

DELEGATED APPLICATION REPORT

Application No: 210192/FUL

Address: 3 Broad Street, Reading, RG1 2BH

Proposal: Change of use from Class A2 to hot-food takeaway (Sui Generis) and shopfront alterations (amended description)

Case Officer: David Brett

Applicant: Mr S Yilmaz

Received on: 04/02/2021

Valid from: 18/02/2021

Target Date: 23/07/2021, extended decision date agreed with applicant from 15/04/2021

Application No: 210245/LBC

Address: 3 Broad Street, Reading, RG1 2BH

Proposal: Internal and external alterations associated with change of use from Class A2 to hot-food takeaway (Sui Generis), including shopfront alterations and signage (amended description)

Case Officer: David Brett

Applicant: Mr S Yilmaz

Received on: 14/02/2021

Valid from: 18/02/2021

Target Date: 23/07/2021, extended decision date agreed with applicant from 15/04/2021

Application No: 210281/ADV

Address: 3 Broad Street, Reading, RG1 2BH

Proposal: Externally illuminated 'CHIPSTAR' Fascia sign (Amended Description)

Case Officer: David Brett

Applicant: Mr S Yilmaz

Received on: 18/02/2021

Valid from: 18/02/2021

Target Date: 23/07/2021, extended decision date agreed with applicant from 15/04/2021

Site Description and Surrounding Area

The proposal site is a vacant unit at 3 Broad Street, having previously been used as a vape shop in 2019. Based on the planning history at the site, the lawful use of the premises is Class A2. The listing describes 2 and 3 and 3a, Broad Street as:

“BROAD STREET 1. 5128 (North Side) Nos 2 and 3 (including 3A) SU 7173 SE 3/411 II 2.

No 2 has modern rendering and 2 window front (included for group value) No 3 (including 3a) is possibly timber-framed and apparently early C18. 3 1/2 storeys rendered; 'pier'-strip to right. Modern tiled roof with slight mansard and 2 gabled dormers. 3 ranges of cross-glazed sashes. Modern shop front on ground floor, which was possibly once jettied. The replica shell hood and 6 panel door to right (serving No 2 The London Tavern) may replace a similar original doorway.”

The proposal site is also within an Air Quality Management Area (AQMA). The proposal site is located within the Market Place/London Street Conservation Area, and within the High Street Heritage Action Zone.

Proposal

The proposal seeks full planning permission and Listed Building Consent for the following:

- The change of use of the premises to Sui Generis (Hot Food Takeaway).
- Alterations to the shopfront and internal layout to facilitate use.

Advertisement Consent is sought for:

- Erection of an externally illuminated Fascia sign.

Plans/Documents Considered

The agent supplied the following plans and documents for applications 210192, 210245 and 210821:

- Existing Lower Ground Floor Plan - 20126.S.PP-01
- Existing Ground Floor Plan - 20126.S.PP-02
- Existing First Floor Plan - 20126.S.PP-03
- Existing Second Floor Plan - 20126.S.PP-04
- Proposed Lower Ground Floor Plan - 20126.S.PP-05
- ~~Proposed Ground Floor Plan (Regulations) - 20126.S.PP-06~~
- ~~Proposed Ground Floor Plan (Finishes) - 20126.S.PP-07~~
- Proposed First Floor Plan - 20126.S.PP-08
- Proposed Second Floor Plan - 20126.S.PP-09
- ~~Existing & Proposed Front Elevations - 20126.S.PP-10~~
- ~~Existing & Proposed Side Elevations - 20126.S.PP-11~~
- ~~Proposed Elevations Photo Realistic Image - 20126.S.PP-12~~
- ~~Typical Section Through Shop Frontage / Roll Top Shutter Details - 20126.S.PP-13~~
- Heritage Statement - 20A070 3/3a Broad Street Reading, RG1 2BH - Rev 01

Received on 04/02/2021

- Location Plan - 20126.S.PP-14
- Block Plan - 20126.S.PP-15

Received on 09/02/2021

- ~~Proposed Ground Floor Plan (Regulations) - 20126.S.PP-06 Rev A~~
- ~~Proposed Ground Floor Plan (Finishes) - 20126.S.PP-07 Rev A~~
- ~~Existing & Proposed Front Elevations - 20126.S.PP-10 Rev A~~
- ~~Existing & Proposed Side Elevations - 20126.S.PP-11 Rev A~~
- ~~Proposed Elevations Photo Realistic Image - 20126.S.PP-12 Rev A~~

