

01 November 2023



Reading
Borough Council
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Title	PLANNING APPLICATION REPORT
Ward	Thames
Planning Application Reference:	231130/FUL
Site Address:	Kings Meadow, Napier Road, Reading
Proposed Development	Temporary change of use for up to 45 days in the calendar year, to change from class D2 to Christmas Party Events and Sporting Activities at Kings Meadow, with the site being restored to its former condition on or before 14:00hrs on 31/12/2023
Applicant	Eventist Group t/a Best Parties Ever
Report author	David Brett
Deadline:	08/12/2023
Recommendations	Grant planning permission, subject to conditions as follows
Conditions	<ol style="list-style-type: none">1. Temporary Planning Permission2. Approved Plans3. In accordance with Traffic Management Plan4. In accordance with Flood Management Plan5. 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 measures10. 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 site11. No other temporary use permitted

Informatives	<ol style="list-style-type: none"> 1. Positive and Proactive 2. Compliance with Approved Details 3. Recommended Setup for Future Events
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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 on or before 14:00hrs on 31/12/2023.
- 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 use of available 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.

2. Introduction and site description

- 2.1. The application is being considered at Planning Applications Committee by virtue of the site area falling within the 'Major' applications category.
- 2.2. 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.
- 2.3. 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.
- 2.4. Location Plan:



3. The proposal

- 3.1. 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.

- 3.2. Kings Meadow is the site for other temporary uses and is 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 2023 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.
- 3.3. A total of 12 parties are proposed within the 45-day period applied for. The capacity is for a maximum of 900 guests and each party will be held between 18:45hrs and 01:00hrs. The first party of this year is to be held on Friday 1st December 2023 with the last on Saturday 16th December 2023.
- 3.4. The proposed size of the main marquee is 60m by 24m. 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.
- 3.5. 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.
- 3.6. The following plans have been received (double strikethrough denotes superseded documents):

- ~~Reading Block Plan – ENT-UK-001 Revision R9~~
- ~~Reading Google Overlay – ENT-UK-001 Revision R8~~
- ~~Reading – ENT-UK-001 Revision R4 (*Proposed Site Plan and Floor Plan*)~~

- 24m Premier Structure Gable End Elevation – TD-PS-GE-24m

Received on 09/08/2023

- Reading Google Overlay – ENT-UK-001 Revision R5 (*Location Plan*)
- Reading Google Overlay – ENT-UK-001 Revision R6 (*Proposed Site Plan*)
- Reading – ENT-UK-001 Revision R6 (*Proposed Floor Plan*)

Received on 24/08/2023

- Sound Management Plan

Received on 05/09/2023

- Event Safety & Management Plan

Received on 08/09/2023

4. Planning history

4.1. *Application History of Proposal Site*

221544/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 2022 – Application Permitted on 09/12/2022

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 Permitted on 02/12/2021

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 Permitted on 10/10/2019

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 Permitted on 16/11/2018

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. – Application Permitted on 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. – Application Permitted on 14/12/2016

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 – Application Permitted on 17/11/2004.

5. Consultations

- 5.1. The following consultation responses were received:

RBC, Transport Development Control

- 5.2. The submitted traffic management plan has been reviewed and it has been confirmed that it is acceptable and in line with previous years therefore there are no objections to the proposal.

RBC, Ecology

- 5.3. The application site comprises amenity grassland, likely to be of limited ecological value. Because of the temporary nature of the proposals, they are unlikely to affect protected species or priority habitats and there are no objections to this application on ecology grounds.

RBC, Environmental Protection

- 5.4. I have reviewed the noise management plan and consider that the measures contained within it should be sufficient to ensure adequate control of noise disturbance during the event. I note that complaints were received from occupants of Thames Tower last year. Should this occur again then this will be followed up under the requirements of the noise management plan and premises licence.
- 5.5. I recommend a condition requiring the site to operate in accordance with the submitted noise management plan.

