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Reading Borough Council
Planning
Civic Offices
Bridge Street
Reading
RG1 2LU

9th January 2019

My Ref: CW/RG 101

Dear Sir /Madam

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

Re: Land at Grosvenor Casino A33 Relief Road Rose Kiln Lane Reading RG2 0SN

Proposal: 1no. 48sheet digital advertising display

This planning statement is submitted in support of an advertisement application by my client, 8 Outdoor Media Ltd, relating to a proposal to erect 1no. 48sheet digital advertising display unit on land at Grosvenor Casino Reading RG2 0SN. This statement should be read in conjunction with other documents submitted in support of the application.

The above site has been the subject of two previous applications for digital advertising displays. The first application related to the proposed installation of 2 x illuminated electronic advertisements (**App. Ref. No. 161414**), which was considered by the Council and refused on 10th October 2016. A second application (**App.Ref.No. No.171582**) described the proposed advertisement as "a 48 sheet specification advertising board", however, the proposed elevation drawings submitted with the application clearly show the proposed sign as a "Portrait Mega 6" advertising format. A copy of this elevation drawing is submitted as a supporting document with this application (**Document No. RG 101 A4 06**). This second application was considered and refused by the Council on 23rd November 2017, and subsequently dismissed at appeal on 3rd July 2018 (**Appeal Ref. 3193852**).

The Applicant acknowledges that, when an appeal against the refusal of an application for express consent has been dismissed within the preceding 2 years, a LPA may decline to determine any similar application, "**unless there is a significant material change in any repeated application**". It is considered that the revised proposals contained in this application represent a significant change in the elevated position and size of the display to allow the application to be validated and allowed further consideration.

The determining issues of the applications, and the subsequent appeal, were the effects of the proposed advertisement displays on the visual amenity of the local area, and any potential impact on public safety. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 limit the powers of control of advertisements solely to the interests of visual amenity and public safety.

It was considered that the second application had addressed the reasons given by the Council as the grounds for refusal of the first application, however, it appears that the second application introduced additional concerns, and as a result, the proposed display was refused by the Council and subsequently dismissed at appeal.

The proposal submitted with this application seeks to rectify the previous reasons for refusal, and the merits of this revised scheme will be set out under the headings of visual amenity and public safety.

Site and Surroundings

The application site comprises a vacant parcel of land within the ownership of Grosvenor Casino, which is located approximately 35 metres south of the land, which is owned by PBCW Properties LLP and which was the subject of the two previous applications.

The site is located adjacent to the A33 Reading Relief Road, and sits within a largely commercial area with surrounding entertainment, storage and retail use, including petrol filling station, car sales showrooms and large DIY retail units. The A33 corridor into Reading already has an abundance of static advertising, a considerable proportion of which is illuminated.

The proposed display would be positioned in the north east corner of the car parking area which services the Grosvenor Casino premise. The proposed freestanding structure would sit comfortably in its visual context without harming amenity, the qualities of the site, or the character and appearance of the wider area.

The setting is commercial in character, which is considered appropriate for illuminated roadside advertising in line with the policy framework. It is considered that the size and scale of the proposed display would be in keeping with that of the setting, and would create visual interest and be a positive focal point.

The application site is located in an environment which is highway dominated in an area of large scale commercial buildings, many of which accommodate large illuminated signage without any adverse effect upon visual amenity.

The site does not fall within a restricted advertisement area such as an Area of Special Control or Conservation Area. There are no listed buildings in the locality that would be harmed by the proposal, and the site is not located within an area designated for its scenic, historic or architectural features.

The proposed development scale and design would therefore be in keeping and appropriate when viewed against the backdrop of surrounding commercial development and illuminated advertisements.

Background Information

The outdoor advertising market is going through a period of significant change with a shift from traditional formats to digital display screens. Digital advertising has become more common on key arterial routes and in town and city centre locations across the country. The use of digital technology has given media owners the opportunity to develop more creative and interesting advertising campaigns for an increasing client base of new and innovative advertisers.

Local authorities across the country have acknowledged the opportunity to raise revenues from site rentals and business rates, as well as supporting businesses in the commercial areas of their towns and cities by allowing them to advertise their products and services on these digital sites.

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007, the National Planning Policy Framework (NPPF), and the National Planning Practice Guidance (NPPG) require that decisions on advertisements be made only in the interests of amenity and public safety.

The development of digital advertising sites across the country has been carried out over recent years in compliance with the policy framework of NPPF and the core principles of the relevant Councils' Local Plans, which require advertising proposals to be of a good design, appropriate to their context, and assessed under the NPPF criteria to be of no detriment to visual amenity or compromising public safety.

