

COMMITTEE REPORT

BY THE EXECUTIVE DIRECTOR FOR ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 21st July 2021

Ward: Minster

App No.: 201070/ADV

Address: Land at Rose Kiln Lane, Reading

Proposal: LED Screen hoardings, supported by hollow steel posts

Applicant: Project Audio Visual Ltd

Deadline: Originally 21/09/2020 - Extended to 23/07/2021

RECOMMENDATION:

REFUSE advertisement consent for the following reasons:

1. Due to the scale, design and prominent location the proposed LED advertisement would appear as an unattractive and prominent structure in stark contrast to the muted backdrop within which it would be positioned. This is considered harmful to visual amenity, detracting from the open character and semi-rural appearance/character and appearance of the Kennet and Holy Brook Meadows Major Landscape Feature. The proposals are therefore contrary to Policies CC7, EN13 and OU4 of the Reading Borough Local Plan 2019 and the NPPF 2019.

Informatives

1. The decision relates to the following drawings and documents:
2. The decision to refuse consent follows the positive and proactive consideration of the application, including outlining the issues of concern with the applicant prior to a decision being issued.

1. INTRODUCTION

- 1.1 This application relates to the erection of a free standing digital advertising screen.
- 1.2 The screen would be located on the eastern side of Rose Kiln Lane, and to the west of the River Kennet.
- 1.3 The site is subject to designations in the Local Plan as being within the Kennet and Holy Brook Meadows Major Landscape Feature area, as well as a Biodiversity Opportunity Area/Area of Identified Biodiversity interest.
- 1.4 In addition to the above, there are also a number of other site constraints/designations/nearby designations:

- Within an Air Quality Management Area
- Within Flood Zones 2 and 3
- Is part of a Treed Corridor
- Adjacent designated Local Green Space and Public Open Space

1.5 Reading Borough Council is the landowner of the application site but is not the applicant. It is noted, however, that the sign is proposed by the applicant in partnership with Reading Borough Council.

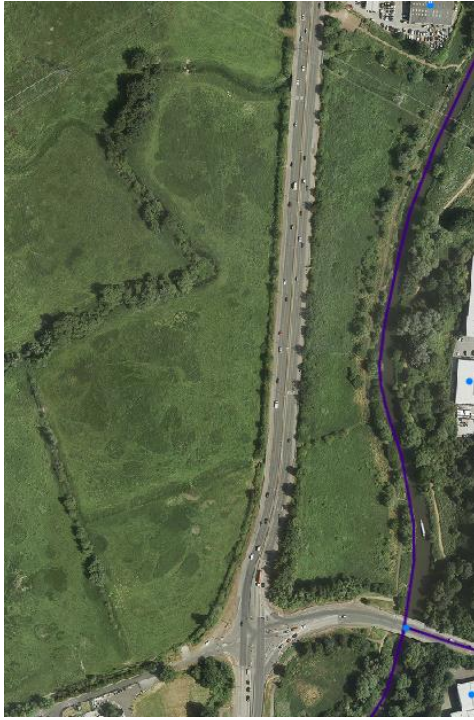
Site Location Plan



Larger scale



Aerial View



Larger scale



2 PROPOSAL

- 2.1 The proposal is seeking advertisement consent for the installation of a double-sided LED digital advertising display screen (with a width of 3.6m and height of 5.7m). It would be supported by a steel-framed stand and the total height from the ground would measure 8.5m.

- 2.2 The proposed sign would have a display in both directions and the LED screens would display static advertisements and images would change at 10 second intervals.
- 2.3 Information provided with the application states that the LED illumination would reach a maximum luminance of 1000cd/m² during daylight hours, decreased to 300cd/m² during the evenings. The screens would operate 24 hours. The details submitted as part of this application indicate that the luminance of the screens would be controlled via light sensors.
- 2.4 Submitted numerous drawings and documents. Please refer to lists appended to this report.