Received on 12/05/2021

- ~~Proposed Ground Floor Plan (Regulations) - 20126.S.PP-06 Rev B~~
- ~~Proposed Ground Floor Plan (Finishes) - 20126.S.PP-07 Rev B~~
- ~~Existing & Proposed Front Elevations - 20126.S.PP-10 Rev B~~
- Chip Fryer Specifications
- Air Flow Report for 3-3A Broad Street, Reading (UK)
- Franchisors/tenants of 3-3A Promise and Guarantee - Odour Control
- KFE Operators Manual (Fryer)

Received on 18/06/2021

- ~~Existing & Proposed Side Elevations - 20126.S.PP-11 Rev B~~

Received on 24/06/2021

- Proposed Ground Floor Plan (Regulations) - 20126.S.PP-06 Rev C
- Proposed Ground Floor Plan (Finishes) - 20126.S.PP-07 Rev C
- ~~Existing & Proposed Front Elevations - 20126.S.PP-10 Rev B (Amended Fascia)~~
- ~~Existing & Proposed Side Elevations - 20126.S.PP-11 Rev B (Amended Side Elevation)~~

Received on 28/06/2021

- Typical Section Through Shop Frontage - 20126.S.PP-16

~~Odour Impact Assessment - Issue 1 (01/06/2021)~~

Received on 05/07/2021

- Odour Impact Assessment - Issue 2 (06/07/2021)

Received on 06/07/2021

- Existing & Proposed Front Elevations - 20126.S.PP-10 Rev C

- Existing & Proposed Side Elevations - 20126.S.PP-11 Rev B (Amended Side Window)

Received on 09/07/2021

Relevant Planning History

960003/LBC - New shop front. Fitting out of basement / ground / first floors for retail. - Application Permitted on 10/06/1996

960004/ADV - Externally illuminated painted fascia sign and hanging sign board. - Application Permitted on 10/06/1996

960336/FUL - New shop front. - Application Permitted on 10/06/1996

050489/LBC - New shop front and internal fitting out - Application Permitted on 13/10/2005

050830/FUL - New shop frontage and internal alterations - Application Permitted on 14/11/2005

141456/FUL - Change of use of ground and first floors from A1 to A2 - Application Permitted on 25/11/2014

150375/ADV - 1 fascia sign, 1 projecting sign and ATM surround signage - Application Permitted on 06/11/2015

150449/FUL - Refurbishment of existing shop front, and application for installation of Automatic Teller Machine. - Application Permitted on 06/11/2015

150450/LBC - Refurbishment of existing shop front, and application for installation of Automatic Teller Machine. - Application Permitted on 06/11/2015

171591/ADV - Internally illuminated fascia sign and projecting hanging sign. - Application Permitted on 01/11/2017

171592/LBC - Various internal alterations at ground floor level, replacement fascia sign and projecting hanging sign. - Application Permitted on 01/11/2017

201150/LBC - Waterproofing the basement due to ground water ingress and mould build up. With installation of a sump pump, ventilation system, new timber floating floor and new internal walls (Amended Description). - Application Permitted on 12/11/2020

Internal Consultations

Reading Borough Council, Transport - Response received on 10/03/2021 to application 210192

- There are no Transport objections to this application.

Reading Borough Council, Transport - Response received on 10/03/2021 to application 210192

- There are no Transport objections to this application subject to condition restricting illumination of signage.

Reading Borough Council, Conservation & Urban Design Officer - Initial response received on 16/04/2021 to applications 210192 and 210245

- I am very concerned with a number of the statements contained with the Heritage Statement and strongly disagree with their conclusion that this application is appropriate and should be approved. The proposed scheme is completely out of character and does not follow best practice guidance or conservation philosophy.

Reading Borough Council, Conservation & Urban Design Officer - Updated response received on 23/06/2021 to revised plans submitted for applications 210192 and 210245

- Revised plans are an improvement but alterations to detailing are still required.

Reading Borough Council, Conservation & Urban Design Officer - Updated response received on 09/07/2021 to revised plans submitted for applications 210192 and 210245

- The revised plans are considered acceptable from a heritage perspective.