Reading Borough Council's current policy towards advertising is expressed in ***Policy CS7 (Design and the Public Realm)*** of the Reading Borough Local Development Framework Core Strategy (2008), and ***Policy DM22 (Advertisements)*** of the Sites and Detailed Policy Document 2012.

Policy CS7 requires that all development must be of high design quality that maintains and enhances the character and appearance of the area of Reading in which it is located. ***Policy DM22*** states that "new advertisements will respect the building or structure on which they are located and/or their setting in terms of size, location.....and will not have a detrimental effect on public safety". The NPPF paragraph 67 states that "poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Only those advertisements which clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment".

Local policy recognises that outdoor advertising is an important part of commercial activity, in particular for retailing, which relies on external advertisements or signage to communicate information or seeks to sell goods or services. Advertising is a prominent feature in modern society, and contributes to the attractiveness of the urban street scene by introducing colour, variety, and interest.

Although recognising that advertisements can make a contribution to the character and appearance of a locality, local policy states that careful control is necessary to ensure that they do not adversely affect visual amenity or public safety. The core principles of the Council's policies require advertising proposals to be of a good design, appropriate to their context, and assessed under the NPPF criteria to be of no detriment to visual amenity or compromising public safety.

Relevant Planning History

Reading Borough Council are familiar with the concept of digital advertising, and it is considered that this application should be determined in light of existing policies, and consents already granted by the Council for similar digital advertising displays in the area.

The following consents have been granted recently for 48 sheet digital displays in the Reading area, and are therefore considered relevant to the application site;

170785 (Allowed on Appeal Ref. 3183889 dated 1/02/2018): To display 1No. 48 sheet digital LED advertising display at 134 Bath Road Reading RG30 2EU

150036: Replacement of existing advertising display with 1No. 48 sheet digital LED media display on Wall Adjacent Fire Station Caversham Road Reading RG1 8AA

The purpose of referring to the above mentioned examples is not to highlight a matter of precedent in a planning sense as we acknowledge each case should be considered on its own merits. But it is considered that they help to illustrate how the Council has in other cases made judgments on the impacts of digital advertising displays in relation to visual amenity and public safety.

Application Proposal

The applicant seeks to erect 1no.48sheet digital advertising display unit, which would face traffic travelling north on A33 Reading Relief Road. It is considered that the erection of the freestanding unit would provide a feature of innovative design as part of the modern visual context of this mixed use setting.

The digital display screen would measure 6596mm wide x 3548mm high, and would sit 3m above ground level. It would incorporate changing images with a smooth, uninterrupted transition from one image to another. There would be no moving images, animation, intermittent or full motion video images, and there would be no sound.

The proposed unit has been architecturally designed with high quality materials to create an integrated unit, with a central monopole supporting structure, and it requires no access for internal maintenance or changing of advertising displays. The digital display would be controlled remotely via a dedicated internet connection and computer software that would control every aspect of the display in real-time, including brightness, timing of each image, transition time between each image and transition method etc. The screen would also be linked to sensors which detect external lighting levels and automatically adjust the screen's level of luminance.

One of the main advantages of digital display technology, in contrast with traditional advertising displays, is the electronic, (rather than manual), method of changing the advertisements. This functionality eliminates the need to physically produce posters and signs, with the resultant savings in energy and material consumption across the entire process.

The Ministerial Forward included in the NPPF (March 2012) states that “**development means growth and we must respond to the changes that new technologies offer us advanced high quality communications infrastructure is essential for sustainable economic growth**”. The clear thrust of this national policy is that development and development control need to respond to the changes and innovations offered by new technology, and that advanced, high quality communications infrastructure is essential for sustainable economic growth.

Primarily the display would be used to advertise commercial products and events on the premises, however, the technology would provide the flexibility to display local messages relating to council, highway or emergency safety information. The Applicant's proposal represents a significant investment in the site, and also reflects a forward thinking aspiration and a commitment to achieving a long term and sustainable future for outdoor advertising

Amenity Assessment

The site is located in a commercial area, where the streetscene is dominated by the wide and open carriageway. It is considered that the proposed modern scheme will integrate with the surrounding area by providing a modern and well-designed advertising feature.

The first application (**App. Ref. No. 161414**), included 2 electronic advertisements measuring 5m in height and 7m in width, therefore providing a total surface area of 35m². The advertisements were joined at a right angle with a large control shed behind. The proposed media displays would be visible to outbound and inbound traffic travelling on the A33. The Council considered that, “by virtue of their size and prominent location”, the proposed electronic advertisements would appear as an unattractive and prominent structure which is considered harmful to the character and appearance of the area.