3. RELEVANT PLANNING HISTORY

- 3.1 As the proposed site is not located to a particular address, planning history is somewhat limited. However, a scheme of a similar nature that has been implemented, albeit in a different location and context, is set out below:

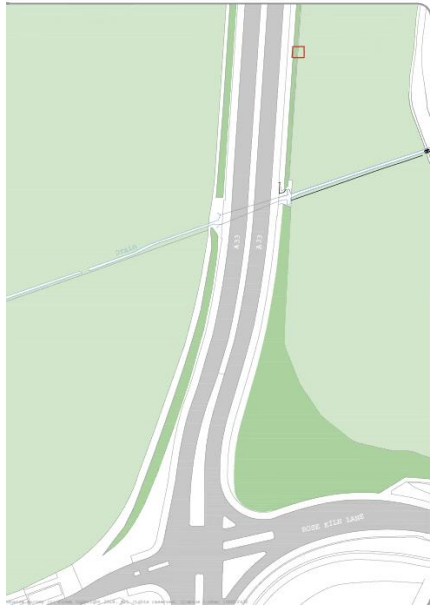
190523 (Land at A33 near Hilton) - Proposed two-sided 6m x 3m LED advertising hoarding on steel support. Advertisement Granted (implemented).

171582 (Land at A33 Relief Road) - 48 sheet digital advertising board. Advertisement Refused and Dismissed at Appeal 5/07/18.

- 3.2 Close-by the application site:

200324 (Land at Rose Kiln Lane) - Display of internally illuminated double side LED screen - Application withdrawn

- 3.3 For context, application 200324 referenced above, proposed in partnership with Reading Borough Council, for a similar LED sign was previously proposed to be located approximately 200m to the south of the sign currently proposed. This application was withdrawn as officers considered that due to its size and prominent location, it would appear as an unattractive and prominent structure that would be harmful to the character and appearance of the area (Major Landscape Feature). At the time, there were also objections from the Transport and Natural Environment teams to the proposed sign.
- 3.4 The map below shows the position of the LED sign withdrawn under application 200324 referenced above:



4. CONSULTATIONS

Transport: Further to submission of revised plans, no objection subject to conditions.

Natural Environment: No objection.

Ecology: Further to submission of additional information in respect of light spillage, no objection.

CCTV: No comments received.

4.1 Neighbour Consultation

There is no statutory requirement for publicity in relation to advertisement consent applications. None have been undertaken as part of this application.

5. RELEVANT PLANNING POLICY AND GUIDANCE

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

5.2 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.

5.3 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'. The following local and national planning policy and guidance is therefore also relevant to this application:

5.4 **National**

National Planning Policy Framework (2019)

Part 12: Achieving well designed places

Part 15: Conserving and enhancing the natural environment

National Planning Policy Guidance

Advertisements (2019)

5.6 **Reading Borough Council Local Plan 2019**

CC1: Presumption in Favour of Sustainable Development

CC7: Design and the Public Realm

CC8: Safeguarding Amenity

EN12: Biodiversity and the Green Network

EN13: Major Landscape Features and Areas of Outstanding Natural Beauty

EN14: Trees, Hedges and Woodland

OU4: Advertisements

TR2: Major Transport Projects

TR3: Access, Traffic and Highway-Related Matters

5.7 **Other relevant documentation**

Reading Borough Council Tree Strategy (March 2021)

Reading Biodiversity Action Plan (March 2021)

6. **APPRAISAL**

6.1 The main issues are considered to be:

i) Amenity

ii) Public Safety

iii) Other Matters

i) **Amenity**

6.2 The NPPG provides a subsection entitled Considerations affecting amenity - What does "Amenity" mean? (Paragraph: 079 Reference ID: 18b-079-20140306). For completeness in the consideration of this application, this is reproduced in full below:

- 6.3 *“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.

- 6.4 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.
- 6.5 In this case, it is the visual amenity of this part of Rose Kiln Lane and the surrounding area - which is within a designated Major Landscape Feature Area as shown on the Reading Borough Local Plan 2019 Proposals Map - which is considered to be significantly relevant in this instance.
- 6.6 Policy CC7 requires that:
- “All development must of a high design quality that maintains and enhances the character and appearance of the area of Reading in which it is located”.

