

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: Demipower 2017 Ltd C/o Beamish Planning Consultancy F.a.o. Mr A Beamish Apartment 231 River Crescent Waterside Way

WHEREAS you did on the 25th day of May 2022 make application in writing for permission to display advertisements at: Kentucky Fried Chicken Unit B Cyfarthfa Retail Park Swansea Roadshort particulars of the application being as follows:-

Name of the Applicant

Description of Proposed Development

Demipower 2017 Ltd
F.a.o. Mr N Quantrill
Jubilee House
7-9 The Oaks
Ruislip

Display of four double digital display boards (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.

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.

Date: 14th July 2022

(Signed)



(Director of Neighbourhood Services)

(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 Planning & Environment Decisions Wales.
 - (2) Notice of appeal shall be given in writing to Planning and Environment Decisions Wales within 8 weeks from the date of receipt of notification of the Local Planning Authority's decision, or such longer period as Planning and 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 and 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 and 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 and 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 and 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 and 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 The National Assembly for Wales for the purpose.
 - (5) The decision of Planning and 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, Planning and Environment Decisions 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 and Environment Decisions Wales, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ. Alternatively you can use the Planning and Environment Decisions Wales website (www.gov.wales/planningappeal) to complete you 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.

