

DELEGATED APPLICATION REPORT

Application No: 210202/ADV

Address: Unit 1D, Broad Street Mall, Queens Walk, Reading, RG1 7QE

Proposal: Retention of fascia sign and proposed projecting sign (both externally illuminated) (Amended Description)

Case Officer: David Brett

Applicant: Nararatviriya

Received on (valid from): 08/02/2021

Target Date: 11/06/2021, extension of time agreed on decision from 05/04/2021

Site Description and Surrounding Area

The proposal site is a retail unit at Broad Street Mall, that is currently occupied by ThaiGrr! The Broad Street Mall side of Queens Walk consists of mostly similarly sized retail units. The west side of Queens Walk consists of student accommodation and a hotel. The surrounding area is considered largely retail to the east side of Queens Walk, while the west side of Queens Walk is considered largely residential and hospitality.



Fig 1. Unit 1D, Broad Street Mall. Photo captured by case officer on 27/04/2021.

Proposal

The proposal seeks advertisement consent for fascia sign and a projecting sign.

An unaccompanied site visit was performed on 27/04/2021. As demonstrated in figure 1, the proposed signage has been partially implemented, with the fascia sign already in place, but the external illumination and projecting sign were not. Revised plans submitted during the course of the application detailed that the fascia sign would be externally illuminated through trough lighting, as would the proposed projecting sign.

The plans received on 08/02/2021 included a frosted manifestation which appears to be at odds with condition 11 (active window displays) for application 180823, and condition 3 (active window displays) for application 181613, as the conditions restricts the application of window vinyls. The frosted manifestation had not been installed on the day of the unaccompanied site visit. It was therefore suggested to the applicant that the proposed frosted manifestation were removed from the plans. Revised plans were submitted accordingly on 07/06/2021 removing the proposed frosted manifestation. A further set of revised plans were received on 08/06/2021 indicating that the fasciae signage and projecting sign would be illuminated externally by trough lighting.

It should be noted that a Feasibility Layout (drawing '1.0', dated 23.11.2020) was submitted as part of this Advertisement Consent Application. For the avoidance of doubt these will require separate planning permission and is not considered as part of this Advertisement Consent Application.

As demonstrated in Fig 1, a ventilation grille appears to have been installed within the signage. The ventilation grille appears to have been installed without first seeking to discharge condition 9 (odour assessment) for application 180823. An approval of details application does not appear to have been submitted or approved to address condition 9 prior to the installation of the ventilation grille. An approval of details application should be submitted to address this matter. If an application is not forthcoming, the matter will be passed on to Planning Enforcement to investigate a possible breach of condition / unauthorised works being carried out at the site. An informative will specify this on the decision notice.

Plans/Documents Considered

The agent supplied the following plans for this application:

- Block Plan and Location Plan - 0000
- ~~Feasibility Layout 1.0~~ - Not considered as part of this Advertisement Consent Application
- ~~Proposed Elevation 2.0~~

Received on 08/02/2021

- ~~Proposed Elevation 2.0 (07.06.21 - Signage Amended Following Planning Feedback)~~

Received on 07/06/2021

- Proposed Elevation 2.0 (07.06.21 - Signage Amended Following Planning Feedback)

Received on 08/06/2021

Internal Consultations

Reading Borough Council, Transport - Response received on 20/04/2021.

- There are no Transport objections to this application. Conditions proposed to limit the luminance of the proposed signage.

Reading Borough Council, Transport - Response received on 07/06/2021 upon review of revised plans

- There are no Transport objections to this application. Conditions proposed to limit the luminance of the proposed signage.

External Consultees

No consultation responses have been received for this application.

Relevant Planning History

180823 - Subdivision of three-storey retail unit (Class A1) and change of use to form: 1x retail unit (Class A1) at part basement / part ground floor; 2x flexible retail or restaurant units (Class A1/A3) at ground floor level; and 2x assembly & leisure units (Class D2) - 1 at part basement / part ground floor & 1 at part ground, part first floor level, together with shared access and means of escape; associated replacement shopfront works and associated external alterations on Oxford Road and Queens Walk frontages. - Application Permitted on 13/09/2018 (Committee Decision)

- Condition 9

- No extraction system shall be installed until details of the means of ventilation for the extraction and dispersal of cooking smells/fumes, including details of its method of construction, odour control measures, noise levels, its appearance, running specifications and a maintenance plan have been submitted to and been approved in writing by the Local Planning Authority. Reference shall be made to the Defra Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems (January 2005) when assessing potential odours and selecting appropriate odour control methods. The approved scheme shall be installed before the use hereby permitted commences and thereafter shall be permanently retained and maintained in accordance with the approved specifications.
- Reason: To safeguard the amenities of the adjoining premises and the area generally, in accordance with Policy CS34 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy DM4 of the Reading Borough LDF Sites and Detailed Policies Document 2012 (Altered 2015).

181613 - External alterations comprising the installation of replacement shopfront and entrance at ground floor, and installation of two fixed windows and two bi-folding windows at first floor. - Application Permitted on 02/11/2018

- Condition 3

- Notwithstanding the provisions of Class 12 of Schedule 3 of the Town and Country Planning (Control of Advertisements) Regulations 2007 (as amended), the ground floor shopfronts hereby approved shall retain 'active window displays' along the length of the Oxford Road (south) and Queens Walk (west) glazed frontages, without the installation of window vinyls, roller shutters, or similar.
- Reason: In the interests of retaining a vibrant and attractive streetscene, in line with Policy CS7 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy RC10 of the Reading Central Area Action Plan 2009.

