



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 02/11/21

gan Nia Jones, BA (Hons) MSc MRTPI

Arolygydd a benodir gan Weinidogion
Cymru

Dyddiad: 11/01/22

Appeal Decision

Site visit made on 02/11/21

by Nia Jones, BA (Hons) MSc MRTPI

an Inspector appointed by the Welsh
Ministers

Date: 11/01/22

Appeal Ref: APP/H6955/H/21/3281942

Site address: Land at Brook Street, Wrexham, LL13 7LH

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- 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 Alight Media Ltd. against the decision of Wrexham County Borough Council.
 - The advertisement proposed is 1 x 48 sheet freestanding digital advertising display unit, measuring 6.4m wide x 3.4m high, and comprising pressed metal frame with sealed LED Screen.
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Decision

1. The appeal is dismissed.

Main Issue

2. This is the effect of the proposed advertisement on visual amenity, including whether it would preserve the setting of a nearby listed building.

Reasons

3. The entrance of Brook Street on its southern side, accessed from the crossroads to the east, is defined by large and imposing buildings, opening out onto a spacious area of land, cleared of previous buildings and affording wide views out of the street. This side of the street is in direct contrast to the principally older style, more domestic scale and compact, orderly and regular form of properties on the opposite side, separated by the main thoroughfare. Although some more contemporary buildings are interspersed with older properties on the north side of the road, they maintain coherence and form due to their scale, detailing and the use of consistent materials. On this side of the road the Three Tuns Public House is a notable Grade II listed building described as a striking example of Arts and Crafts architecture, with its conspicuous decorative gable and diagonally set chimney stack prominent in the approach to the appeal site from the east.

The appeal site itself is opposite the listed building, on the edge of a forecourt area, between it and a small single storey commercial garage premises.

4. There are a variety of shops, businesses, services and residential uses located in the area, and the immediate environment of the site is influenced by the transport corridor. However, the area is not overtly commercial and, apart from the hoarding and warehouse signage towards Pentre Felin, advertisements on premises are proportionate in scale. There are large commercial buildings on the entrance to the street, but the appeal site does not become clearly visible from the east until a curve in the road is reached whereupon it is viewed against the open backdrop of the one side and the compact and regular development on the other. In this view, the projecting decorative gable and chimney stack of the listed public house are a conspicuous and attractive feature in the streetscene. Albeit set at an oblique angle from some views, the rear view of the proposed digital display unit would be set almost side by side with the listed building from this approach, where its large and commercial appearance would be in direct contrast to the understated scale and fine detailing of its main gable, despite being separated by the road. The proposed display unit would not contribute to visual clutter, but it would be prominent due to its scale. Despite the buildings sitting behind, its appearance would be of a large freestanding structure, conspicuous on its open site and contrasting with the compact and condensed development on the opposite side of the road. The height of nearby street lighting columns would provide little visual mitigation given the proposed display would be a much larger and wider structure providing a significant area of illumination and featuring changing displays. The unit would appear particularly discordant in the view along Brewery Place which accommodates a pedestrian access from the Island Green shopping centre. In particular, the listed building and the building opposite would frame the unit in the view so that its scale, illumination and changing display would present an over-stated commercial incursion, distracting from the listed structure and competing for attention in the streetscene.
5. My attention is drawn to an appeal at Pentre Felin (APP/H6955/H/21/3269996). However, views from the direction of Pentre Felin towards the building are limited due to its set-back from Brook Street. In contrast, the current appeal proposal is situated directly opposite the listed building and clearly visible with it from several directions. The circumstances are therefore different. I have also taken into account the appeal decisions which have been brought to my attention in relation to the other two proposals at nearby Regent Street (APP/H6955/H/20/3261337 and APP/H6955/H/21/3275061) but these also differ in context and circumstances. I accept that advertisement units can co-exist with heritage assets in some cases, but the effects on amenity in this particular case are unacceptable for the reasons given.
6. The appeal site is part of a wider regeneration area and a Masterplan was prepared as an evidence base for the emerging Wrexham Local Development Plan 2 (LDP2) which is in draft form. There is no certainty as to how or when the wider area would be developed and my decision is therefore based on the existing site context and setting. I have given consideration to the removal of the unit which could be secured by condition, but given my findings above, I do not consider the unit would be acceptable, even for a short period.
7. I acknowledge the economic benefits of advertising in general, but this should be balanced with the effects on amenity, and the harmful effects that I have identified in this regard are overriding considerations. In accordance with the Regulations, I conclude that the proposal would harm the visual amenity of the area, and would fail to preserve the setting of the listed building. In reaching this conclusion, I have taken into account, as material considerations, UDP Policies PS2 and GDP1 and UDP Policy EC9 which seeks to ensure that development respects the setting of listed buildings.

Other Matters

8. I have taken into account the concerns raised by interested parties in relation to the potential distraction to motorists and highway safety matters. I note that the proposed siting was amended at application stage to respond to the Highway Authority's concerns about pedestrian safety and that no objection is raised by the Council as a consequence. From my observations and the evidence before me, I do not consider that unacceptable risk to highway or public safety would arise.
9. For the above reasons, and having regard to all matters raised, the appeal is dismissed.
10. 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 this decision is in accordance with the Act's sustainable development principle through its contribution towards one or more of the Welsh Minister's wellbeing objectives as required by section 8 of the Act.

Nia Jones

Inspector