



## BRECON BEACONS NATIONAL PARK AUTHORITY

### DELEGATED DECISION REPORT

**Application No:** 11/07147/ADV      **Case Officer:** Ms Tamsin Law  
**Site Notice Posted:** 7th Jun 2012      **Consultation Date:** 24th May 2012  
**Date Valid:** 2nd Sep 2011      **8 Week Target:** 28th Oct 2011  
**Decision Type:** Delegated Decision  
**Proposal:** Retention of 2no existing signs of fascia of canopy replacement of existing totem sign.  
**Address:** Gilwern Garage, Crickhowell Road, Gilwern

### CONSULTATIONS/COMMENTS

Consultee	Received	Comments
Llanelly Community Council	19th Sep 2011	<p>Members from Llanelly Community Council wish to object to this application, for the following reasons:</p> <p>The proposed totem sign has an unacceptable impact on the character of the area, and does not follow the NPA policy G5 ii). The retention of the totem sign is in conflict with the policy as it;s not sensitively located. The totem sign is not in scale and it's not well designed and shows no relation to the character of the adjacent buildings. G5 iv) also refers to minimal imoact on light pollution. Members consider this sign to have more than a minimal impact.</p> <p>Policy G3 v) the retention of the advertising sign will have an unacceptable impact on properties adjacent to the site. Under this policy (x) the lighting from the sign has and will continue to have an impact on the adjacent property which is in conflict with this section of the policy. This is indicated in the application Photo 11 and 12.</p> <p>Where any application is sought the planning authority must consider the quality of life. The retention of this totem sign will be to the detriment of the day to day living anf quality of life for local residents.</p>
Glamorgan Archaeological Trust	Gwent 19th Sep 2011	<p>There are no known archaeological sites that would be adversely impacted upon. The continuance of the use is therefore unlikely to lead to further damage and we have no objection to the determination of the application.</p>

Health And Safety Executive	12th Sep 2011	HSE does not advise, on safety grounds, against the granting of planning permission in this case.
Monmouthshire County Council Highways	17th Nov 2011	There no adverse comments I would wish to make.
Glamorgan Gwent Archaeological Trust		No comments received.
Health And Safety Executive		Does not advise against the development.
Llanelly Council	Community 31st Jan 2012	<p>Members are concerned that the application refers to the retention of an existing totem sign. The sign was erected without planning permission so the application should state retrospective planning permission.</p> <p>1. The number of documents which accompanied this application would seem to confuse what the applicant and their agent intends. On the verification of the application documents no plans have been marked as superseded. Within the applications package there are three plans with index numbers NP4v1, NP3v1 and NP6v1. It can only be assumed that NP6v1 is the current up to date plan, which would appear to be in conflict with the superimposed photo on NP3v1 and the location on NP2v1 as to which direction the sign will be erected.</p> <p>The site plan NP2v1 shows the sign will be relocated some 3.1 metres in to the forecourt area. Therefore the retention of the sign in its present location contravenes the planning application. This cannot be retention but a new application.</p> <p>2. Members expressed concern that the superimposed image on the attachment NP3v1 shows the sign being reversed. This provides more evidence that the sign will be closer to the property next door which would seem to have more of an unacceptable impact on that property.</p> <p>3. If the totem sign remains in the current position but reduced in height, this will cause traffic problems as the bottom edge of the sign will at a height where it will affect traffic movement in and out of the forecourt area. At present the garage operator has to place signs on the public footpath to stop vehicles making contact with the sign.</p> <p>4. The proposed totem sign has an unacceptable impact on the character of the area, and does not follow NPA policy (G5 ii). The retention of the totem sign is in conflict with the policy as it's not sensitively located. The totem sign is not in scale and it's not well designed and shows no relation to the character of the adjacent buildings. G5 iv/ also refers to minimal impact on light pollution. Members consider this sign to have more than a minimal impact.</p>

5. Policy G3 v) - the retention of the advertising sign will have an unacceptable impact on properties adjacent to the site. Under this policy (x) the lighting from the sign has and will continue to have an unacceptable impact on the adjacent property which is in conflict with this section of the policy. This is indicated in the application photo 11 and 12.

Where any application is sought the planning authority must consider the impact on the quality of life. The retention of this totem sign has and will continue to have a detrimental effect on the day to day living and quality of life for local residents.

