

Delegated Decision Report

Application No:	25/0382	Statutory Period Expires:	1st August 2025
------------------------	----------------	----------------------------------	------------------------

Site:	Newport Retail Park Spyttly Road Newport NP19 4QQ		
Proposal:	ADVERTISEMENT CONSENT FOR 1NO. FREESTANDING DIGITAL SIGN		
Applicant:	Property Manager		
Type:	Advert Consent	Ward:	Liswerry
Decision:	REFUSED		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The site is set off a roundabout within Newport Retail Park, situated in the Liswerry ward. It lies outside a car park for Home Bargains, which is visible in the backdrop of the proposed advertisement. The area is marked as archaeologically sensitive.

3. DESCRIPTION OF DEVELOPMENT

3.1 The applicant seeks planning permission for the installation of a digital LED display, measuring 0.3m in depth, 4m in height and 6.4m in width, with a steel support structure.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
89/0297	ERECTION AND DISPLAY OF 2 ILLUMINATED SIGN BOARDS	GC	08.09.1889
89/0763	CONSTRUCTION OF DRIVE THRU RESTAURANT AND CAR PARK. DETAILS OF DESIGN AND EXTERNAL APPEARANCE TO COMPLY WITH OUTLINE PERMISSION 1/16738	AC	09.02.1990
02/0579	ERECTION OF 6M HIGH SIGN	G	30.07.2002
06/1663	REFURBISHMENT OF SHOP FRONTAGES INCLUDING RE-CLADDING, REPLACEMENT OF EXISTING CANOPIES AND NEW SIGNAGE STRUCTURE	GC	21.02.2007
07/0602	PROPOSED NEW LANDSCAPING SCHEME, CCTV AND LIGHTING COLUMNS	GC	19.11.2007
07/0894	ERECTION OF TEMPORARY ADVERTISEMENT HOARDING	GC	07.09.2007
07/0959	ERECTION OF 4NO. INTERNALLY ILLUMINATED FREE STANDING SIGNS	GC	19.02.2008
08/0093	ALTERATIONS TO SHOP FRONTS AND SIDE/REAR ELEVATIONS TO UNITS 2,3,4 AND 5 (AMENDMENT TO PLANNING PERMISSION 06/1663)	GC	17.03.2008
09/0050	RETENTION OF EXTERNAL ALTERATIONS, INFILLING ACCESS TO REAR OF UNIT 6 AND ALTERATIONS TO REAR PERIMETER WALL	G	20.03.2009
09/0190	RETENTION OF TEMPORARY ADVERTISEMENT HOARDING	GC	06.04.2009
11/0446	PROPOSED EXTERNAL ELEVATIONAL ALTERATIONS TO UNITS 16, 17 AND 18 (AMENDMENT TO PLANNING APPROVAL 06/1663)	GC	11.07.2011
11/1322	PROPOSED DEMOLITION OF PARTS OF UNITS 13 AND 16, CONSTRUCTION OF INFILL UNITS (12A, 13A AND 15A), EXTERNAL ALTERATIONS TO THE	GC	11.04.2012

	REAR OF UNIT 11 AND EXTERNAL ALTERATIONS TO THE ELEVATIONS OF UNITS 12/13 AND 14/15 AND AMENDMENTS TO THE SERVICE YARD		
11/1334	PROPOSED SUBSTATION AND TRANSFORMER WITH ASSOCIATED PALLISADE FENCING AND CREATION OF MAINTENANCE LAY-BY	GC	13.03.2012
12/0371	PROPOSED SUBSTATION TO SERVE UNITS 13A/14/15	GC	16.07.2012
12/0674	REFURBISHMENT AND ALTERATION OF THE SERVICE YARD AND VEHICULAR AND PEDESTRIAN ACCESS TO THE REAR OF UNITS 14, 15 AND 15A OF NEWPORT RETAIL PARK	GC	24.08.2012
12/1242	CONSTRUCTION OF 2NO. UNITS (A3 USE) WITH ASSOCIATED ALTERATIONS TO CAR PARK, LANDSCAPING AND FOOTPATHS TOGETHER WITH THE PROVISION OF A NEW SUBSTATION	GC	03.05.2013
13/1112	CONSTRUCTION OF USE CLASS A3 RESTAURANT (UNIT 21) AND ALTERATIONS TO CAR PARK, LANDSCAPING AND FOOTPATHS (REVISION TO PROPOSALS APPROVED BY 12/1242 AS VARIED BY 13/0525)	GC	10.12.2013
16/0015	DISPLAY OF 1NO. INTERNALLY ILLUMINATED TOTEM SIGN AND 2NO. FREESTANDING NON-ILLUMINATED SIGNS	GC	01.03.2016

