

Delegated Decision Report

Application No:	25/0843	Statutory Period Expires:	19th December 2025
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Site:	1 - 5 Malpas Road Newport South Wales NP20 5PA		
Proposal:	ADVERT CONSENT FOR INSTALLATION OF 2NO DIGITAL ADVERTISEMENT HOARDINGS		
Applicant:	Wildstone Estates Limited		
Type:	Advert Consent	Ward:	Shaftesbury
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The proposed adverts would be located within the site boundary of the existing petrol station which is located within the Malpas Road District Centre. The site is also to the north of the Monmouthshire and Brecon Canal Conservation Area.

3. DESCRIPTION OF DEVELOPMENT

3.1 Advert consent is sought for the erection of 2no internally illuminated digital 48 sheet single sided advertisements. They would display multiple static advertisements on rotation every 10 seconds. The illumination levels proposed are 300cd/sqm from dusk to dawn and up to 5000 cd/sqm at all other times, dependent on ambient conditions.

3.2 The north facing panel, panel A, would be positioned at a height of 2.5m above ground and would measure a width of 6m, a height of 3m and a depth of 0.1m. Panel A would be sited to the south-east of the site, near to the entrance of the petrol station adjacent to an existing totem sign. The south facing panel, panel B, would be positioned at a height of 2m above ground and would measure a width of 6m, a height of 3m and a depth of 0.1m. Panel B would be sited to the north of the site, close to the exit for the petrol station and at the side of no.7 Malpas Road.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
12/0749	DEMOLITION OF EXISTING CARWASH, CANOPY AND FORECOURT PAVINGS; REMOVAL OF EXISTING UNDERGROUND FUEL TANKS, FUEL PIPEWORK, DISPENSERS, ABOVE GROUND FILLS AND VENTS; INSTALLATION OF NEW UNDERGROUND FUEL TANKS, FUEL PIPEWORK, DISPENSERS, VENT STACK AND ABOVE GROUND FILLS; CONSTRUCTION OF NEW CANOPY AND 1NO. ADDITIONAL PUMP ISLAND; NEW FLOODLIGHT AND CREATION OF 6NO. PARKING SPACES (1NO. DISABLED)	GRANTED WITH CONDITIONS	04/10/2012

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)

- CE7 (Conservation Areas)
- GP2 (General Amenity)
- GP4 (Highways and Accessibility)
- GP6 (Quality of Design)

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.

6. CONSULTATION RESPONSES

6.1 Environmental Health: No comments received.

6.2 Local Highways Authority: The adverts are to be placed adjacent to an A road in an environment that has multiple poster and fascia signs already. The local collision data does not suggest any adverse impact and the signs would not obstruct highway or visibility. Subject to conditions to limit the display and brightness there are no highway objections.

6.3 Heritage: Newport City Council seeks to preserve and enhance all surviving sections of the Monmouthshire and Brecon canal situated within the administrative area and has designated these sections of the Monmouthshire and Brecon Canal as a conservation area. The important surviving structure of the canal is a striking landscape feature and has often been described as one of the most beautifully scenic waterways in the UK which hosts centuries old buildings and structures immersed in industrial history as well as numerous species and habitats, many with a high nature conservation value. However, I would conclude that the proposed 'Front Panel A' as shown within Drawing 21811-PA-04 is located suitably distant from the very end of the CA, wherein the quality of the place is very much defined by the experience of walking the old towing path to the water side against the heavily-treed boundaries to the north and south. The proposed will not be appreciable from within the CA - and will not impact upon its setting due to the urban nature of the A4051 road upon which it is located and the modern filling station development adjacent.

6.4 Ecology: My only concern with this application is the potential light spillage onto the woodland habitats associated with the Crindau Pill behind the southern advertising hoarding. However, these digital advertising hoardings do not generally create light spillage to the rear, and the site is already well-lit by street lighting and artificial lighting associated with the petrol station, so I am satisfied that the likelihood of a significant effect is low. Therefore, I do not object to this application.

6.5 Tree: No objections.

7. PUBLIC REPRESENTATIONS

54 Brynglas Road

- I saw the report on this in the South Wales Argus this week. It is the first time I was aware of this hence not being able to comment online.
- If these digital advertising hoardings are anything like the huge one on the IBIS hotel on the M4, then being a distraction to motorists is the least of the concerns. The light that comes from the one on the M4 illuminates the upstairs of my house. It is so bright. And if the removal of flags along Malpas Road, again, is a "distraction for motorists and pedestrians" then surely these hoardings are an equal distraction. Although not as much of a distraction as the appalling state of that stretch of Malpas Road where there are more potholes than road!

