

DELEGATED APPLICATION REPORT

Address: 116-117, 118 & 119 Broad Street, Reading, RG1 2BE

Application No: 160567/ADV

Proposals: Display of 2 internally illuminated fascia signs to the upper floors of the Broad Street elevation

Applicant: Primark Stores Ltd

Date received (valid from): 01/04/16

Target Decision date: 27/05/16

Case officer: Jonathan Markwell

1. Site Description and Surrounding Area

- i. The application site comprises a largely three-storey and basement building fronting onto the south side of Broad Street, adjacent to the pedestrianised junction with Cross Street (to the north). The building has a secondary frontage on Minster Street, where vehicular access to basement level servicing is provided. The building represents one of the largest (in terms of floorspace) retail units within the town centre and is presently under construction for various works approved in 2015 (see relevant history below), having previously been occupied by BHS (who vacated the site early in 2015). The application site also includes the ground floor retail units referred to as 119 Broad Street (most recently occupied by Crepe Affaire) and 118 Broad Street (most recently occupied by Rollover Hot Dogs).
- ii. It is understood that the building was previously redeveloped in the late 1960's, into the general form and appearance which is seen until the 2015 permission was implemented. The largely concrete facades with projecting fins on both street frontages are considered to align with the design approach seen elsewhere in the town centre from this time, such as at Butter Market / Market Place. However, they are not considered to be of any particular architectural merit at the present time, close to half a century on from when they were first introduced.
- iii. The site is located within a designated Active Frontage (Broad Street elevation only), the Primary Shopping Area, the Office Core and the Central Core. It is also within an area of Archaeological Importance and Air Quality Management Area. The site is outside of a designated conservation area, but is in close proximity to two. First, St Mary's Butts / Castle Street Conservation Area extends as far as Minster Court, which is to the south-west of the application site. Secondly, Market Place / London Street Conservation Area is within 50m of the Broad Street frontage. As such, the application site is located within the setting of both conservation areas. Furthermore, the site is also located in close proximity to a number of listed buildings located outside of these conservation areas. First, opposite the site to the south is the Grade II listed Telephone Exchange building (41 - 45 Minster Street). This is 3 storeys of red brick with stone dressings in an attenuated Georgian style. Meanwhile to the north, there is a Grade II group listing for 1-31 & 2-32 Queen Victoria Street, 148,149 & 150 Friar Street, 24-28 & 35-38 Broad Street. No. 24 Broad Street is opposite the application site to the north and is an early 20th century red brick Bank with large shaped pediment doorway on corner to Cross Street (occupied by Lloyds Bank).
- iv. The character of the surrounding area is largely retail in nature, with a variety of retail and other town centre uses on both Broad Street and Minster Street.

2. The Proposal

i. Advertisement Consent is sought for the display of:

Display of 2 internally illuminated fascia signs to the upper floors of the Broad Street elevation

More specifically, this comprises:

- One horizontal sign between first and second floor level
- One vertical sign adjacent to 120 Broad Street at first and second floor level

Furthermore, the 'Front Elevation - Broad Street' plan (Ref: 95 Rev 4.4) includes reference to "7 no. Light boxes" at upper floor level, which is also shown by Section BB. However, the application form submitted with the application has not included any details specifying that advertisement consent is sought for these. The applicant was asked to clarify this during the course of the application, with the following reply received on 02/05/16:

"The light boxes to the interior of the façade have always been depicted where the images are constantly changed to accommodate/reflect the Seasons, Fashion changes et-al"

Two images (said to depict such light boxes) were submitted on 03/05/16, together with a revised plan which the agent explained as follows "The dimension form (sic – this should read 'from') the glazed façade have been added to the light boxes. They will sit a minimum of 450mm back from the glass).

Based on the information provided it is not clear whether advertisement consent is sought for the light boxes (and if so, whether advertisement consent would actually be required) and, in light of there being no specific reference to them on the application form, these have not been considered in this application. An informative will be added to the decision notice to clarify this.

It is finally noted that the proposed front elevation details a shopfront which contrasts from that approved as part of 151221 at the site. As such, an informative will be added to the decision notice demoting that this decision relates solely to the fascia signs and no works to the shopfront (whilst also acknowledging that the shopfront alterations are currently under consideration as part of application 160464 at the site - which has not been determined at the time of writing).

ii. Neighbour Consultation

A site notice was erected by the applicant on the Broad St hoarding on 12/04/16. No responses have been received.

