

DELEGATED APPLICATION REPORT

Address: Units 3-9, Queens Walk, Reading.

Application No: 171222/ADV

Proposals: Display of 11 canopy awnings with tenant names (9 on Queens Walk & 2 on Dusseldorf Way elevations)

Agent: DP9

Date received (valid from): 04/08/17

Target Decision date: 29/09/17

26 week date: 02/02/18

Case officer: Jonathan Markwell

1. Site Description and Surrounding Area

- i. The application site comprises units 3-9 Queens Walk (and extending around onto the Dusseldorf Way frontage). Queens Walk is a pedestrianised space linking Oxford Road to the north and Dusseldorf Way to the south.
- ii. The application site is located within the West Side Major Opportunity Area of the Reading Central Area Action Plan. More specifically it is within the Broad Street Mall sub area. The site is also within the designated primary shopping area, office core, central core, tall buildings cluster (western grouping) and an air quality management area. Oxford Road to the north of the site is a designated cycle route. The application site is located outside of a conservation area, but to the west beyond the former Yell House (recently converted into student accommodation) and the IDR is the Russell Street / Castle Hill Conservation Area.
- iii. The surrounding area comprises a mix of uses (in addition to the aforementioned student use at the former Yell House to the west), with two hotels to the north-west (Penta Hotel & Travelodge), various retail and restaurant/café's to the north and east within Queen's Walk and Broad Street Mall and offices of Fountain House / car parking on upper floors above/adjacent to Broad Street Mall. To the south-west is the Hexagon Theatre, beyond which is the present park site of the former Civic Offices. To the west beyond the former Yell House is the aforementioned IDR and Howard Street residential properties.

2. The Proposal

- i. Advertisement consent is sought for the display of 11 canopy awnings with tenant names (9 on the Queens Walk elevation & 2 on the Dusseldorf Way elevation). The awnings will be a brown red colour and comprise a fabric material, with white tenant lettering / logo on the vertical element (outer edge) of the awning. They will all be non-illuminated, retractable and 3m in depth from the façade of the units when fully open. They will be between 3.55m-4m above the walkway and vary in width (corresponding with the width of each unit) between 5.15m-5.35m. The proposals would replace the eclectic mix of existing awnings at some of the units.
- ii. The proposals also detail movable windbreak barriers, movable tables and chairs and movable planters, none of which require advertisement consent (and given they are movable do not constitute development).

3. Consultation

Public consultation:

The applicant erected a site notice on 17/08/17, expiring on 07/09/17.

No responses have been received.

Transport: The site is located within the Reading Central Area and within Reading's primary shopping area. Plans indicate that the proposed retractable awnings will over sail 3m from the shop front and be between 3.55m and 3.99m high.

Queens Walk is not public highway although it is owned by Reading Borough Council. Sufficient room will be retained for pedestrians, however, I am unable to confirm whether a Queens Walk forms part of the delivery / emergency vehicles route for the units fronting onto Queens Walk as this is within private land ownership. I would recommend that the Valuations department is consulted but in principle there are no grounds for a transport objection.

Valuations: In principle there are no objections to the proposal, although as the awnings overhang Council owned land the applicant will require a licence from the Council, along with the proposed tables/chairs/planters. The latter is under discussion with the applicant.

4. Plans / Documents Considered

- i. The Council, in reaching its recommendation, has taken into consideration the following plans:

330 Rev 01 Proposed Queens Walk Public Realm Site Location Plan

331 Rev 01 Existing Queens Walk Public Realm Plan & Elevation

335 Rev 01 Proposed Queens Walk Public Realm Plan & Elevation Typical Bay Elevation & Section

As received 20/07/17

333 Rev 02 Proposed Queens Walk Public Realm Plan & Elevation
0334 Rev 00 Proposed Queens Walk Public Realm Dusseldorf Way Elevations
As received 04/08/17

Broad Street Mall, Reading Queens Walk Public Realm Design and Access Statement by
Corstorphine + Wright Architects, dated July 2017
As received 28/07/17

5. Relevant Planning History

4 Queens Walk
970068 - Erect dutch canopy blind at front of shop. Approved 17/06/97

5 Queens Walk
030487 - Projecting sign. Refused 09/06/03 as the applicant had not demonstrated that the proposed projecting sign could be installed without a detrimental impact on the appearance of the host building or surrounding area.