6.7 The Policy goes on to say that developments will be assessed to ensure they

“Respond positively to their local context and create or reinforce local character and distinctiveness, including protecting and enhancing the historic environment of the Borough and providing value to the public realm”.

6.8 Further to the above, Policy EN13 requires that:

“Planning permission will not be granted for any development that would detract from the character or appearance of a Major Landscape Feature”

6.9 It is also particularly relevant to note that the supporting text to Policy EN13 also specifies at paragraph 4.2.65 that:

“Reading is primarily an urban area, but it benefits from a number of natural features that have remained undeveloped. The urban context means that the preservation of these features as a backdrop is of particular importance. New development should seek to maintain and enhance the natural beauty and visual amenity of the identified major landscape features”.

6.10 In overall terms, these Policies require that development be compatible with the character and appearance of the surrounding environment in order to maintain the visual amenities of the area. Further to this, Policy OU4 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”.

6.11 The supporting text to the Policy OU4 also specifies at paragraph 4.7.26 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”.

6.12 Further to the above, paragraph 132 of the NPPF 2019 states that:

“The quality and character of places can suffer when advertisements are poorly sited and designed”.

- 6.13 The site would be located directly on the eastern side of the A33, Rose Kiln Lane, which is a busy arterial route and main transport corridor to and from the centre of Reading.
- 6.14 Whilst the A33 is home to many industrial and commercial premises to the north and south, this part of Rose Kiln Lane, on the eastern side of the A33, is one of few areas that is devoid of built form - indeed it is an area of openness, covered in vegetation, an area specifically designated as a Major Landscape Feature - and it also forms a landscape buffer between the A33 and the industrial/commercial areas to the north and south and residential development to the east.
- 6.15 The proposed LED sign would have a distinct vertical emphasis and would measure 5.7m in height, with an overall height of 8.5m above ground level. This is considered to result in an advertisement of considerable bulk and scale. Consequently, it would appear as a dominant and incongruous feature, the scale and design of which would fail to assimilate into the surrounding landscape and, indeed, would be in stark contrast to the openness of the surrounding area. Further to this, the siting of the display would set a large, illuminated LED sign (on both sides) against a muted, un-illuminated background, exaggerating the visual impact. In this respect, the application proposes that the signage would have a luminance level of 1000cd/m² during daylight hours, decreased to 300cd/m² during the evenings. Given that the illuminated area would be over 10m² in size, the level of illumination would be well over the 200 cd/m² stated by the Institute of Lighting Professionals as appropriate for this area as per para 4.7.29 the subtext to Policy OU4. Furthermore, the location of the sign in view of its isolated setting is such that it would stand out as an unduly intrusive feature in this pleasant setting, particularly at night when illuminated, despite the fact that the luminance would be automatically reduced from dusk until dawn. As a result, the proposed advertisement would be an unacceptably prominent feature in both directions of the A33 and from various public vantage points within the area, including users of the towpath to the east of the site along the River Kennet, and thereby detracting from users' enjoyment of one of the few semi-rural areas within the vicinity.
- 6.16 Furthermore, the scale and prominence of the sign would be exacerbated by its relative position above the bus sign (required from a Highways perspective). It is also considered that the need to increase the height of the sign so that it does not hinder the bus sign, is further indicative of the unsuitable location for such a sign.
- 6.17 In overall terms, the proposed sign is considered to further unacceptably urbanise this part of Reading which features this designated area of open grassland and would therefore have a harmful effect on the visual amenity of the area - moreover, it is considered to detract, from the character and amenity of the area, which Policy EN13 seeks to avoid.

