

DELEGATED APPLICATION REPORT

Target Date: 20/12/19

App No: 191648/ADV
Address: 70 Whitley Street, Reading, RG2 0EQ
Ward: Katesgrove
Case Officer: James Schofield
Proposal: Upgrade of 1no. 48-sheet advertisement hoarding to digital LED display.

1. SITE DESCRIPTION AND CONTEXT

The development site relates to a 48-sheet advertisement hoarding located on the northern flank wall of the former Wellington Arms facing north along Whitley Street. To the west are the rear windows and gardens of houses located on Spring Terrace; to the north an elongated area of landscaped open space parallel to Whitley Street; whilst to the east a pedestrian crossing and terrace houses lining Whitley Street which have commercial uses at ground floor and residential use of the upper floors.

The former Wellington Arms pre-dates the 1860 OS Map and appears to have been part of a row of similar Victorian buildings. The building was restored in 2017 to a high standard with the ground floor converted to a commercial use and upper floors to flats.

2. PROPOSAL

Advertisement consent is sought for an illuminated digital LED display to replace an existing 48-sheet advertisement hoarding.

Plans considered;

Drawing No. REA-002/001 Location & Site Plans

Drawing No. REA-002/002 Existing & Proposed Elevations

Drawing No. REA-002/003 Existing & Proposed Specifications

Drawing No. REA-002/004 Existing & Proposed Views

Received 11 October 2019

3. CONSULTEES

INTERNAL

Transport

The Transport Officer made the following comments:

"The proposal is for a 48- Sheet LED media display screen on the side of 70 Whitley Street. Presently there is an existing externally illuminated 48-sheet advertising hoarding at the site. Historically, the site has operated as a tri-vision unit which would show pre-set images on rotation.

The proposal seeks to replace the existing advertisement unit with a digital display screen showing an illuminated static image with the proposed LED media display is of a similar dimension to the existing advertising hoarding. It is not proposed to show any animations or moving images of any kind but it has not been indicated whether the advertisement will include a single image or a series of images, this should therefore be confirmed.

The A327 Whitley Street is a classified road subject to a 30mph speed limit and the proposed display would be visible to road users travelling in a southerly

direction. As the proposed sign is located on an existing advertisement site which has historically displayed tri-vision advertisements, it is considered that the proposed advertisement would not unduly distract highways users and give rise to safety issues over and above the existing advertisement display.

However, the luminance levels and display settings must be controlled through appropriate conditions. The applicant has suggested a luminance level of 300 candelas per square metre (cd/m²) between dusk and dawn which is deemed acceptable with a maximum daytime luminance of 5000 candelas per square metre (cd/m²), this does appear to be high and as such an actual maximum luminance should be included within the application.

Prior to determining the applicant please ask the applicants agent to submit additional information to address the above points.”

Consultations with the applicant indicated that indeed 5000 candelas per square metre (cd/m²) during the daytime are sought by this application as is the use of static images.

CCTV

TVPS asked for comment on potential impact on CCTV network; none was received.

EXTERNAL

A site notice was displayed at the site on the 7th of November and 14 comments were received from the public, all of which were objections. The following is a brief summary of various concerns voiced in these objections with the number of comments received in parentheses.

- A. Will shine light into bedroom window (3)
 - Rear-facing (1)
 - Street-facing (2)
- B. Light will dominate rear garden during night time (2)
- C. Will detract from the historic character of the building (2)
- D. Will detract from the character of the wider area (8)
- E. Distracting to drivers with potential to impact pedestrian crossing (7)
- F. Use of electricity and impact on the environment (7)
- G. Negative psychological impact of LED displays (3)
- H. Concerns relating to neoliberal economics and economic exploitation (3)

The following is a chart providing a summarised response from the applicant and a brief response on the materiality of the concern.