Members from Llanely Community Council wish to object to this application for the reasons above.

Monmouthshire County Council Highways 31st Jan 2012

I would support the retention of the signs.

It should be brought to the attention of the applicant that in the event of a new or altered vehicular access being formed, the requirements of Section 184 of the Highways Act 1980 must be acknowledged and satisfied. In this respect the applicant shall apply for permission pursuant to Section 184 of the Highways Act 1980 prior to commencement of access works via MCC Highways.

Monmouthshire County Council Highways 12th Mar 2012

No adverse comments to make on the application.

Glamorgan Gwent Archaeological Trust

No comments received.

Health And Safety Executive

Does not advise against the development.

Llanely Community Council 27th Jul 2012

Llanely Community Council object with the following reasons;

The amendments made by the applicant have made no fundamental changes to the impact on the property next door and the character of the area.

The proposed totem sign has an unacceptable impact on the character of the area, and does not follow the NPA policy G5 ii). The retention of the totem sign is in conflict with the policy as it's not sensitively located. The totem sign is not in scale and it's not well designed and shows no relation to the character of the adjacent buildings. G5 iv) also refers to minimal impact on light pollution. Members consider this sign to have more than a minimal impact.

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property which is in conflict with this section of the policy. This is indicated in the application Photo 11 and 12.

Where any application is sought the planning authority must consider the quality of life. The retention of this totem sign will be to the detriment of the day to day living and quality of life for local residents.

Monmouthshire County  
Council Highways

No comments received.

Llanelly Community 20th Aug 2012  
Council

Members are concerned that the application refers to the retention of an existing totem sign. The sign was erected without planning permission so the application should state retrospective planning permission.

1. The number of documents which accompanied this application would seem to confuse what the applicant and their agent intends. On the verification of the application documents no plans have been marked as superseded. Within the applications package there are three plans with index numbers NP4v1, NP3v1 and NP6v1. It can only be assumed that NP6v1 is the current up to date plan, which would appear to be in conflict with the superimposed photo on NP3v1 and the location on NP2v1 as to which direction the sign will be erected.

The site plan NP2v1 shows the sign will be relocated some 3.1 metres in to the forecourt area. Therefore the retention of the sign in its present location contravenes the planning application. This cannot be retention but a new application.

2. Members expressed concern that the superimposed image on the attachment NP3v1 shows the sign being reversed. This provides more evidence that the sign will be closer to the property next door which would seem to have more of an unacceptable impact on that property.

3. If the totem sign remains in the current position but reduced in height, this will cause traffic problems as the bottom edge of the sign will be at a height where it will affect traffic movement in and out of the forecourt area. At present the garage operator has to place signs on the public footpath to stop vehicles making contact with the sign.

4. The proposed totem sign has an unacceptable impact on the character of the area, and does not follow NPA policy (G5 ii). The retention of the totem sign is in conflict with the policy as it's not sensitively located. The totem sign is not in scale and it's not well designed and shows no relation to the character of the adjacent buildings. G5 iv/ also refers to minimal impact on light pollution. Members consider this sign to have more than a minimal impact.

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Where any application is sought the planning authority must consider the impact on the quality of life. The retention of this totem sign has an will continue to have a detrimental effect on the day to day living and quality of life for local residents.

Members from Llanelly Community Council wish to object to this application for the reasons above.

## CONTRIBUTORS

Mr Robert Genner, Barberry House, Crickhowell Road  
Mr Adrian Genner, Gaydrian, Hiley Avenue

## NEIGHBOUR/THIRD PARTY RESPONSE SUMMARY

The application has been advertised though the erection of a site notice and through direct neighbour notification. Three letters of objection have been received, a summary of their response is provided below.

- From any view within the front garden, lounge or bedroom, the overwhelming view is that of this huge sign, which prior to the erection in 2012, the only visible signs were small freestanding signs below the height of the boundary hedge.
- The proposed development is completely inappropriate and overbearing on the neighbouring property.
- The new positioning will mean that the flag will be in an even closer proximity to our property. This will cause an increase in the unacceptable impact on our property as outlined in policy G5.
- The small reduction in height will still leave it way above the height of our hedge and thus impact on our property and the area in general.
- The proposed sign has an unacceptable impact on the adjacent property and the neighbourhood in general.
- The totem sign fails to meet all four points of policy G5.
- The canopy itself has a large detrimental impact on the character of the area, but it is the totem sign that we cannot accept as it is nearer to our land.