5. PLANNING POLICY

5.1 THE NATIONAL DEVELOPMENT FRAMEWORK: FUTURE WALES - THE NATIONAL PLAN 2040

Future Wales sets out the Welsh Government's land use priorities and provides a national land use framework for SDPs and LDPs. Future Wales concentrates on development and land use issues of national significance, indicating areas of major opportunities and change, highlighting areas that need protecting and enhancing and helping to co-ordinate the delivery of Welsh Government policies to maximise positive outcomes.

Policy 1 - Where Wales Will Grow

Policy 2 - Shaping Urban Growth and Regeneration - Strategic Placemaking

Policy 9 - Resilient Ecological Networks and Green Infrastructure

5.2 PLANNING POLICY WALES (EDITION 12) 2024

3.3 - Good design is fundamental to creating sustainable places where people want to live, work and socialise.

3.4 - Meeting the objectives of good design should be the aim of all those involved in the development process and should be applied to all development proposals at all scales.

5.3 WELSH GOVERNMENT TECHNICAL ADVICE NOTE (TAN) 7: OUTDOOR ADVERTISEMENT CONTROL

5.4 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

- CE4 (Archaeology)
- GP2 (General Amenity)
- GP4 (Highways & Accessibility)
- GP6 (Quality of Design)

6. CONSULTATION RESPONSES

6.1 GLAMORGAN GWENT ARCHAEOLOGICAL TRUST:

Information in the regional Historic Environment Record (HER) shows that the application area is situated within the Archaeologically Sensitive Area (ASA) of the Levels, an area where evidence for human activity dating from 4000BC has been found. However, there are no records or designated sites located within the application area, nor within the immediate vicinity.

The application is for advertisement consent for 1 no. freestanding digital sign, which is considered to be of a relatively limited scale and situated within an area that has been extensively disturbed from previous development. Therefore, it is unlikely that archaeologically significant material will be encountered during the course of the proposed works.

As a result, there is unlikely to be an archaeological restraint to this proposed development. Consequently, as the archaeological advisors to your Members, we have no objections to the positive determination of this application. The record is not definitive, however, and features may be disturbed during the course of any work in the area. In this event, please contact this division of the Trust.

6.2 **HIGHWAYS OFFICER:**

Objection on the grounds of highway safety

The location of the sign means it will dominate the driver's field of view and distract them when approaching from Central Avenue and Seven Stiles Ave (southern arm). It is on the periphery of what they should be looking at. Being a busy retail centre with high numbers of cars, HGVs and pedestrian movements and the inherent difficulty most drivers have negotiating roundabouts, we consider this is an area where drivers must have extra focus to drive safely. They will have to negotiate the roundabout, whilst being cognisant of pedestrians crossing here. The adverts will be within drivers' field of view and hinder the ready interpretation of road markings and movements of other vulnerable road users. Notwithstanding the acceptable collision records, which we consider reflects drivers' recognition of the difficulties and extra focus, the history does not reflect the conditions proposed. They do not therefore give any assurance of future performance. In summary, Highways do not consider it safe to have adverts in the vicinity of pedestrian crossings or junctions where they need to give way to /merge with other traffic.

6.3 **ENVIRONMENTAL HEALTH OFFICER:**

No objections subject to conditions

7. PUBLIC REPRESENTATIONS

7.1 None.

8. ASSESSMENT

8.1 The Welsh Government Technical Advice Note 7 provides guidance on Outdoor advertisement control and states that applications for advertisement consent can only consider amenity and public safety. As such, the impact on visual/residential amenity and the effect on public safety are assessed as part of this application.

8.2 When assessing an advertisement's impact on public safety, local planning authorities should have special regard to its effect upon the safe use and operation of any form of traffic or transport, including the safety of pedestrians.

8.3 Amenity

As the property is within a retail park, there are no neighbouring residential properties within a 200m radius of the site and therefore it is considered that there would be no adverse impact to residential amenity.

8.4 Moreover, given the location of the application site within a retail park, advertisements are not uncommon within the vicinity. The application site is adjacent to a number of commercial units, some of which display advertisements via internally illuminated pylon disks. The internally illuminated pylon disks at the adjacent units are generally modest in width/scale and are situated approximately 8m above ground level, on top of metal pillars.