Applicant		Comment on materiality (Planning Officer)
A.	Level of lighting will not exceed that presently in place. As such there will be no intensification of harm.	Material consideration. Please see section 8.1 for more.
B.	Level of lighting will not exceed that presently in place. As such there will be no intensification of harm.	Material consideration. Please see section 8.1 for more.
C.	No response.	Material consideration. Please see section 8.1 for more.
D.	No response.	Material consideration. Please see section 8.1 for more.

E.	Changing from a paper advertisement to an LED advertisement does not necessarily mean the adverts shown will be more distracting or prominent to motorists; and the proposal seeks to comply with all of the relevant guidance. As such there would be no intensification of harm resulting from the proposal.	Material consideration. Please see section 8.2 for more.
F.	Disposable posters require manufacture, transport and disposal; whereas the environmental impact of electricity depends principally on the method of production. Furthermore the screen utilises light sensors and dimming technology to be as energy efficient as possible.	Non-material consideration; the council is not legally permitted to consider this point in assessing the application. However, the Council has a great deal of sympathy for environmental concerns.
G.	No response.	Material consideration. However without specific comments from the public requesting the Council have regard to its obligations under the Equality Act 2010 for a specific member of a protected group; the Council is required to adopt the view that there would be no significant adverse impacts as a result of the development.
H.	No response.	Non-material consideration; the council is not legally permitted to consider this point in assessing the application.

4. RELEVANT PLANNING HISTORY

There is a planning enforcement case referenced FS158218224 pertaining to the unauthorised change from a tri-fold hoarding to the current 48-sheet advertisement hoarding.

5. 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.

7. 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. The Development Plan for Reading relevant to the application site comprises the *Reading Borough Local Plan (2019)*.

The ‘*National Planning Policy framework*’ (‘NPPF’) 2019 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) (Core Strategy and Sites and Detailed Policies Document) 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.

Reading Borough Local Plan (2019)

CC7 Design and Public Realm
CC8 Safeguarding Amenity
EN6 New Development in a Historic Context
OU4 Advertisements
TR3 Access, Traffic and Highway-Related Matters

8. APPRAISAL

The main issues to be considered are:

8.1 Amenity

The proposed LED advertisement hoarding is of a similar size and design to that already existing and in place. The signage does and would continue to perform an informative function for passers-by about various paid advertisements. The proposal is principally about the change from static paper advertising to a large LED display, and whether a detrimental impact on the amenity of the area would result.

As the site is located on the western side of Whitley Street in close proximity to both the rear elevation of a row of houses at Spring Terrace and a small park, the site is considered to display characteristics of Zone E2 and E3 of the *Professional Lighting Guide 05: The Brightness of Illuminated Advertisements* (Institute of Light Professionals, 2015) as cited by guidance note 4.7.29 of the local plan. In applying a precautionary approach, Zone E2 suggests a maximum night time level of illumination of 200 candelas/m². The local plan similarly seeks to control daytime levels of illumination in the interest of public safety and amenity in such suburban residential and lower intensity commercial areas, however, no specific limits are suggested for daylight hours. The same guide cited by the above referenced guidance note of the local plan indicates a level of 5000 candelas/m² should never be exceeded. This

wording clearly indicates an upper limit rather than best practice, however, no other figure is offered for cases such as these. The *Professional Lighting Guide* goes on to suggest other solutions to obtrusive light might include a curfew whereby illumination is switched off during certain hours (example given was 23:00hr and dawn). It is acknowledged that rapid changing of still images or animations can cause a flashing or flickering effect which could worsen any detrimental impacts upon the amenity of local residents these developments might have. As such, conditions limiting advertisements to still images and imposing a minimum display time for those images are recommended by the *Professional Lighting Guide*.

As discussed, the context for the development site is a mixture of suburban residential and lower intensity commercial uses which are considered to represent zones E2 and E3. The height and position of the advert and the resultant light pollution would be visible from the rear gardens and rear windows (including bedrooms) of Spring Terrace, those flats in the Wellington Arms, and the flats which exist above shops along Whitley Street. The closest and most likely to be negatively affected are the occupants of 1 Spring Terrace and the flats in the Wellington Arms who have objected to the proposal. The proposal would be visible from key windows, causing distraction and detrimentally impacting their amenity. Conditions are not considered to be able to adequately control the harm caused by the proposed LED hoarding on the private amenity of these residents.

