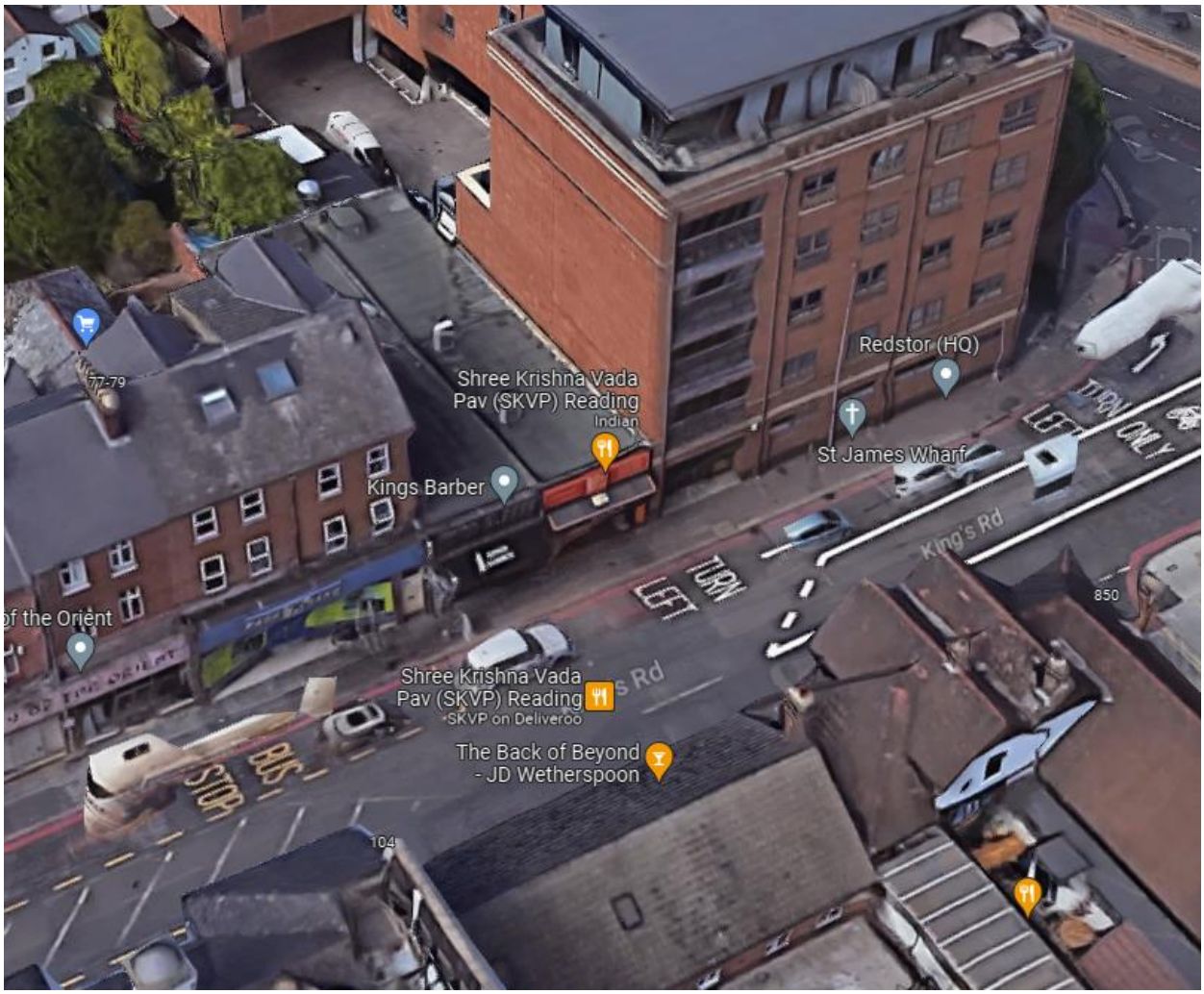
DELEGATED PLANNING APPLICATION REPORT
Ward: Abbey
App Ref: 220507/ADV
Address: 97 Kings Road, Reading, RG1 3DD
Proposals: Pushthrough illuminated LED sign with dimmable fairy lights
Case Officer: Marcie Rejwerska
Date received (valid from): 5 April 2022 Target Decision date: 30 November 2022 (ext.)

1. SITE DESCRIPTION

The application site is a commercial unit on the north side of King's Road in the Reading town centre. The area is covered by Reading Central area and Central Core policies.



Location of the application site. Image taken from Google Maps on 15 January 2023.

2. PROPOSAL AND SUPPORTING INFORMATION

Retrospective advert consent is sought for new vinyl fascia signage externally illuminated with carnival style lightbulbs.

Plans considered:
SKVP Reading Location Plan, dated 1 April 2022, received 5 April 2022
990013-01, Proposed elevations, dated 1 April 2022, received 5 April 2022

3. RELEVANT PLANNING HISTORY

980615 - Proposed Canopy made of white vinyl above fascia. – Application permitted on 14/09/1998

4. CONSULTATIONS

Internal consultations:

Transport - Based on the Illuminated Advertisement guidance, any illuminated sign up to 10m2 should not exceed 600 cd/m2. Therefore, there are no transport objections to this application.

