

Delegated Decision Report

Application No:	25/0327	Statutory Period Expires:	25th June 2025
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Site:	Sytner Bmw East Dock Road Newport NP20 2DS		
Proposal:	ADVERTISEMENT CONSENT FOR FASCIA SIGNS AND 2NO. PYLON SIGNS		
Applicant:	Huxley		
Type:	Advert Consent	Ward:	Pillgwenlly
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The site is situated within a prominent location, situated on Usk Way roundabout, with Usk Way and East Dock Road either side of the site. It is in a highly visible location, and the site is surrounded by residential properties to the East of the site, whilst commercial/office properties are situated to the North West of the site. The East of the site along Usk way are lined with trees, however, there are limited trees along East Dock Road and clearer views can be afforded into the site from East Dock road and the roundabout.

3. DESCRIPTION OF DEVELOPMENT

3.1 South West Elevation (Rear)

1x BMW Brand Symbol fascia sign (size E4 - 990mm diameter)
 1x M Logo Facia Sign (size E4 – 1,402 x 495mm)
 1x Dealer Name (Sytner) fascia sign (size E4 - 1,862 x 625mm)

North West Elevation (Side)

1x BMW Brand Symbol fascia sign (size E4 - 990mm diameter)
 1x M Logo Facia Sign (size E4 – 1,402 x 495mm)
 1x Dealer Name (Sytner) fascia sign (size E4 - 1,862 x 625mm)

North East Elevation (Main Entrance)

1x BMW Brand Symbol fascia sign (size E5 - 1350mm diameter)
 1x Dealer Name (Sytner) fascia sign (size E4 - 1,862 x 625mm)

South East Elevation

None

Signs are internally LED illuminated. Intensity: 3300cd/m².

2no. Pylon BMW/MINI signs to the North of the site and East of the site at the access.

Dimensions: 1667x5801mm. (P5)

Material: Sheet metal powder coated white RAL 9010. Base colour Black Grey RAL 7021.

Lighting: LED including dynamics light control. Electrical box to be located in the ground near the totem for ease of inspection.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
12/0804	4NO. BMW FLAGS ON FLAGPOLES	G	20/09/2012
12/0409	RETENTION OF 1NO. INTERNALLY ILLUMINATED POLE MOUNTED SIGN, INSTALLATION OF 3NO. INTERNALLY ILLUMINATED FASCIA SIGNS, 2NO. NON-ILLUMINATED WALL MOUNTED SIGNS AND 4NO. FLAGS WITH FLAGPOLES	GC	24/05/2012
11/0754	REFURBISHMENT OF EXISTING MOTOR RETAIL FACILITY INCLUDING SHOWROOM EXTENSION, ALTERATION OF ELEVATIONS AND SITEWORKS	GC	22/09/2011
08/0448	PARTIAL DISCHARGE OF CONDITION 10 (NOISE LEVEL DETAILS) OF PLANNING PERMISSION 07/0117 FOR THE ERECTION OF A MINI DEALERSHIP	A	15/05/2008
07/0071	PARTIAL DEMOLITION AND EXTENSION OF THE EXISTING WORKSHOP TO PROVIDE ADDITIONAL WORKSHOP BAYS, PARTS STORAGE, ANCILLARY STAFF FACILITIES, ASSOICATED CAR PARKING AND OTHER ANCILLARY WORKS AND ACTIVITIES	GC	15/08/2007
03/1755	DISPLAY OF 7NO. FLAG ADVERTISEMENTS	R	06/02/2004
01/1392	DISPLAY OF INTERNALLY AND EXTERNALLY ILLUMINATED SIGNAGE	R	08/02/2002
01/0995	DISPLAY OF 2NO. ILLUMINATED TOTEM SIGNS AND 2NO. ILLUMINATED FASCIA SIGNS	GC	26/10/2001
01/0943	DISCHARGE OF CONDITION 01 (MATERIALS) RELATING TO PLANNING PERMISSION 01/0520 FOR THE ERECTION OF A CAR WASH AND OIL TANK ENCLOSURE	A	05/10/2001
01/0520	ERECTION OF CAR WASH AND OIL TANK ENCLOSURE	GC	22/06/2001
01/0083	ERECTION OF EXTENSION TO FORM NEW SHOWROOM	GC	09/03/2001
99/0247	ERECTION OF 3.6M HIGH INTERNALLY ILLUMINATED ADVERTISEMENT PYLON AT BMW SHOWROOM	R	23/04/1999

98/0671	ERECTION AND DISPLAY OF ILLUMINATED FASCIA SIGNS TWO FREESTANDING SIGNS AND THREE FLAGPOLES	GC	13/08/1998
98/0219	CONVERSION TO AND EXTENSION OF EXISTING BUILDING TO FORM CAR SHOWROOM OFFICES & ANCILLARY ACCOMMODATION & ASSOCIATED EXTERNAL WORKS (REVISED SCHEME)	GC	01/05/1998
97/0582	CONVERSION OF AND EXTENSION TO EXISTING BUILDING TO FORM CAR SHOWROOM WORKSHOPS OFFICES AND ANCILLARY ACCOMMODATION AND ASSOCIATED EXTERNAL WORKS	GC	24/09/1997
95/0446	DEVELOPMENT OF LAND FOR 5 RETAIL UNITS WITH ASSOCIATED CAR PARKING.	GC	01/07/1996

