

PEMBROKESHIRE COAST NATIONAL PARK AUTHORITY COMMITTEE REPORT



Ref No: NP/24/0670/ADV
Proposal: Fascia sign board to face of property
Site Location: The Old Lifeboat Store, Tenby Harbour, Penniless Cove,
Tenby

Recommendation: Approve, subject to conditions

This application is being presented to the Development Management Committee as the Town Council have objected to the application, contrary to the Officer recommendation for approval.

Summary:

This application seeks advertisement consent for the display of a fascia board sign to the front of the property. The application is being considered alongside application reference NP/24/0454/FUL, which is for the associated change of use from boat storage to cold food takeaway. The proposed fascia sign would replace the former fascia signage which was displayed on the building.

The full details of the application and consultation responses can be viewed on-line here: [Citizen Portal Planning - application details](#)

Consultee Response

Tenby Town Council – Refuse
Buildings Conservation Officer – No adverse comment
Highways Authority - No detrimental impact on existing parking arrangement, access or local Highway Network
Cadw – No unacceptably damaging effect upon setting of Tenby Castle
Tenby Civic Society – Object

Public Response

A site notice and neighbour notification letters were posted in accordance with requirements of the *Town and Country Planning (Development Management Procedure) (Wales) Order 2012*.

No representations have been received at the time of writing.

Legislation and Policies considered

Relevant legislation

Section 220 of the *Town and Country Planning Act 1990* sets out the legal basis for the restriction and regulation of the display of advertisements. According to Section 336 advertisement means:

'Any word, letter, model sign, placard, board, notice, awning, blind, device or representation, whether illuminated or not, and employed wholly or partly for the purpose of advertisement, announcement or direction and includes any hoarding or similar structure used or designed or adapted for use and anything else principally used or designed or adapted principally for use for the display of advertisements.'

The display of advertisements is regulated by *The Town and Country Planning (Control of Advertisements) Regulations 1992* (SI 1992/666). Guidance on the operation of the advertisement regulations is set out in *Welsh Office Circular 14/92: Town and Country Planning (Control of Advertisements) Regulations 1992*. This guidance is supplemented by *Welsh Office Circular 70/94: The Town and Country Planning (Control of Advertisements) (Amendment) Regulations 1994*. As of May 2017, parts of Circular 14/92 have been cancelled.

Further guidance is also found in Technical Advisory Note (TAN) 7 (Outdoor Advertisement Control).

Section 38(6) of the *Planning and Compulsory Purchase Act 2004* does not apply to advertisement appeals. Instead, the starting point is the effect on amenity and/or public safety (rather than whether the proposal accords with the development plan). The National Park adopted Plan is considered as a material consideration.

National Policy

All planning applications in Wales need to be determined in accordance with the statutory National Development Plan:

- [Future Wales: The National Plan 2040](#) (FW)
- [Planning Policy Wales 12](#) (PPW12).

Technical Advice Notes

The Future Wales Plan should be seen and read as a whole, and in conjunction with National planning policy in the form of Planning Policy Wales (Edition 12, February 2024) as well as considering the following Welsh Government Technical Advice Notes (TAN's) www.gov.wales/technical-advice-notes:

- TAN 2 - Design
- TAN 7 – Outdoor Advertisement Control
- TAN 24 – The Historic Environment

Local Development Plan 2 (Adopted September 2020)

Additionally, within the Pembrokeshire Coast National Park, The Local Development Plan 2 (LDP2) is also the relevant development plan with the following policies being applicable to this proposal.

These policies can be viewed on the Policies page of Pembrokeshire Coast National Park website: <https://www.pembrokeshirecoast.wales/wp-content/uploads/2024/01/LDP-Text-for-Adoption-Web.pdf>

- Policy 01 (National Park Purposes and Duty)
- Policy 08 (Special Qualities)
- Policy 14 (Conservation of the Pembrokeshire Coast National Park)

- Policy 18 (Porthgain, Saundersfoot, Solva and Tenby Harbours)
- Policy 29 (Sustainable Design)
- Policy 30 (Amenity)

These policies can be viewed on the Policies page of Pembrokeshire Coast National Park website: <https://www.pembrokeshirecoast.wales/wp-content/uploads/2024/01/LDP-Text-for-Adoption-Web.pdf>

