

## DEVELOPMENT CONTROL PANEL

1 June 2022

Item: 2

<b>Application No.:</b>	21/03734/ADV
<b>Location:</b>	Land Adjacent To 1 Farm Yard Windsor
<b>Proposal:</b>	Consent to display 1no. internally illuminated double sided digitalized monolith sign.
<b>Applicant:</b>	Mr Golabek
<b>Agent:</b>	Not Applicable
<b>Parish/Ward:</b>	Windsor Unparished/Eton And Castle
<b>If you have a question about this report, please contact:</b> Edward Vaudin on or at <a href="mailto:edward.vaudin@rbwm.gov.uk">edward.vaudin@rbwm.gov.uk</a>	

### 1. SUMMARY

- 1.1 This application seeks advertisement consent to display one internally illuminated double sided digitalized monolith sign. One side consists of a map for the purposes of facilitating street-level navigation by pedestrians. The other side consists of a 49 inch digital screen for advertisements.
- 1.2 The proposed development, by virtue of its design, would overall respect the character and appearance of the area and would not be detrimental to public safety.

**It is recommended the Panel grants advertisement consent with the conditions listed in Section 12 of this report.**

### 2. REASON FOR PANEL DETERMINATION

- The case has been called in by Cllr Bowden due to the siting of the proposal within central Windsor, conservation and heritage area.

### 3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is within Windsor Town Centre Conservation Area, and located to the west side of Farm Yard, opposite Windsor and Eton Riverside Station.
- 3.2 The sign would be located on the opposite side of the road to the Windsor and Eton Riverside Railway Station, a Grade II Listed Building, and to the southeast (on the opposite side of Datchet Road) lies the Royal Oak public house, also a Grade II listed Building.

3.3 The proposed sign, from the submitted details, is shown to be located in close proximity to a tactile dropped kerb used by pedestrians crossing Farm Yard.

#### 4. KEY CONSTRAINTS

4.1 Windsor Area of Special Advert Control;  
Windsor Town Centre Conservation Area;  
Setting of the River Thames.

#### 5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

5.1 This application seeks advertisement consent to display one internally illuminated double sided digitalized monolith sign. One side consists of a map for the purposes of facilitating street-level navigation by pedestrians. The other side consists of a 49 inch digital screen for advertisements.

5.2 Relevant planning history:

Reference	Description	Decision
17/00768/ADV	Consent to display one internally-illuminated double-sided monolith.	Permitted - 01.06.2018

#### 6. DEVELOPMENT PLAN

##### Adopted Borough Local Plan

6.1 The main Development Plan policies applying to the site are:

Issue	Adopted Local Plan Policy
Character of the New Development	QP3
Highways	IF2
Historic Environment	HE1

#### 7. MATERIAL PLANNING CONSIDERATIONS

##### 7.1 National Planning Policy Framework Sections (NPPF) (2021)

Section 2 – Achieving sustainable development  
Section 4 – Decision-making  
Section 9 – Promoting Sustainable Transport  
Section 12 – Achieving well-designed places  
Section 16 – Conserving and enhancing the historic environment

##### 7.2 Other Local Strategies or Publications

- RBWM Townscape Assessment
- RBWM Shopfronts and Advertisements in Windsor Town Centre Conservation Area
- RBWM Borough Wide Design Guide SPD 2020

## 8. CONSULTATIONS CARRIED OUT

### Comments from interested parties

- 8.1 6 occupiers were notified directly of the application. The case officer posted a site notice on 14<sup>th</sup> March 2022 and the application was advertised in the local press on 3<sup>rd</sup> March 2022. No letters were received from those directly notified.

### Consultees

Consultee	Comment	Where in the report is this considered.
RBWM Conservation	On balance, I am of the view that the new signs will provide a positive benefit to visitors and so support the economy of the town. I consider that this would just outweigh the harm to the character and appearance of the conservation area, the town centre street scene and the significance of the conservation area.	Addressed in Section 9 below

### Others

Group	Comment	Where in the report is this considered.
Windsor and Eton Society	How can pre-application advice been given on this application over 7 years ago?	The date of pre-application advice is not relevant to the assessment of this application.
	Spelling mistakes on the application form.	Noted but not relevant to the assessment of the case
	RBWM website misleading with regard to listed buildings in proximity.	The "within 20m of a listed building" constraint is listed on the website as the sign is within 20m of a listed building.
	Detrimental impact on the setting of the surrounding listed buildings.	See paragraphs 9.10 to 9.16.
	No heritage impact statement submitted.	Whilst the submission of a heritage impact statement would have been supported, it is not required for

		advertisement consent.
	Contradiction of RBWM Shopfronts and Advertisements in Windsor Town Centre Conservation Area which states that fully illuminated signs will not be accepted in Zone 3.	This is noted and addressed in paragraphs 9.10 to 9.16.
	Strong case that the structures should be considered development.	The structures are considered permitted development under Class A Part 12 Schedule 2 of the GPDO.
	Premature in light of the Windsor Vision not yet being developed or discussed.	Not relevant to the consideration of this application.

