



Signs for Tourist Businesses

advice on advertising signs

About this leaflet

Advertising signs are vital for most tourist businesses. They attract customers and show the way to the door. But such signs are subject to a notoriously complex set of regulations which are controlled by your local planning authority.

This leaflet summarises the rules that apply to tourist businesses, and while we have tried to simplify them wherever we can, the small print cannot be avoided entirely.

When reading this leaflet you must remember that there are numerous exceptions and special cases and the best course is to seek the advice of your local planning authority as soon as you can.

Does a road direction sign such as a white on brown sign count as an advertising sign?

Outdoor advertisements and signs are often confused with road signs but they each have different systems of control.

Road traffic signs (which includes those on pavements and verges) must have approval from the highway authorities. The regulations for road signs are featured in another leaflet in this series called *We're Just Off the Motorway*, available from the English Tourism Council fulfilment department on 0870 606 7204.

The type of advertisements and signs covered in this leaflet include:

- ◆ Fascia and projecting signs
- ◆ Free-standing signs
- ◆ Menu boards and placards
- ◆ Flag advertisements
- ◆ Models and devices
- ◆ Posters and notices
- ◆ Advance and directional signs
- ◆ Signs on poles and canopies

Outdoor advertisements and signs such as these are governed by a set of regulations issued by the Secretary of State for the Environment known as the **Town and Country Planning (Control of Advertisements) Regulations 1992**; they were amended in 1994, and again in 1999. The current Department of the Environment, Transport and the Regions has consulted on amendments to the procedures governing consent for outdoor signs and advertisements. Revised regulations may be made in 2000.

Whom should I ask if I want to erect a sign?

The outdoor advertisement control system is complex and controlled by your local planning authority. They are usually prepared to give you informal advice and you should take advantage of this service at an early stage and certainly before you commit yourself to any cost.

Local planning authorities include:

- ◆ District and borough councils.
- ◆ Unitary authorities.
- ◆ National Park authorities.

If you are in doubt about whom to contact, your local authority will tell you which is the relevant planning authority for your area.

Many local authorities have published policies on the control of advertisements. These should show whether you are in an Area of Special Control and if the authority has any particular concerns. Ask to see any relevant policy documents which will help you to prepare your application and avoid pitfalls.



Do I need permission for my sign?

no

If the sign is one of ten classes that are deliberately excluded from control. These include:

- ◆ Some captive balloon advertisements.
- ◆ Advertisements displayed on a vehicle which is normally moving.
- ◆ The national flag of any country flown on a single vertical flagstaff.

Excluded from control

Signs which are excluded from control are closely defined and you should check the regulations carefully or get professional advice before entering into any commitments.

For example, advertising balloons are excluded from control but they must not be displayed more than 60 metres above the ground, must not be displayed for more than ten days in any year and must not be in any area of Special Control of Advertisements, National Parks, Conservation Areas or Areas of Outstanding Natural Beauty.

no

If the sign or advertisement is within the rules set out in the regulations, it is assumed that consent is given without the need to apply. The regulations call this **deemed consent**.

Deemed consent

Signs which can be displayed without needing an application for advertisement consent include:

- ◆ A sign up to 0.3 square metres in area stating that a business is being carried out at the premises.
- ◆ A sign up to 1.2 square metres in area at a hotel, guesthouse, cultural or recreational institution, at the premises relating to the business.
- ◆ Some internally illuminated signs, although in practice there are many restrictions. Display signs for the National Quality Standards for Serviced Accommodation, for example, need permission. There is no deemed consent for illuminated signs in Areas of Special Control of Advertisements (see box), Conservation Areas, National Parks or Areas of Outstanding Natural Beauty.
- ◆ Advertisements on the exterior of the building, relating to business activity at the premises. The sign must be below the bottom of the first-floor window in the wall where the advertisement is. In the case of a shop, an advertisement may only be displayed on a wall which has a shop window.

- ◆ If the premises are in an Area of Special Control, the advertisement must not exceed in area 10% of the external face of the building, measured up to a height of 3.6 metres above ground level.
- ◆ Advertisements on forecourts of business premises, at ground level, up to 4.5 square metres in area on each forecourt. A business forecourt is an area in front of the premises, which is attached to or can be considered to be part of the building. There are no national guidelines as to what does and does not constitute a forecourt as this rule is interpreted differently in various parts of the country.

In most cases, the following rules apply to deemed consents:

- ◆ No illumination (see box).
- ◆ A sign should be no higher than 4.6 metres above ground level (3.6 metres in Areas of Special Control of Advertisements).
- ◆ No letters, symbols, etc over 0.75 metres in height (0.3 metres in an Area of Special Control).

yes

In all other cases. The regulations state that express consent is required, which means that you must make a formal application and get the approval of the planning authority. Following a change in the regulations in 1999, local authorities can now offer express consent without recourse to the Secretary of State.

Express consent

This is needed for:

- ◆ Most illuminated signs.
- ◆ Most advertisements on gable ends.
- ◆ All signs above the permitted limits on height and size.

Express consent for advertisement signs is normally granted for five years, when it can be renewed.

Illumination

Make no assumptions about illuminated signs – you will always need to apply for permission for signs on a wall or doorway outside the premises. There are exceptions if a sign is displayed inside a window.

Partially illuminated signs, for example where the letters only and not the background are illuminated, may not require express consent, but check with your planning authority before you start any detailed work.

You are able to floodlight your building without permission (unless you are in a Conservation Area or your building is listed) as long as the floodlights are on the ground. To mount the floodlights on the building or on stanchions then you need planning permission.

Areas of Special Control of Advertisements

These are designated to protect scenic, cultural, historic or architectural features, so stricter control is applied. About half the country has this designation, mainly rural areas or sensitive parts of historic town centres.