3. Consultations

i. Transport: No objection subject to condition regarding luminance levels as follows:

The maximum luminance from the vertical fascia sign should not exceed 1000 cd/m² .

The maximum luminance from the Horizontal fascia sign above the entrance should not exceed 600 cd/m².

4. Plans Considered

i. The Council, in reaching its recommendation, has taken into consideration the following documents and information:

10 Rev 3.0 - Location and Site/Block Plan Option 2, as received 01/04/16
95 Rev 4.4 - Proposed External Signage Option 1, as received 03/05/16
2 x images of light boxes at other stores, as received 03/05/16
Emails from Chart Plan, dated/received 02/05/16 and 03/05/16

5. Most Relevant Planning History

- i. 110119/ADV (11/00265/ADV) - 2 x ground floor fascia signs; 2 x signs on Broad Street monolith; 3 x projecting signs; white lettering on basement level vinyl; 4 x red canvas signs at first floor level. Split decision - Advertisement consent part granted / part refused 12/07/2011. The four internally illuminated flexi-face canvas signs at first floor level (two on Broad Street, two on Minster Street) were not approved for the following reason:

The proposed signs by virtue their upper floor position, colour and luminance, would propagate and increase the visual clutter of signs along Broad Street and Minster Street. The signs would be harmful to the character and visual amenities of the town centre and are contrary to Saved Policies CUD14 and CUD15 of the Reading Borough Council Local Plan, Policy CS7 of the LDF Core Strategy, and Policy RC5 of the Reading Central Area Action Plan.
- ii. 151221/FUL - Erection of second floor extension, roof level plant, various alterations to Broad Street and Minster Street facades and associated works. Granted following completion of s106 legal agreement 13/11/15.
- iii. 151241/ADV - Display of 4 fascia signs & 2 projecting signs to Broad Street elevation and 4 fascia signs & 1 projecting sign to Minster Street elevation (all internally illuminated) (amended description). Granted 16/11/15.
- iv. 152047/APPCON - Discharge of condition 5 (Construction Method Statement) of planning permission 151221. Discharged 15/01/16.
- v. 152057/APPCON - Discharge of condition 3 (materials) of planning permission 151221. Discharged 11/01/16.
- vi. 160031/VARIAT - Variation of conditions 6 (Construction Hours) and 7 (Noise assessment) of planning permission 151221 to widen the hours to carry out works and to allow the noise assessment to be approved prior to the first use of the second floor extension rather than prior to any development. Current application under consideration.
- vii. 160100/ADV - Display of 5 internally illuminated fascia signs to Broad Street elevation. Withdrawn 07/03/16.
- viii. 160143/NMA - Non-material amendments to planning permission 151221 for: Amalgamation of retail unit at 118 Broad Street into the demise of the proposed ground floor; alterations to Broad Street shopfront, including provision of 2 fire escape doors and alteration in position of main entrance; provision of eight windows at proposed second floor level on Minster Street elevation; and, enlarged roof plant area, provision of additional plant screen and provision of lift overrun at third floor level. Withdrawn 02/03/16.
- ix. 160464/VARIAT - Variation of condition 2 (approved plans) of planning permission 151221 (for the erection of second floor extension, roof level plant, various alterations to Broad Street and Minster Street facades and associated works), namely for minor material amendments to enable

the amalgamation of a retail unit at 118 Broad Street into the demise of the proposed ground floor; alterations to Broad Street shopfront, including provision of 2 fire escape doors and alteration in position of main entrance; provision of eight windows at proposed second floor level on Minster Street elevation; and, enlarged roof plant area, provision of additional plant screen and provision of lift overrun at third floor level. Current application under consideration.

- x. 160564/ADV - Display of 3 internally illuminated fascia signs to ground floor Broad Street elevation. Current application under consideration.

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. 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 Local Development Framework '*Core Strategy*' 2008 (Altered 2015), '*Sites and Detailed Policies Document*' 2012 (Altered 2015) and the '*Reading Central Area Action Plan*' (2009).
- ii. Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving a listed building or its setting or any features of special interest which it possesses.
- iii. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority in the exercise of its functions to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.
- iv. 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.