RBC, Licensing

- 5.6. All the conditions to the Premises Licence still apply. There have been no variations to the licence from last year's event. The Premises Licence will continue indefinitely unless surrendered or revoked.

RBC, Natural Environment

- 5.7. Given this is an annual application with no previous issues advised, no objections.

Environment Agency

- 5.8. No response received.

Public/local consultation and comments received:

- 5.9. Three site notices were displayed at the application site for a period of 21 days.
- 5.10. No public responses have been received to the application.

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:

- 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
- CR3 Public Realm in Central Reading
- CR4 Leisure, Culture and Tourism in Central Reading

7. Appraisal

7.1. The main considerations are:

- Open Space
- Noise and Disturbance
- Transport
- Flooding
- Natural Environment & Ecology

Open Space

- 7.2. 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 Local Plan 2019 similarly seek to resist proposals that would result in the loss of such areas or jeopardise their enjoyment by the public.
- 7.3. Kings Meadow 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 Local Plan 2019 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 Kings Meadow is considered to make effective use of the site in providing a seasonal leisure event, expanding the offer of Central Reading.
- 7.4. The development is also subject to Policy CR4 of the Local Plan 2019, which states that innovative solutions to leisure provision will be encouraged, particularly those that make best 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. The proposed development is therefore considered in line with Policy CR4, bringing a temporary, seasonal leisure attraction to the town centre.
- 7.5. 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.
- 7.6. 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'.
- 7.7. 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 2023, to ensure the open space is restored as soon as possible after the series of events has ended.

Noise and Disturbance

- 7.8. 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.'
- 7.9. 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). Access to the site is required over a period greater than 28 days for the event so that the event can be setup and taken down.

- 7.10. The event has been granted a Premises Licence which restricts the event to 12 party nights within a 28-day period. As per the response to this planning application from the Licensing Team; the Premises Licence will continue indefinitely unless surrendered or revoked, and it has been confirmed that the conditions of the Premises Licence have not been varied since last year's event. 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. A compliance condition regarding amplified sound and music from the event is restricted. Additional music noise controls can be secured through licensing and environmental protection measures.
- 7.11. It has been raised within the response to this planning application from the Environmental Protection Team that noise complaints were raised last year from occupants of Thames Quarter. The Noise Management Plan submitted for this application identifies Thames Quarter as being a site that would be most impacted by the event in terms of noise. The document also sets out monitoring and reporting procedures for the noise complaints, whereby the Event Management Team for the event will seek to resolve any issues raised before referral to the Environmental Protection Team.
- 7.12. 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.
- 7.13. 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. The proposals themselves do not differ significantly from those approved in previous years. It should also be noted that the scale of the event is being slightly reduced from previous years, with a maximum of 940 guests per party in 2022, and a maximum of 900 guests per party for this year's event.
- 7.14. Subject to conditions, the proposed event is considered in accordance with Policies CC8 and EN16 of the Local Plan 2019.

Transport

- 7.15. Policy TR1 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.
- 7.16. 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. The Transports Management Plan contains the same procedures that were in place for the event in previous years. 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.
- 7.17. 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.
- 7.18. 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 of the Local Plan 2019.

Flooding

- 7.19. 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.
- 7.20. 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.
- 7.21. Acceptable uses within Zone 3b are limited to those of water compatibility and essential infrastructure. Whilst the Environment Agency have not provided a 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.
- 7.22. 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.
- 7.23. On this basis it is considered that the proposal would not result in an unacceptable increase in flood risk and is consistent with previous approvals, the proposal, at the time of writing, is considered in accordance with Policy EN18 and national policy within the NPPF.

Natural Environment & Ecology

- 7.24. The event is to take place on amenity grassland, which has held similar events in the past and is therefore likely to provide limited ecological value. Due to the temporary nature of the event, protected species and priority habitats are unlikely to be affected. Previous years have shown that the grassland has been able to recover following the event. The development would also not harm nearby trees within Kings Meadow. The proposal is therefore considered in accordance with Policies EN12 and EN14 of the Local Plan 2019.