CCTV - The below plans on Kings road will have no impact on cctv.

External consultations:

The following addresses were consulted by letter.

75 Blakes Quay, Reading, RG1 3EN

Letters of representation have been received as follows:
1 objection citing concerns of carnival style lightbulbs appearing out of character with the area and potential concerns over luminance levels and impact on highway/nearby residential properties.

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.

5. 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. Material considerations include relevant policies in the National Planning Policy framework (NPPF) - among them the 'presumption in favour of sustainable development'. The following local and national planning policy and guidance is relevant to this application:

National Policy and Guidance
National Planning Policy Framework
National Planning Practice Guidance

Reading Borough Local Plan (2019)
CC7: DESIGN AND THE PUBLIC REALM
TR3: ACCESS, TRAFFIC AND HIGHWAY-RELATED MATTERS
OU4: ADVERTISEMENTS

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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.

APPRAISAL

The main issues are considered to be:
i) Amenity
ii) Public safety

1.1. Amenity

Policy OU4 of the Reading Borough Local Plan (2019) states,

All adverts shall comply with the following criteria:

- *Advertisements will not obstruct windows, any other sign already located on the building, or cut across significant architectural features such as historic fascias, windows, pilasters, cornices or scrolls;* **NO**
- *Where a shop or business occupies more than one adjacent unit, the advertisement will not run between the shopfronts;* **NO**
- *Advertisements on listed buildings or in Conservation Areas will respect or enhance the building or area, and will respect the key features of the special historic interest;* **NA**
- *Advertisements will not reduce visibility for users of the highway or accesses onto the highway;* **NO**
- *Illumination should not detract from the amenity of the area or pose a safety hazard to users of the highway; and* **NO**
- *Advertisements should not obscure the sight lines of cameras installed for public safety.***NO**

The proposed signage is considered out of character for its location. Commercial units in the immediate area do not have illuminated fascias. As such the proposal is considered harmful to the outlook to the area and therefore not acceptable.

1.2. Public Safety

The NPPG (in particular in this instance Paragraph: 068 Reference ID: 18b-068-20140306 & Paragraph: 078 Reference ID: 18b-078-20140306) provides guidance as to the considerations affecting public safety. These are detailed below (in *italics*), together with officer responses in relation to the proposal (in **bold**):

The main types of advertisement which may cause danger to road users are:

(a) those which obstruct or impair sight-lines at corners, bends or at a junction, or at any point of access to a highway; **NO**
(b) those which, because of their size or siting, would obstruct or confuse a road-user's view, or reduce the clarity or effectiveness of a traffic sign or signal, or would be likely to distract road-users because of their unusual nature; **NO**
(c) those which effectively leave insufficient clearance above any part of a highway, or insufficient lateral clearance for vehicles on the carriageway (due allowance being made for the camber of the road-surface); **NO**
(d) those externally or internally illuminated signs (incorporating either flashing or static lights) including those utilising light emitting diode technology:
i. where the means of illumination is directly visible from any part of the road;
ii. which, because of their colour, could be mistaken for, or confused with, traffic lights or any other authorised signals; **NA**
iii. which, because of their size or brightness, could result in glare and dazzle, or distract road-users, particularly in misty or wet weather; **NA**
iv. which are subject to frequent changes of the display; **NA**
(e) those which incorporate moving or apparently moving elements in their display, or successive individual advertisements which do not display the whole message; **NA**
(f) those requiring close study (such as Public Information Panels), which are situated so that people looking at them would be insufficiently protected from passing vehicles; or those advertisements sited on narrow footpaths where they may interfere with safe passage by causing pedestrians to step into the road; **NO**
(g) those which resemble traffic signs, as defined in section 64 of the Road Traffic Regulation Act 1984, and may therefore be subject to removal by the traffic authority under section 69 of that Act, for example:
i. those embodying red circles, crosses or triangles, or any traffic sign symbol; or those in combinations of colours which might otherwise be mistaken for traffic signs; or **NO**
ii. those incorporating large arrows or chevrons with only the arrow or chevron made of retroflective material or illuminated, causing confusion with similar signs in use at, or approaching roundabouts. **NO**
(h) those which embody directional or other traffic elements and which need special scrutiny because of possible resemblance to, or confusion with, traffic signs, for example, advertisements which: **NO**
i. contain a large arrow or chevron (or have a pointed end and have only a few words of message); **NO**
ii. invite drivers to turn right on a main road, or where there is fast moving traffic; **NO**
iii. invite drivers to turn, but are sited so close to the turning that there is not enough time to signal and turn safely; or **NO**
iv. are so close to similar advertisements, or official traffic signs, that road-users might be confused in the vicinity of a road junction or other traffic hazard. **NO**

In light of the above it is confirmed that the proposals are considered to be satisfactory on public safety grounds.

Conclusion

The proposal has been assessed and the works are not considered to be in line with the above policies and therefore Advertisement Consent is refused.

RECOMMENDATION
REFUSE PERMISSION

Reason for refusal:

1. The proposed development by reason of its external illumination would result in harm to the appearance of the street scene and the character of the area, contrary to Policies CC7 and OU4 of the Reading Borough Local Plan 2019.