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 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

Policy GP2 (General Amenity)

Policy GP4 (Highways Accessibility)

Policy GP5 (Natural Environment)

Policy GP6 (Quality of Design)

6. CONSULTATION RESPONSES

6.1 Ecology Officer:

I have no objection to this application. There may be some removal of small ornamental bushes as part of the landscaping scheme, so the Applicant should be reminded that these

bushes may support nesting birds. These are protected under the Wildlife and Countryside Act 1981: Part 1, 1(1)(b), whereby it is an offence to intentionally take, damage or destroy the nest of any wild bird while that nest is in use or being built. This can be avoided by removing any vegetation outside the bird nesting season.

- 6.2 Local Highways Authority: No Objection, subject to conditions. The signs do not raise any concerns except the luminance levels appear to be very high. We would seek a condition to limit the levels in line with the advice of the Institution of Lighting Professionals and incorporate automatic nighttime dimming.

7. PUBLIC REPRESENTATIONS

None.

8. ASSESSMENT

- 8.1 The signs and pylons proposed are appropriately scaled and positioned relative to the size of the building. All signs are internally LED illuminated. The scale of the advertisement signs would also be of comparable and similar size to that of the existing signs which the majority are to be replaced in existing locations. On the BMW building, there is 1no. new location for the BMW roundel on the North East elevation. The 2no. new pylons are to replace existing pylons in the same location. All of the proposed signages would be visible from the public realm; however, it is not considered that any of the proposals would appear visually intrusive given the scale and existing advertisement. The proposed signage is considered to be in keeping with scale of the retail unit, and it is not considered to result in any adverse impact. The proposal therefore accords with policies GP6.
- 8.2 There are commercial and office properties to the North and East of the property, and the signage would not have a detrimental impact to these units. There are residential properties situated to the East. When assessing the impact to residential properties the highways officer has made comment that the signs do not raise any concerns except the luminance levels appear to be very high. We would seek a condition to limit the levels in line with the advice of the Institution of Lighting Professionals, Professional Lighting Guide 2015, and incorporate automatic nighttime dimming. Therefore, given the residential properties nearby, a condition will be attached to limit the luminance. Subject to those conditions, the proposal is considered to be in accordance with Policy GP2.
- 8.3 Ecology have provided comment on the application. Comments stated that there may be some removal of small ornamental bushes as part of the landscaping scheme, so the Applicant should be reminded that these bushes may support nesting birds. These are protected under the Wildlife and Countryside Act 1981: Part 1, 1(1)(b), whereby it is an offence to intentionally take, damage or destroy the nest of any wild bird while that nest is in use or being built. This can be avoided by removing any vegetation outside the bird nesting season. Given the information above, this would be deemed acceptable in line with Policy GP5.

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 Overall, it is considered that the proposed signage would not be visually intrusive and would be deemed acceptable within its setting. The luminance will be conditioned to protect neighbouring residents. Therefore, the scheme is granted with conditions.

11. **DECISION**

GRANTED WITH CONDITIONS

01 The development shall be implemented in accordance with the following plans and documents: 2316A-0501-Existing Site Plan - BMW Signage REV A; 2316A-0502-Proposed Site Plan - BMW Signage P04 REV C; 2316A - 0507 - Proposed Signage Details - BMW - P02; 2316A - 0506 - Proposed BMW Elevations - P03 REV B; 2383A-0510-Proposed Signage Details – MINI; 2383A-0509-Proposed MINI Elevations; 2383A-0508-Existing MINI Elevations; 2316A-0505-Existing BMW Elevations; 2316A-0504-Proposed Site Plan - MINI Signage; 2316A-0503-Existing Site Plan - MINI Signage; 2316A-0500-Proposed Site Location and Block Plan; List of works

Reason: In the interests of clarity and to ensure the development complies with the submitted plans and documents on which this decision was based.

02 The maximum level of illumination should not exceed 5000cdm⁻² during daylight hours nor 300cdm⁻² during the night in accordance with the terms of the Institution of Lighting Professionals, Professional Lighting Guide 2015 recommendations for maximum luminance (cd/m²).

REASON: In the interests of highways safety, so as not to be a distraction to highway users and visual amenity in accordance with Policy GP2 and GP4 of the Newport Local Development Plan 2011-2026 (Adopted January 2015).

NOTE TO APPLICANT

01 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2, GP4, GP5, GP6 were relevant to the determination of this application.

02 Due to the minor nature of the proposed development (including any demolition) and the location of the proposed development, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.

03 The applicant is advised that nesting birds are protected under the Wildlife and Countryside Act 1981: Part 1, 1(1)(b), whereby it is an offence to intentionally take, damage or destroy the nest of any wild bird while that nest is in use or being built.