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 As with all applications considered by the Local Planning Authority, the application is required to be determined in accordance with the development plan unless material

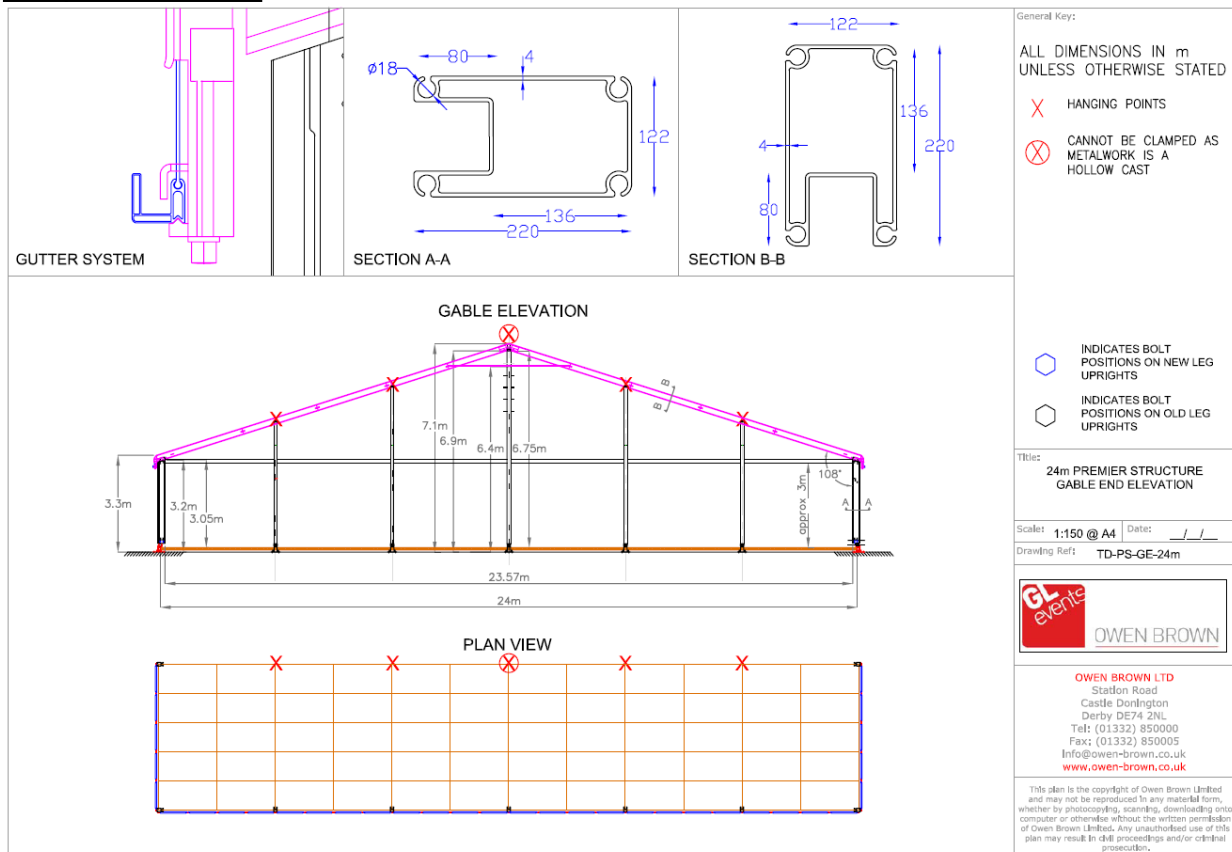
considerations indicate otherwise, as per Section 38(6) of the Planning and Compulsory Purchase Act 2004.

- 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 31st December 2023.
- 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 outlined above.

Location Plan



Marquee Elevations



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