## 9. EXPLANATION OF RECOMMENDATION

- 9.1 This application is made on behalf of the Royal Borough of Windsor and Maidenhead – the Local Authority.
- 9.2 Class A, Part 12, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) stipulates that the erection of any small buildings, works, equipment, structures and infrastructure by the local authority are considered permitted development.
- 9.3 The proposed monolith would provide wayfinding services in the form of a map on the rear elevation and directions on the front elevation. As a structure to be erected by the local authority, it is considered to be permitted development as described above.
- 9.4 Notwithstanding the above, the proposed digital screen fitted to the monolith requires advertisement consent. As such, the following assessment is made in the interests of amenity and public safety as per The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
- 9.5 The key issues for consideration are:
- I. Public and highway safety;
  - II. Visual impact

### Issue I. Public and highway safety

- 9.6 The proposed advertisement would be sited on the west pavement of the Farm Yard / Datchet Road junction – adjacent to a dropped kerb with tactile paving serving as a pedestrian crossing to the Windsor and Eton Riverside Station.
- 9.7 The proposal is orientated such that the advertisement faces the junction. This orientation is such that it does not have any adverse impact on the sightline of the junction for drivers travelling on a north-eastward approach on Datchet Road. For

drivers travelling in the opposite direction on Datchet Road, the advertisement would not breach any traffic sightlines or pedestrian crossings. The proposal is setback from the junction such that the sightlines for drivers egressing from Farm Yard would not be obscured.

- 9.8 The proposal would be setback from the junction and well-distanced from any traffic signals such that it is not considered to create any confusion for drivers on Datchet Road or Farm Yard.
- 9.9 The proposal is positioned such that it does not inherently obstruct the desire line of pedestrians seeking to cross Farm Yard. However, given that the advertisement will be displayed facing the tactile pavement, there is potential for pedestrians engaging with the advert to cause obstructions, which could have an impact on the safety of the junction.

## **Issue II. Visual impact**

- 9.10 Policy QP3 of the Borough Local Plan states that new development will be expected to contribute towards achieving sustainable high quality design in the Borough.
- 9.11 Policy HE1 of the Borough Local Plan states that heritage assets are an irreplaceable resource and works which would cause harm to the significance of a heritage asset (whether designated or non-designated) or its setting, will not be permitted without a clear justification in accordance with legislation and national policy.
- 9.12 The site is located within the Windsor Town Centre Conservation Area, and is located within an area defined as Zone 2 by the Shopfronts and Advertisements in Windsor Town Centre Conservation Area. This states that within Zone 2, where a proposal falls outside the defined street areas, which is the case with the proposal, hanging and projecting signs may be illuminated either with strip lights or spots assessed on the merits of their design. Whilst the proposal is not a hanging or projecting sign, it is reasonable to apply the same principles to the acceptability of freestanding signs in the same area. However, this difference, as well as the significant age of the aforementioned document, will result in this having reduced weight in the assessment of this proposal.
- 9.13 The proposed advertisement, due to its size and method of illumination, would not accord with the Shopfront and Advertisements in Windsor Town Centre Conservation Area guidance.
- 9.14 It should be noted that advertisement consent has previously been granted by committee for an almost identical proposal in terms of design and siting (17/00768/ADV). This is a material consideration and weighs in favour of the application. Furthermore, a proposal for a similar sign (17/00769/ADV) to be located in a more sensitive position closer to Windsor Castle and within the environs of a Grade II Listed building was also permitted and is a material consideration in the determination of the current application. These proposals were approved on the basis that the adverts would have a neutral impact on the character of the Conservation Area, ensuring it would be preserved.
- 9.15 In light of the previous approvals, the RBWM Conservation officer consulted for this application gave no objections in principle. However, they did raise concerns regarding the proposed ventilation grills on the rear of the proposal, which lent to an industrial appearance. The Applicant has explained that the ventilation grills are required in order

to support the longevity of the proposed digital screen, given that the previously approved advertisements overheated after a short period.

- 9.16 Overall, due to their scale and illuminated nature, the proposals would result in some limited harm to the character of the Conservation Area. According to paragraph 202 of the NPPF, less than substantial harm to heritage assets must be weighed against the public benefits of the proposal (see below).

## **10. COMMUNITY INFRASTRUCTURE LEVY (CIL)**

- 10.1 The development is not CIL liable.

## **11. PLANNING BALANCE AND CONCLUSION**

- 11.1 The proposal to display one internally illuminated double sided digitalized monolith sign at this location would result in less than substantial harm to the character of the conservation area and the associated heritage assets within.
- 11.2 Paragraph 202 of the NPPF advises that in such cases, i.e. where there is less than substantial harm to the significance of heritage assets, the level of harm should be weighed against the public benefits of the proposals.
- 11.3 The proposals provide public benefit in the form of wayfinding, supporting visitors in navigating the town centre of Windsor. This is considered to outweigh the less than substantial harm to the character of the conservation area and associated heritage assets.
- 11.4 The display will be facing tactile paving, which if obstructed by visitors, could result in an impact on highway safety. This weighs against the proposal. However, the nature of the display and associated wayfinding is such that it is not anticipated to attract obstructive gatherings by design. As such, this impact is very limited in weight against the proposal.
- 11.5 Advertisement consent was previously granted for a monolith of a very similar design at this location, which amounts to substantial weight in favour of the proposal.
- 11.6 On balance, the proposals would bring public benefits that outweigh the impacts identified within this report. The proposals are therefore recommended for approval.

## **12. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED**

- 1 Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.
- 2 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.
- 3 Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.
- 4 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.
- 5 No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).

- Reasons: 1 - 5 above: Conditions imposed by the above mentioned regulations.
- 6 The illuminated sign(s) shall be designed in accordance with the Local Planning Authority's requirements and in accordance with the Guidance Notes for the Reduction of Obtrusive Light issued by the Institution of Lighting Engineers, 2005. Reason: In the interests of visual amenity. Relevant Policies - Borough Local Plan QP3

## 12. APPLICATION 21/03734/ADV - APPENDICES TO THIS REPORT

- Appendix A – Site Location Plan
- Appendix B – Proposed Site Plans
- Appendix C – Proposed Door Details

### Appendix A – Site Location Plan





## Appendix B – Proposed Site Plan



# Appendix C – Proposed Door Details