It was suggested with the second application that the grounds for refusal in terms of visual amenity could be rectified if the proposed sign facing traffic heading south out of Reading was removed from the proposals. This would leave only one sign facing traffic heading north into Reading, but this was incorrectly described in the application as “*an advertising display screen sized as a 48 sheet advertising*

board, or 6096mm height by 3048mm width – a surface area of approximately 18 m². The standard 48 sheet advertisement display has been established in the outdoor advertising industry for many decades as a “landscape format”, measuring approximately 6m in width and only 3m in height. The proposed format of the display unit included in the second application was in fact a “Portrait Mega 6”, which would increase the total height of the display from that proposed in the first application.

The Officer’s Delegated Report for the second application therefore concluded that *“By virtue of its size, particularly its total height at 7.8m, and prominent location the proposed electronic advertisement would appear as an unattractive and prominent structure which is considered harmful to the character and appearance of the area”*. The appeal decision dated 3rd July 2018 upheld this assessment of the visual effect of the proposed display.

The proposed digital display screen included in this application would measure 6596mm wide x 3548mm high, and therefore it is not as high as the dimensions proposed in previous applications, and so reduces the impact on visual amenity.

In addition to the prominent height of the proposed structures in previous applications, the Council also raised environmental concerns that the proposed construction and vehicle access across an access track would result in the loss of woodland (along the old railway line) and floodplain grazing marsh. This could result in the loss of protected species (badgers, bats and reptiles).

These environmental concerns would not be an issue with this application as access to the proposed display would be from the existing car parking area which services the Grosvenor Casino.

The advantages of digital display technology from traditional advertising displays have been set out in this statement. The application proposes to use digital display technology to meet current market requirements. The design of the proposed unit is modern in appearance and will not appear out of character in this location. It is considered that the amenity impact of the proposed display would not form a prominent or obtrusive feature, or create unacceptable advertisement clutter.

In practice, amenity is usually understood to mean the effect on visual amenity where advertisements are displayed in areas which have important scenic, historic, architectural or cultural features. There are no such features or any listed buildings in the locality of the application site which would be harmed by the proposed display. There are no residential properties in the vicinity of the site, and so the proposed displays would not have any detriment to residential amenity.

The Council’s guidelines on advertising define predominantly commercial areas as generally suitable for the siting of advertisements, and states that the character of the surrounding neighbourhood should be the main focus of the Council’s assessment of a development proposal.

On this basis, the proposal is considered acceptable with regard to visual amenity and would be appropriate to the character of the area.

Public Safety Assessment

With regard to public safety, this principally relates to the effect of advertisements upon the safe use and operation of any form of traffic or transport. The main issue for consideration is whether the digital display or its location is likely to be distracting and capable of being a hazard to public safety.

Digital advertisements are now a common sight on arterial roads in major towns and cities and as such, are not an “unusual” distraction for drivers. Drivers are used to distractions in urban areas, whether it be buildings, people, shop fronts, traffic signs or other adverts. The proposed display would be no different in terms of attracting a driver’s momentary attention and would not impact on the driving task.

The Officer’s Delegated Report for the first application relating to two proposed signs highlighted the Transport Department concerns that the display would be *“particularly distracting to motorists*

approaching the junction from the North as the displays would be viewed at eye level and could potentially distract motorists from the traffic lights that are in close proximity and within the same scope of visibility as that of the proposed display”.

Consequently the second application attempted to rectify these concerns regarding public safety by reducing the total area of advertising space by approximately 50%, however, the Inspector highlighted issues in the appeal decision regarding the position of the proposed display being “*close to a traffic controlled junction with pedestrian crossing and a heavy traffic flow*”. The Inspector did acknowledge that there was nothing unusually dangerous or complex about the current road arrangement, and this was backed up by Road Accident Data which showed good records in relation to the flow and scale of junction.

The Inspector’s main concern was that this section of road requires particularly close attention on the part of the driver, as the position of the proposed displays in the previous applications would be viewed at eye level in close proximity, and within the same scope of visibility, as that of the traffic signals. As a result the Inspector considered that the proposed displays could potentially distract motorists from the traffic lights.

As previously stated, the application site comprises a vacant parcel of land within the ownership of Grosvenor Casino, which is located approximately 30 to 40 metres south of the land, which is owned by PBCW Properties LLP and which was the subject of the two previous applications. Consequently the proposed display included in this application would not be positioned directly alongside the traffic signals.

Given the proximity of the previous proposals to the traffic signals and pedestrian crossing, the Inspector considered there to be potential for conflict arising from drivers being distracted by the sign at this point, and thus causing sudden and unpredictable vehicle movements and increasing the risk of collisions with other vehicles.

In the case of this application proposal, the proposed display would be positioned at a point where the highway is divided into three straight lanes on the carriageway. Just after the display has been viewed, the near side lane of the road forks to left at a point close to the traffic signals, with the right lanes continuing with a straight direction of travel.

