

TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS)
(AMENDMENT) (WALES) REGULATIONS 2012

REFUSAL OF PERMISSION TO DISPLAY ADVERTISEMENTS

(or to use a Site for that purpose)

To: Alight Media c/o Mr Paul Thacker Turnkey Design Partnership Ltd The Cube 19 Love Lane
Cirencester

WHEREAS you did on the 1st day of December 2023 make application in writing for permission to display advertisements at: Land Within Labour Club Car Park Court Street Merthyr Tydfil CF48 8DU short particulars of the application being as follows:-

Name of the Applicant

Alight Media
58-59 Great Marlborough Street
London
W1F7JY

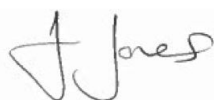
Description of Proposed Advertisement

New digital advertisement hoarding comprising single illuminated LED 48-sheet advertisement display (Advertisement)

MERTHYR TYDFIL COUNTY BOROUGH COUNCIL as the Local Planning authority hereby REFUSE TO PERMIT the proposed advertisement for the following reasons, namely:

1. The proposal, by virtue of its siting, scale and illumination would result in a prominent, unsympathetic and visually intrusive advertisement which would have an adverse impact on the character and visual amenities of the Town Centre Conservation Area and the setting of the Grade II Listed Court House. Therefore it would fail to accord with Planning Policy Wales and Technical Advice Note 7: Outdoor Advertisement Control.

Date: 18th January 2024

Signed: 
(Director of Neighbourhood Services)

(Please See attached Notes)

NOTES

Provisions of Section 78(i) of the Town and Country Planning Act 1990

- (1) Where an application is made to a Local Planning Authority for consent under the Town and Country Planning (Control of Advertisement) Regulations 1992 to display an advertisement and that consent is refused by that Authority or is granted by them subject to conditions, the applicant, if he/she is aggrieved by their decision, may by notice under this section appeal to Planning & Environment Decisions Wales.
- (2) Notice of appeal shall be given in writing to The National Assembly for Wales within 8 weeks from the date of receipt of notification of the Local Planning Authority's decision, or such longer period as Planning & Environment Decisions Wales may at any time allow, and the notice shall be accompanied by a copy of each of the following documents:-
 - (a) the application made to the Local Planning Authority;
 - (b) all relevant plans and particulars submitted to them;
 - (c) the notice of the decision; and
 - (d) all other relevant correspondence with the Authority.
- (2A) Where an appeal is brought under this section, Planning & Environment Decisions Wales may require the appellant or the Local Planning Authority to submit to it, within such period as it may specify, a statement in writing in respect of such matters relating to the application as it may specify; and if, after considering the grounds of appeal and any such statement, Planning & Environment Decisions Wales is satisfied that it has sufficient information to enable it to determine the appeal it may, with the agreement in writing of both the appellant and the Local Planning Authority, determine the appeal without complying the Sub-Section (4) of this Section.
- (3) Where an appeal is brought under this Section from a decision of a Local Planning Authority, Planning & Environment Decisions Wales subject to the following provisions of this Section, may allow or dismiss the appeal, or may reverse or vary any part of the decision of the Local Planning Authority, whether the appeal relates to that part thereof or not, and may deal with the application as if it had been made to it in the first instance.
- (3A) Planning & Environment Decisions Wales may, in granting consent for the display of advertisements, specify that the term thereof shall run for such longer or shorter period than the period of five years specified in Regulation 13(5)(b) of the Town and Country Planning (Control of Advertisements) Regulations 1992 as it considered expedient having regard to the provisions of Regulation 4 of those Regulations and any period specified in the application for consent.
- (4) Before determining an appeal under this Section, other than an appeal referred to a Planning Inquiry Commission under Section 101 of this Act, Planning & Environment Decisions Wales shall, if either the applicant or the Local Planning Authority so desire, afford to each of them an opportunity of appearing before, and being heard by, a person appointed by Planning & Environment Decisions Wales for the purpose.
- (5) The decision of Planning & Environment Decisions Wales on any appeal under this Section shall be final and shall otherwise have effect as if it were a decision of the Local Planning Authority.
- (6) If, before or during the determination of an appeal under this Section in respect of an application under the Town and Country Planning (Control of Advertisements) Regulations 1992, The National Assembly for Wales forms the opinion that, having regard to the provisions of those Regulations and to any direction given under them, consent for the display of the advertisements in respect of which the application was made:-
 - (a) could not have been granted by the Local Planning Authority; or
 - (b) could not have been granted by them otherwise than subject to the conditions imposed by themit may decline to determine the appeal or to proceed with the determination of it.
- (7) Schedule 6 to this Act applies to appeals under this Section, including appeals under this Section as applied or under any other provision of this Act.

N.B. If an aggrieved applicant wishes to exercise his right of appeal under Regulation 15 of the above Regulation, he should do so on the appropriate Form obtainable from :- Planning & Environment Decisions Wales, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ. Alternatively you can use the Planning & Environment Decisions Wales website (www.gov.wales/planningappeal) to complete your appeal.

Recovery of Compensation under Section 223 of the Act

- (1) Where, for the purpose of complying with these Regulations, works are carried out by any person:-
 - (a) for removing an advertisement which was being displayed on 1st April 1974; or
 - (b) for discontinuing the use for the display of advertisements of a site used for that purpose on that date.and that person desires to recover compensation under Section 223 of the Act in respect of any expenses reasonably incurred by him in that behalf, he shall submit a claim in writing to the Local Planning Authority within six months after the completion of those works; and that claim shall contain sufficient information to enable the Local Planning Authority to give proper consideration thereto.
- (2) If the Local Planning Authority considered that the information furnished by any claimant under this Regulation is insufficient to enable them properly to determine the claim, they may call for such further particulars as they require for that purpose