



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 13/05/2020

gan K Sheffield BA(Hons) DipTP
MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 03/06/2020

Appeal Decision

Site visit made on 13/05/2020

by K Sheffield BA(Hons) DipTP MRTPI

an Inspector appointed by the Welsh Ministers

Date: 03/06/2020

Appeal Ref: APP/H6955/H/20/3249418

Site address: Land at Pentre Felin, corner of Lea Road, Wrexham, LL13 7NB

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 Vivid Outdoor Media Limited against the decision of Wrexham County Borough Council.
- The application Ref P/2019/0942, dated 20/12/2019, was refused by notice dated 05/02/2020.
- The advertisement proposed is the replacement of existing 1 x 48 sheet advertisement hoarding with 1 x 48 sheet digital advertising display unit.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed advertisement on the visual amenity of the area.

Reasons

3. The appeal site lies within a grassed bank located at the back of the footway on Pentre Felin, close to its junction with Lea Road. Whilst the site is within a built-up area, there is a sense of openness to the street scene which is created by the grounds of a school to the south and west, parking associated with a nearby shopping centre to the north and the general arrangement of the buildings around the road junction with Brook Street, Well Place and Brewery Place to the east. Furthermore the grassed nature of the site together with the tree and shrub planting within the school grounds help soften the appearance of this section of the street scene.
 4. It is acknowledged that there are various residential and commercial properties in the surrounding area and that many of the latter display signage which in some instances is very prominent. It is also accepted that views of the proposed display unit would be screened from the south by the topography of the site and, due to its orientation towards the east, little would be seen of the unit in the approach from the west. However, the unit would be seen from the north and would be prominent in the approach from the east.
 5. 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
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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.

6. It is noted that there is a variety of street furniture including streetlights, traffic signs and a light controlled pedestrian crossing and lighting to the car park in the immediate vicinity of the appeal site as well as the illumination of the nearby shopping centre. Whilst in this setting the existing hoarding is not overly prominent in the street scene, I do not consider that these surroundings would provide adequate mitigation for the visual prominence of the display proposed. Although Technical Advice Note 7: Outdoor Advertisement Control advises that good quality soft landscaping can enhance the appearance of a poster display and help it blend into its surroundings, 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.
7. I accept that the level of illumination could be controlled. However, 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.
8. In refusing consent the Council has also cited the effect of the proposal on the setting of two Grade II listed buildings, namely the former Island Green Brewery including Malthouse and The Old Three Tuns Public House. The former has been converted to residential use. Whilst the proposed display unit would feature in views of and from the listed buildings these would be limited. Given the relationship of the site to the listed buildings together with the intervening land uses and buildings, I am not persuaded by the evidence before me that the proposed advertisement would compromise the setting of the listed buildings.
9. The Appellant has drawn my attention to a proposal for a similar type of display unit which received consent from another Council. Whilst I accept there are similarities in respect of the type of display unit and the presence of a Listed Building, I consider the character of the site and its surroundings to be significantly different to the proposal before me. I therefore find that no direct comparison can be drawn between them.
10. The Council has cited Policies GDP1 and EC9 of the Wrexham Unitary Development Plan, adopted 2005, as being relevant to the appeal. However, the powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. Whilst in my determination of the appeal I have taken the Council's policies into account as a material consideration, they have not, by themselves, been decisive.
11. 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 this decision is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Ministers' well-being objective of promoting healthier communities and better environments.

12. For the reasons given above, and having had regard to all other matters raised, I conclude that the proposed advertisement would be harmful to the visual amenities of the area. The appeal is therefore dismissed.

K. Sheffield

INSPECTOR