

Delegated Decision Report

Application No:	25/0708	Statutory Period Expires:	24th October 2025
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Site:	<i>Crown Buildings 11 Chepstow Road Newport South Wales NP19 8BQ</i>		
Proposal:	<i>INSTALLATION OF ILLUMINATED DIGITAL 48-SHEET ADVERTISEMENT DISPLAY</i>		
Applicant:	<i>B Porte</i>		
Type:	Advert Consent	Ward:	Victoria
Decision:	REFUSED		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The advert would be sited within the curtilage of Crown Building, to the east of a large intersection where Chepstow Road, Clarence Place, Corporation Road, Caerleon Road and East Usk Road all converge. It is a very prominent location with the sign being set forward of the multi storey Crown Buildings as you approach from the city centre along Clarence Place. It appears that the front side of the advert will be in close proximity to and face oncoming and queuing traffic at Caerleon Road with the rear face visible from the large primary intersection. The area between the bottom of sign and ground level appears to be blank and solid with the sign itself supported by structural beams extending from ground level to top of sign. These and the control box on the backface will be clearly visible to all traffic using the intersection and travelling from the city centre towards Caerleon for example.

3. DESCRIPTION OF DEVELOPMENT

3.1 Advert consent is sought for the installation of a single sided digital 48-sheet advertisement display. The advert would measure a height of 4.993m, width of 6.193m and depth of 0.215m. The advert would be illuminated with static text and images changing every ten seconds. The proposed advertisement would feature a landscape-format display with a surface area of 18 sqm. The display unit would be housed within a pressed metal and reinforced plastic frame that is lightweight and can be installed with minimal additional engineering.

4. RELEVANT SITE HISTORY

None.

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.

6.1.10 There should be a general presumption in favour of the preservation or enhancement of a listed building and its setting, which might extend beyond its curtilage. For any development proposal affecting a listed building or its setting, the primary material consideration is the building, its setting, or any features of special architectural or historic interest which it possesses.

5.3 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

- GP2 (General Amenity)
- GP4 (Highways and Accessibility)
- GP6 (Quality of Design)
- SP9 (Conservation of the Natural, Historic and Built Environment)

5.4 TECHNICAL ADVICE NOTE 7 (OUTDOOR ADVERTISEMENT CONTROL)

TAN 7 states that applications for adverts should take into consideration amenity and public safety. The interest of amenity meaning the visual amenity of the neighbourhood where the advert is to be displayed and the interest of public safety meaning the safety of people using any form of travel likely to be affected by the poster display.

5.5 HISTORIC ENVIRONMENT WALES ACT (2023)

Section 90 of the Historic Environment Wales Act (2023) inserts a new section (314A) into the Town and Country Planning Act (1990) which, in Wales, imposes the duty (derived from section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990) that: *"In considering whether to grant planning permission for development which affects a listed building or its setting, the Welsh Ministers or a local planning authority in Wales must have **special regard** to the desirability of preserving: (a) the listed building, (b) the setting of the building, or (c) any features of special architectural or historic interest the building possesses"* (emphasis added).

6. CONSULTATION RESPONSES

6.1 Heritage Officer: From a heritage perspective, this proposal raises potential for Setting impact upon several listed assets. The Grade II Listed War Memorial (Cadw ref: 26240) was constructed to signify remembrance of those lost, as a public focus for grief and pride, and a physical reminder of the cost of conflict; connecting the past to the present by honouring the sacrifices made. Though, mitigated somewhat by virtue of the number of views of the asset afforded by multiple approaches to the road intersection upon which it sits, there will be identifiable harm to the setting (and therefore the significance) of the asset. Though considerably more distant, the proposed will also distract from easterly views of the abovementioned listed asset group; a significant assemblage of assets, of which the memorial forms the most prominent part. I shall leave it to you to conclude whether this harm may be balanced against any planning benefits the proposal might bring.

6.2 Local Highways Authority: No objection, subject to conditions. The proposed location is sufficiently set back from the signals /junction of Caerleon/Chepstow Rd for drivers to have time to stop for the lights/crossing. It does not obstruct highway or visibility splays and has sufficient space for maintenance access. Subject to the following conditions there are no formal objections.

Suggested Conditions:

1 - The levels of the illuminance shall not exceed 300cd/m² during twilight and night hours; as defined by official lighting up times.

Reason: To avoid glare, dazzle or distraction to passing motorists in the interests of road safety.