7 Malpas Road

- As the current Owners of No.7 Malpas Road, I need to object to this proposal 25/0843. We will require access to the southern elevation of our house for maintenance and have not been contacted for comment. If this was not printed in the South Wales Argus, we would be unaware until it was installed.

8. **ASSESSMENT**

8.1 **Amenity**

The adverts would be located within the forecourt of the existing petrol station which is sited within the Malpas Road District centre and adjacent to an A road. The proposed advert A would sit next to an existing totem. There are also a plethora of adverts along the fence in this area of the forecourt, however, some of these will inevitably be removed and replaced with the proposed advert (A). Advert B would be sited to the side of a residential dwelling but within the forecourt of the existing petrol station. Overall, in this setting, it is considered that the proposed advert is appropriately sited and scaled.

There is a section of trees to the south of the site, to the rear of the proposed siting of advert A. Therefore, consideration must be given to the potential impact on both the trees themselves as well as ecological matters. The Council's Ecology Officer advised that their only concerns would be the potential for light spillage onto the woodland habitats to the south of the site. However, the adverts are single sided and do not generally create light spillage to the rear. Also, the site is already well-lit by street lighting and artificial light associated with the petrol station and the illumination of the proposed adverts would be controlled via condition. The Officer therefore advises that the likelihood of a significant effect is low and they therefore offer no objection to the application. The Council's Tree Officer also offers no objection to the proposal.

Overall, it is considered that the proposed adverts are appropriately sited and scaled in relation to the site and surrounding area. They would not appear incongruous, either in terms of their scale or design and would not harmfully impact surrounding trees and woodland habitats.

8.2 **Heritage**

The LPA seeks to preserve and enhance all surviving sections of the Monmouthshire and Brecon canal situated within the administrative area and has designated these sections of the Monmouthshire and Brecon Canal as a conservation area. The Council's Heritage Officer has advised that the proposed 'Panel A' advert is located suitably distant from the very end of the Conservation Area, wherein the quality of the place is very much defined by the experience of walking the old towing path to the water side against the heavily-treed boundaries to the north and south. The proposed will not be appreciable from within the Conservation Area and will not impact upon its setting due to the urban nature of the A4051 road upon which it is located and the modern filling station development adjacent. The character and appearance of the Conservation Area would therefore be preserved.

8.3 **Public Safety**

The adverts are to be placed adjacent to an A road in an environment that has multiple poster and fascia signs already. The Council's Highways Officer advises that local collision data does not suggest any adverse impact and the signs would not obstruct highway or visibility. Subject to conditions to limit the display and brightness there are no highway objections.

8.4 **Other Matters**

As standard, whilst neighbouring properties were not consulted on the application, comments were received from 2no properties. The first comments related to light spillage. Relevant conditions will be attached to the consent controlling illumination levels in accordance with the 'Institution of Lighting Professionals' Professional Lighting Guide 'Brightness of Illuminated Advertisements.' Comments were also received from no.7 Malpas Road, the neighbouring property of which advert B would sit alongside. The neighbour has raised concerns that the siting of the advert could affect access to the southern gable of their house. The applicant has advised that advert B will be set in from the boundary meaning access to the gable will be maintained. In any event the gable appears to be a party wall subject to the requirements of the Party Wall Act and therefore access to it for maintenance is protected under other legislation.

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 On balance, it is considered that the proposed advertisements are acceptable and it is

recommended that advertisement consent is granted subject to the following non-standard conditions.

11. DECISION

GRANTED WITH CONDITIONS

01 The development shall be implemented in accordance with the following plans and documents: Proposed Site Plan 03, Existing and Proposed Elevations 04 and Existing and Proposed Elevations 05.

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 In the hours of darkness, the advertisement display luminance shall be no greater than 300cd/m² 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) (or its equivalent in a replacement guide) in cd/m². 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 in Table 10.5 within PLG 05 (or its equivalent in a replacement guide) in cd/m².

03 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.

04 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.

05 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.

06 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.

NOTE TO APPLICANT

01 This decision relates to plan Nos: Site Location Plan 01, Existing Site Plan 02, Proposed Site Plan 03, Existing and Proposed Elevations 04 and Existing and Proposed Elevations 05.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies CE7, GP2, GP4 and GP6 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.