



Appeal Decision

by C Sweet MPlan

an Inspector appointed by the Welsh Ministers

Decision date: 02/10/2024

Appeal reference: CAS-03602-W8J4H1

Site address: 17 St Mary Street, Chepstow, Monmouthshire, NP16 5EW

- 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 Ms Yoon Yee against the decision of Monmouthshire County Council.
 - The application Ref DM/2024/00461, dated 17 April 2024, was refused by notice dated 10 June 2024.
 - The advertisement is described as 'externally illuminated advertisements for restaurant'.
 - A site visit was made on 9 September 2024.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The advertisement is already in place and the appeal therefore seeks retrospective advertisement consent.
3. The Council has referred to policies within the Monmouthshire Local Development Plan (the LDP) which it considers relevant and I have taken these into account as a material consideration. However, 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. As such, in determining the appeal, the Council's policies have not, by themselves, been decisive.

Main Issue

4. The parties have not raised public safety as an issue and given the evidence before me, I see no reason to conclude otherwise.
5. The main issue is therefore the effect of the advertisement on the visual amenity of the area, with regard to its location within the Chepstow Conservation Area.

Reasons

6. The appeal relates to a ground floor restaurant unit close to the junction of St Mary Street and Upper Church Street, within the Chepstow Conservation Area (the CA) and the Chepstow Central Shopping Area as defined by the LDP.

7. St Mary Street has a predominantly commercial character and a traditional appearance derived from the historic buildings along both sides, which are largely town houses with later commercial units inserted at ground floor level. A large proportion of those buildings are listed and make an important and significant contribution to the retained, historic built fabric at this part of the CA.
8. The majority of signage present in commercial frontages at ground floor level along St Mary Street is of a moderate height and scale and, although employing a variety of colour palettes, incorporates largely simple, traditional finishes. Illumination is limited and where present, does not extend the full width of the frontage. These factors serve to limit the visual impact of the signage, preserving the traditional, historic appearance of the street scene and the established character of the CA.
9. Although the appeal building shares a consistent front building line with neighbouring properties, the appeal sign is nonetheless visible within the street scene when approaching along St Mary Street from Beaufort Square and particularly so when approaching from Upper Church Street, where it is viewed in conjunction with the prominent curved frontage of the listed 16 St Mary Street, a notable corner building.
10. I acknowledge the colour palette used in the appeal sign is similar to those used elsewhere along St Mary Street, and that the lettering occupies only a portion of the total area of the sign. However, its substantial height and position, which extends over most of the elevation between the ground and first floor windows, cause it to dominate the frontage of the appeal building at ground floor level and the use of large expanses of acrylic material and multiple projecting aspects give the sign a shiny, cluttered appearance.
11. In combination these factors result in a dominant, unsympathetic contemporary addition that appears incongruous when viewed against the traditional appearance of nearby listed buildings and the wider street scene. These impacts would be exacerbated during nighttime opening hours, when use of the full width illumination would cause the sign to stand out within the street scene to a greater degree.
12. The appellant has indicated a willingness to remove some aspects of the appeal sign. I have considered whether a condition requiring the removal of some of the projecting aspects of the sign and its external illumination would be appropriate. Such a condition would result in a less cluttered appearance and would avoid the visual impact of the sign being exacerbated at night. However, its size, position and the materials used would remain unchanged and the resulting sign would still have a dominant, contemporary appearance. As such, I do not consider such a condition sufficient to overcome the harm I have identified.
13. I therefore find that the advertisement is unacceptably harmful to the visual amenity of the area and fails to preserve or enhance the character or appearance of the CA.
14. I note the appellant's concerns regarding the potential visual impacts that may arise from removal of the appeal sign or the use of an alternative design if consent is not granted. However, such alternatives are not before me and I have nothing to suggest that the appellant's concerns could not be addressed by other, less harmful design alternatives.
15. I also note the appellant's concerns regarding the cost of replacement signage and any necessary renovation, and potential consequential economic impacts but, as noted above, the powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety. Therefore, such issues do not attract weight in my consideration of this appeal.

16. A previous sign of similar design was permitted at the appeal building. However, the full details of that consent are not before me and in any event, its materials and lack of projecting elements were such that it does not provide a meaningful comparison. I have therefore considered the appeal sign on its merits, in the particular and current context of this case.

Conclusion

17. For the reasons given above and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

18. 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.

C Sweet

INSPECTOR