2 - The screen display shall only show two dimensional static images, shall contain no moving images, animation, video or full motion images or any images that resemble road signs, traffic lights or traffic signs and no messaging should spread across more than one screen image.

Reason: To avoid distraction to passing motorists in the interests of road safety.

3 - The advertisement display shall not change more frequently than every 10 seconds and

the rate of change should be instantaneous.

Reason: To avoid distraction to passing motorists in the interests of road safety.

4 - The illumination of the advertisement(s) shall not at any time be intermittent.

Reason: To avoid distraction to passing motorists in the interests of road safety.

5 - A mechanism shall be in place so that if the installation breaks down, it defaults to a black screen to avoid any flashing error messages or pixilation.

Reason: To avoid distraction to passing motorists in the interests of road safety.

- 6.3 Environmental Health: I confirm I have no objections to the proposals; however the following conditions should be attached to any permission granted;

Brightness of the digital board would be 300 cd/m² from dusk to dawn and up to 5,000 cd/m² at all other times dependent on time of day/year and ambient conditions, in line with ILP Guidance. The colour and text of the background will be multicoloured and static.

Unless otherwise permitted, the minimum display time for each advertisement shall be 10 seconds and the advertisement shall not include any features which would result in interactive messages / advertisements being displayed.

Reason: In the interests of amenity, public safety and in order to retain effective planning control.

There shall be no moving images, animation, video or full motion images displayed.

Reason: In the interests of amenity and in order to retain effective planning control.

In the hours of darkness, the advertisement display luminance shall be no greater than 300cd/m² in accordance with the recommended maximum night time luminance value set out for Environmental Zone E4 in Table 4 within the Institution of Lighting Professionals - Professional Lighting Guide (PLG 05) 'Brightness of Illuminated Advertisements including Digital Displays (or its equivalent in a replacement guide) in cd/m².

Reason: In the interests of amenity, public safety and in order to retain effective planning control.

In daylight hours, the advertisement display luminance shall be controlled in order to reflect ambient light conditions (to ensure it is neither too bright or too dull), and shall at all times be no greater than the recommended maximum daytime luminance values set out within the Institution of Lighting Professionals - Professional Lighting Guide (PLG 05) 'Brightness of Illuminated Advertisements including Digital Displays' (or its equivalent in a replacement guide) in cd/m².

Reason: In the interests of amenity, public safety and in order to retain effective planning control.

7. PUBLIC REPRESENTATIONS

None.

8. ASSESSMENT

8.1 Heritage Impact

There is a listed war memorial approximately 45m to the west of the siting of the proposed advert. The Grade II Listed War Memorial (Cadw ref: 26240) takes prime position upon this busy road intersection, located upon a paved promontory which extends into the junction. With key views of the asset available from all directions, the cenotaph's is designated as *"...a war memorial of national significance to Wales in a prominent position within the major town of Newport. Group value with other listed buildings in Clarence Place."* Therefore, its setting makes a very positive contribution towards its significance. More distant to the west, is the richly ornamented terraced row consisting of Nos. 20-34 Clarence Place (evens) (Cadw ref: 26255), designated as *"...an integral part of this early C20 commercial development attached to and for group value with Nos 10-18 Clarence Place and the Technical Institute; group value also with the War Memorial."* Beyond this again lie Grade II Listed Nos.10-18 Clarence Place (evens) and Newport Technical Institute, both of which have their own special interest, whilst also which contribute towards the group value of the abovementioned assets. To the north-west of the junction stands the Grade II Listed former Odeon Cinema (Capon's Night Club) (Cadw ref: 214600), designated as *"[A] rare surviving*

example in Wales of cinema whose exterior preserves the distinctive architectural vocabulary of the 1930s Odeon style." Something of an outlier within the abovementioned context, this large asset has its own remarkable architectural interest. It too is prominent upon the junction though, despite its size, its striking Modernist forms are best appreciated from the south-east, as the viewer approaches down Corporation Road and Chepstow Road, and within closer proximity, from the junction promontory itself. To the south-west of the junction, and though un-listed, the sweeping and ornate terrace of Clarence Quadrant contributes positively towards the historic quality of the streetscape, and the setting of adjacent assets. Most notably within the easterly approach.

