

PLANNING STATEMENT

TOWN AND COUNTRY PLANNING ACT 1990

READING WINTER ON ICE LIMITED

Land at the Forbury Gardens, The Forbury, Reading, RG1 3EJ

Application: 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 to extend beyond 10 January for a period of 1 year



BLANDY & BLANDY
solicitors

Blandy & Blandy LLP
One Friar Street
Reading
Berkshire RG1 1DA
TEL: 0118 951 6800
REF: KVJ/REA224/1

Introduction

The Applicant, Reading Winter on Ice Limited, intends for Reading Winter on Ice to present a fun and family friendly Christmas themed festival with an Ice Rink and ancillary side stalls (the "Event") for local people and tourists alike.

The Event was run in 2014, 2015, 2016 but did not take place in the last 2 years due to access difficulties caused by the restoration works to the Abbey Ruins.

The Applicant intends to operate the Event from 16 November 2019 to 5 January 2020. The opening hours of the Event are intended to be 10:00 to 22:00. In order to be in a position to open the Event on 16 November 2019 the Applicant would set up the Event from 4 November 2019. Take-down of the Event is anticipated to start on 6 January 2020 and finish by 10 January 2020.

The Applicant is also applying for a Premises Licence for the Event under the Licensing Act 2003.

The Applicant has been granted a Licence to Occupy by Reading Borough Council ("the Licence").

In accordance with the terms of the Licence and the requirements of the Town and Country Planning Act 1990, the Applicant is applying for a temporary change of use to the Forbury Gardens for use as an ice rink, with marquee structure housing skate hire and ancillary side stalls for a period of time not to be before 4 November and not extend beyond 10 January for a period of 1 year.

The Site

Forbury Gardens is a 2 hectare public park and is on the site of the outer court of Reading Abbey which was in front of the Abbey Church ("the Garden"). The Garden lies at the north-east corner of Reading town centre in an urban setting. The Garden is a Grade II listed park under the Historic Buildings and Ancient Monuments Act 1953 within the Register of Historic Parks and Gardens by English Heritage for its special historic interest and is set within the Market Place Conservation Area.

The Site itself only encompasses the western half of the Garden as can be seen from the red line plan and therefore all the event structures will be located on one side of the Gardens. There will be no formal fencing dividing off the Site from the eastern side of the Garden as the Garden will remain open for general public entry as normal.

The Site is largely level and laid to lawn crossed with three straight paths which link the various entrances in this section. The paths are linked by a perimeter path largely bordered on the outer side by mature trees and shrubs. During the Event all pedestrian access ways to, from and around the Garden will be kept free from obstructions at all times

The south east corner of the Site is mainly laid to tarmac, at the centre of which stand the octagonal bandstand. At the centre of the Site stands the Maiwand Memorial (listed grade II). The Garden also has a perimeter fence with 6 perimeter gates which are locked at 10pm.

Description of the Event

During the period that the Event is operating, the main structure on the Site will be the ice rink ("the Ice Rink") itself as this is the main attraction. In addition there will be a number of other smaller structures on site including a marquee which will act as both the ice skate exchange and first aid tent.

There will also be a number of wooden 'chalets' that will be housing individual traders selling festive gifts and housing food outlets. In addition, there will be a number of family fairground rides.

The Ice Rink will have a maximum size of 30m x 15m and will have a capacity for 118 skaters per 45 minute session. There will also be a number of individuals waiting for the next session which could be up to 118 people. The number of customers for the Ice Rink that could be on site at any one time will be 236 people.

The maximum capacity at the Site is approximately 500 people.

The Applicant has prepared a detailed Event Safety Management Plan 2019/2020 which is aimed at ensuring that health and safety at the Event is of the highest standard. The Event Safety Management Plan is submitted with this application.

Protection of the Historic Environment and Conservation Area

The Applicant is aware and appreciates the contribution that the Garden makes to the historic environment of Reading.

The proposal has therefore been designed to ensure that there will be no permanent adverse impact on the historic environment in accordance with Policy CS33 of Reading Borough Council's Adopted Core Strategy (Adopted January 2008. Revised January 2015) ("Core Strategy") and Section 9 "Built and Natural Environment" of the Sites and Detailed Policies Document (Adopted October 2012. Revised January 2015)("SDPD").

The Applicant is aware that the Council is in the process of adopting a New Local Plan and that some weight will be given to that plan due to its advanced nature. Policy EN1 of the Submission Version of the New Local Plan aims to ensure that historic features will be protected and Policy EN3 looks to conserve and enhance Conservation Areas. The proposed use is temporary in nature and is similar to what was previously approved by the Council in 2015 under Planning Permission 151417. As above, there will be no permanent adverse impact on the historic environment of the Garden.

The Site naturally lends itself to the event as the tarmacked surfaces will ensure that visitors do not have to walk on the grass. In addition the trees and shrubs that surround the Site will act as a screen for the event and minimise the visual impact of the proposal.

The structures will be placed on suitable material designed to protect the surface of the ground from undue wear. Under the terms of the Licence the Applicant will agree such protective material in advance with the Council's Parks Manager to ensure that it meets the satisfaction of the Council.

Furthermore there are no excavations works associated with the application. The structures will be secured by above ground counter weights and no fixing pins shall be driven into the surface material. As such there will be no disturbance of the ground and there will be no adverse impact on the archaeological significance of the Site.

Finally as in previous years, it is a requirement under the terms of the Licence that the Applicant pays for any repair and reinstatement works required after disassembling of the Event attractions in order to put the Site back into the same condition that it was prior to the commencement of the Event. A bond deposit will be in place under the terms of the Licence to cover the cost of any reinstatement works. This means that any adverse impact on the historic environment or the conservation area will be short term.