The former Wellington Arms is of special historic and architectural interest. It is considered that an LED advertisement would have a negative impact on the intrinsic historic and architectural quality of the building, its contribution to the street, and overall enjoyment by the public. Whilst a static advert already exists, the LED advertisement by virtue of its artificially lit nature and eye-catching design would be considerably more prominent than the existing advertisement hoarding and over-dominate the historic character of the building itself.

The elongated area of landscaped open space which lies adjacent to the former Wellington Arms acts as a green buffer between the rear of properties along Spring Terrace with the much busier and commercial Whitley Street. This landscaped area contains parking, interconnecting footpaths, a bus shelter and further to the north a public toilet block. This green buffer constitutes an important undeveloped area of land between the quieter residential areas to the west and Whitley Street. It provides an opportunity for pedestrians to stop and dwell in a more natural and landscaped surrounding than Whitley Street itself. The proposed siting and intensity of the advert would be visually dominant, creating a sense of overbearingness for pedestrians and those waiting at the bus stop. The advert would therefore detract from the character, value and overall enjoyment derived from this area of open space, and harm the character of this part of Whitley Street.

As examined in the preceding analysis, the proposed advertisement would not accord with local planning policies CC7, CC8, EN6 and OU4, or section 16 of the NPPF 2019 due to resultant detrimental impact on amenity (residential, historic and character). As such refusal of advertisement consent is recommended.

8.2 Public Safety

The proposed signage is located in a position that would not cause a physical obstruction to members of the public using the highway - as it is placed upon a wall. Public safety concerns are principally limited to the potential for the backlit LED illumination to pose a distraction through excessive glare or attention diverting images and or animations. It is noted that there is a pedestrian crossing in front of the Wellington Arms and that an excessively distracting advertisement in this location could result in increased distraction of southbound drivers causing a detrimental impact on the safety of pedestrians and drivers. Particularly relevant considerations in determining whether a material detrimental impact would result from the proposal include contributors to reduced visibility through glare and increased levels of distraction for drivers.

The Transport Officer voiced concerns over these considerations, but adopted the view that conditions on any resultant permission would be sufficient to address these concerns. As such the proposed development is deemed to accord with local planning policies CC7, OU4 and TR3 for the purposes of assessing impact on public safety.

9. CONCLUSION

In light of the above assessment and with regard to all matters raised, the proposal is not considered to accord with the requirements of the development plan and is therefore recommended for refusal. Reasons for refusal include:

1. The proposed LED advertisement hoarding would result in an unacceptable detrimental impact on neighbouring residential amenity through an introduction of increased light and flickering light from the changing of images. As such the proposal does not accord with policies CC7, CC8 or OU4.
2. The proposed LED advertisement hoarding, by virtue of its necessarily eye-catching design for the purposes of advertising, would become more visually dominant than the existing advertisement hoarding and the historic building itself. The proposed siting and intensity is considered likely to result in the hoarding becoming unacceptably visually dominant which would detrimentally impact the historic and architectural interest of the former Wellington Arms. As such the proposal does not accord with local policies CC7, CC8, EN6 and OU4, or section 16 of the NPPF 2019.
3. The proposed LED advertisement hoarding, by virtue of its necessarily eye-catching design for the purposes of advertising, would become more visually dominant than the existing advertisement hoarding. The proposed siting and intensity of the hoarding would create a sense of overbearingness which would detract from the character and enjoyment of the adjoining green space, street scene and wider area. As such the proposal does not accord with policies CC7, CC8 or OU4.

10. RECOMMENDATION

REFUSE

APPENDIX

Site photos from 12th of November 2019.