Listed Buildings

If your building is listed as being of architectural or historic interest, then listed building consent is needed for most signs, even if advertisement consent is not required. This is because most advertisements on listed buildings constitute an 'alteration', which will require listed building consent from your local planning authority.

How do I obtain advertisement consent?

Apply to the local planning authority on a standard form. You will need to enclose drawings which show the position and design of the sign. A fee is charged for processing the application. Fees range from £45 to £160. In order to obtain the best you can from the system, it may be worth your while engaging a planning consultant to negotiate on your behalf and submit the application.

What will the planning authority take into account?

The regulations recognise that outdoor signs and advertising are essential to commercial activity so you will not be required to justify your need for signs. The only two considerations your planning authority will be concerned about are **amenity** and **public safety**.

Amenity

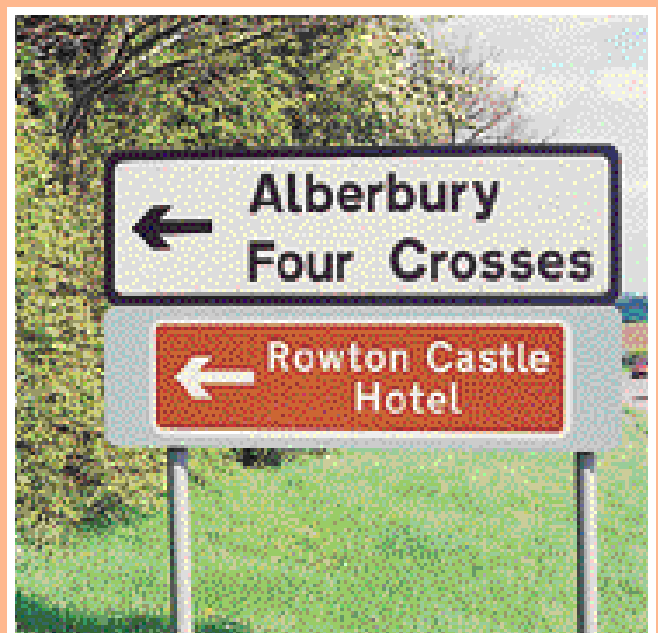
This is the effect the sign would have on the appearance of the building or the neighbourhood. Careful choice of materials, colour, proportion, design and illumination can help. If your business is a listed building or in a Conservation Area this will have a bearing on your application. If it is in or near a town, the predominant land use and established practice regarding signs in the locality will be considered.

It is recognised that many Conservation Areas are thriving commercial centres, where reasonable advertising is expected; control will aim to protect particular features of architectural or historic interest. In the countryside, landscape character and quality will be important, including the background

features against which the advertisement would be seen. There is stricter control in National Parks and Areas of Outstanding Natural Beauty, as well as Areas of Special Control of Advertisements.

Public safety

It is accepted that an advert is meant to be eye-catching, but it could create a hazard if it were very distracting. Adverts should not be capable of being confused with traffic signs or signals. Some adverts do, of course, help to guide drivers to their destination and so benefit safety.



If signs are refused, can I appeal?

yes

The local planning authority should make a decision within eight weeks of your original application. If it is refused, the authority must give clear reasons for refusal. An appeal should be made to the Department of the Environment, Transport and the Regions (DETR) within eight weeks of the date you receive the local authority's decision. There is no charge for an appeal. You can obtain the appropriate form from:

Department of the Environment, Transport and the Regions
Tollgate House
Houlton Street
Bristol BS2 9DJ
Tel: 0117 987 8607
Fax: 0117 987 8181

Most appeals are dealt with in writing, rather than public inquiry or hearing. The aim is to issue the final decision within fifteen weeks of receiving an appeal. You will need to consider the grounds for an appeal carefully to increase your chances of success.

Remember

- ◆ Check whether you need permission – have an informal word with your local planning authority sooner rather than later.
- ◆ Study the rules and any local policy.
- ◆ Get expert professional help if your application is complicated.
- ◆ Your Regional Tourist Board can help you with advice.



Where to go from here ... further help

Make sure that you get a free copy of a useful booklet available from your local planning authority, called Outdoor Advertisements and Signs – A Guide for Advertisers, DOE, 1995.

Display signs are available for the English Tourism Council's National Quality Standards for Serviced Accommodation. A catalogue of the various signs is available from:

ETB Display Signs
PO Box 550
Markyate
Hertfordshire
AL3 8QP
Tel: 01582 842112
Fax: 01582 842113

Copies of the regulations and policies are contained in the following series of publications, available from bookshops and The Stationery Office on 0870 600 5522, fax: 0171 873 8247, marked Customer Services.

The Town and Country Planning (Control of Advertisements) Regulations, 1992, Statutory Instrument 1992 No 666. ISBN 0110236661. £6.

Amendments of the above (Statutory Instrument 1994) No 2351. ISBN 0110453514. £6.

Town and Country Planning (Control of Advertisements) (Amendment) Regulations 1999. Statutory Instrument 1999 No 1810. ISBN 0 11 082864 X. £1.50.

DOE Circular No 5/92. ISBN 0117525677. £10.00.

DOE Circular No 15/94. ISBN 0117529656. £1.

DOE Planning Policy Guidance (PPG) Note No 19. ISBN 0117525553. £5.

If you want any advice, someone from the development department of your Regional Tourist Board should be able to help you.

Cumbria Tourist Board	015394 44444
East of England Tourist Board	01473 822922
Heart of England Tourist Board	01905 761100
London Tourist Board	020 7932 2000
Northumbria Tourist Board	0191 375 3000
North West Tourist Board	01942 821222
South East England Tourist Board	01892 540766
Southern Tourist Board	01703 620006
South West Tourism	0870 442 0830
Yorkshire Tourist Board	01904 707961

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