



Eich cyf/Your ref
Ein cyf/Our ref: qA1187314

Mr Ross Cannon
Strategic Planning, Highways, Traffic & Transportation
City of Cardiff Council
Room 223
County Hall
Cardiff
CF10 4UW

23 April 2015

Dear Mr Cannon,

**TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS)
REGULATIONS 1992 – REGULATION 7
WITHDRAWAL OF DEEMED CONSENT FOR DISPLAY OF LETTING BOARDS
RELATING TO RESIDENTIAL PROPERTIES IN THE CATHAYS AND PLASNEWYDD
WARDS OF CARDIFF**

1. I refer to the letter of 21 October 2014 from the Head of Planning of the City of Cardiff Council in which he requested that the Welsh Ministers grant the Council a direction under regulation 7 of the Town and Country Planning (Control of Advertisements) Regulations 1992 ('the 1992 Regulations') which would withdraw the grant of deemed consent for the display of letting boards relating to residential properties, which are advertisements within Class 3A of Part 1 of Schedule 3 to the regulations, from parts of the Cathays and Plasnewydd Wards of Cardiff.
2. The power to make directions under regulation 7 of the 1992 Regulations has been transferred to the Welsh Ministers. These functions are within the portfolio of the Minister for Natural Resources and have been exercised by me as Minister.
3. Under the provisions of regulation 7 I may, if I am satisfied that the display of advertisements of any class or description specified in Schedule 3 of the 1992 Regulations, other than Class 12 or 13, should not be undertaken in any particular area or in any particular case without express consent, direct that the consent granted by regulation 6 (deemed consent) for that class or description shall not apply in that area or in that case for a specified time or indefinitely.
4. Guidance on the process for considering requests for directions under regulation 7 is provided in paragraph 22 of Planning Guidance (Wales) Technical Advice Note (Wales) 7: *Outdoor Advertisement Control*.

5. In reaching my decision on the request for a direction I have taken into consideration the guidance in TAN 7, the Council's Letting Boards Evidence Report and supporting documents, the advice provided by an officer of the Welsh Government's Planning Directorate who carried out a site visit (a copy of his report is attached to this letter) and representations received.

6. The publicity requirements that have to be carried out before the Welsh Ministers may make a direction under regulation 7 are detailed at regulation 7(2). In that respect I note that the Council published notice of its request to the Welsh Ministers for a direction under regulation 7 in the Western Mail and the London Gazette on 4 December 2014. The representations I have referred to in paragraph 5 above were received after 4 December but it is not clear whether they were received as a result of the publicity in the Western Mail or the London gazette or as a result of other publicity carried out by the Council. All of the representations were in support of the direction being made. No objections to the making of the direction have been received by the Welsh Ministers.

7. On the information before me I am satisfied that the Council has shown that the particular deemed consent provisions in relation to the display of letting boards on residential properties are environmentally unsatisfactory in the areas indicated, that there is no effective way other than the making of the direction to control the display of the letting boards and that the direction would enable the improvement of visual amenity of the areas indicated.

8. In reaching this conclusion I agree the views of the Planning Directorate's officer on the merits of the direction but do not accept his conclusion that the direction should be made subject to the reduction of the area to be covered by the direction so as to omit the recreation ground and pleasure gardens of Roath Park. While I agree that the boundaries of directions under regulation 7 should normally be drawn as tightly as possible I do not consider that any benefit would be achieved in this case by amending the boundary as suggested.

FORMAL DECISION

9. For the reasons given above, and in exercise of the power referred to in paragraph 2 above, I hereby direct that the deemed consent for the display of advertisements relating to the letting of residential properties as specified in Class 3A of Part 1 of Schedule 3 to the Town and Country Planning (Control of Advertisement) Regulations 1992 shall be withdrawn from parts of the Cathays and Plasnewydd Wards of Cardiff in accordance with the direction attached to this letter.

10. The direction shall have effect from the date on which it comes into force in accordance with the provisions of regulation 7 of the 1992 Regulations.

Yours sincerely



Carl Sargeant AC / AM

Y Gweinidog Cyfoeth Naturiol
Minister for Natural Resources