

Delegated Application Report

Address: The Oracle Shopping Centre

Application No: 190162/ADV

Proposal: Installation of 3no. replacement fascia signs to The Oracle Shopping Centre following removal of existing signage

Applicant: The Oracle Shopping Centre Ltd

Agent: Simply Planning Limited

Target Date: 04/04/19

Case Officer: Connie Davis

Site Description and Surrounding Area:

The application site is The Oracle Shopping Centre and car park, bounded by Broad St / Minster Street / Gun St to the north, Yield Hall Place to the east, the IDR to the south and Bridge Street to the west. The River Kennet runs through the site, either side of which is the public realm space associated with the Oracle, with a variety of largely restaurants, retail shops, a cinema and entrances (some to the Oracle, others to the associated multi-storey car parks) beyond this. Part of the site is located within the St Mary's Butts/ Castle Street Conservation Area (and adjacent listed building on Gun Street), and adjacent to the Market Place/ London Street Conservation Area.

Proposals:

Advertisement consent was granted in August 2017 for the display of 12 fascia signs and 10 wayfinding totem signs (all internally illuminated) to The Oracle Shopping Centre, following removal of existing signage. During the course of this application three fascia signs originally proposed were omitted, following officer feedback. This subsequent application relates specifically to those three previous omitted signs.

Three fascia signs are proposed; one on Gun Street, one on Minster Street and one on Bridge Street.

The Gun Street fascia sign would measure a width of 7m and would be located 12m above ground level. It would be set behind the Listed terrace in Gun Street and off centre from the entrance doors to the Oracle. This location is within the St Mary's Butts/ Castle Street Conservation Area.



Proposed plans - Gun Street

The Bridge Street sign would be located on the Oracle's multi-storey car park facing the flyover. It would be located 20m from ground level and would measure 3m x 3m. It would display a 'P' sign indicating parking.



Proposed plans - Bridge Street

The Minster Street Sign would be located approximately 12m from ground level. It would have a width of 10m around the curve of this part of the Oracle building. It would be located above existing high-level glazing which is used to display internal advertisements. This location is adjacent to the Market Place/ London Street Conservation area and has Listed Buildings in the immediate vicinity.



Proposed plans - Minster Street

All signage is proposed to be statically illuminated at 400 cdm2.

Plans Submitted:

The agent supplied the following plans and drawings:

090705-SP-001 - Site Location Plan Level 1

Document summarising signage details

Reading, The Oracle Centre Parking Sign Safety Assessment dated 16 July 2018p

prepared by Waterman Infrastructure & Environment Limited

Heritage Statement dated January 2019

Letter from agent dated 30th January 2019

Received 31st January 2020

The Oracle Shopping Centre Ltd External Signs Planning Submission dated 6 February 2019 prepared by Holmes Wood

Received 7th February 2019

Relevant Planning History:

170800/ADV - Display of 12 fascia signs and 10 wayfinding totem signs (all internally illuminated) to The Oracle Shopping Centre, following removal of existing signage (amended description) - Application Permitted

Consultation Responses:

External Consultation

Site notices were displayed at each entrance of the Oracle. No responses were received from members of the public.

However, it should be noted that no public consultation is required for Advertisement consent applications.

Internal Consultees

Heritage - Gun Street sign (St Mary's Butts/ Castle Street Conservation Area)- internally illuminated adverts are not present along the stretch of the conservation area where the site is located. Therefore downlighters are recommended for this sign.

No objection to other two signs.

Transport - No objections subject to restriction on luminance of signs.

CCTV - No objections.

CAAC - No response received.

Summary of discussions with applicant/agent:

The agent was contacted to discuss the proposals given that the scheme did not appear to have taken onboard the comments raised through prior discussions. The agent was uncontactable from April 2019 - January 2020 where a new agent took over the case. However, they have since unable to be contacted in 2020. Nevertheless, they were advised in October 2020 that if they did not make contact with the case officer, the application would be refused. No correspondence was received and so the application is being determined accordingly.

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 and Legal 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') 2018 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). Accordingly, the 'NPPF' and the following development plan policies and supplementary planning guidance are relevant

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

It should be noted that since this application was submitted, the LPA has adopted a new Local Plan. It is under the new policies that this application will be assessed.

Reading Borough Local Plan (2019):

CC7 Design and the Public Realm
TR3 Access, Traffic and Highway-Related Matters
OU4 Advertisements
OU5 Shopfronts and Cash Machines
EN1 Protection and Enhancement of the Historic Environment
EN3 Enhancement of Conservation Areas

Appraisal

The main issues are considered to be:

- i) Amenity
- ii) Public safety

i) Amenity

The NPPG (Paragraph: 079 Reference ID: 18b-079-20140306) provides clarification as to the exact context amenity should be considered (in short, it includes aural and visual amenity and factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest). Furthermore, at the local level, policies CC7 and OU4 require that development be compatible with the character and appearance of the surrounding environment in order to maintain the visual amenities of the area. In particular, policy OU4 states:

Advertisements will respect the building or structure on which they are located and/or their surroundings and setting in terms of size, location, design, materials, colour, noise, lettering, amount and type of text, illumination and luminance, and will not have a detrimental effect on public safety. The cumulative impact of adverts will be taken into account, and a proliferation of advertisements that detrimentally affects visual or aural amenity or public safety will not be acceptable.

Furthermore, Policy OU5 details that fascia boards should be lower than any first floor windows, and reflect the predominant height of existing fascia boards on surrounding buildings.