8. Relevant Policies

- i. The application has been assessed against the following policies:

National

National Planning Policy Framework

National Planning Policy Guidance

RBC Local Development Framework

Core Strategy 2008 (Altered 2015)

CS7	Design and the Public Realm
CS20	Implementation of the Reading Transport Strategy
CS33	Protection and Enhancement of the Historic Environment

Sites and Detailed Policies Document 2012 (Altered 2015)

DM4	Safeguarding amenity
DM12	Access, Traffic and Highway-Related Matters
DM22	Advertisements
DM23	Shopfronts and Cash Machines

Reading Centre Area Action Plan 2009

RC5	Design in the Centre
RC6	Definition of the Centre

St Mary Butts / Castle St Conservation Area Statement
Market Place / London Street Conservation Area

9. Appraisal

i. Background

It is noted that upper floor level signage was previously refused at the site in 2011, under application reference 110119. This was when the building was occupied by BHS. In spite of advertisement consent being refused, it is known that at least the upper floor Broad Street signage was nevertheless displayed at the site. Upper level signage was more recently sought in 2015 under application reference 151241, but this was omitted during the course of the application. This followed officer advice to the applicant, outlining concerns with the upper level signage proposed at that time. Furthermore, another application seeking high level signage was submitted in 2016, under application reference 160100, but was withdrawn by the applicant prior to formal a decision being made by the local planning authority. Again, officers had advised the applicant of concerns in relation to the upper level signage proposed at that time. In all instances please also see the relevant history section above for details.

ii. The main issues are considered to be:

- Amenity
- Public Safety

iii. Amenity

The NPPG provides a subsection entitled Considerations affecting amenity - What does "Amenity" mean? (Paragraph: 079 Reference ID: 18b-079-20140306). This is reproduced in full below:

"Amenity" is not defined exhaustively in the [Town and Country Planning \(Control of Advertisements\) \(England\) Regulations 2007](#). It includes aural and visual amenity ([regulation 2\(1\)](#)) 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 ([regulation 3\(2\)\(a\)](#)).

It is, however, a matter of interpretation by the local planning authority (and the Secretary of State) as it applies in any particular case. In practice, "amenity" is usually understood to mean the effect on visual and aural amenity in the immediate neighbourhood of an advertisement or

site for the display of advertisements, where residents or passers-by will be aware of the advertisement.

So, in assessing amenity, the local planning authority would always consider the local characteristics of the neighbourhood: for example, if the locality where the advertisement is to be displayed has important scenic, historic, architectural or cultural features, the local planning authority would consider whether it is in scale and in keeping with these features.

This might mean that a large poster-hoarding would be refused where it would dominate a group of listed buildings, but would be permitted in an industrial or commercial area of a major city (where there are large buildings and main highways) where the advertisement would not adversely affect the visual amenity of the neighbourhood of the site.

If the advertisement makes a noise, aural amenity would also be taken into account before express consent would be given.

With the above in mind, it is considered to be particularly pertinent that the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 state at Paragraph 3 that: Local planning authorities are required to exercise their powers under the Regulations with regard to amenity and public safety, taking into account relevant development plan policies in so far as they relate to amenity and public safety, and any other relevant factors.

In this case, it is the visual amenity of Broad Street which is considered to be significant.

Policies CS7, DM22, DM23 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”.

The supporting text to the policy also specifies at paragraph 10.3.5 that: *“Despite the fact that the policy does not deal specifically with types of advertisements, some types are unlikely to be considered appropriate in terms of how visual amenity and safety is defined in the policy... Advertisements above ground floor level are also likely to have detrimental effects on visual amenity”.*

To supplement the supporting text, policy DM23 is of relevance in providing further detail, as the advertisements can be considered to constitute an individual feature of a shopfront, with part b) of the policy stating *“Fascia boards should be lower than any first floor windows, and reflect the predominant height of existing fascia boards on surrounding buildings”.*

With the above in mind, it is considered that part of the overwhelming character and appearance of Broad Street is the uncluttered building facades at upper level. The proposed signage at upper level would be harmful to the visual amenity of the building and wider streetscene, given the proposed location at upper floor level. In addition, beyond this ‘in principle’ concern, the proposed size/form (overly large and therefore dominating in their form) of the adverts is a further concern. In particular, the length and height of the horizontal sign between first and second floor level is considered to be excessive for the host building and the

prevailing character elsewhere along Broad Street (acknowledging the context of the host building being larger in size/width than many along Broad St). The proximity of the vertical sign to 120 Broad Street, which is historic in nature and includes a decorative dutch gable, is considered to compete and unnecessarily dominate the character of the existing neighbouring building. It is therefore recommended for the signs to be refused advertisement consent.