Reading Borough Council, High Street Heritage Action Zone Project Officer - Response received on 31/03/2021 for applications 210192 and 210245

- As the HSHAZ, we are trying to reinstate the original/traditional shopfronts within the area. And especially for the listed buildings we will be starting to use enforcement for replaced shopfronts which are detracted from the original. So I advise, they keep the shopfront and resubmit their design based on the existing.

Reading Borough Council, Environmental Protection - Response received on 13/04/2021 for applications 210192

- Concerns regarding noise arising from development, and odour from kitchen extraction.

Reading Borough Council, Environmental Protection - Updated response received on 21/06/2021 for applications 210192

- Noise assessment not required as existing extraction system is to be used. Odour assessment still required.

Reading Borough Council, Environmental Protection - Updated response received on 05/07/2021 for applications 210192 upon review of Odour Assessment submitted.

- Clarification is required as to whether or not the flue discharge would be overlooked by flats.
- Asks agent to confirm which recommended odour abatement system they will be installing.

Reading Borough Council, Environmental Protection - Updated response received on 08/07/2021 for applications 210192

- I am happy with the assessment (as revised), I would recommend a condition requiring the system to be installed and maintained as per the assessment.

Councillor Karen Rowland - Response received on 13/04/2021

- Concerns about the proposal in terms of its proposed design and the site's prominence along Broad Street as not only a listed building but being within the London Street/Market Place Conservation Area.

Councillor Karen Rowland - Updated response received on 19/07/2021

- Happy with the work done to ensure the facade is to a high standard, still concerns regarding odour control and management of exhaust.

Councillor Tony Page - Response received on 13/04/2021

- Agree to Cllr Rowland's concerns regarding the proposed design.

Councillor Tony Page - Updated response received on 20/07/2021

- Concerns regarding odour control and management of exhaust.

Councillor Tony Page - Updated response received on 22/07/2021

- Agrees to the amended wording of the ventilation and extraction condition.

Councillor Karen Rowland stated in writing on 13/04/2021 that the proposed development would be called into Planning Applications Committee for determination unless refusal is recommended for the application based on concerns regarding the proposed design of the shopfront. Councillors agreed in writing on 19/07/2021 that a delegated decision can be issued for applications 210192/FUL, 210245/LBC and 210281/ADV, as the applicant had overcome concerns regarding the design of the proposed shopfront.

External Consultees

The following addresses were consulted on application 210192:

2 Broad Street, Reading, RG1 2BH - No response received.

4/5 Broad Street, Reading, RG1 2BH - No response received.

Site notices for both applications 210192 and 210245 were displayed on Monday 8th March 2021, expiring on Monday 29th March 2021. A press notice was published from Thursday 11th March 2021, expiring on Thursday 1st April 2021. No responses have been received.

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

Application 210192

- 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 (adopted November 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

Plan 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).

Application 210245

- 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'.
- Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving a listed building or its setting or any features of special interest which it possesses.
- Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority in the exercise of its functions to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

Application 210281

- 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 2021;
National Planning Policy Guidance 2014 onwards;

Reading Borough Local Plan (November 2019)

- CC7: Design and the Public Realm
- CC8: Safeguarding Amenity
- EN1: Protection and Enhancement of the Historic Environment
- EN3: Enhancement of Conservation Areas
- EN4: Locally Important Heritage Assets
- EN6: New Development in a Historic Context
- EN15: Air Quality
- EN16: Pollution and Water Resources
- EN17: Noise Generating Equipment
- OU4: Advertisements
- OU5: Shopfronts and Cash Machines
- CR2: Design in Central Reading
- CR7: Primary Frontages in Central Reading

Other documents

- Market Place/London St CAA

Appraisal

The main issues considered for these three separate applications are as follows:

Application 210192 Appraisal - Full Planning Permission

- a) Principle of Development
- b) Design and Access
- c) Safeguarding Amenity
- d) Air Quality

Application 210245 Appraisal - Listed Building Consent

- a) Protection and Enhancement of the Historic Environment

Application 210281 Appraisal - Advertisement Consent

- a) Advertisements

Application 210192 Appraisal - Full Planning Permission

- a) Character and Appearance

The Glossary of the NPPF details that the main town centre uses are: Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).