6. 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. Relevant Planning Guidance

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

8. Relevant Policies

- i. The proposals have been assessed against the following policies:

National
National Planning Policy Framework 2012;
National Planning Policy Guidance 2014 onwards;

RBC Local Development Framework
Core Strategy 2008 (Altered 2015)
CS7 Design and the Public Realm
CS20 Implementation of the Reading Transport Strategy

Sites and Detailed Policies Document 2012 (Altered 2015)
DM4 Safeguarding amenity
DM12 Access, Traffic and Highway-Related Matters
DM22 Advertisements

Reading Centre Area Action Plan 2009
RC5 Design in the Centre

9. Appraisal

- i. The main issues are considered to be:
 - Amenity
 - Public Safety

- ii. Amenity

The NPPG (Paragraph: 079 Reference ID: 18b-079-20140306) provides clarification as to the exact context amenity should be considered with regard to advertisement consent applications (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 CS7, DM22 and RC5 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 DM22 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”.

In these regards no concerns are raised, as the proposals represent a comprehensive response to the units at this part of Broad Street Mall, providing a degree of uniformity (providing all are implemented) and in-turn helping improve (rather than detract) the visual amenity at this point. The awnings have been shown in both an open and retracted form, with the coverage of lettering on the awnings considered to be respectful.

- iii. 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 for advertisement consent applications. These are detailed below (in *italics*), together with officer responses in relation to the proposal (in **bold**). In most cases, owing to the location of the site within a pedestrianised area, no or little impact is anticipated.

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 - although Queens Walk is not a public highway, the 4.5m (3m if the tables/chairs/windbreaks are taken into account, but these do not require consent and are therefore outside the scope of this application) gap between other structures (e.g. bollards/street furniture) is considered appropriate for continued emergency vehicle access at this point.***

(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 - although Queens Walk is not a public highway, the 4.5m (3m if the tables/chairs/windbreaks are taken into account, but these do not require consent and are therefore outside the scope of this application) gap between other structures (e.g. bollards/street furniture) is considered appropriate for continued emergency vehicle access at this point.***

(d) *those externally or internally illuminated signs (incorporating either flashing or static lights) including those utilising light emitting diode technology: **N/A - the signs are non-illuminated***

i. *where the means of illumination is directly visible from any part of the road; **N/A***

ii. *which, because of their colour, could be mistaken for, or confused with, traffic lights or any other authorised signals; **N/A***

iii. *which, because of their size or brightness, could result in glare and dazzle, or distract road-users, particularly in misty or wet weather; **N/A***

iv. *which are subject to frequent changes of the display; **N/A***

(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 retroflective 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***

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

10. Conclusion

- i. Having regard to the material considerations and all matters raised, the Local Planning Authority considers that the balance of considerations therefore weigh in favour of granting advertisement consent subject to conditions.

Recommendation - Grant advertisement consent subject to conditions

11. Conditions and informatives:

Conditions

1. THE STANDARD CONDITIONS:

i. 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.

ii. 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.

iii. 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.

iv. 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.

v. 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.

2. The advertisements hereby approved shall be displayed in accordance with the following approved drawings only:

330 Rev 01 Proposed Queens Walk Public Realm Site Location Plan

331 Rev 01 Existing Queens Walk Public Realm Plan & Elevation

335 Rev 01 Proposed Queens Walk Public Realm Plan & Elevation Typical Bay Elevation & Section

As received 20/07/17

333 Rev 02 Proposed Queens Walk Public Realm Plan & Elevation

0334 Rev 00 Proposed Queens Walk Public Realm Dusseldorf Way Elevations

As received 04/08/17

Reason: To clarify which drawings are approved.

Informatives:

1. Your attention is drawn to the terms and conditions of this consent. Any advertisement displayed 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 advertisement control. If you are in any doubt please contact the Council.

2. The decision to grant consent follows the positive and proactive consideration of the application, including determining the application within the recommended eight week time period.

3. It is noted that tables, chairs, planters and wind breaks are shown on the plans. All have been confirmed to be temporary/moveable and therefore fall outside the scope of this application.

4. As the awnings overhang Council owned land the applicant will require a separate licence from the Council, along with the separately proposed tables, chairs, planters and wind breaks. Please contact the Council to discuss this further.