## RELEVANT POLICIES

**G3:** "Development in the National Park" (Unitary Development Plan 2007)

**G5:** "Signs, Advertisements and Floodlighting" (Unitary Development Plan 2007)

**G6:** "Design" (Unitary Development Plan 2007)

**LPG3:** "Development in the National Park." (Local Plan 1999)

**LPG7:** "Design and energy conservation." (Local Plan 1999)

**LPCB8:** "Signs and advertisements." (Local Plan 1999)

## PLANNING HISTORY

App Ref	Description	Decision	Date
09/02802/FUL	Repair and refurbish existing canopy over service station - existing height	Application Permitted	20th Mar 2009

of canopy 2.900m. Increase height of 2no supporting columns and refix canopy at height 4.500m above ground level.

## OFFICER'S REPORT

### INTRODUCTION

The application seeks advertisement consent for the display of one non illuminated advert on the canopy and a totem sign to the front of Gilwern Garage, Gilwern, Powys.

### SITE APPRAISAL

The proposals maps of the Brecon Beacons National Park Authority Unitary Development plan 2007 ('the UDP') and the Brecon Beacons National Park Authority Local Plan 1999 ('the Local Plan') identify the site as being within the settlement development limits of Gilwern.

Gilwern Garage is located on the main road through Gilwern leading to the A465 and Crickhowell. The host building is a two storey building has been extended several times. The application is in relation to displaying advertisements on the existing canopy, which was refurbished and increased in height under the planning application reference 09/02802/FUL on the 20th March 2009. The totem sign is located to the north of the site at the front of the forecourt.

### APPLICATION DETAILS

This application seeks consent for the retention of an advertisement on the existing canopy and the retention of a totem sign. Both the totem sign and advertisement have been erected without the benefit of advertisement consent; however the totem sign has been redesigned as part of this application.

The proposed advertisement on the canopy is located 4.55 metres above ground level and measure 2.6 metres in width and 0.4 metres in height. The advertisement is finished with white 'Murco' lettering in steel. The advertisement is non-illuminated.

Currently the totem sign is of a flag design measuring 5.43 metres in height and projects 1.5 metres from the metal pole towards the highway to the west of the site. The advertisement incorporates an illuminated 'Murco' logo, illuminated 'Spar' advertisement, two sets of illuminated petrol prices and two lines stating 'Newspaper' and 'Off Licence'.

Initially it was proposed to reduce the height of the totem sign to 4.250 metres and keeping all the advertisement as it was existing; however concerns were raised by Officers in relation to the impact of the advertisement on the neighbouring property and on highways safety.

Following discussions with the agent an amended proposal was received and the totem sign now measures 3.3 metres in height and projects 1.4 metres from the metal pole. In discussion with the agent the projection of the advertisement has been reversed and now projects into the forecourt following reports of cars hitting the advertisement in its current location. The totem sign ~~now sign~~ now incorporates a non-illuminated 'Spar' advertisement, two sets of illuminated petrol prices and two lines stating 'Newspaper' and 'Off Licence'. The amended scheme has removed the large illuminated 'Murco' logo and the illumination of the 'Spar' sign. The totem sign will be finished with red and white steel.

### PLANNING CONSIDERATIONS

Whilst the development plan for the area includes the adopted Local Plan (1999), it has largely been superseded by the more up to date UDP (2007) which stopped short of formal adoption but was

adopted for development control purposes. The UDP therefore provides a more up to date and relevant planning framework. This application is considered against G3, G5 and G6 of the UDP and policies G3, G7 and CB8 of the Local Plan, Local Plan policies will only be considered where they differ significantly from their UDP counterparts.

Planning Policy Wales (February 2011) stipulates that:

3.5.1 The statutory provisions enable local planning authorities to control the display of advertisements when it is justified, in the interests of public safety and amenity. The control regime does not enable the authority to regulate the subject-matter of any advertisement. The test in assessing an advertisement's impact on public safety is whether the advertisement itself, or the exact location proposed for its display, is likely to be so distracting or confusing that it creates a hazard to, or endangers people in the vicinity who are taking reasonable care for their own and others' safety.