In accordance with policy CR7 of the Reading Borough Local Plan, 3 Broad Street has been identified as a primary frontage within the centre of Reading. Therefore, the use of the ground floor should be A1, A2, A3, A4, A5, C1, D1, D2 or related Sui Generis, unless it would be an entrance to upper floors. The most recent use of 3 Broad Street was as an A1 vape shop (from at least April 2018 according to imagery on Google Street View). According to the planning history for the site, however, the use of the unit as A2 was approved in 2014.

The use proposed within this application is a hot food takeaway shop (Sui Generis Use). This is considered in itself to be a 'centre use'. Policy CR7 of the Reading Borough Local Plan states that proposals that would result in the loss of A1 or A2 use such that the proportion of the frontage within the street in A1 or A2 use falls below 50% will not be permitted. The latest frontage monitoring data for Broad Street (North and South) records the total frontage as 665.0m, with the total in A1 or A2 use as 574.3m, therefore the percentage of A1 or A2 uses along the Broad Street (North and South) frontage is 86.4%. The proposed change of use of 3 Broad Street would therefore not harmfully decrease the total A1 or A2 frontage along Broad Street (North and South).

Furthermore, in accordance with policy CR7, the frontage as revised is considered of high visual quality that would reintroduce and attractive, active frontage to Broad Street. It is therefore considered that the proposed Sui Generis use would make a positive contribution to the overall diversity of the centre. The immediate surrounding area consists of a diverse range of uses; with The Alehouse pub at 2 Broad Street, an A3 restaurant at 6 Broad Street, and a host of retail uses west of the proposal site. A takeaway is considered

appropriate as a town centre use and a further possible contribution to this economy, while bringing a vacant unit back into use whilst adding to the vibrancy of the centre.

As the proposed development seeks to retain a 'centre use', the proposed development is considered suitable in principle, reinstating a centre use in a primary frontage in the centre of Reading. Therefore, the proposed change of use is considered in principle to be in accordance with Policies RL1 and CR7 of the Reading Borough Local Plan.

b) Design & Access

3 Broad Street is located within the Market Place/London Street Conservation Area, and is part of the High Street Heritage Action Zone. 3 Broad Street itself is a Grade II Listed Building. Therefore, the proposed development in terms of design and appearance is subject to policies EN1, EN3, EN4 and EN6 of the Reading Borough Local Plan. The proposed shopfront will also need to comply with Policy OU5 of the Reading Borough Local Plan, which directly concerns the design of shopfronts. Policy OU5 of the Reading Borough Local Plan outlines criteria that shopfront developments need to fulfil in order to be considered acceptable, the criteria of which is considered of particular relevance to this application includes:

- *New shopfronts 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;*
- *Shopfronts should present an active frontage to the street at all times. Where security is essential, security features will be internal, such as internal open mesh grilles. Opaque coverings on shop windows, such as paint and films, will be minimised and will not obscure the window.*

In accordance with Policy EN1 Reading Borough Local Plan; applications which affect Listed Buildings will not have an adverse impact on those elements which contribute to their special architectural or historic interest including, where appropriate, their settings. The proposed shopfront at 3 Broad Street is also required to make a positive contribution to the local character and distinctiveness of the Conservation Area. It should also be noted that the adjoining property, number 2 Broad Street (The Alehouse), is also a Grade II Listed Building and falls under the same listing as the proposal site. 4 and 6 Broad Street have also been identified as Buildings of Townscape Merit and are therefore considered Locally Important Heritage Assets under policy EN4 of the Reading Borough Local Plan. The proposed development at 3 Broad Street therefore needs to conserve the appearance, character and setting of the asset nearby heritage assets.

Policy CC7 of the Reading Borough Local Plan also requires developments to respond positively to their local context and create or reinforce local character and distinctiveness, including protecting and enhancing the historic environment of the Borough and providing value to the public realm.

Moving to the design of the shopfront as submitted under this application; the original designs were not considered suitable given the setting of the proposal site as a Grade II Listed Building within a Conservation Area, within the High Street Heritage Action Zone, and in the setting of Buildings of Townscape Merit. The original proposal was mostly a glazed, contemporary shopfront with a stainless-steel external security shutter. In short, the shopfront as initially designed was considered to respond poorly to the character and appearance of the surrounding area and detrimental to the integrity of the Grade II Listed Building. Therefore, the agent was advised to revise the design of the shopfront to be more sympathetic to the historic setting of the proposal site and the surrounding area.