Drivers will have already made their decisions on this manoeuvre at some distance back from the traffic signals. The road traffic sign making drivers aware of the approaching junction is positioned approximately 70 to 80 metres before the proposed position of the application site.

On a straight approach of road such as this, drivers have plenty of capacity to assimilate information without impacting on their decision making ability or their ability to concentrate on the driving task. This would provide ample time for the proposed display to be seen and the contents noted by drivers without causing any confusion or sudden visual disturbances.

The location of the proposed display sign and its impacts on drivers would be no more than those experienced on the approach to the junction resulting from the signage associated with the Casino, the BP garage and the Reading Link Retail Park, which have all been deemed acceptable.

The proposed display would be positioned to face on-coming north bound traffic on the A33 Reading Relief Road, which is a busy dual carriageway and the main arterial route into Reading from the south, with a posted speed limit along this stretch of road of 40mph.

At the point of the application site, the road is well-lit, clearly marked, with good forward alignment and visibility, and traffic tends to be slowing down as it approaches traffic light signals. The carriageway is wide and open, and drivers going past the site would not have any detriment to their views or traffic safety on this long straight stretch of road where traffic is generally slow moving.

Whilst the digital display will be illuminated, the brightness and displays could be controlled via conditions to ensure that they would not result in any inappropriate distractions or cause glare or dazzling effects during the hours of darkness and in poor weather conditions.

It is suggested that conditions controlling the message form, display, duration, luminance and sequencing, would reduce the degree of likely harm, given the location and the characteristics of the site.

It is considered that there is no additional material effect on highway safety when installing digital displays, provided that the images are only “static poster like displays”, and levels of illumination are controlled and monitored.

It is considered that appropriate conditions are required to formally control the use of digital displays. In order to comply with the outdoor industry digital media code, there are suggested conditions that could be applied to the consent, (including the control of the luminance levels, frequency, and manner of change between images) and these conditions reflect best practice guidance.

It is proposed that the brightness will be controlled by light sensors to vary the brightness of the screen according to the brightness of the day. The light sensors will also ensure that the level of luminance of the advertisements is sensitive to the change in daylight from sunrise to sunset and from summer to winter. It is also proposed that the unit will include a mechanism to freeze the image in the event of a malfunction.

In order to be consistent with these recommendations, we would propose that express advertisement consent should be granted subject to the following conditions:

Suggested Conditions

- The maximum level of illumination should be no more than 300 c/m² during hours of darkness (dusk until dawn), in accordance with the terms of the Institution of Lighting Professionals, Professional Lighting Guide 2015 recommendations for maximum luminance (cd/m²).
- The luminance level of the display should be controlled by ambient environmental control, which would automatically adjust the brightness level of the screen to track the light level changes in the environment throughout the day to ensure that the perceived brightness of the display is maintained at a set level
- The approved display should contain at all times a feature that will turn off the screen (i.e. show a black screen) in the event that the display experiences a malfunction or error.
- No individual advertisement on the digital screen will contain moving images, animation, intermittent or full motion video images, or any images that resemble road signs or traffic signals.
- There shall be a smooth uninterrupted transition from one image to another. Transitions shall be of not less than one second between static images, and no individual advertisement shall be displayed for a duration of less than 10 seconds.

The proposal would not obscure visibility, distract highway users, or hinder pedestrian or cyclist movement, providing the above conditions are adhered to relating to screen brightness and advert change. The proposed display will be acceptable and consistent with national and local policies, and would not create or materially add to problems of highway safety.

Conclusions

For the reasons set out in this statement letter, it is considered that the proposed 1no. 48sheet digital advertising display would not undermine the character and setting of the area or pose any public safety concerns.

The proposal submitted with this application reflects the applicant's preference. Should the Council wish to discuss any aspect of the scheme, we would welcome the opportunity to address any concerns prior to the determination of the application.

Accordingly, our application for express consent comprises electronic copies of the following documentation;-

Completed application form
Planning letter statement (this document)
RG 101 A4 01 Location Plan at 1:1250
RG 101 A4 02 Site Plan at 1: 500
RG 101 A4 03 Existing Elevation
RG 101 A4 04 Proposed Elevation
RG 101 A4 05 48 sheet Digital Unit Specifications
RG 101 A4 06 Proposed Elevation for App. Ref. 171582

An electronic bank transfer for the sum of £462 will be made payable to Reading Borough Council via the Planning Portal to cover the cost of the advertisement consent application.

I trust you will find the above application in order and look forward to receiving your acknowledgement in due course. Should you require any additional information or clarification, do not hesitate to contact the undersigned.

Yours faithfully

Chris Welbourne
Outdoor Advertising Services