

DELEGATED APPLICATION REPORT

Ward: Caversham

App Ref: 211918/FUL

Address: Hills Meadow Car Park, George Street, Caversham, Reading, RG4 8DH

Proposals: 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.

Case Officer: Mr David Brett

Applicant: Premier Winter Wonderland Events Limited

Date received: 26/11/2021

Valid from: 02/12/2021

Target Decision date: 27/01/2022

1. INTRODUCTION

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. Short term public events that have been held in 2021 include a fun fair during February Half Term, a fun fair over April and May, a fun fair in June, and an Oktoberfest event in October. Most, if not all these events and activities are seeking to return to the site in 2022. Given the limited time periods of these events, formal planning permission is not required for these.

The proposed development subject to application 211918 consists of a temporary Christmas festival - Reading Winter Wonderland, which includes attractions such as an ice rink, fairground rides and venders. The maximum capacity of the event is approximately 500 people.

The applicant likens the event to the Christmas events held previously at Forbury Gardens by Billy Williams & Son Ltd between 2015 and 2017, and by Reading Winter on Ice Limited in 2018 and 2019 (see relevant history section below).

2. PROPOSAL AND SUPPORTING INFORMATION

This application is part retrospective as the application was submitted after the event was open to the public on 13/11/2021, with the event closing to the public on 03/01/2022. The setup for the event commenced on 24/10/2021. The event is to be removed by 16/01/2022. 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.

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.

The proposed development seeks:

- Temporary planning permission for the erection of an ice rink, with marquee housing skate hire (and first aid) and ancillary side stalls in connection with holding a themed Christmas festival.
- Temporary change of use of the car park for use as an events space.
- The relevant period for the temporary planning permission is from 24/10/2021 to 16/01/2022. The event, however, was open to the public from 13/11/2021 to 03/01/2022.

Plans & information considered:

- Location Plan
- Block Plan
- Design and Access Statement - KHC/REA224/4
- Planning Statement - KHC/REA224/4
- Event Safety Management Plan 2021/2022

Received on 26/11/2021

3. RELEVANT PLANNING HISTORY

Application History of Proposal Site (the wider Hills Meadow car park site, rather than the application site specifically)

120584/FUL - Change of use of riverbed and bank to an A3 use to site a Canal Barge which will be used as a tearoom. - Application Permitted on 05/12/2012

140815/FUL - Proposed development of un-used land adjacent to Hills Meadow Car Park to provide a hand carwash and valeting operation with associated public toilet facilities, refreshment servery, and waiting area. - Application Refused on 02/09/2014. Reasons for refusal consist of:

1. Due to the poor quality appearance of the development within this sensitive area in the Thames Valley environs, the proposal would appear as a cramped industrial and urbanising presence in the landscape. The development would therefore be harmful to the special and largely undeveloped character of the area and fail to provide a quality of development suitable to the area or its primary purposes (open space, recreation), in conflict with policies CS7 (Design and the Public Realm) and CS8 (Waterspaces) of the Reading Borough LDF Core Strategy (2008); policies RC5 (Design in the Centre) and RC14 (Public Realm) of the Reading Borough LDF Reading Central Area Action Plan (2009) and Policy SA17 (Major Landscape Features) of the Reading Borough LDF Sites and Detailed Policies Document (2012).

2. The application does not supply a financial contribution towards integrated transport measures (the Reading Urban Area Package (RUAP)) via a suitable S.106 agreement. The development therefore fails to mitigate the additional impact of trips associated with the car wash/valeting operation on the Borough's highway network, contrary to Policy CS20 (Implementation of the Reading Transport Strategy) of the Reading Borough LDF Core Strategy (2008); Policy DM12 (Access, Traffic and Highway-Related Matters) of the Reading Borough LDF Sites and Detailed Policies Document (2012); and the Council's adopted SPD, S.106 Planning Obligations (2013).