After lengthy discussions between the case officer, Conservation Urban Design Officer, the agent and the applicant, the proposed shopfront was revised to a design which is considered significantly more sympathetic to the character and appearance of the Grade II Listed Building and the surrounding area. The revisions are more appropriately considered a complete overhaul of the original submission in terms of character, appearance, design and style. As revised, the proposed shopfront consists of a block and tile stall riser, a central double door opening, and downlit signage that sits within the existing fascia, a new timber frame to window surrounding, a wall mounted light, with the existing lead flashing and timber board to be re-painted dark blue. The scheme as revised draws on features of historic shopfronts such as stall risers, a downlit fascia, and a timber frame.

In the interest of retaining 3 Broad Street as an active shopfront, it is considered appropriate to condition the approval of this application for this non-residential unit to retain an 'active window display' along the length of the frontage. This is to preserve the lively and attractive street scene in accordance with Policies CC7, OU5, and CR7 of the Reading Borough Local Plan. This is to safeguard the applicant making changes which may not in themselves facilitate a future application.

Overall, the scheme as revised is considered to enhance and revitalise the character and appearance of the Grade II Listed Building, while also making a positive contribution towards the setting of the Conservation Area and High Street Heritage Action Zone. Therefore, the proposed development is considered in accordance with policies CC7, EN1, EN3, EN4, EN6, and OU5 of the Reading Borough Local Plan.

c) Safeguarding Amenity

This proposal has also been assessed against Reading Borough Local Plan policy CC8: Safeguarding Amenity, which states that proposals are acceptable where they will not cause a detrimental impact on the living environment of existing residential properties with regard to various factors, including:

- Noise and disturbance
- Smell

Concerns were raised by the Reading Borough Council the Environmental Protection Officer regarding harmful levels of noise and odour arising from the development, in accordance with policies EN16 and EN17 of the Reading Borough Local Plan. These concerns were brought to the attention of the agent. Regarding the noise concerns; the agent confirmed that the proposed use would utilise the existing ventilation system, which is in place due to the historic use of the premises as a pasty shop. As the proposed use would utilise an existing ventilation system, it was not considered necessary for a noise assessment to be carried out. The existing ventilation system has been demonstrated on the proposed plans, with the flue discharging to the courtyard to the rear of 3 Broad Street.

It was, however, considered that an odour assessment be carried out. The applicant provided documentation regarding the cooker that would be used at the premises in an attempt to address concerns regarding odour. The information submitted failed to address concerns regarding odour and the applicant was recommended to perform an odour assessment to appropriately address these concerns. An odour assessment report was later forthcoming. The odour assessment was reviewed and agreed by the Environmental Protection Officer and recommended a condition to any approval of this application requiring the system to be installed and maintained in accordance with the recommendations made within the odour assessment. In accordance with paragraph 7.14 of Odour Assessment NALPRO010721.02 Issue 2, audit and service records of the servicing

and maintenance regime should be produced and made available to the Local Planning Authority for inspection and monitoring purposes on demand. This is to safeguard the amenity of nearby premises and the area generally in accordance with Policy CC8 and EN16 of the Reading Borough Local Plan 2019.

Due to the use of the premises as Sui Generis (Hot Food Takeaway), it is considered reasonable to restrict the opening hours of the premises to the public. This is in order to protect local residents from unreasonable disturbance arising from the use in accordance with Policy CC7 and CC8 of the Reading Borough Local Plan 2019.

It is also considered necessary to secure details of the litter strategy proposed for the use of the premises as Sui Generis (hot food takeaway). This is to safeguard the amenities of the adjoining premises and the area generally, in accordance with Policy CC7 and EN16 of the Reading Borough Local Plan 2019.

The proposal was further considered against the criteria specified within Policy CC8 of the Reading Borough Local Plan. It is considered that the proposed development would not harm the amenity of the surrounding area in accordance with Policy CC8 of the Reading Borough Local Plan.

d) Air Quality

This proposal has been considered against Reading Borough Local Plan policy EN15, as the proposal site is within an Air Quality Management Area (AQMA). As demonstrated in the policy, this proposal does not meet the requirements for an Air Quality Assessment (AQA) and is considered not enough of a detrimental impact air quality to warrant such an assessment due to the size and scale of the proposal.