- 6.18 It is also relevant to note that application 171582, which sought advertisement consent for an LED sign on the A33 close to the Grosvenor Casino was dismissed at appeal on 5th July 2018. In that instance, the proposed sign was sited closer to a commercial area of the A33, surrounded by entertainment, storage and retail uses including a petrol station and car sales. The Inspector made reference to the set back of the buildings from the frontage, and the many trees along the road frontage and around the buildings to further reduce their visual effects. The Inspector considered that in contrast, the appeal sign, due to its size, nature of display and position close to the edge of the highway would amount to an unduly prominent and dominant feature within this general context. Furthermore, the Inspector considered that whilst the appeal site itself was quite scrubby in parts, it nevertheless formed an undeveloped green parcel of land with a number of mature trees in its general environs. The Inspector considered that this created a small, but positive contribution to the area and some relief to the adjoining busy road network. The Inspector concluded that the proposed sign would detract from that contribution.
- 6.19 The sign considered by the Inspector under application 171582, is not too dissimilar in scale (it was less wide) to the sign proposed under this current application. Furthermore, it was proposed to be positioned closer to the commercial area than the current sign proposed. The Inspector placed great emphasis on the contribution that the small green parcel of land made to the wider area, and the relief to the busy A33 afforded by it. Further to this, whilst this application has been considered on its merits, the above context is clearly relevant and considered to be material to the consideration of the current application, given the proximity of the two sites. The proposed sign would be located in an area specifically designated as a Major Landscape Feature and is considered a significantly worse scenario than a scheme previously recently dismissed at appeal. Indeed, the appeal decision only serves to highlight and reinforce the importance of the relief that these parcels of land afford to the area. To this end, the proposed sign, due to its elevated and prominent position adjacent a busy thoroughfare leading in and out of the town centre would be a dominant and discordant feature and would therefore harmfully detract from the relief served by this open area when viewed by those travelling down Rose Kiln Lane over some distance, emphasised by the extensive area of illumination proposed.
- 6.20 It is recognised that as landowners the Council would have input into the use of the LED screen and as such there may be associated public benefits arising from such a proposed use. For example, the screen could display community or important public service information. However, no indication of the information to be displayed has been provided and the over-riding concern is the material harm that would be caused by the LED screen, to the character and appearance of the identified Major Landscape Feature. For the reasons stated above, it is considered by your officers that this harm would clearly be detrimental to the interests of visual amenity and contrary to the Council's own policies which seek to ensure a high quality

of design which respects the wider context and contributes to a high quality of place, and which seek to protect, preserve and enhance a Major Landscape Feature area.

ii) Public safety

- 6.21 Whilst the Council's Transport Officer initially had concerns that the sign as originally proposed would obscure and hinder an existing bus lane sign, further to revised plans showing the advert raised above the height of the bus lane sign, the Transport Officers have removed their objection.
- 6.22 Further to the above, the proposed sign is located in a position such that it is not considered would cause a significant physical obstruction to members of the public using the highway (either pedestrians or vehicular drivers/passengers) nor would it hinder the existing bus lane sign.
- 6.23 There is no transport/highways objection subject to conditions to include the candela (luminance) level stipulated by the applicant to be secured.
- 6.24 The proposal is not considered to compromise any existing CCTV in the local area.
- 6.25 As such, the proposal is considered to be suitable in public safety terms And complies with policies

iii) Other matters

- 6.26 Trees, landscaping and ecology - As above, the site forms part of an identified Treed Corridor in the as well as a Biodiversity Opportunity Area/Area of Identified Biodiversity interest. Whilst the Council's Tree Officer has concerns that the location of the proposed sign could limit future planting (as planting would have to be kept low to maintain visibility of the sign) it is considered that this could be dealt with through careful positioning of any planting and there is no objection. Similarly, whilst the Council's Ecologist originally raised concern that the proposed sign could result in additional light spillage on the adjacent local wildlife site and thereby adversely affecting the wildlife that use it, further to the submission of existing and proposed light levels which demonstrate that there would be no additional light spillage there is no objection.
- 6.28 Flooding - Whilst the site falls within Flood Zones 2 and 3, to the nature of the structure, there are not considered to be any adverse flooding risks associated with the proposal.
- 6.27 Equalities Impact - In determining this application, the Council is required to have regard to its obligations under the Equality Act 2010. There is no indication or evidence (including from consultation on the application) that the protected groups have or will have different needs, experiences, issues and priorities in relation to the 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.