In correspondence during the course of the application, the applicant has specified (email dated 03/05/16) that: *“my client... believe precedent exists with regard to the form of signage (app 160567)”*. The applicant has not actually submitted any evidence to specify such precedence (no supporting statement or design & access statement has been submitted), but it is assumed that the applicant is referring to three other sites elsewhere on Broad St (John Lewis fascia; Marks & Spencer projecting; Metro Bank fascia). Such examples are acknowledged (as were two of the three at the time of refused application 110119 at the site), but it is considered that there a far greater number of buildings that do not have advertisements spread over their upper floor façades. It is considered that this greater number of buildings presents the overwhelming appearance and character of Broad Street. In line with policy DM22, the proliferation of advertisements that detrimentally affects visual amenity will not be acceptable, particularly in what is considered to be the heart of the town centre (within the primary shopping area and an existing active frontage). The incremental impact of this would be detrimental to the appearance of the main shopping street(s), where currently there is considered to be a fine balance between building facades and signage. It is also important to recognise that a range of signage has been approved on the Broad Street elevation under consent 151241 and altered ground floor signage is under consideration as part of application 160564 at the site.

iv. Public safety

The proposed fascia signs are located in positions that it is considered would not cause a significant physical obstruction to members of the public using the pedestrianised highway of Broad Street or nearby highways (either pedestrians or vehicular drivers/passengers). The applicant has detailed that the illuminated signage will have a level of luminance of 320 cd/m², which is unlikely to cause a distraction to users of the highway (with the candela level stipulated by the applicant to be secured via condition). Transport Development Control has no issues with the level specified. The proposal is not considered to compromise any existing CCTV in the local area.

More specifically, 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, together with officer responses in relation to this application 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: **(internally illuminated / static)**
 - 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, although large in size, Broad Street being pedestrianised and the signs having a luminance of 320cd/m downplays this element**
- 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. **No**

As such, the proposals are not being refused advertisement consent 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 against the granting of advertisement consent. Therefore, on this occasion, advertisement consent is to be refused.

Recommendation

Refuse Advertisement Consent.

11. Reason for refusal:

The proposed fascia signs, by reason of their upper floor position and size/form, would fail to respect the host building and wider streetscene, resulting in a proliferation of advertisements which would have a harmful detrimental impact on visual amenity, contrary to Policy CS7 (Design and the Public Realm) of the Reading Borough LDF Core Strategy 2008 (Altered 2015),

Policy RC5 (Design in the Centre) of the Reading Borough LDF Reading Central Area Action Plan 2009, Policies DM22 (Advertisements) and DM23 (Shopfronts and Cash Machines) of the Reading Borough LDF Sites and Detailed Policies Document 2012 (Altered 2015) and the National Planning Policy Framework 2012.

Informatives

1. The decision relates to the following drawings and documents:

10 Rev 3.0 - Location and Site/Block Plan Option 2, as received 01/04/16

95 Rev 4.4 - Proposed External Signage Option 1, as received 03/05/16

2 x images of light boxes at other stores, as received 03/05/16

Emails from Chart Plan, dated/received 02/05/16 and 03/05/16

2. The decision to refuse consent follows the positive and proactive consideration of the application, including clearly outlining the issues of concern with the applicant prior to a decision being issued. The applicant was also provided with timeframes by which to withdraw the application prior to a decision being issued. On this occasion the applicant denoted a preference for the decision to be issued, which has duly been issued within the recommended eight week time period.

3. For the avoidance of doubt, it is noted that the 'Front Elevation - Broad Street' plan (Ref: 95 Rev 4.4) shows alterations to the shopfront which have not been approved by the local planning authority. It is however acknowledged that such works are presently under consideration as part of application 160464/VARIAT at the site. Furthermore, the 'Front Elevation - Broad Street' plan (Ref: 95 Rev 4.4) includes reference to "7 no. Light boxes" at upper floor level, which is also shown by Section BB. However, the application form submitted with the application has not included any details specifying that advertisement consent is sought for these. Based on the information provided it is not clear whether advertisement consent is sought for these and, in light of there being no specific reference to them on the application form, these have not been considered in this application.