Application 210245 Appraisal - Listed Building Consent

a) Protection and Enhancement of the Historic Environment

As mentioned previously within the appraisal for application 210192 above, the proposed development as revised is not considered to harm the character and appearance of the existing building or surrounding area. The proposed works are not considered to harm the reasons for listing at 3 Broad Street, or harm the character and appearance of other nearby listed buildings along Broad Street or Market Place. This application is supported by the Conservation & Urban Design Officer (see comments above).

Overall, the scheme as revised is considered to enhance and revitalise the character and appearance of the Grade II Listed Building, while also making a positive contribution towards the setting of the Conservation Area and High Street Heritage Action Zone. Therefore, the proposed development is considered in accordance with policies EN1, EN3, EN4 and EN6 of the Reading Borough Local Plan.

Application 210281 Appraisal - Display of fascia signage

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
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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
Advertisements will not reduce visibility for users of the highway or accesses onto the highway.	Complies
Illumination should not detract from the amenity of the area or pose a safety hazard to users of the highway.	Complies
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
(b) <i>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</i>	Complies
(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
(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
ii) <i>which, because of their colour, could be mistaken for, or confused with, traffic lights or any other authorised signals</i>	Complies
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
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
(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
ii) <i>those incorporating large arrows or chevrons with only the arrow</i>	Complies

<i>or chevron made of retroflective material or illuminated, causing confusion with similar signs in use at, or approaching roundabouts</i>	
(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
<i>ii) invite drivers to turn right on a main road, or where there is fast moving traffic</i>	Complies
<i>iii) 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
<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
<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 Listed Building consent can be granted.

210192 Recommendation

GRANT

210192 Conditions

TL1: Time Limit (Standard)

The development hereby permitted shall begin no later than three years from the date of this planning permission.

REASON: In pursuance of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004) in order to prevent an accumulation of unimplemented planning permissions.

AP1: Approved Plans (Application 210192 only)

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

- Proposed Lower Ground Floor Plan - 20126.S.PP-05
- Proposed First Floor Plan - 20126.S.PP-08
- Proposed Second Floor Plan - 20126.S.PP-09

Received on 04/02/2021

- Location Plan - 20126.S.PP-14
- Block Plan - 20126.S.PP-15

Received on 09/02/2021

- Proposed Ground Floor Plan (Regulations) - 20126.S.PP-06 Rev C

- Proposed Ground Floor Plan (Finishes) - 20126.S.PP-07 Rev C
Received on 28/06/2021

- Typical Section Through Shop Frontage - 20126.S.PP-16
Received on 05/07/2021

- Odour Impact Assessment - Issue 2 (06/07/2021)
Received on 06/07/2021

- Existing & Proposed Front Elevations - 20126.S.PP-10 Rev C
- Existing & Proposed Side Elevations - 20126.S.PP-11 Rev B (Amended Side Window)

Received on 09/07/2021

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.

M3: MATERIALS (AS SPECIFIED)

The materials to be used in the construction of the external surfaces of this development shall be as specified on the plans unless otherwise agreed in writing with the Local Planning Authority.

REASON: In the interests of visual amenity and ensuring the new development responds positively to the local context and character in accordance with Policy CC7 and EN3 of the Reading Borough Local Plan 2019.

N12: Ventilation & Extraction (As Specified)

No building or use hereby permitted shall be occupied or the use commenced until the extract/ventilation systems have been installed in accordance with the approved plans and specifications within Odour Assessment NALPRO010721.02 Issue 2 as received on 06/07/2021.

Thereafter the extract/ventilation systems shall be permanently retained and maintained in accordance with the approved specifications and, in accordance with paragraph 7.14 of Odour Assessment NALPRO010721.02 Issue 2, audit and service records of the servicing and maintenance regime should be produced and made available to the Local Planning Authority for inspection and monitoring purposes on demand.

REASON: To safeguard the amenity of nearby premises and the area generally in accordance with Policy CC8 and EN16 of the Reading Borough Local Plan 2019.

Opening Hours

The premises shall not be used by members of the public outside the hours of 11:30am to 11:00pm on Mondays to Fridays, 11:30am to 11:00pm on Saturdays, and 11:30am to 11:00pm on Sundays or Bank Holidays.

REASON: In order to protect local residents from unreasonable disturbance arising from the use in accordance with Policy CC7 and CC8 of the Reading Borough Local Plan 2019.