3.5.2 The test in considering an advertisement's impact on amenity is whether it will adversely affect the appearance of the building, or of the immediate neighbourhood, where it is to be displayed. Local planning authorities should therefore consider the local characteristics of the neighbourhood, including its scenic, historic, architectural or cultural features.

In accordance with advice contained in Planning Policy Wales, advertisement applications fall to be determined on the grounds of public safety and amenity.

As identified above the application seeks consent for the retention of an advertisement on the existing canopy and the retention of a totem sign at Gilwern Garage, Gilwern, which is in use as a petrol station. As identified above the property is located within the settlement development limits of Gilwern.

#### Visual Amenity

Policy G3 (iii) aims to ensure that the scale, form, design, layout, density, intensity of use and use of materials will be appropriate to the surrounding area and will maintain or enhance the quality and character of the Park's landscape and built environment.

Policy G5 refers to signs, advertisements and floodlighting and indicates that there should be no unacceptable impact on the character or amenity of the area within which they are sited; they are well designed and sensitively located and relate well to the character, scale and architectural features of the building or structure and there would be no unacceptable impact on public safety.

Given the size and scale of the 'Murco' advertisement on the canopy in association with its matching materials, colouring and non-illumination, it is considered that the advertisement would not be so detrimental to the visual amenity of the host property or wider area to warrant refusal of the application.

Objections have been received from adjacent property owners and Llanelly Community Council in relation to the unacceptable impact of the proposed totem sign on the character and appearance of the area and the adjacent property. The proposed totem sign has been reduced in height and illumination in order to reduce its impact on the area and neighbouring properties from what is existing and what was initially proposed. The proposed totem sign now measures only 3.3 metres in height and the only illumination will be in the form of small red lights creating the price of the petrol.

Totem signs are a frequent occurrence in association with uses such as petrol stations and garages. The erection of a totem sign is therefore in character with the existing use as a petrol station. Whilst the comments made by the objectors and the Community Council are taken into account it is considered that the revised scheme, with reduction in height and illumination, does not have a sufficient impact on the visual amenity as to warrant refusal of the application.

#### Public Safety

The test in assessing an advertisement's impact on public safety is whether the advertisement itself, or the exact location proposed for its display, is likely to be distracting or so confusing that it creates a hazard to, or endangers, people in the vicinity who are taking reasonable care for their own and others' safety. The totem sign has now been moved to as not to overhang the highway and create a danger to vehicles or pedestrians. Due to size, scale and siting of the proposed signage, it is considered not to have an impact on public safety.

## CONCLUSION

On the basis of the above report it is considered that the proposed advertisements would not be detrimental to public safety of the area and would not be significantly detrimental to the visual amenity of the host building or surrounding area to warrant refusal of the application. The application is considered compliant with policies G3, G5 and G6 of the BBNPA UDP and policies G3, G7 and CB8 of the BBNPA Local Plan and is recommended for approval subject to conditions.

## RECOMMENDATION: Permit

### Conditions and/or Reasons:

- 1 The consent hereby granted expires at the end of a period of ~~\*\*\*~~<sup>5</sup> years beginning with the date of this permission.
- 2 The development shall be carried out in all respects strictly in accordance with the approved plans (drawing nos. NP1v1, NP5v1, NP6v2) except where otherwise stipulated by conditions attached to this permission and unless otherwise agreed in writing by the Local Planning Authority.
- 3 Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.
- 4 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.
- 5 Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.
- 6 No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
- 7 No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, water (including any coastal waters) or aerodrome (civil or military).

### Reasons:

- 1 Conditions imposed by the above-mentioned Regulations.
- 2 To ensure adherence to the approved plans in the interests of a satisfactory form of development.
- 3 Conditions imposed by the above-mentioned Regulations.
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- 7 Conditions imposed by the above-mentioned Regulations.

### Informative Notes:

*pp*  
**Signed (Case Officer):**  
Ms Tamsin Law



**Date:** 7 - 9 - 12

Planning Officer (DC)

Date:

Checked (Principal Planner):

*R. M. Parn*

Date:

*7/9/12*

Signed (National Park  
Authorised Officer):

*A. H. G. Jones*

Date:

*10/10/2012*