Considering the proposed location and orientation of this large advertising screen, principal impacts will be upon views of the abovementioned assets from the east, as the viewer approaches the junction from Caerleon Road. At the foot of the Crown buildings, to the south side of the street, the existing street trees currently interrupt views of the GII Cenotaph and its group. However, they benefit from no TPO protection - and will be without leaves for half the year. Therefore, the proposed will result in a prominent, large and solid direct intrusion into views of the Grade II Listed War Memorial from the east. Thus, its bright advertisements will impact directly upon the prominence of the Grade II asset within the street scene - and therefore cause harm to its setting.

The Grade II Listed War Memorial (Cadw ref: 26240) was constructed to signify remembrance of those lost, as a public focus for grief and pride, and a physical reminder of the cost of conflict; connecting the past to the present by honouring the sacrifices made. Though, mitigated somewhat by virtue of the number of views of the asset afforded by multiple approaches to the road intersection upon which it sits, there will be identifiable harm to the setting (and therefore the significance) of the asset. Though considerably more distant, the proposed will also distract from easterly views of the abovementioned listed asset group; a significant assemblage of assets, of which the memorial forms the most prominent part.

It is therefore considered that the proposed advert, owing to its scale, design and siting would cause significant adverse impact upon the setting of the Grade II assets and this is reason to refuse on amenity grounds.

8.2 Illuminance Levels

The advert would be illuminated with static text and images changing every ten seconds. The proposed advertisement would feature a landscape-format display with a surface area of 18 sqm. The application suggests that during hours of darkness the display would be capped at 300cd/m² and switched off during 00.00-05.00 hours. During the day the display would adjust automatically to ambient light conditions, with a maximum output of 3000 cd/sqm on the brightest days however typical luminance would be around 2500 cd/sqm in full daylight, falling to 375cd/sqm on dull overcast days. It is considered that the illuminance levels of any approved advert would need to be controlled by an appropriately worded condition and in light of a recent appeal decision (CAS-04533-F6N0P0) this would likely restrict that the advert display luminance would be no greater than 300cd/m² in the hours of darkness in accordance with the recommended maximum nighttime luminance value set out for Environmental Zone 4 in Table 10.4 within the Institution of Lighting Professionals' Professional Lighting Guide 'Brightness of Illuminated Advertisements including Digital Displays' (PLG 05) along with the period of switch off detailed above. In daylight hours, the advertisement display luminance would need to be controlled in order to reflect ambient light conditions (to ensure it is neither too bright or too dull), and shall at all times be no greater than the recommended maximum daytime luminance values set out in Table 10.5 within PLG 05 (or its equivalent in a replacement guide) in cd/m².

8.3 Public Highway Safety

The Council's Highways Officer has advised that the advert would be set back sufficiently from the signals/junction of Caerleon and Chepstow Road for drivers to have time to stop for the lights/crossing. It is considered that the advert would not obstruct highway or visibility splays and has sufficient space for maintenance access. Subject to conditions, as outlined above, the Council's Highways Officer offers no objection to the application.

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 advertisement by reason of its scale, design and siting would represent an unduly dominant and incongruous addition and will have a significant harmful amenity impact on heritage assets of recognised importance, specifically the setting of the nearby listed War Memorial and other grade II listed heritage assets closeby that are important listed assemblage. As such the proposal is contrary to policies SP9, GP2 and GP6 of the Newport Local Development Plan 2011-2026 (Adopted January 2015) and Planning Policy Wales 12. It is contrary to Technical Advice Note 7 (outdoor advertisement control) and Section 90 of the Historic Environment Wales Act (2023).

11. **DECISION**

REFUSED

- 01 The advertisement by reason of its scale, design and siting represents an unduly dominant and incongruous addition to the streetscene and will have a significant harmful amenity impact on heritage assets of recognised importance, specifically the setting of the nearby listed War Memorial and other grade II listed heritage assets closeby that are an important listed assemblage. As such the proposal is contrary to policies SP9, GP2 and GP6 of the Newport Local Development Plan 2011-2026 (Adopted January 2015) and Planning Policy Wales 12. It is contrary to Technical Advice Note 7 (outdoor advertisement control) and Section 90 of the Historic Environment Wales Act (2023).

NOTE TO APPLICANT

01 This decision relates to plan Nos: Location Plan Drawing No.PY4880/001, Site Plan Drawing No.PY4880/002, Existing Elevation Drawing No.PY4880/003, Proposed Elevation Drawing No.PY4880/004 and Standard Specification Drawing No.PY4880/005.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2, GP4, GP6 and SP9 were relevant to the determination of this application.

03 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.