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.

Relevant Planning Policy and Guidance

- Regulation 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 requires the Local Planning Authority to exercise its powers under these regulations in the interests of amenity and public safety taking into account the provisions of the development plan, so far as they are material; and any other relevant factors. Regulation 3 states that factors relevant to amenity

include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural, or similar interest.

- Factors relevant to public safety include highway safety and whether the advert would hinder security or surveillance devices, including speed cameras.

Relevant Policies

The application has been assessed against the following policies:

National

National Planning Policy Framework 2012;
National Planning Policy Guidance 2014 onwards;
NPPG: Advertisements;

Reading Borough Local Plan (November 2019)

- CC7: Design and the Public Realm
- OU4: Advertisements

Appraisal

a) Advertisements

The Reading Borough Local Plan advertisements policy (OU4) states that all adverts need to comply with the following criteria in order to be approved:

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.	Complies
Where a shop or business occupies more than one adjacent unit, the advertisement will not run between the shopfronts.	Complies
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.	Complies - Proposal site not in or adjacent to a Conservation Area. Proposal site is not a Listed Building or adjacent to a Listed Building.
Advertisements will not reduce visibility for users of the highway or accesses onto the highway.	Complies - proposal site is not adjacent to a highway, the shop front fronts a pedestrianised area.
Illumination should not detract from the amenity of the area or pose a safety hazard to users of the highway.	Complies - proposal site is not adjacent to a highway, the shop front fronts a pedestrianised area.
Advertisements should not obscure the sight lines of cameras installed for public safety.	Complies

NPPG: Advertisements - [Considerations affecting 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) <i>those which obstruct or impair sight-lines at corners, bends or at a junction, or at any point of access to a highway</i>	Complies - proposal site does not front a highway
(b) <i>those which, because of their size or siting, would obstruct or</i>	Complies - proposal

<i>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</i>	site does not front a highway
(c) <i>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)</i>	Complies - proposal site does not front a highway
(d) <i>those externally or internally illuminated signs (incorporating either flashing or static lights) including those utilising light emitting diode technology</i>	
i) <i>where the means of illumination is directly visible from any part of the road</i>	Complies - proposal site does not front a highway
ii) <i>which, because of their colour, could be mistaken for, or confused with, traffic lights or any other authorised signals</i>	Complies - proposal site does not front a highway
iii) <i>which, because of their size or brightness, could result in glare and dazzle, or distract road-users, particularly in misty or wet weather</i>	Complies - proposal site does not front a highway
iv) <i>which are subject to frequent changes of the display</i>	Complies
(e) <i>those which incorporate moving or apparently moving elements in their display, or successive individual advertisements which do not display the whole message</i>	Complies
(f) <i>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</i>	Complies - proposal site does not front a highway
(g) <i>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>	
i) <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</i>	Complies - proposal site does not front a highway
ii) <i>those incorporating large arrows or chevrons with only the arrow or chevron made of retroreflective material or illuminated, causing confusion with similar signs in use at, or approaching roundabouts</i>	Complies - proposal site does not front a highway
(h) <i>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</i>	
i) <i>contain a large arrow or chevron (or have a pointed end and have only a few words of message)</i>	Complies - proposal site does not front a highway
ii) <i>invite drivers to turn right on a main road, or where there is fast moving traffic</i>	Complies - proposal site does not front a highway
iii) <i>invite drivers to turn, but are sited so close to the turning that there is not enough time to signal and turn safely</i>	Complies - proposal site does not front a highway

<i>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</i>	Complies - proposal site does not front a highway
<i>The prevention of crime is a public safety consideration and local planning authorities should consider whether granting express consent could block the view of CCTV cameras, or whether illumination from an advertisement would cause glare on such cameras.</i>	Complies

Conclusion

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

Recommendation

GRANT

Conditions

A1: STANDARD ADVERT REQUIREMENTS

No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

- i. No advertisement shall be sited or displayed so as to:
 - a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
- ii. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
- iii. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
- iv. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

REASON: In accordance with Schedule 2, Regulation 2(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

AD1: ADVERT LUMINANCE

The maximum luminance from the signs hereby consented shall not exceed 600 cd/m².

REASON: To protect the visual amenity and avoid excessive glare that could lead to a danger to highway users in accordance with Policy CC7 and OU4 of the Reading Borough Local Plan 2019.

AD2: APPROVED PLANS (ADVERTS)

The advertisements hereby consented shall be carried out in accordance with the following approved plans:

- Block Plan and Location Plan - 0000

Received on 08/02/2021

- Proposed Elevation 2.0 (07.06.21 - Signage Amended Following Planning Feedback)

Received on 08/06/2021

REASON: For the avoidance of doubt and to ensure that the advertisement is carried out in accordance the details hereby approved in accordance with Policy OU4 of the Reading Borough Local Plan 2019.

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 agreed extended timescale for the decision to be issued.

A ventilation grille appears to have been installed without first seeking to discharge condition 9 (odour assessment) of permission 180823. At the time of this decision, an approval of details application does not appear to have been submitted or approved to address condition 9 prior to the installation of the ventilation grille. It is therefore advised that an approval of details application should be submitted to address this matter. If an application is not forthcoming, the matter will be passed on to Planning Enforcement to investigate a possible breach of condition / unauthorised works being carried out at the site.