

DELEGATED REPORT

Application No:	P/22/0133
Site Address:	Kentucky Fried Chicken Unit B Cyfarthfa Retail Park Swansea Road Merthyr Tydfil
Development:	Display of four double digital display boards
Case Officer:	Caroline Pulley
Site Visit:	30th May 2022
Application Expiry Date:	20th July 2022
Consultation reply date expired:	20th June 2022

APPLICATION SITE

The application relates to the KFC fast food restaurant located within the Cyfarthfa Retail Park. The restaurant is bounded by internal highways and is served by a car parking area which is used in association with other businesses on the retail park, i.e. McDonalds and two other vacant units. The profile of the site is flat.

PROPOSED DEVELOPMENT

Advertisement consent is sought for the display for four double digital display boards within the curtilage of the site. The display boards would all be located alongside the drive-thru lane and would be internally illuminated. Each sign would measure 1.92m in height, 1.51m in width and 0.32m in depth. The signs would be made of aluminium and plastic and would include an interchangeable display.

Details of other signage proposed for the site has also been included with the application. However, this application seeks consent for the display of the 4 double display boards only.

PLANNING HISTORY

The recent history of the site is as follows:

P/22/0132	Reconfiguration of 'Drive-thru' with associated works to include removal of external seating area, extension of tarmac paving area and installation of new pedestrian barriers Pending consideration
P/13/0203	Erection and installation of new signage to building and within curtilage Granted advertisement consent, 23rd July 2013

PPW states that applications for advertisements consent are to be considered on the grounds of public safety and amenity. Paragraph 3.5 specifically states that in assessing public safety, *‘...the test...is whether the advertisement itself, or the exact location of the proposed for its display, is likely to be so distracting or confusing that it creates a hazard to, or endangers, people in the vicinity...’* Paragraph 3.5.2 refers to amenity, and states that *‘...the test...is whether it will adversely affect the appearance of the building, or of the immediate neighbourhood, where it is to be displayed...’*

Local Policy

Merthyr Tydfil County Borough Council Replacement Local Development Plan (LDP) 2016-2031:

Policy SW11 – Sustainable design and Placemaking

PLANNING CONSIDERATIONS

The issues to consider under the assessment of this application relate to whether the proposed advertisements are acceptable with regard to their impact upon the character and appearance of the area and upon public safety and amenity.

Regard has been had for the impact of the signage on public safety. However it is not considered that the proposed signage would have any adverse impact in this respect. As noted previously, the application has come forward as part of a minor scheme which seeks to make small modifications to the overall layout of the site. The proposed digital display boards are of a similar nature to the existing signage present at the site and having considered their small scale and discrete siting, the proposal would not result in a highway safety hazard and adversely impact upon highway safety. Furthermore, the Council's Head of Engineering has considered the proposal and has raised no objections to the scheme.

The proposed signage scheme is also considered acceptable in terms of its visual impact. The existing KFC restaurant is an established business located within the Cyfarthfa Retail Park, where numerous illuminated signs, of various scales, designs and finishes, form part of its character and adds to its vibrancy and vitality. As such, the proposed signs would not result in prominent, intrusive or incongruous form of advertisements, particularly when viewed against this retail background and would therefore comply with Policy SW11 of the LDP.

The duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WBFG Act") has been taken into consideration when determining this application. In reaching the following recommendation, the ways of working set out at section 5 of the WBFG Act have been considered and thus the proposal is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives set out as required by section 8 of the WBFG Act.

Accordingly the following recommendation is made:

RECOMMENDATION: ADVERTISEMENT CONSENT BE GRANTED

INFORMATIVES

1. This planning permission does not provide consent to undertake works that require a European Protected Species (EPS) licence.
All bats and their roosts are protected under UK and European legislation. It is an offence to deliberately kill, injure, capture or disturb a bat or to recklessly damage or destroy their breeding sites or resting places.

If works are planned on a building/tree in which bats are found to be roosting, Natural Resources Wales (NRW) must be contacted. on 0300 065 3000 or at <https://naturalresources.wales/permits-and-permissions/species-licensing/apply-for-a-protected-species-licence/bat-licences/?lang=en>.

If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work should cease and NRW should be contacted immediately.

Under these circumstances, an EPS licence is likely to be required to undertake the works within the law.

2. All birds, their nests and eggs are protected by law under the Wildlife and Countryside Act 1981 (as amended) while they are breeding.

If works to any trees, hedgerows and/or other nesting bird habitat (including buildings with suitable features) are to be undertaken, they will take place outside of the bird nesting season. If the works must be undertaken during the nesting season (generally from 1st March until 31st August, although birds are known to nest outside of these dates in suitable conditions), a breeding bird survey will be required and must be carried out by a suitably qualified ecologist. Any active nests identified will be protected until the young have fledged.

Where a Schedule 1 species (as defined in the Wildlife and Countryside Act - <https://www.legislation.gov.uk/ukpga/1981/69/schedule/1> is involved, compensation for impacts, e.g., loss of nesting sites, will be devised and implemented.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

14/7/22