

## DELEGATED APPLICATION REPORT

Ward: Abbey

App Ref: PL/24/1116 FULL & PL/24/117 ADV

Address: 97 KINGS ROAD, READING, RG1 3DD

Proposal: Part-retrospective shopfront alterations including removal of unauthorised roller shutter and illumination (amended description) FULL & Part-retrospective signage including removal of unauthorised roller shutter and illumination (amended description) ADV

Applicant: skvp Sujay sohani

Received date: 28/08/2024

Target Decision date: 06/06/25 (EOT)

Case Officer: Marcelina Rejwerska

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### 1. SITE DESCRIPTION

The application site is a mid-terrace single storey unit on the north side of King's Road, within the Central Core of Reading. The site is in use as a restaurant. The surrounding area is comprised of mixed uses, including a number of food and drink establishments. This section of King's Road is not characterised by illuminated signage.



### 2. PROPOSAL AND SUPPORTING INFORMATION

Retrospective planning permission and advert consent are sought for the erection of new fascia signage, to replace the existing which comprises carnival style lightbulbs, and a new awning. The existing shopfront also contains an external box roller shutter, but this is proposed to be removed.

#### 2.1. Information Submitted

Location Plan, received 28 August 2024

Planning Statement Rev A, received 8 October 2024

Existing and Proposed Plans Rev C, received 19 February 2025

### 3. RELEVANT PLANNING HISTORY

PL/22/0507 - Pushthrough illuminated LED sign with dimmable fairy lights. Application refused.

PL/98/0615 - Proposed Canopy made of white vinyl above fascia. Application permitted.

#### **4. CONSULTATIONS**

Nearby and adjacent residents and occupiers were notified by letter.

One letter of representation was received, as follows:

*This application follows planning enforcement complaint E22049 and application 220507 which was refused. This application does not seem to be an improvement. It is not clear from this planning application how the proposed signage will be different from what is currently installed. The drawing provided with the application dates from 2022. Are they removing the internal illumination but leaving the external cabochon/carnival style bulbs? It is these bulbs that are most objectionable due to both their brightness and inconsistent styling with neighbouring properties. I do not have a problem with an internally illuminated sign, the issue is the external illumination.*

*It is also worth remembering that an external roller shutter has been installed without the required permission. I raised this with planning enforcement in March 2023 but never received an update from the planning enforcement team.*

Concerns raised above are discussed within the Appraisal section of this report.

#### **5. 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. Material considerations include relevant policies in the National Planning Policy framework (NPPF) - among them the 'presumption in favour of sustainable development'. However, the NPPF does not change the statutory status of the development plan as the starting point for decision making (NPPF paragraph 12).

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.

##### National Policy and Guidance

National Planning Policy Framework

National Planning Practice Guidance

Conservation Principles Policies and Guidance 2008

##### Reading Borough Local Plan (2019)

CC1: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

CC5: WASTE MINIMISATION AND STORAGE

CC7: DESIGN AND THE PUBLIC REALM

CC8: SAFEGUARDING AMENITY

OU4: ADVERTISEMENTS

OU5: SHOPFRONTS AND CASH MACHINES

CR2: DESIGN IN CENTRAL READING

SPD

Design Guide to Shopfronts SPD

## **6. APPRAISAL**

### **6.1 Design and amenity**

The proposal includes the removal of external illumination, which is considered an improvement, as illumination is not characteristic to this street. The fascia is to be re-wrapped in vinyl, which is considered appropriate. The proposal also includes the removal of the external box shutter, at the advice of the case officer. This is considered reasonable and appropriate, following the shopfront guidance set out in the RBC Design Guide to Shopfronts SPD. The relocated awning is considered acceptable, as it leaves adequate headroom for pedestrians. The proposal is, therefore, considered acceptable in terms of policies CC7, CR2, OU4 and OU5.

### **6.2 Public Safety**

The NPPG (Paragraph: 068 Reference ID: 18b-068-20140306) provides guidance as to the considerations affecting public safety. These are outlined below:

*(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: 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; or 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; or **NO***

*ii. those incorporating large arrows or chevrons with only the arrow or chevron made of retroreflective 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: **NO***

*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; or **NO***

*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***

In light of the above it is confirmed that the proposal not considered harmful to public safety.

## **7. CONCLUSION**

The proposal has been assessed in line with national and locally adopted policies and is considered in line with those policies.

## **8. RECOMMENDATION**

GRANT PLANNING PERMISSION

GRANT ADVERT CONSENT

PL/24/1116 Conditions:

1. Time Limit
2. Approved Plans
3. Materials as specified
4. Elements shown as to be removed must be removed within 3 months

PL/24/1117 Conditions:

1. Standard advert requirements
2. Approved plans
3. Elements shown as to be removed must be removed within 3 months
4. No external illumination