141841/FUL - Proposed development of un-used land adjacent to Hills Meadow Car Park to provide a hand carwash and valeting operation with associated public toilet facilities, refreshment servery, and waiting area. - Application Permitted on 30/03/2015

150908/APC - Application for approval of details reserved by condition. (141841) - Condition Discharged on 13/07/2015

Forbury Gardens Application History - Events considered similar to the development proposed within this application by the applicant (see introduction section)

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

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

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

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

4. CONSULTATIONS

4.1 The following addresses were consulted by letter.

Reading Borough Council, Environmental Protection - Response received on 08/12/2021

- Concerns regarding noise arising from the development.
- *"We have received complaints about noise from loud music and screaming from this year's event.*
- *The music associated with the bars and the ice rink are controlled via the licence as the music is meant to be only incidental/background music, and the live music is stated under this planning application to be limited in volume.*
- *However, the presence of fairground rides increases the potential for noise disturbance which is difficult to control under the premises licence. Fairground ride operators generally like to play music to create an atmosphere, and you cannot stop people from screaming on them if they are 'high excitement' rides such as the ones on site this year that spin people up into the air.*
- *Therefore if the site is to be located here next year, I recommend that fairground rides are strictly limited and that only low key rides are permitted e.g. a carousel."*

Reading Borough Council, Environmental Protection - Updated response received on 10/01/2022

- Since the above response provided on 08/12/2021, one resident that complained regarding noise noticed an improvement to the noise levels as the event went on. One resident also complained stating that the event was too noisy due to music and crashing noises from the fairground.
- Nothing further to add to this application.

Reading Borough Council, Natural Environment - Response received on 14/12/2021

- It is unclear as to whether the temporary structures will be outside the canopy spread of the trees that line the east of the proposal site.

Reading Borough Council, Ecology - Response received on 14/12/2021

- Due to 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.

Reading Borough Council, Transport - Response received on 15/12/2021

- 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. The site is located adjacent to the Hills Meadow car park 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.
- In view of this, there are no transport objections for the part retrospective planning permission for the Reading Winter Wonderland

Reading Borough Council, Leisure Services - No response received.

Reading Borough Council, Parks Services - No response received.

Reading Borough Council, Licensing Services - No response received.

Environment Agency - No response received.

Four site notices were erected for this application on Friday 3rd December 2021 by the case officer for a period of 21 days, expiring on Friday 24th December 2021.

No further consultation responses have been received for this application.

5. EQUALITY ACT 2010

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

6. LEGAL AND PLANNING POLICY CONTEXT

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. The Development Plan for Reading relevant to the application site comprises the Reading Borough Local Plan (2019).

The '*National Planning Policy framework*' (NPPF) 2021 states clearly that its content is to be a material consideration in the determination of applications. The 'NPPF' states that due weight should be given to the adopted policies of the Local Development Framework (LDF) (Reading Borough 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).

National Policy

National Planning Policy Framework

National Planning Practice Guidance

Reading Borough Local Plan (Adopted November 2019)

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

7. APPRAISAL

7.1 Principle of Development

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.

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.

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.

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.

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.

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.

As the temporary use of the site is still on going at the time of writing this report, it is considered appropriate to condition that the use of the site will cease, and all structures be removed by 23:59 on 16th January 2022. This is to ensure that the space is restored for full public access and use.

7.2 Design

The proposed development seeks (retrospectively) the temporary erection of an ice rink, and several attractions including traders, wooden chalets and food outlets. The ice rink is located central to Hills Meadow Car Park, west of the proposal site, whilst a Ferris wheel is located to the north west of the proposal site. The fairground attractions are considered utilitarian in design and typical of a seasonal event of this nature.

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.

7.3 Safeguarding Amenity

As per the response from Reading Borough Council Environmental Protection; a number of complaints have been received regarding loud music and other noise arising from the event such as screaming and crowd noise. The Event Safety Management Plan submitted for this application states that any music that is played will be for background purposes and will be monitored to make sure it stays below 60-70Db. The Event Safety Management Plan is considered detailed and to suitably support the running of the event for procedures in place with regards to considerations such as waste management, noise, sanitary facilities, transport management and crowd management. Had the application been submitted prior to the event, a condition would have been included to any approval of the application for the event to be carried out in accordance with the details specified within the Event Safety Management Plan.

7.4 Flooding

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.

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. Had the application been received prior to the event, a condition would have been attached to any approval of this application requiring the event to be carried out in accordance with the details provided regarding flood risk management within the Design & Access Statement.

