



## Appeal Decision

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by G Hall BSc (Hons) DipTP MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 20/06/2025

Appeal reference: CAS-04155-T9W3L5

Site address: Larkfield Petrol Filling Station, Newport Road, Chepstow NP16 5YS

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- 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 Wildstone Estates Limited against the decision of Monmouthshire County Council.
  - The application Ref DM/2024/01464, dated 26 November 2024, was refused by notice dated 23 January 2025.
  - The development proposed is Erection of a D6 Small Format Advertisement Display.
  - A site visit was made on 5 June 2025.
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### Decision

1. The appeal is allowed, and express consent is granted for Erection of a D6 Small Format Advertisement Display at Larkfield Petrol Filling Station, Newport Road, Chepstow NP16 5YS as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations and the additional conditions set out in the attached Schedule.

### Procedural Matter

2. The Council has referred to Policy DES3 of the Monmouthshire County Council Adopted Local Development Plan in its decision. I have taken this into account as a material consideration. The Regulations to control advertisements require that decisions be made only in the interests of amenity and public safety. In determining the appeal, the Council's policy has not, by itself, been decisive.

### Main Issues

3. The main issues are the effect of the proposed advertisement on the visual amenity of the area, and public safety, with particular regard to highway safety.

### Reasons

4. The appeal site is a petrol filling station on the A48, located within a small commercial cluster that includes retail units, a car wash, and a parking area. The proposed sign would be freestanding, sited near the forecourt-facing elevation of the station building, facing the A48 and primarily visible to southbound traffic and users of the forecourt. A pedestrian-controlled crossing lies adjacent to the forecourt on the A48, while residential properties line the opposite side of the road, each with individual vehicular access.

*Visual amenity*

5. The extent of the established commercial character of the petrol filling station is well defined. The immediate area contains a substantial number of advertisements, including freestanding, wall-mounted, and building-mounted signs associated with the petrol station and neighbouring commercial units. Alongside these are other elements of forecourt paraphernalia, including a freestanding ATM and a self-service locker, all contributing to an overtly commercial active environment. Within this setting, positioned against the backdrop of the petrol station and viewed in context with other signage, the addition of the proposed digital advertisement would not encroach into or alter the character of the wider, predominantly residential area.
6. The proposed sign's scale and siting mean it would not dominate the adjacent building or appear unduly prominent in the wider street scene. Its size would be consistent with existing signage, and while digital in format with advertising on rotation, it would not appear out of place in this commercial context.
7. I have also considered the potential for light pollution arising from the proposed digital display. However, no substantive evidence has been submitted to demonstrate that the sign would result in an unacceptable level of illumination, particularly in the context of the site's existing commercial use and illumination. Notably, the Council has not raised any objection on this ground. Nonetheless, to ensure that the intensity of the illumination remains appropriate, I have imposed a condition to control brightness levels, as set out under the second main issue.
8. My attention has been drawn to a previous appeal decision at the site from 2007 (Ref: E6840/H/08/2064795), in which the Inspector found that two proposed signs were unacceptable on visual amenity grounds. Like the current appeal, the Inspector took account of existing signage and advertisement clutter. However, I do not have full details of that earlier scheme, and the Council indicates that the signs in question were proposed in a different location. Given these differences, and the lack of substantive evidence to suggest the proposals are directly comparable, I attach limited weight to the previous decision and have assessed the current appeal on its own merits.
9. Given the prevailing visual context, I conclude that the appeal proposal would be absorbed into the existing commercial environment and would not result in harm to the visual amenity of the area.

*Highway safety*

10. At the time of my late-morning visit, traffic along the A48 was heavy and included a mix of private cars and larger vehicles such as lorries. Despite the presence of a 20-mph speed limit, vehicles appeared to be travelling at speed. The petrol station and nearby commercial units were busy, with frequent vehicle movements into and out of the forecourt and car park.
11. The road near the site is straight and broadly level, affording good visibility in both directions. The pedestrian crossing, along with its traffic lights and associated markings, is clearly visible to approaching drivers. Street lighting is present on both sides of the road.
12. Technical Advice Note 7 advises that in assessing an advertisement's impact on public safety, regard should be had to its effect upon the safe use and operation of any form of traffic or transport on land, including the likely behaviour of vehicle drivers who will see the advertisement. The Welsh Government, as highway authority for the A48, directed refusal of the application on the basis that the proposed sign would be a distraction risk at a location that attracts high levels of turning traffic to and from the trunk road, where driver

concentration is required for the pedestrian crossing and where there have been two traffic collisions in the last two years.

13. It is evident that the petrol station and adjoining commercial area generate a high volume of vehicle movements, including turning manoeuvres from both directions of the A48. However, visibility is good, and local road conditions are not unusually complex or hazardous. In my view, they do not demand more than reasonable care and attention from drivers or pedestrians.
14. The proposed digital sign would be seen within an already visually busy environment. In this context, it would not appear intrusive or out of place but would read as a continuation of the established commercial character. As such, it would not present as a sudden or unexpected distraction to passing drivers.
15. When viewed by southbound drivers, the sign would initially be screened by the totem sign of the commercial businesses and by vehicles using the roadside pump. During my visit, its proposed location was frequently partially or fully obscured by parked vehicles, suggesting that for much of the time, its visibility would be limited, thereby reducing its potential to distract passing motorists.
16. The sign and the pedestrian crossing would be sufficiently offset from one another, such that they would not visually compete. The sign would not be superimposed against the backdrop of the traffic lights nor appear within the same immediate visual field. Therefore, it would not interfere with the legibility or visibility of the crossing or its signals.
17. I have had regard to the historic accident data provided but do not consider that this in itself provides compelling evidence on which to judge the proposal's impact upon public safety or is an indication that the road is operating unsafely. Whilst I accept that the proposed sign is intended to attract attention, there is nothing before me that demonstrates the proposal would lead to an increased risk of accidents, or that drivers would not be able to safely observe the sign and maintain their attention on the road ahead.
18. I have considered the suggested conditions in light of advice in Welsh Government Circular 16/2014 'The Use of Planning Conditions for Development Management'. The Council has identified the standard conditions attached to all applications for advertisement consent. The appellant has suggested four operational conditions relating to static image display only, instant changes between adverts, a minimum 10 second display time, and luminance levels. I agree that these conditions are necessary in the interests of highway safety, and I have attached them amending the suggested wording in the interests of clarity and precision.
19. Taking the above factors together, and the observations from my site visit, I conclude that the appeal proposal would not present an unacceptable risk to public safety.

### **Conclusion**

20. I have considered all other matters raised and for the above reasons conclude that the appeal should be allowed.
21. 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.

*G Hall*

INSPECTOR

## **SCHEDULE OF CONDITIONS**

1. The minimum display time for each advertisement shall be 10 seconds.

Reason: In the interests of highway safety.

2. All displayed images shall be entirely static with no moving images, animation, video or full motion images, and no messaging spread across more than one screen image in sequence.

Reason: In the interests of highway safety.

3. The interval between successive displays shall be 0.1 seconds or less and the complete display screen shall change without visual effects (including fading, swiping or other animated transition methods) between each advertisement.

Reason: In the interests of highway safety.

4. The intensity of the illumination of the advertisement permitted by this consent shall at all times accord with the thresholds set out in the Institute of Lighting Professionals publication "The Brightness of Illuminated Advertisements" (PLG05:2015) (or any subsequent amendment/replacement to this guidance).

Reason: In the interests of highway safety.