



Appeal Decision

by I Stevens BA (Hons) MCD MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 17.10.2022

Appeal reference: CAS-01976-D9F2B5

Site address: North Dock, Mon Timber Supplies Ltd, East Way Road, Alexandra Docks, Newport, NP20 2NP

- 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 Mr Graeme Hughes against the decision of Newport City Council.
 - The advertisement proposed is installation of 2 x 48 sheet freestanding digital advertising display units, measuring 6.4m wide x 3.4m high, comprising pressed metal frames with sealed LED screens.
 - A site visit was made by the Inspector on 21 September 2022.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council has referred to Policies GP2 and CE1 of the Newport Local Development Plan, adopted in January 2015, which it considers to be relevant to this appeal. I have taken these policies into account as a material consideration. 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. In determining the appeal, the Council's policies have not, by themselves, been decisive. Other material policy considerations include Planning Policy Wales (Edition 11, February 2021) and advice in Technical Advice Note (TAN) 7: Outdoor Advertisement Control (November 1996) and TAN 24: The Historic Environment (May 2017).

Main Issue

3. The main issue is the effect of the proposed advertisements on the visual amenities of the area having regard to the setting of the listed Newport Transporter Bridge.

Reasons

4. The appeal site comprises a commercial timber yard business, with the proposal being situated towards the western end of the site. The elevated A48 Southern Distributor Road is a wide dual carriageway and runs alongside the northern boundary of the appeal site, with an intervening grass verge slope. A railway line runs to the south of the appeal site.

There is a mix of commercial and residential development to the north of the highway, which is largely obscured by a tree belt which runs along the highway verge. To the south, the commercial character is reflected by development associated with Newport docks. The proposal is for two back-to-back freestanding internally illuminated digital advertisement displays. The displays would be positioned about 6m above ground and on two steel supports, adjacent to a straight section of the highway.

5. There are several vertical linear features in the surrounding area. They include lighting poles at regular intervals along the central reservation barrier of the highway, with tall pylons and cranes towards the docks area and two wind turbines in the distance to the south of the appeal site. The Grade I listed Newport Transporter Bridge is the largest of the linear features, located east of the appeal site. It is visible from the appeal site as a large feature that is prominent in the skyline. On the eastbound approach of the highway, the bridge has a commanding presence. I have not been provided with details of the transporter bridge listing. However, I recognise the CADW response that the bridge is considered 'the finest and largest transporter bridge in Great Britain, the only one in the UK by Arnodin.'
6. From the elevated position of the highway adjacent to the appeal site, the storage spaces at the appeal site and nearby uses contribute to the sense of openness in the area. The commercial buildings are of a form and scale which are visually subservient to the transporter bridge. The largely open nature of the surrounding area together with the topography and scale of the built development ensures that the bridge is visually prominent and an unrivalled element in this part of the street scene.
7. TAN 7 advises that special care is essential to ensure that any advertisement displayed on, or close to, a listed building or scheduled monument does not detract from the integrity of the building's design, historical character or structure, and does not spoil or compromise its setting. TAN 24 advises that the setting of an historic asset includes the surroundings in which it is understood, experienced, and appreciated embracing present and past relationships to the surrounding landscape.
8. The area is comparatively free of permanent visual clutter. While there is a roadside sign further east along the highway, and several commercial buildings have signage, these features are not prominent in views from the appeal site. I recognise the large pylon closest to the appeal site appears to stand taller in the foreground than the transporter bridge. However, its form and static position relates more closely to its surroundings. The lattice A-framed pylons do not compete with the A-frame towers at either end of the bridge. I also saw that other business signage appears to be fixed onto buildings, or have a different form and scale as opposed to a freestanding digital sign which would be in a prominent elevated position.
9. I also recognise the distance between the appeal site and the bridge. Nevertheless, the siting of the display, which would face passing traffic close to the highway, would be a discordant feature that disrupts the relative openness of the area. On the eastbound approach, as the sign would come into view along the highway, it would be seen in the foreground of the transporter bridge. While this alignment would alter as drivers approach the sign, it would still be seen in the same contextual setting as the listed structure.
10. The proposed sign would introduce two large rectangular screens with digital advertising displays. Although the images displayed would be static, non-flashing and of a specified maximum luminance, the illumination and changing images would nonetheless augment the structure's visual prominence in the surrounding area, where there are no other comparable features. In this context, the form and appearance of the proposal, with its alternating digital displays, would compete visually with the bridge. As a result, the

proposal would detract from the setting of the listed structure and would not preserve or enhance its special character.

11. The Appellant has drawn my attention to another appeal decision located along the A48, which approved 2 freestanding digital advertising displays. Whilst I accept there are similarities in respect of the type of display unit, the character of the site and its surroundings, away from the listed bridge, are different to the proposal before me. I therefore find that no direct comparison can be drawn between them.
12. For the reasons above, I find the proposed advertisements would be harmful to the visual amenity of the area and would fail to preserve or enhance the setting of the Newport Transporter Bridge.

Other Matters

13. The Council's Highways Officer raises no objection to the proposal, subject to the use of conditions that control the display of advertisements. Having visited the site and driven along the highway in both directions, I see no reason to disagree with the Council on this matter. The appellant also refers to potential public benefits, which include allowing the Council to market and promote various attractions to encourage more investment across the city. While I have considered those aspects, they do not override the harm to visual amenity identified.

Conclusion

14. For the reasons given above, I conclude that the appeal should be dismissed.
15. 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 one or more of the Welsh Ministers' well-being objectives.

I Stevens

INSPECTOR