



Appeal Decision

by I Stevens BA (Hons) MCD MBA MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 18/01/2024

Appeal reference: CAS-03038-S8Q8S1

Site address: 9-11 Regent Street, Wrexham, LL11 1SG

- The appeal is made under Regulation 15 of the Town and Country Planning (Control of Advertisements) Regulations 1992 against a refusal to grant express consent.
 - The appeal is made by V2 LED Limited against the decision of Wrexham County Borough Council.
 - The application Ref P/2023/0418, dated 22 June 2023, was refused by notice dated 17 August 2023.
 - The advertisement proposed is the erection and display of a single LED advertising unit 1.92 x 2.8 metres.
 - A site visit was made on 5 December 2023.
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Decision

1. The appeal is dismissed.

Procedural Matters and Main Issue

2. The powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety. The development plan may be taken into account only as a material consideration. Other material policy considerations include Planning Policy Wales (PPW), Edition 11, 2021, and advice in Technical Advice Note (TAN) 7: Outdoor Advertisement Control, November 1996, and TAN 24: The Historic Environment, May 2017.
3. The appeal site is within the Wrexham Town Centre Conservation Area (CA) where section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention must be paid to the desirability of preserving or enhancing the character or appearance of the area. In the context of this advertisement appeal, I have taken the statutory duty into account as far as it applies to the consideration of visual amenity. Consequently, the main issue is the effect of the proposed advertisement on the visual amenities of the area.

Reasons

4. The appeal building is located at one end of a pedestrianised section of Regent Street, on its corner with Hill Street. The three-storey building has a shop unit on the ground floor with a full width shopfront extending around to its side elevation. Other buildings of similar

height but varied widths and appearances are located nearby. The city centre location is commercial in character, with a range of retail, food and drink venues and other services.

5. There are a mix of historic buildings nearby in the CA and much of their design merit lies in the upper storeys, above ground-floor commercial facades. This is evident on the front elevation of the appeal building and its neighbour, where the brickwork and design details around upper windows provide visual interest. Indeed, this block is recognised in the Council's Town Centre Conservation Area Assessment & Management Plan (2009) (CAAMP) as an important townscape group of buildings. Several buildings within the CA opposite the appeal site have a pleasant mix of upper-floor window arrangements and façade designs. They include the Lloyds Bank building at the corner of Regent Street and Egerton Street. These features allow a legible appreciation of the architecture of the CA and contribute positively to its character.
6. Notwithstanding the appeal building's location at the edge of the CA, its corner position provides definition and marks an important point at which views into the CA are experienced. In this context, the proposed digital advertisement, on the building's flank wall facing Hill Street, would be evident in views into the CA. Although the rebuilt wall is not as architecturally significant as the front elevation, its functional appearance, with minimal window openings, is not so unattractive as to detract from the character of the CA.
7. The proposal would not overwhelm the flank wall in scale. Nevertheless, it would still be a prominent addition to the CA gateway as experienced in views from some distance along Regent Street. Its illumination and position over 4m above ground level would amplify its prominence and draw the eye. While the display would be well separated from the listed Nags Head public house further along Regent Street, it would nonetheless compete with and detract from the visual qualities of the upper floors of buildings in the CA. I also note that the display would be offset from the building corner by about 7.5m and face towards a group of large contemporary commercial units on the opposite corner of Regent Street and Hope Street. However, those buildings do not define the area character and do not dominate views into the CA from along Regent Street.
8. I recognise that advertisements are well-established features in the surrounding street scene. However, they are typically confined to ground-floor commercial frontages and are generally restrained in appearance. In contrast, the appeal proposal would be markedly different in its design and siting, which would be continually lit and display consecutive static images on constant rotation throughout the day and night. It would therefore be a discordant addition to the built historic character of the CA.
9. I saw during the early evening hours of darkness that illumination is largely confined to ground floor commercial frontages, amongst intermittent street lighting. In the surrounding context, the busyness of the digital display would stand out over other illuminated signage. I recognise that measures controlling luminance levels, display timings and technical issues could be secured by means of a planning condition. They would not, however, outweigh its harmful visual impact in the CA.
10. My attention has been drawn to appeal decisions for digital displays cited by the appellant. They differ in their site contexts and circumstances, with both examples involving existing paper advertisements being replaced by digital displays, and only one located in a CA. The examples referred to elsewhere in Wrexham are some distance from the appeal site and differ in terms of their siting and locational contexts, particularly in relation to historic environment designations.
11. There is clearly a balance to be had between the importance of outdoor advertising to commercial activity, and their impact on Conservation Areas, with reference to advice in

PPW, TAN 7, and TAN 24. I note the potential benefits of advertising products from local and national businesses, along with the option to display public messaging, although no firm details have been provided on how this could be secured. In any event, the position and appearance of the proposed advertisement would be harmful to the visual amenities of the area and would fail to preserve or enhance the appearance of Wrexham Town Centre CA.

Other Matter

12. The Community Council object to the proposal on public safety grounds, with reference to its location near a pedestrian crossing. The Council's Highways officer raised no objection, subject to the imposition of a condition controlling the display's illumination to prevent disabling glare or dazzle to traffic. However, subject to the condition, I am satisfied that the proposal would not harm public safety. This matter does not outweigh the harm I have identified in terms of visual amenities.

Conclusion

13. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal is dismissed.
14. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that these decisions are in accordance with the Act's sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives.

I Stevens

INSPECTOR