
Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 22/11/16

gan Aidan McCooey BA MSc MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 25/11/16

Appeal Decision

Site visit made on 22/11/16

by Aidan McCooey BA MSc MRTPI

an Inspector appointed by the Welsh Ministers

Date: 25/11/16

Appeal Ref: APP/H6955/H/16/3159001 (Appeal A)

Site address: Tesco Roundabout, Cefn Mawr, Wrexham

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 Bynon Property Services against the decision of Wrexham County Borough Council.
 - The application Ref P/2016/0315, dated 4 April 2016, was refused by notice dated 10 August 2016.
 - The advertisement proposed is local trader strip signs (non-illuminated pole mounted sign).
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Appeal Ref: APP/H6955/H/16/3159122 (Appeal B)

Site address: Top of Hill Street (Festival Fireworks shop wall), Cefn Mawr, Wrexham

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 Bynon Property Services against the decision of Wrexham County Borough Council.
 - The application P/2016/0314, dated 4 April 2016, was refused by notice dated 10 August 2016.
 - The advertisement proposed is local trader strip signs (non-illuminated pole mounted sign).
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Decision

1. The appeals are dismissed.

Main Issues

2. The main issues are the impact of the advertisements on the character and appearance of the area and highway safety.

Procedural Matter

3. The description of the advertisements is taken from the application form, which is the basis of the application. The words in brackets are the Council's description.
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Reasons

4. The proposed signs are to be erected as advance direction signs listing local businesses in Cefn Mawr village centre. The stated reason for the signs is to advise the public of the continued existence of businesses in the village, which is stated to be necessary because of the impact of a nearby Tesco store. An associated new road has by-passed the village reducing trade for local businesses. The stated dimensions of the signs are 3.5m high and 1.5m wide. The tops would contain the words Cefn Mawr and the Pontcysyllte World Heritage Site logo. There would be 12 strips below with individual traders/business names thereon.
5. The considerations to be taken into account in determining appeals related to advertisements are whether the proposed adverts would be detrimental to the interests of amenity or public safety. The centre of Cefn Mawr is a Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention is paid to desirability of preserving or enhancing the character or appearance of a Conservation Area. This statutory duty is also echoed by national policy in Planning Policy Wales. I note that Policy GDP 1 of the Wrexham Unitary Development Plan seeks to protect amenity, ensure highway safety and protect built heritage. The Council also has an adopted Local Planning Guidance Note on Advertisements (LPGN1), which refers to assessing the effect on visual amenity and highway safety.
6. The Council has raised concerns about the design of the signs. They would appear akin to those at the entrances to industrial estates. They would have business names thereon which would present a cluttered appearance. The design is similar to a sign used at Plassey. However, the Conservation Officer points out that that sign is in a completely different context. Concern was expressed about the colours used, which is not a significant issue in relation to amenity. There were also concerns that the proposed signs would not be sympathetic to Council signage and planned public realm works for which funding is currently being sought.
7. The first sign at Tesco roundabout (Appeal A) would be located in a prominent position at the entrance to (but outside) the Conservation Area. There is an existing Tesco advance sign nearby. Whilst the proposal would be slightly smaller, it would be in close proximity and would lead to two large signs in this prominent location. I note that the Council suggested moving the sign closer to the village. The appellant has rejected that option as pointless because the sign needs to be seen. However, the proposed location and design would result in an incongruous structure in the streetscene. Approval could lead to pressure for other signs, which would increase the visual clutter in the streetscene. I consider that this sign, adjacent to the Conservation Area, would be detrimental to visual amenity because of its scale, position and juxtaposition with an existing large sign.
8. The Council's highways department has objected to the sign because it is within the visibility splay for vehicles exiting the adjacent Waterloo Place. They refer to its position forward of a wooden rail fence, which was moved back to avoid the splay. It is suggested that if the proposed sign were to be also moved back, then there would be no highways objection. The appellant's evidence does not convince me that the proposal would not affect visibility, especially in the light of the considered comments of the highway department. The Tesco sign, as shown in the appellant's photograph, is end-on to this splay and so does not interfere with visibility. I conclude that this proposed sign would be detrimental to highway safety.

9. The other sign (Appeal B) is proposed adjacent to a high red brick wall at the Hill Street entrance to the village. It would also represent an incongruous structure in a prominent position within the Conservation Area. The concerns expressed above about the size and design of the proposed sign lead me to conclude that it would be detrimental to both the character and appearance of the Conservation Area and the visual amenity of the area. Approval could lead to pressure for other signs within the Conservation Area that would result in unnecessary street clutter and further detrimental effects on the Conservation Area.

Other matters

10. The appellant refers to clear support in Planning Policy Wales and the existing and emerging development plans for economic development, local businesses and local retail centres. I have taken these matters into account. The general policy supporting local centres does not outweigh the concerns regarding visual amenity, the effect on the Conservation Area and highway safety. The Council has expressed support for the principle of appropriate signage and suggest potential solutions. The submitted evidence suggests that there are opportunities to work in partnership with the Council to identify alternatives that would meet the traders' concerns whilst safeguarding the character and appearance of the area and ensuring highway safety. The Council's handling of the applications and alleged discrimination against local traders and in favour of Tesco is not material to these appeals, where the merits of the proposed advertisements are being considered.

Conclusion

11. For the reasons given above and having regard to all matters raised, I conclude that the advertisements would conflict with Unitary Development Plan Policy GDP1 and guidance in LPGN1 and that the appeals should be dismissed.

A L McCooley

Inspector