7.5 Natural Environment

Based on the information submitted for this application, the plans were not specific in detailing the height of temporary structures and their relation to the canopy of trees that line the south and east of the proposal site. Due to the temporary nature of the event and the timing in which this application was submitted, it is not considered appropriate to request further arboricultural information and plans. Any future application of a similar nature, however, would need to accurately demonstrate the layout of the event and the height of temporary structures in relation to nearby trees. The development is therefore considered in accordance with Policy EN14 of the Reading Borough Local Plan.

7.6 Transport

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 cause a detrimental impact on the local highway network due to the temporary nature of the event. The temporary development is therefore considered in accordance with Policies TR3 and TR5 of the Reading Borough Local Plan.

7.7 Ecology

As per the response from Ecology, there are no concerns that the development would affect protected species or priority habitats. The development is therefore considered in accordance with Policy EN12 of the Reading Borough Local Plan.

7.8 Other Matters

Had this planning application been submitted and determined prior to development commencing on site, conditions would have been attached to any approval of the application concerning the implementation of the permission, adherence to the Event Safety Management Plan and restrictions to opening hours. These conditions would have been applied in accordance with Policy CC8 of the Reading Borough Local Plan to ensure that the running of the event would not harm the living conditions of nearby residents.

8. CONCLUSION

The proposed development has been assessed and the proposed works are considered to be in accordance with the above relevant policies and planning permission can be granted.

9. RECOMMENDATION

GRANT

10. CONDITIONS

Temporary Planning Permission

The use of the land for the Reading Winter Wonderland event shall cease and the site shall be restored to its former condition on or before 23:59 hours on 16 January 2022.

Reason: In the interests of the residential amenity of the surrounding area and in the interests of the visual amenity of the area of open space in accordance with Policies EN7 and CC8 of the Reading Borough Local Plan (2019).

AP1: Approved Plans

The development hereby permitted shall ONLY be carried out in accordance with the following approved plans:

- Location Plan
- Block Plan
- Design and Access Statement - KHC/REA224/4
- Planning Statement - KHC/REA224/4
- Event Safety Management Plan 2021/2022

Received on 26/11/2021

REASON: For the avoidance of doubt and to ensure that the development is carried out and adhered to in accordance with the application form and associated details hereby approved.

11. INFORMATIVES

IF1: Positive and Proactive Working - approval

The Local Planning Authority has worked positively and proactively with the applicant to resolve relevant matters to allow permission to be granted within the prescribed target timescale for the decision to be issued.

IF5: Terms

Your attention is drawn to the terms and conditions of this permission. Any development which is carried out but which differs materially from the approved plans and details, or does not comply with any condition(s) or planning obligation(s) attached to the permission may result in the Council taking action to remedy the breach of planning control. If you are in any doubt please contact the Council.

Temporary Use

a) Your attention is drawn to the terms and conditions of this permission. Any development which is carried out but which differs materially from the approved plans and details, or does not comply with any condition(s) or planning obligation(s) attached to the permission may result in the Council taking action to remedy the breach of planning control. If you are in any doubt please contact the Council.

b) The applicant is advised of the need to secure the appropriate events license(s) for the temporary uses approved as part of this planning permission.

c) The applicant is reminded that the temporary use of the site hereby permitted will be subject to environmental protection regulations under the Environmental Protection Act 1990.

IF8: Encroachment

During the course of construction, the developer should take care to ensure that no part of this development (foundations, eaves, guttering, etc.) would encroach on, under or across the boundary line with the adjoining property, as the requisite Notice has not been served on the owner of that property. This permission does not confer any right of access onto land that is not under the developer's control. The developer should also be mindful of the obligations and requirements of the Party Wall Act (1996) details of which can be found at: www.communities.gov.uk/publications/planningandbuilding/partywall

Informative relating to Noise

It is noted that there have been complaints of noise arising from the event during hours of operation. This is with regards to music played at the event and the noise generated from screaming and crowd noise. It is therefore encouraged that the applicant considers these complaints for the running of any future events at the site and make adjustments accordingly.

Future Applications at the Site

This planning application was submitted after the event had opened to the public on 13/11/2021. It is strongly advised that the applicant submits any planning applications for future events at the site and receives the formal decision on the application from the local planning authority prior to development commencing on site.