Gun Street Sign

The Oracle's Gun Street entrance is surrounded by a terrace of Listed Buildings to the south of the proposed signage location and is within the St Mary's Butts/ Castle Street Conservation Area. Policy OU4 notes that '*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*'.

Policy EN3 also states that '*The special interest, character and architecture of Conservation Areas will be conserved and enhanced. Development proposals within Conservation Areas must make a positive contribution to local character and distinctiveness*' and that proposals will be encouraged that improve signage and street furniture.

It is noted that there are several examples where internal illumination has been approved within the Conservation Area (Gun Street entrance of John Lewis, and Argentine Stakehouse which is located within the entrance to the Gun Street entrance of the Oracle) due to being located on the edge of the Conservation Area which is more commercial in nature. However, these other examples are located above the ground floor window/ doors of the units.

It is also acknowledged that a smaller (approx. 1/3 of the width of that proposed), non-illuminated sign is in place at this entrance to the Oracle at the same height as that proposed. This existing sign is directly in line with the entrance, whereas the proposed would be off centre. Although this provides an example of a high level sign (12m from ground level), the proposed would extend a width of 7m and be internally illuminated and so the sign would have the potential to be more prominent in the street scene and viewed from a greater distance, even with restriction on luminance levels meaning its prominence would not be considered to respect the surrounding Conservation Area, or the nearby Listed Buildings (terrace along Gun Street) which are units that are externally illuminated or non-illuminated.

As such, it is considered that at this height, combined with the increased width and luminance, it would result in a proposal disharmonious with the character and appearance of the area and result in a harmful detrimental impact on visual amenity contrary to Policies CC7, OU4 and EN3 of the Reading Borough Local Plan (2019).

Bridge Street Sign

This proposed sign would be located on the Oracle's multi-storey car park. High level signage already exists on the car park, and as such, it is considered that the addition of a 'P' sign, at high level, would be acceptable in this specific location. The practical benefits of this signage is also noted. This part of the borough is commercial in nature, and is not considered to conflict with design policies to a harmful degree.

As such, this specific sign is considered acceptable in relation to Policy CC7 of the Reading Borough Local Plan (2019)

Minister Street Sign

The proposed fascia sign on Minster Street would be located 12m above ground level, above the glass frontage of the entrance. Above the entrance doors, high level internal signage for 'Next' is displayed. The proposed fascia sign is sought

to be put above this existing glazed signage area. However, it should be noted that the internal high-level signage does not require advertisement consent and therefore an assessment of this has not been made.

As a reminder, Policy OU4 states that *Advertisements will respect the building or structure on which they are located and/or their surroundings*. It is considered that this proposed sign does not seek to respect the building on which it is located, due to the proposal seeking to install signage higher than that already displayed on the building, which is already at high level. From longer views, such as from the pedestrianised Broad Street at the junction with King Street and Minster Street) the signage would be significantly (and harmfully) at a higher level / unduly prominent within the streetscene, to the detriment of visual amenity.

It is noted that at low level (directly above the entrance doors), there is an internally illuminated 'Next' fascia sign that has been granted consent. As such, it is not considered that this proposed high-level sign should be rejected for harm the illumination would have on the adjacent Market Place/ London Street Conservation Area or nearby Listed building (Prezzo unit), as supported by the Heritage Officer, as a precedence has been set in this regard.

It was recommended that lower level location (higher than that existing, but lower than the internally located advertisement space - from the longer view referenced above signage at this level would align with that existing at both Prezzo & Patisserie Valerie which is located between ground and first floor level of the buildings). Another alternative was to explore combining the signage for The Oracle with Next internally within the building within the fairly considerable space available at this point. These suggestions were not taken onboard.

As such, it is considered, due to its scale, with particular reference to its height and expansive width, would be a harmfully prominent addition to the street scene, failing to respect the scale of the signage found in the immediate vicinity, contrary to Policies CC7 and OU4 of the Reading Borough Local Plan (2019).

ii) 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: **No**

- i. where the means of illumination is directly visible from any part of the road; **No**
- ii. which, because of their colour, could be mistaken for, or confused with, traffic lights or any other authorised signals; **No**
- iii. which, because of their size or brightness, could result in glare and dazzle, or distract road-users, particularly in misty or wet weather; **No**
- iv. which are subject to frequent changes of the display; **No**

(e) those which incorporate moving or apparently moving elements in their display, or successive individual advertisements which do not display the whole message; **No**

(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; **No** or
- ii. 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. **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:

- 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; **No** or
- 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**

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. **No, as confirmed by Reading CCTV.**

The Transport Officer confirmed that the Bridge Street sign would be acceptable for highway users, subject to restriction on luminance (a luminance restriction is the case for all signs).

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

Conclusion

REFUSE 190162/ADV in accordance with Regulation 14 (1) (a and b) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

Reasons for refusal:

1. The proposed fascia sign located on the Gun Street entrance to the Oracle (EXT. 29) would, by reason of its combined height, width and luminance, fail to positively conserve and enhance the nearby Listed terrace (Gun Street) and St Mary's Butts/ Castle Street Conservation Area. As such, the proposed fascia sign is considered contrary to Policies CC7, OU4 and EN3 of the Reading Borough Local Plan (2019).
2. The proposed fascia sign located on the Minster Street entrance to the Oracle (EXT.52) would, by reason of its height and width, fail to respect the scale of the signage found in the immediate vicinity and as such the proposed fascia sign is considered contrary to Policies CC7 and OU4 of the Reading Borough Local Plan (2019).

Informatives

1. Plans/ Documents considered
2. Positive and Proactive