

**TOWN AND COUNTRY PLANNING (Control of Advertisements) REGULATIONS 1992
SECTION 78 APPEAL**

**Land at Brook Street, Wrexham
Advertisement Consent for Digital Advertising Display Unit**

PLANNING REF: P/2021/0557

PINS REF: H6955/H/21/3281942

Start Date: 10/09/2021.

**Statement from R. Alun Jenkins,
Councillor representing Offa Ward on Wrexham County Borough Council
1, Maes Glas, Court Road, Wrexham. LL13 7SN**

Planning Application P/2021/0557 for the *“Installation of 1 x 48 sheet free standing digital advertising display, measuring 6.4m wide by 3.4m high, and comprising pressed metal frame with sealed LED screen” with the “base of the advertisement 3 metres above the ground”, “located on a strip of land on the western boundary of a vacant development site on the south side of Brook Street, near the junction of Brook Street and Lea Road, was submitted on the 25th May, 2021.*

Two very similar applications were submitted in 2019 and 2020 for similar sized digital advertising signs on Pentrefelin on the opposite corner of Lea Road.

The first was P/2019/0942 *“for the replacement of existing 1 x 48 sheet advertisement hoarding with a 1 x 48 sheet digital display unit”*. This was refused by Wrexham County Borough Council on February 5th 2020, for the following reason:

The proposed digital advertising display unit would detract from the amenities of the area and the setting of nearby listed buildings by reason of the level of illumination, the scale of the display and the prominent location in an area of mixed residential and commercial uses. The proposal would be contrary to policies GDP1 and EC9 of the Wrexham Unitary Development Plan, adopted guidance note no. 1 Advertisements and Welsh Government Technical Advice Note 7 Outdoor Advertisement Control.

The Applicant appealed to the Planning Inspectorate - Appeal Ref: APP/H6955/H/20/3249418 - The appeal was dismissed - decision dated 03/06/2020 - with the Inspector concluding that *“The proposed advertisement would be harmful to the visual amenities of the area. The appeal is therefore dismissed.”*

In reaching his decision, the Inspector stated:

“The proposed display unit would replace and upgrade an existing static externally illuminated advertisement hoarding. Although the proposal would be very similar in size and orientation to the existing hoarding, the overall height would be more than 0.5 metres higher. It is also my understanding that, unlike the existing, the proposal would have an internally illuminated sequential display that would show static images capable of a 10 second rotation. Although there would be no flashing or moving images within each rotation, the internal illumination and changing images would

mean that the visual impact of the proposed advertisement would be substantially greater than the existing hoarding and far more prominent than the signage to commercial premises in the wider area."

"I am concerned that when seen against the green soft landscaped backdrop of the site the proposed display unit would stand out as an arbitrary and incongruous feature."

"... due to its height, scale and the frequently changing display, I am concerned that even with low luminance settings the proposed display unit would have an overstated commercial connotation which I consider would be out of keeping with its immediate setting. Additional controls over lighting levels would not therefore be enough to overcome the harm to visual amenity in this case."

In order to overcome one of the Inspector's objections, a **second application, P/2020/0176** was submitted on 10th November 2020, with the height of the installation in this new application having been reduced by 50cm, to the height of the current static unit. Apart from this, the only other change to the application was the inclusion of a landscaping scheme, which would have done nothing to hide the distracting and prominent nature of the flashing advertising unit.

The applicant appealed to the Planning Inspectorate in March 2020 for Non-Determination of the application within the usual timescale - Appeal reference H/6955/H/21/3269996.

The Inspector considered the application/appeal as if it had been submitted to him in the first instance, and after considering the submitted objections and having visited the site *"to assess the effect of the proposed advertisement on the visual amenity of the area . . . the general characteristics, presence of historic, architectural, cultural and similar interest . . . and the setting of the Listed Buildings."* He concluded that *"the proposed concentrated visual and illuminated display with sequential changing images would be unduly prominent. . . . None of the signs in the vicinity of the site are digital media signs where the image changes sequentially. It would be a significant change, and one which for the reasons set out above would harm the visual amenity of the area."*, and the Inspector DISMISSED this second appeal on the 29th June, 2021.