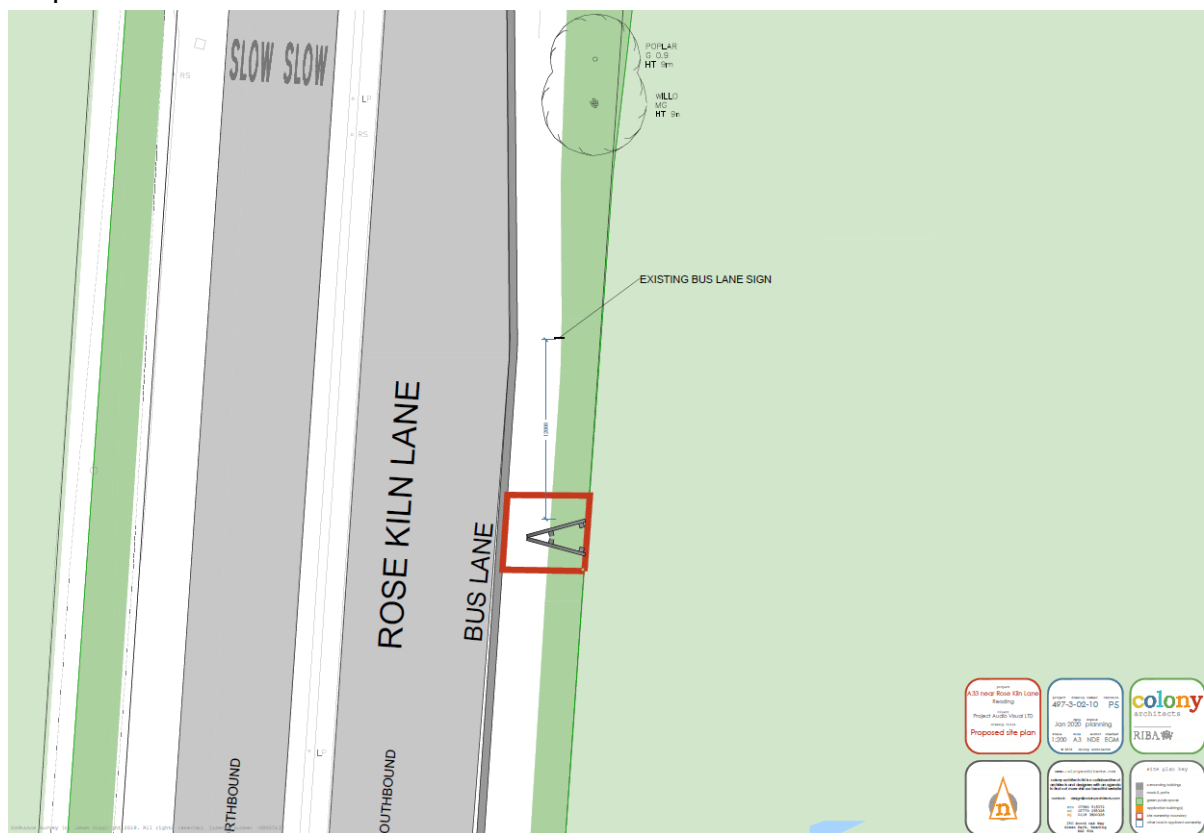
7. CONCLUSION

7.1 The proposed advertising screen is being proposed by the applicant in partnership with Reading Borough Council. However, having regard to the material considerations and all matters raised in the above appraisal, officers have concluded that there are clear conflicts with the development plan and NPPF 2019. Officers have applied a suitable planning balance when reaching this conclusion. The applicant has been advised of your officers' views on this application but have advised that this application should continue to a determination as opposed to withdrawing. Advertisement Consent is therefore recommended to be refused for the reason as stated at the start of this report.