Advertisements can also be observed on the roundabout in front of the application site, whereby 4no non-illuminated signs have been attached to the free-standing road signage. Each of the 4no signs are approximately 1000mm x 500mm in width, situated approximately 1m above ground level. The proposal seeks to introduce a large 6m wide x 3m high digital display. While the siting, design and scale of this advert make it particularly dominant against what is otherwise an open backdrop, the retail park offers flexibility for signage and a plethora of free-standing signs can be observed throughout. Although no digital signage of this scale/nature can be observed in the vicinity, the retail park could support large signage, and the introduction of such signage is unlikely to cause demonstrable harm to the visual amenity along Seven Stiles Avenue and Central Avenue.

Public/ Highways Safety

- 8.5 TAN 7 acknowledges that free standing units alongside the highway usually have a dominant impact upon their surroundings, and they therefore need to be sited with particular care to ensure that their effect on pedestrians and highway users is not overwhelming. Due to the prominent siting of the proposed signage on a frequently used roundabout, the Council's Highway Officer was consulted on the application. The Highways Officer has raised an objection on the grounds of highway safety as the location of the sign means it will dominate the driver's field of view and distract them when approaching from Central Avenue and Seven Stiles Ave (southern arm). It is on the periphery of what they should be looking at. Being a busy retail centre with high numbers of cars, HGVs and pedestrian movements and the inherent difficulty most drivers have negotiating roundabouts, we consider this is an area where drivers must have extra focus to drive safely. They will have to negotiate the roundabout, whilst being cognisant of pedestrians crossing here. The adverts will be within drivers' field of view and hinder the ready interpretation of road markings and movements of other vulnerable road users. Notwithstanding the acceptable collision records, which we consider reflects drivers' recognition of the difficulties and extra focus, the history does not reflect the conditions proposed. They do not therefore give any assurance of future performance. The internal road network of the park is very busy and often heavily parked. It has evolved over decades and is not particularly pedestrian friendly with the potential for conflict between vehicles and pedestrians high. The location of the sign in this case is on a small roundabout with 4 arms within the Park itself. It is used by HGVs accessing the commercial service yards of retail units and car transporters accessing vehicles sales and hire centres. It also serves a leisure hub comprising cinema, gym and similar. The roundabout has no clear markings. The arms have pedestrian refuge islands separating lanes but no designated crossings. In summary, Highways do not consider it safe to have adverts in the vicinity of pedestrian crossings or junctions where they need to give way to /merge with other traffic.

9. OTHER CONSIDERATIONS

9.1 *Crime and Disorder Act 1998*

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

9.2 *Equality Act 2010*

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership.

9.3 Having due regard to advancing equality involves:

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these differ from the need of other people; and
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

9.4 The above duty has been given due consideration in the determination of this application. It is considered that there would be no significant or unacceptable impact upon persons who share a protected characteristic, over and above any other person, as a result of the proposed decision.

9.5 ***Planning (Wales) Act 2015 (Welsh language)***

Section 31 of the Act clarifies that impacts on the Welsh language may be a consideration when taking decisions on applications for planning permission so far as it is material to the application. This duty has been given due consideration in the determination of this application. It is considered that there would be no material effect upon the use of the Welsh language in Newport as a result of the proposed decision.

9.6 ***Newport's Well-Being Plan 2018-23***

The Wellbeing of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. This duty has been considered during the preparation of Newport's Well-Being Plan 2018-23, which was signed off on 1 May 2018. The duty imposed by the Act together with the goals and objectives of Newport's Well-Being Plan 2018-23 have been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the proposed decision.

10. **CONCLUSION**

10.1 The proposed development will have a significant adverse impact upon interests of acknowledged importance, namely highways safety.

11. **DECISION**

REFUSED

01 By reason of its location, scale and design the proposed advertisement will have a significant adverse impact upon interests of acknowledged importance, namely highways safety. This is contrary to Policy GP4 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015) and the guidance set out in The Welsh Government Technical Advice Note 7.

NOTE TO APPLICANT

01 This decision relates to plan Nos: T4895 A4 – Location Plan – Proposed, T4895 A4 051 – Site Plan – Proposed, T4895 A4 060 – Elevations – Existing and Proposed, T4895 A4 061 – Specification – Proposed Digital 48 LED Display, Covering Letter.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies CE4, GP2, GP4 and GP6 were relevant to the determination of this application.

03 As consideration of this request did not raise significant additional environmental matters over and above those previously considered as part of the original application, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.