

DELEGATED APPLICATIONS REPORT

Address: "The Real Greek/Franco Manca, The Oracle", Bridge Street, Reading.

Application No: 170850/ADV

Proposals: Display of 4 internally illuminated fascia signs, 2 non-illuminated fascia signs, 2 high-level internally illuminated projecting signs, 1 graphic on the south elevation and 4 menu box signs (retrospective)

Agent: Technical Signs

Date received (valid from): 02/06/17

Target Decision date: 28/07/17

26 week date: 23/11/17

Case officer: Jonathan Markwell

1. Site Description and Surrounding Area

- i. The application site comprises the northern side (at the eastern end) of the Oracle Riverside. Up until June 2017 this frontage was part of the demise of the Debenhams unit (in-house café), but two restaurant operators began trading from the site on 15th June. The Oracle shopping centre as a whole contains a large number of retail shops, restaurants and associated uses, with the River Kennet running through the wider Oracle site.
- ii. The site is subject to the following site constraints / designations:
 - Inside the primary shopping area (RC6)
 - Within a designated active frontages (RC10)
 - Inside the central core (RC6)
 - Within an area with archaeological potential (DM19)
 - Within an Air Quality Management Area (DM19)
- iii. The adjacent riverside is:
 - Designated as an important area of open space (Policy RC14j)
 - Within a green network (DM17)
 - Within a British waterways consultation area (CS8)
 - Flood Zone 2&3a/b (CS35)
 - Potential contaminated land (CS34)
 - South side of the River Kennet through the Oracle is part of the designated National Cycle Route 4
 - Eastern end of the Oracle site is within the Market Place / London Street Conservation Area (CS33), with the Yield Hall Place bridge identified as having an important view to the south-west (towards the site) and the Duke Street High Bridge is identified as having important views in both eastern and western direction, as well as itself being Grade II listed.
 - 2&4 London St (Brasserie) is Grade II listed
 - To the south-east of the river, the land is designated under policy RC4i as 'the Oracle Extension, Bridge St & Letcombe St' for 'development of the area between the River Kennet and Mill Lane for retail, with use of site at Letcombe Street for public car park'.

2. The Proposal

- i. Advertisement consent is sought for the display of 4 internally illuminated fascia signs, 2 non-illuminated fascia signs, 2 high-level internally illuminated projecting signs, 1 graphic on the south elevation and 4 menu box signs. Based on an unaccompanied officer site visit on 15/06/17, it was evident that the application was retrospective. Originally the applicant only applied for some of the aforementioned signs, with others added to the proposal once they had been witnessed on-site. Furthermore, the applicant altered the application site boundary and location of the signs, as that originally proposed did not align with those displayed.
- ii. The application form denotes that the internally illuminated signs will be static in nature and 500cd/m (fascia) / 200cd/m (projecting).
- iii. During the course of the application it was queried what impact the proposal would have on a CCTV obstructed by the signage. Following a further unaccompanied site visit on 12/07/17 it was seen that this CCTV camera had been relocated to above the proposed signage structures and CCTV had been installed on the underside of the proposed signage too.

3. Consultation

None required.

4. Plans / Documents Considered

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

Proposed signs (Projecting signs and menu boards) 595681-5 Rev B
Received on 21st June 2017

Proposed signs (elevations and details) 595681-2 Rev D
Proposed signs (side elevation and sections) 595681-3 Rev C
Proposed signs (side elevation and sections) 595681-4 Rev C
Site and Block Plans 595681-6 Rev A
Received on 28th June 2017

5. Relevant Planning History

- i. 97/00017/FD (970419) - Demolition of existing buildings, redevelopment and change of use to provide: shopping centre (Class A1,A2 & A3), 41 residential units, leisure facilities including multi screen cinema (Class D2), car parking and community uses together with associated landscaping etc. Granted 4 April 1997.

Condition 62 on this permission stated:

62 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking or re-enacting that Order, with or without modifications there shall be no subdivision of the department stores shown on the approved drawings into separate shop units unless agreed in writing by the Local Planning Authority.
Reason: as the balance between shop units and department store retail floor space has a critical effect on the vitality and viability of the rest of the town centre and the impact of any shift needs to be evaluated by the Local Planning Authority.

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

Other relevant guidance

Market Place / London Street Conservation Area Appraisal

9. Appraisal

i. The main issues are considered to be:

- Amenity
- Public Safety
- Other matters

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 of a significant enough nature to warrant refusal of the application are raised. Although somewhat expansive in size and nature, this is not too dissimilar to the prevailing character of the Oracle Riverside. As such, the signs are considered appropriate, individually and cumulatively, subject to the standard advertisement consent conditions. A further condition is also recommended, specifying that the illumination will not exceed 500cd/m², as specified on the application form. This is within the illumination limits for a zone E4 (core of the centre - up to 1000cd/m²) location (as per paragraph 10.3.8 of the supporting text to policy DM22).

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 - the signs are set away from corners and the highway.**

(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 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. **It was evident that the signs, once installed, enclosed a pre-existing CCTV**

camera at the site and also potentially limited the capability of two others (to the east and west of the site). Following further unaccompanied site visits during the course of the application it was evident that the enclosed CCTV camera had been removed and re-positioned to above the proposed signage. Furthermore, additional CCTV cameras for the restaurants had been added on the underside of the signage structure, thereby maintaining the pre-existing coverage at the site. As such, there will be no significant blocking of the views of CCTV cameras at the site, following additional works during the course of the application.

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

iv. Other matters

As per the relevant history section above, it is not clear whether the units required separate planning permission to operate as a result of condition 62 of the original Oracle permission. This wider point was relayed to the applicant during the course of the application, but no response was received. As such, it is recommended that an informative is included on the decision notice to emphasise this further to the applicant.

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 maximum luminance from the fascia and projecting signs hereby approved shall not exceed 500 cd/m².

Reason: To avoid glare, which could lead to danger to highway users and in the interests of visual amenity in accordance with Policy CS20 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policies DM12 and DM22 of the Sites and Detailed Policies Document 2012 (Altered 2015).

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 enabling revised plans to be submitted during the course of the application (reflecting works displayed at the site prior to advertisement consent being granted) and issuing the decision within the recommended eight week time period.

3. The applicant is advised to explore whether separate planning permission should be sought for the two restaurant units operating from this site since 15th June 2017. This is owing to condition 62 of permission 97/00017/FD (alternative reference 970419) at the wider site stating that there shall be no subdivision of the department stores into separate units unless agreed in writing by the Local Planning Authority.

4. The advertisements already displayed at the site are in accordance with the following approved drawings:

Proposed signs (Projecting signs and menu boards) 595681-5 Rev B

Received on 21st June 2017

Proposed signs (elevations and details) 595681-2 Rev D

Proposed signs (side elevation and sections) 595681-3 Rev C

Proposed signs (side elevation and sections) 595681-4 Rev C

Site and Block Plans 595681-6 Rev A

Received on 28th June 2017

This clarifies which drawings are approved.