LDP2 Supplementary Planning Guidance

In addition, the Authority produces Supplementary Planning Guidance (SPG) on various topics, and these may be material considerations in the determination of any future application made. In respect of the proposal the most relevant SPG's are:

- SPG – Biodiversity
- SPG – Conservation Areas
- SPG – Sustainable Design and Development
- SPG – Landscape Character

Constraints

- Conservation Area – Tenby
- Special Area of Conservation – within 500m
- Site of Special Scientific Interest – within 50m
- Tree Preservation Order
- Rights of Way Inland – within 50m
- Ancient Monument – within 500m
- Recreation Character Areas
- Article 4 Directions
- Affordable Housing Submarkets
- Seascape Character Areas
- Within Site of Special Scientific Interest
- Landscape Character Area
- Special Area of Conservation – within 50m

Officer's Appraisal

This application seeks advertisement consent for the display of a non-illuminated fascia sign to the front of the property. The property is located at Tenby harbour, and its former use was lifeboat storage. The building is currently empty, with the previous signage in association with the previous use having been removed.

Site and Proposed development

The proposal comprises:

- The display of a fascia board sign to the front of the property.

Relevant Planning History

- NP/24/0454/FUL – Change of use from lifeboat storage unit to takeaway food outlet (A1) – Pending consideration at time of writing
- PA/24/0060 – Pre-application enquiry for change of use from a lifeboat storage building to takeaway food outlet (cold food only) – Permission required
- NP/09/353 – External fuel storage – Approved

Key Issues

In accordance with the *Town and Country Planning (Control of Advertisements Regulations) 1992 (as amended)* and *Planning Policy Wales (PPW 12)* and *Technical Advice Note (TAN) 7: Outdoor Advertisement Control* the main issues to consider in this application are:

- The impact the proposal will have on amenity (i.e the appearance of the building or immediate area, taking into account local characteristics including scenic, historic, architectural or cultural features)
- The impact the proposal will have on public safety (are the proposals likely to be so distracting or confusing that it creates a hazard or endangers people in the vicinity).

Accordingly, the application raises the following planning matters:

Amenity

Public Safety

Amenity

Policy 08 (Special Qualities), of LDP2, is a strategy policy which refers to the special qualities of the National Park and lists priorities to ensure that these qualities will be protected and enhanced. These qualities are characteristics and features which individually or in combination contribute to making the National Park unique. Particularly relevant to this application is criterion d which seeks to protect and where possible enhance the historic environment.

Policy 14 (Conservation of the Pembrokeshire Coast National Park) of LDP2 seeks the conservation of the Pembrokeshire Coast National Park, resisting development that would cause significant visual intrusion, be insensitively or unsympathetically sited within the landscape, and/or fail to harmonise with, or enhance the landform and landscape character of the National Park.

Policy 29 (Sustainable Design) of LDP2 requires all development proposals to be well designed in terms of place and local distinctiveness.

Technical Advice Note (TAN)7 offers specific advice in the case of National Parks advising that close scrutiny of advertisement consent is required.

Planning Policy Wales (PPW 12) provides guidance on how the introduction of new advertisements should be treated within conservation areas. Para 6.1.15 states:

“There is a strong presumption against the granting of planning permission for developments, including advertisements which damage the character or appearance of a conservation area or its setting to an unacceptable level.”

In considering the application the impact of the proposal on the National Park landscape when assessing amenity and is a key consideration and therefore LDP2 Policies 8, 14 and 30 are considered relevant.

Section 72 (1) of the 1990 Act requires that when considering planning applications, special attention must be paid to the desirability of preserving or enhancing the character or appearance of the area. Section 72 applies to the exercise of any functions under the planning acts and the Court has held that a determination under the Regulations is an exercise of a function under the 1990 Planning Act. Therefore, the statutory duty applies in advertisement appeals in so far as it relates to the consideration of amenity.

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The statutory duty under Section 66(1) of the *Planning (Listed Buildings and Conservation Areas) Act 1990* requiring decision makers to have special regard to preserving the listed building or its setting or any features of special architectural or historic interest does not extend to the consideration of whether to grant advertisement consent. However, the presence of a listed building or scheduled monument is a relevant material consideration when assessing the effect on amenity (for example, in terms of its appearance, features and setting). Furthermore, paragraph 6.17 of PPW12 stresses the importance of the need for the planning system to protect, conserve and enhance the significance of heritage assets.

