

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

**PERMISSION FOR DEVELOPMENT**  
**(or to use a Site for that purpose)**

To: Notemachine UK Ltd F.a.o. Mr J Clark Russell House Elvicta Business Park

**WHEREAS** you did on the 18th day of June 2020 make application in writing for permission to display advertisements at: 9 Chestnut Way Gurnos Merthyr Tydfil CF47 9SB short particulars of the application being as follows:-

**Name of the Applicant****Description of Proposed Development**

Notemachine UK Ltd  
F.a.o. Mr J Clark  
Russell House  
Elvicta Business Park  
Crickhowell

Installation of ATM signage (retrospective) (Advertisement)

**MERTHYR TYDFIL COUNTY BOROUGH COUNCIL** as the Local Planning Authority hereby **PERMIT** the proposed advertisements in accordance with the plans and drawings submitted with the said application for a period of 5 years from the date hereof, subject to compliance with the standard conditions prescribed by the above mentioned Regulations as set out below, and to the special conditions specified below.

**STANDARD CONDITIONS**

1. All advertisements displayed, and any site used for display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.
2. Any hoarding or similar structure, or any sign, placard, board or device erected or used principally for the purpose of displaying advertisements, shall be maintained in a safe condition.
3. Where an advertisement is required under the Regulations to be removed, the removal thereof shall be carried out to the reasonable satisfaction of the Local Planning Authority.
4. 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.
5. 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, waterway (including any coastal waters) or aerodrome (civil or military).

**STANDARD REASONS**

- 1-5. Requirements of advertisement regulations.

**SPECIAL CONDITIONS/REASONS**

None.

Date: 27th July 2020

(Signed).....  
(Head of Town Planning)

(Please See Attached Notes)

## NOTES

# APPEALS TO THE NATIONAL ASSEMBLY FOR WALES PART 1

### *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 The National Assembly for 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 The National Assembly for 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, The National Assembly for 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, The National Assembly for 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, The National Assembly for 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) The National Assembly for 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, The National Assembly for 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 The National Assembly for Wales for the purpose.
- (5) The decision of The National Assembly for 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 :- The Planning Inspectorate, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ.

### *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 1<sup>st</sup> 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.