Impact on Character of the Area and Residential Amenity

The Site is surrounded by commercial properties and set in the centre of Reading Town Centre. The principle of Christmas activities and markets in and around the centre of Reading has been established over many years, and these events are becoming a key part of the town's festive celebrations.

Policy CS25 of the Core Strategy considers that Reading Town Centre is "the most suitable location for retail, leisure and culture development". Policy RL1 of the Submission Version of the New Local Plan provides that the "vitality and viability" of Reading as a Regional Centre, "should be maintained and enhanced". This Policy RL1 anticipates that "broadening" the range of facilities in Reading will go some way to ensuring that the vitality of Reading continues. The provision of a festive and popular event during the Christmas period will help to achieve this aim.

Furthermore although the proposal is only temporary and of a festive nature, the Council have previously identified the need for additional retail and leisure development in Reading specifically noting the role that a temporary ice rink could play in strengthening the role of the town centre through improving facilities available to visitors. This is supported in the Core Strategy (Policy CS26) and Reading Borough Council's Central Area Action Plan (Adopted January 2009) at para 5.15 which states that "in terms of leisure, culture, recreation and tourism, there are a number of individual facilities which could be of particular benefit in widening the offer of the centre... an ice rink could potentially be an open –air or partially covered winter facilities within an existing or planned area of open space." It is further referred to in the Submission Version of the New Local Plan at Paragraph 4.6.10.

It is considered that the proposal will support and enhance Reading's 'Christmas feel' and the Event facilities will assist in widening the variety on offer in the centre of Reading, thereby helping to attract a greater range of people into the town during the key retail period. By enhancing the town vitality and viability by adding to the town's festive celebrations and encouraging visitors to shop and visit Reading during the festive period, being adjacent to Reading's primary shopping area, means that the proposal constitutes sustainable development for the purposes of the National Planning Policy Framework ("NPPF"), a presumption back up by policy SD1 of the Reading SDPD and Policy CC1 of the Submission Version of the New Local Plan.

As the Site is located in the commercial heart of Reading the number of residential properties nearby are limited. In any event the Event itself will only operate between the hours of 10 am until 10pm, and therefore any festivities will not last into the night. The Appellant submits that any environmental issues can be satisfactorily dealt with at the licensing stage to ensure that any disturbance to residential amenity in the area is minimal.

Noise

It is likely that any music will be incidental in nature. For a maximum of 1 hour each evening, there may be carol singers or local bands playing. However any noise emanated will be monitored to make sure it stays below 50-60Db, and will be covered by the Live Music Act 2012.

Recorded music will be played between the hours of 10:00 and 22:00 however it will generally be background/incidental in nature. Although it is not envisaged that the music will be licensable, the Applicant is applying for 'recorded music as a licensable activity' by way of a Premises Licence application.

The music is likely to be limited to background music to accompany live music (e.g. carol singers), music on the carousel, and some general background/ambience music for the market stalls.

As all the noise on site will be monitored and licensed it is not considered that this aspect should give rise to any planning concerns.

Loss of Open Space

The proposal will result in the temporary loss of some of the open space to the public, however the event will provide replacement recreational facilities during this time in the same location which will therefore outweigh the short term loss of the open space, thereby complying with Policy CS28 of the Core Strategy and Policy EN7 of the Submission Version of the New Local Plan.

As stated previously, the Site, along with the rest of the Gardens will remain open to the public during the Event. The only difference during the Event will be that the Site will host temporary structures for a short time that will provide the public with outdoor recreational facilities.

The areas of lawn where the temporary structures are to be placed are only primarily used by the public during the summer months. During the winter months, the public tend to remain on the pathways that run across the Gardens.

Given the time of year that the Event is taking place, it is considered that the replacement facilities will not result in any significant loss of open space as all the pathways within the whole of the Gardens will remain free from obstruction allowing the public to continue to walk around the Gardens whilst the Event is taking place. Furthermore, the Event will be providing replacement recreational facilities in the form of a temporary ice rink and other amusement rides which will outweigh any short term loss of open space. Due to the care that the Applicant is taking, the recreational quality of the open space will not be negatively impacted, as the Site will be restored to its original state once the Event has finished for the year.

Traffic Movements and Parking

The Site is located within the centre of Reading and as such is located within the most accessible location in the Borough (Policy CS25 of the Core Strategy and Policy CC6 and Paragraph 4.1.26 of the Submission Version of the New Local Plan). Reading train station is within 5 minutes walking distance, and there are a number of major bus stops located very close to the Site's main gate. The Site is also located within short walking distance of the taxi pick up points.

In addition there are a number of public car parks located nearby which serve Reading town centre, as well as bicycle racks.

It is not anticipated that the Event will have a substantial impact on traffic movements. All deliveries and set up/take down access will be arranged in advance with the Council to take place at specific times so as not to require closure of the neighbouring highway infrastructure. Accommodation for the parking of trader's vehicles will be provided at Hills Meadow, off George Street, Caversham and therefore will not have impact on the highway infrastructure in central Reading.

As such it is considered that the proposal complies with both Policies CS22 and CS25 of the Core Strategy and Policies TR1 and RL2 of the Submission Version of the New Local Plan.

Conclusion

The proposal is for a temporary period only and combined with the care that has been taken to design the application; the Event will not have a long-term adverse impact on the historic environment or the surrounding listed buildings. The residential amenity, and conservation area will be protected, and whilst replacement recreational facilities will be provided to compensate for the temporary loss of open space. The application complies with current planning policy, emerging planning policy and will make a significant and positive contribution towards Reading's festive celebrations enhancing the town's viability and visibility. The Applicant therefore requests that the application is recommended for approval.

Blandy & Blandy LLP

2 September 2019