The signage proposed as part of this application is a non-illuminated fascia board sign, displaying the name of the business which is proposing to use the building as a cold food takeaway.

The sign would be displayed to the northern elevation of the building, and would be in the same location as the previous signage serving the lifeboat store use. The sign would measure approximately 3.8m x 0.34m. Whilst this is slightly larger than the previous sign, it is not considered that it would result in harm being caused to the character or appearance of the conservation area. The sign is non-illuminated, and given its fairly simplistic design, it would strike a suitably inform balance between the proposed use and retaining the original functional appearance of the building.

Given that the site is in close proximity to several Scheduled Ancient Monuments (SAM), Cadw have been consulted on the application. They have noted that whilst the proposed advertisement would result in a very slight visual change in the view from Tenby Castle, it would not have any impact upon the way that the monument will be experienced, understood and appreciated.

Overall, it is considered that the proposed advertisement would not have an adverse impact upon the amenity of the area, and therefore, is in accordance with Policies 8, 14 and 29 of the Local Development Plan, Planning Policy Wales 12, and Technical Advice Note 7.

Impact on Public Safety:

TAN 7 (Outdoor Advertisement Control) also states that the Local Planning Authorities should have regard to an advertisement's effect upon the safe use and operation of traffic and transport, including the safety of pedestrians when assessing its impact on public safety.

It is not considered that the signage proposed would have an impact on passing traffic or the safety of pedestrians. The Highways Authority has been consulted on this application and have raised no concerns in relation to highway or pedestrian safety.

No further consideration is required therefore in this instance.

Conclusion

Having regard to all matters raised, it is considered that the proposed signage would not have an adverse impact upon the special qualities of the National Park, amenity, nor public safety. As such, it is considered to be in accordance with Policies 1, 8, 14, 29 of the LDP2, PPW12, and TAN 7.

It is therefore considered that the application for advertisement consent should be approved in accordance with the requirements of *The Town and Country Planning (Control of Advertisements) regulations 1992 (as amended)* and Technical Advice Note (TAN) 7 (Outdoor Advertisement Control). The relevant policies of the adopted Local Development Plan 2 for Pembrokeshire Coast National Park Authority (adopted September 2020) have been considered as material considerations.

In reaching a recommendation, regard has been given to the requirements of sections 3 and 5 of the *Well Being of Future Generations (Wales) Act 2015*. It is considered that this recommendation is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Ministers' well-being objective of supporting safe, cohesive and resilient communities.

Recommendation

Delegation to the Director with responsibility to APPROVE, subject to the following conditions and subject to the expiration of the publicity period associated with a neighbour notification letter:

1. The development shall begin no later than five years from the date of this decision.

Reason: Required to be imposed pursuant to Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

2. The development shall be carried out in accordance with the following approved plans and documents:

- Location Plan, received 16th December 2024
- Proposed Layout- Rev E, received 16th December 2024

Reason: In order to be clear on the approved scheme of development in the interests of protecting visual amenity and the special qualities of the National Park. Policy: Local Development Plan 2 – Policies 1 (National Park Purposes and Duty), 8 (Special Qualities), 14 (Conservation of the Pembrokeshire Coast National Park) and 29 (Sustainable Design).

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.

Reason: Condition imposed by the *Town and Country Planning (Control of Advertisements Regulations 1992)*.

4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

Reason: Condition imposed by the *Town and Country Planning (Control of Advertisements Regulations 1992)*.

5. Where an advertisement is required under the above-mentioned Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the local planning authority.

Reason: Condition imposed by the *Town and Country Planning (Control of Advertisements Regulations 1992)*.

6. No advertisement is to be displayed without the permission of the owner of the site or any person with an interest in the site entitled to grant permission.

Reason: Condition imposed by the *Town and Country Planning (Control of Advertisements Regulations 1992)*.

7. No advertisement shall be sited or displayed 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, waterway (including any coastal waters) or aerodrome (civil or military).

Reason: Condition imposed by the *Town and Country Planning (Control of Advertisements Regulations 1992)*.

4 Informatives

This consent relates to the following plans:

- Location Plan, received 16th December 2024
- Proposed Layout- Rev E, received 16th December 2024



Parc Cenedlaethol
Arfordir Penfro
Pembrokeshire Coast
National Park

Graddfa/Scale: 1:1,250

