likely to suffer from excessive noise) shall not exceed 63dBa over a 15-minute period (Laeq 15 min)". It is therefore not considered reasonable to resist planning permission on the basis that breach of noise limits can be enforced against by the Environmental Protection Team.
- 7.16. A further condition for the Premises Licence requires residents of Kingfisher Place and Cardinal Close (premises that are sensitive to noise from the event) to be provided with the contact details of the Designated Premises Supervisor. This is to ensure that any issues relating to noise are reported directly to the event organisers.
- 7.17. Therefore, subject to conditions regarding opening hours, event management and external lighting, the proposal is considered in line with Policy CC8 of the Reading Borough Local Plan 2019.

Flooding

- 7.18. Hills Meadow Car Park is located within Flood Zone Level 2, and partially within Flood Zone Level 3. The applicant has addressed flood risk within the Planning Statement submitted for this application. The statement includes an extract of the floor map, demonstrating the proposal site within flood zones 2 and 3. The statement details that each attraction is raised 600mm from ground level, with the hard-standing car park itself constructed of permeable materials. The event space has been covered in plastic rola-trac and carpet to ensure ease of access for those on foot and in wheelchairs. The flood risk statement goes on to say that should the site be flooded during an event, attendees will be escorted out of the site via the George Street entrance to Hills Meadow Car Park, away from the flood zone level 3 areas to the east and south of the proposal site.

- 7.19. This flood risk statement is considered sufficient, and details enough given the temporary nature of the event and is therefore considered in accordance with Policy EN18 of the Reading Borough Local Plan. A condition will be attached requiring the event to be carried out in accordance with the details provided regarding flood risk management within the Planning Statement.

Natural Environment

- 7.20. As per paragraphs 5.7 to 5.14, clarification was requested by the Natural Environment Team regarding the potential impact that the event would have on trees surrounding the site. It was requested that details of any pruning required be provided, along with confirmation of the details for the close boarded fence to the perimeter of the event.
- 7.21. In response to this, the applicant has confirmed that no pruning or interference with the trees at Hills Meadow. The fencing will be erected using weighted feet and not dug posts.
- 7.22. It has been confirmed that the details provided by the applicant suitably address the concerns from the Natural Environment Team. This is subject to the condition that the close-boarded fence be erected around the perimeter of the site as defined by the red line on the location plan prior to any works commencing on site and then retained until the events use has stopped; thereafter the site should be returned to its original condition.
- 7.23. Therefore, subject to condition, the development is in accordance with Policy EN14 of the Reading Borough Local Plan (2019).

Transport

- 7.24. As per the response received for this application from Transport Development Control, the site is located adjacent to a car park providing 298 pay & display vehicle parking spaces. It is not anticipated that the event would have a detrimental impact on the local highway network due to the temporary nature. The temporary development is therefore considered in accordance with Policies TR3 and TR5 of the Reading Borough Local Plan.

8. Equality implications

- 8.1. Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to—
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 8.2. The key equalities protected characteristics include age, disability, sex, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation. It is considered that there is no indication or evidence that the protected groups have or will have different needs, experiences, issues and priorities in relation to this particular application.

9. Conclusion & planning balance

- 9.1 This application is required to be determined in accordance with the development plan unless material considerations indicate otherwise, as per Section 38(6) of the Planning and Compulsory Purchase Act 2004.
- 9.2 Any harmful impacts of the proposed development are required to be weighed against the benefits in the context of national and local planning policies, as detailed in the appraisal above. Having gone through this process officers consider that the short-term harm to the appearance of The Thames Valley Major Landscape Feature is outweighed

by the economic benefit of the event and the fact that the site will be returned to its original state after 21st January 2024.

- 9.3 It is considered that officers have applied a suitable planning balance when reaching this conclusion. As such, this application is recommended for approval subject to conditions as set out above.

Plans

High Level Site Plan