Litter Strategy

Prior to the first occupation of any Sui Generis (hot food takeaway) use hereby permitted, details of a litter strategy shall be submitted to and approved in writing by the Local Planning Authority. The approved measures within the strategy shall be implemented prior

to the first occupation of the Class Sui Generis (hot food takeaway) use and be permanently retained and maintained thereafter.

REASON: To safeguard the amenities of the adjoining premises and the area generally, in accordance with Policy CC7 and EN16 of the Reading Borough Local Plan 2019.

Active Frontage

Notwithstanding the provisions of Class 12 of Schedule 3 of the Town and Country Planning (Control of Advertisements) Regulations 2007 (as amended), the non-residential unit hereby approved shall retain 'active window displays' along the length of the frontage, without the installation of window vinyls, roller shutters, or similar which would obscure visibility between the public realm and the unit.

REASON: in the interests of retaining a vibrant and attractive street scene and improving active surveillance, in line with Policies CC7, OU5 and CR4 of the Reading Borough Local Plan 2019.

210192 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 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.

IF6: Building Control

Your attention is drawn to the possible requirement for submission of a Building Regulations application for the proposed development. Please contact Building Control on 0118 937 2449 for advice.

IF7: Complaints about construction

Complaints are commonly received about noise and dust caused by construction and demolition works, particularly working outside reasonable hours and smoke from bonfires associated with the burning of waste on site. The developer is reminded that construction and demolition associated with the approved development will be subject to environmental health law.

210245 Recommendation

GRANT

210245 Conditions

LB1: Time Limit Listed Building (Works)

The works hereby permitted shall begin no later than three years from the date of this consent.

REASON: In accordance with Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

LB2: Listed Building (Works Specification)

The works to the Listed Building hereby permitted shall be carried out only in accordance with the following approved plans or specifications:

- Proposed Lower Ground Floor Plan - 20126.S.PP-05
- Proposed First Floor Plan - 20126.S.PP-08
- Proposed Second Floor Plan - 20126.S.PP-09

Received on 04/02/2021

- Location Plan - 20126.S.PP-14
- Block Plan - 20126.S.PP-15

Received on 09/02/2021

- Proposed Ground Floor Plan (Regulations) - 20126.S.PP-06 Rev C
- Proposed Ground Floor Plan (Finishes) - 20126.S.PP-07 Rev C

Received on 28/06/2021

- Typical Section Through Shop Frontage - 20126.S.PP-16

Received on 05/07/2021

- Existing & Proposed Front Elevations - 20126.S.PP-10 Rev C
- Existing & Proposed Side Elevations - 20126.S.PP-11 Rev B (Amended Side Window)

Received on 09/07/2021

REASON: For the avoidance of doubt and to ensure that the development is carried out in accordance with the Listed Building Consent hereby approved Policy EN1 of the Reading Local Plan 2019.

MLB: Listed Building Materials (To Match)

All new external and internal works and finishes, and any works of making good, shall match the existing original fabric in respect of using materials of a matching form, composition and consistency, detailed execution and finished appearance, except where indicated otherwise on the drawings hereby approved.

REASON: In order that the special architectural and historic interest of this Listed Building is safeguarded in accordance with Policy EN1 of the Reading Borough Local Plan 2019.

210245 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 consent to be granted within the agreed timescale for the decision to be issued.

IF5: Terms

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

210281 Recommendation

GRANT

210281 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 internally illuminated 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:

- Proposed Lower Ground Floor Plan - 20126.S.PP-05
- Proposed First Floor Plan - 20126.S.PP-08
- Proposed Second Floor Plan - 20126.S.PP-09

Received on 04/02/2021

- Location Plan - 20126.S.PP-14
- Block Plan - 20126.S.PP-15

Received on 09/02/2021

- Proposed Ground Floor Plan (Regulations) - 20126.S.PP-06 Rev C
- Proposed Ground Floor Plan (Finishes) - 20126.S.PP-07 Rev C

Received on 28/06/2021

- Typical Section Through Shop Frontage - 20126.S.PP-16

Received on 05/07/2021

- Existing & Proposed Front Elevations - 20126.S.PP-10 Rev C
- Existing & Proposed Side Elevations - 20126.S.PP-11 Rev B (Amended Side Window)

Received on 09/07/2021

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.

210281 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 consent within the statutory timescale for the decision to be issued.