The current appeal is against the decision of Wrexham Council on the 22nd June 2021 to REFUSE application P/2021/0557, which had been submitted on the 28th May 2021.

The site of this proposed digital advertising sign is within a stone's throw of the two applications refused permission above, so all the arguments in this case are very similar to the ones covered above. These have been fully reflected in the Reasons for Refusal listed in the Council's decision notice, which I fully support -

1. *The development will have a detrimental impact upon the setting of a Listed Building and therefore conflicts with policies EC9 and GDP1(a) of the Wrexham Unitary Development Plan.*
2. *The development will have a detrimental impact upon visual amenity by reason of the over-stated commercial connotation, out of keeping with its immediate setting, and therefore conflicts with policy/policies GDP1(a) and PS2 of the Wrexham Unitary Development Plan.*

I hope that you will be able to support the comments of the previous Inspectors, and be able to DISMISS this appeal, and confirm the REFUSAL of this application for these reasons.

Other concerns and issues:

I appreciate that the Highway Authority did not submit an objection to the current application, but I have major concerns as local Councillor for the area that a flashing digital display screen located on either one side or the other of Lea Road, a road which leads towards the main entrance to St Mary's Catholic Primary School, would be extremely distracting, and would cause unacceptable additional dangers for pupils attending the school.

Travelling along Brook Street from St Giles Way, the road narrows considerably on approaching the appeal site, and with on-street parking bays marked on both sides of the road leading up to the Lea Road junction, it becomes even narrower. Cars are parked in these spaces for most of the working day, reducing the width of the remaining carriageway so that there is barely room for two vehicles to pass safely in both directions. With vehicles manoeuvring to enter or leave the parking spaces, and with junctions to the right leading to Brewery Place and to Well Place, then to the left into Lea Road, the road becomes very congested, and motorists have to be extremely vigilant to avoid accidents. Brook Street beyond Lea Road junction leads directly into Pentre Felin, and the signalised pedestrian crossing leading to the steps up to the school. Although this is protected by the 20mph School Zone speed restriction, many drivers seem to regularly ignore the restriction.

With all these hazards along this busy part of the inner ring road, motorists cannot afford to be distracted by frequently changing pictures from the proposed display, especially at a time when they need to be particularly aware of the dangers to School Children.

Offa Community Council submitted its objections on these grounds.

The attached photo looks along Brook Street, showing the row of parked taxis (associated with the taxi office in Brewery Place) on the appeal site to the left of the photo. These taxis enter and leave the site through a gap in the parking bays onto Brook Street throughout the day adding to the traffic dangers. Ahead, Brook Street curves to the left, and beyond the junction with Lea Road changes its name to Pentre Felin. It is crossed immediately by the signalised crossing leading to the steps up to the School - some of the school buildings can be seen at the higher level above the Road, as can the existing static hoarding, whose replacement by a digital display has been rejected twice on appeal.

Seen to the right in the photo is *The Old Three Tuns Public House*, a Grade II listed building, directly opposite the site of the proposed Digital Advertising Display, and at the end of Brewery Place are the important Grade II listed buildings of the *former Island Green Brewery Site*, including the significant former *Malthouse*. These are all clearly within sight of the proposed Digital Display. As noted in the previous Appeal Decision, *"none of the signs in the vicinity of the site are digital media signs where the image changes sequentially. It would be a significant change, and one which for the reasons set out (above) would harm the visual amenity of the area."*

The damaging visual impact on the locality, and on the important listed buildings nearby are the Council's reasons for refusal of this application - and I fully support this decision.

I trust that you will consider the objections and concerns in this submission, and will be able to DISMISS this appeal and REFUSE planning permission for this dangerous and unacceptable proposal.

Many thanks,

R. Alun Jenkins, Councillor Offa Ward.

October 5th., 2021.