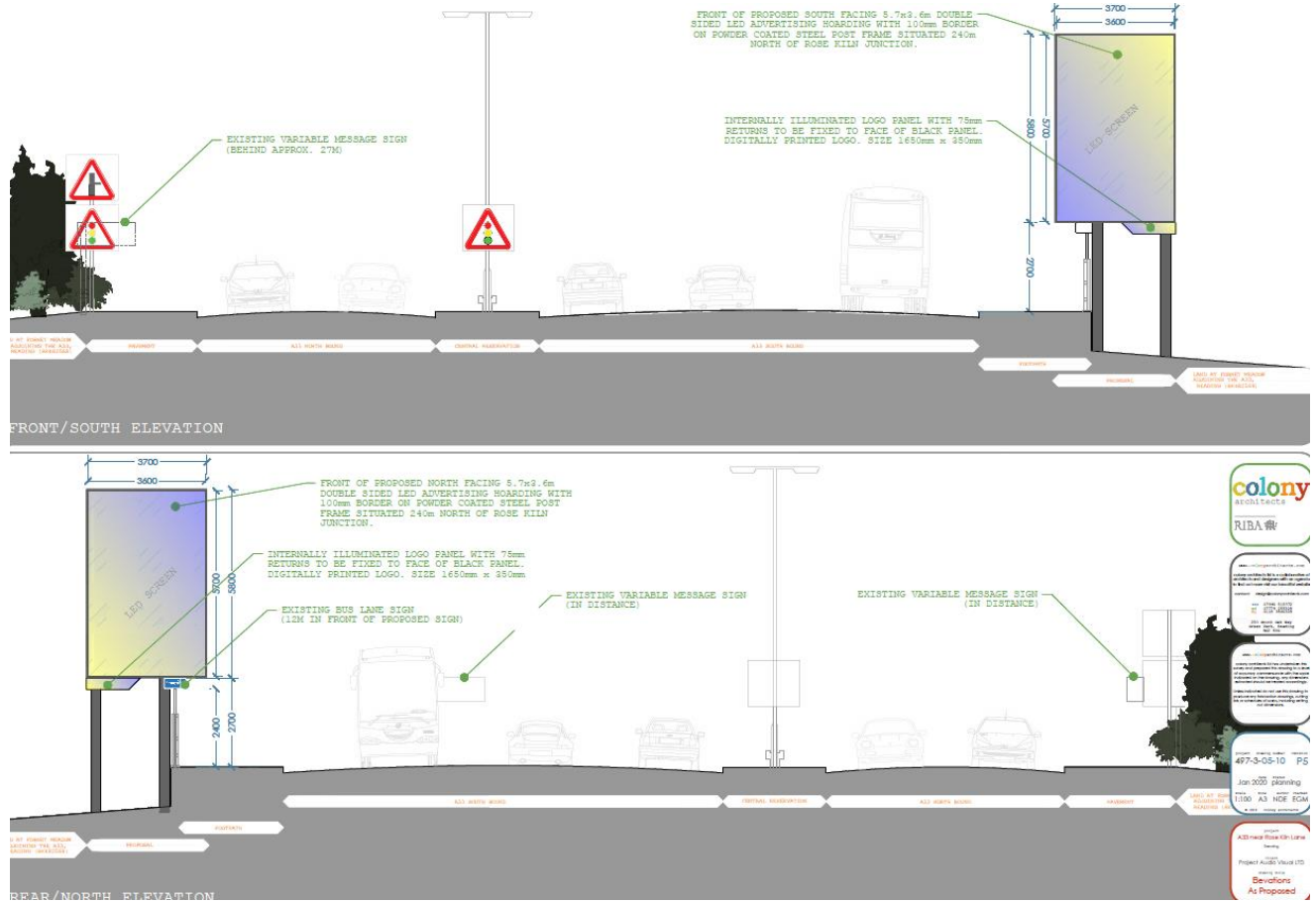
Case Officer: Miss Ethne Humphreys

Plans considered

Proposed Block Plan



Proposed Signage



Proposed Visual - Daytime

PROPOSED VIEW OF LANDSCAPE - DAYTIME

A33 Kia South Bound View (Display positioned behind existing fence line)



A33 Kia North Bound View (Display positioned behind existing fence line)



Proposed Visual - Nighttime

PROPOSED VIEW OF LANDSCAPE - NIGHTTIME

A33 Kia South Bound View (Display positioned behind existing fence line)



A33 Kia North Bound View (Display positioned behind existing fence line)

