

Advertisements

I INTRODUCTION

- 1.1 This Note is one of a series of Supplementary Planning Guidance Notes (SPGs), amplifying the development plan policies and other issues in a clear and concise format with the aim of improving the design and quality of new development. The Notes are intended to offer broad guidance which will assist members of the public and officers in discussions prior to the submission of planning applications and assist officers in handling and members in determining planning applications.

2 STATUS AND STAGES IN PREPARATION

- 2.1 The Council's SPG Notes are not part of the adopted plan. However, they have been the subject of both a formal Council resolution and public consultation. The Welsh Assembly Government (The Assembly) has confirmed that following public consultation and subsequent Local Planning Authority (LPAs) approval, SPG can be treated as a material planning consideration when LPAs, Planning Inspectors and the Assembly determine planning applications and appeals. This Note was approved by Full Council on January 21st 2003 for use in development control. A statement of the consultation undertaken, the representations received and the Council's response to these representations is available on request.
- 2.2 These Notes have been prepared in accordance with guidance contained in Planning Policy Wales; Unitary Development Plans (Wales); Technical Advice Notes.

3 BACKGROUND

- 3.1 The role of advertisements (or adverts) is to direct and / or inform the public (as potential customers) of a building, product or service. This document focuses on the location and design of advertisements, offering advice and guidance on location and type of advertisement. The regulations regarding the control of advertisements are complex, and advice should be sought prior to erecting or installing any advert or when considering making an application for advertisement consent from the Council's Planning Services.

4 PLANNING POLICY

- 4.1 National guidance can be found in **Technical Advice Note 7 - Outdoor Advertisement Control**, and the document published jointly by the Department of the Environment, Transport and the Regions (DETR) and the Welsh Office titled '**Outdoor advertisements and signs- A guide for advertisers**', which is available from all planning offices.
- 4.2 The Council's UDP contains the following policies relating to advertisements
- **GENI 1: Advertisements Within Development Boundaries**
 - **GENI2: Advertisements Outside Development Boundaries**
 - **CON 8: Advertisements in Conservation Areas**
- 4.3 All applications for advertisement consent are judged against the following two criteria:
- **AMENITY** - This relates to the effect the advertisement has on appearance of the surrounding area and host building, by way of size, design, materials, colour, illumination etc. It also considers the cumulative effect of advertisements on the surrounding area.
 - **PUBLIC SAFETY** - This considers all highway users; cars, cyclists, pedestrians, and the disabled. The main considerations are the distraction of drivers and the safety of pedestrians.
- 4.4 The broad planning policy thrust is to ensure that all advert consents accord with the above two criteria. It is accepted that advertisements can make a positive contribution to a townscape provided they are in the right location with the right design. However, they may over dominate by size and type in 'open' and rural locations, and cause unsightly clutter and confusion in urban / built up locations by virtue of sheer numbers, types, illumination etc.



- 4.5 Particular care needs to be exercised in all cases but especially so in more sensitive locations such as the AONB, AOB, Conservation Areas, Historic Cores, Listed Buildings and residential areas. Generally speaking less sensitive areas may be town, district and local centres, mixed commercial or industrial areas.

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5. TYPES OF ADVERTISEMENT

5.1 Introduction

- The vast majority of advertisements and signs will require consent (under the Advertisement Regulations and not Planning Acts). These include fascia signs, posters and notices, advance signs, directional signs etc.
- The use of bilingual signs will be encouraged and supported, to reflect the linguistic and cultural character of the area. Grants from the Wales Tourist Board may be available.

5.2 Fascia Signs - Advertisements usually located on the principal elevation of the premises, between ground and first floor level (see figs.1 & 2).

- To be in keeping with the surroundings, materials ought to be appropriate to the area, for example in a more modern shopping centre (e.g. the White Rose centre) brightly coloured plastic signing (similar to fig. 2) would be in keeping with the surroundings. However in a more historic town centre such as Ruthin/St Asaph, the use of traditional materials (e.g. wood (fig. 1)) with individual lettering proud of the fascia using subtle colouring would be encouraged. The depth and size of the sign and lettering should reflect the characteristics of the premises.
- Fascia signs in conservation areas should be painted not internally illuminated (see Fig. 1)

5.3 Projecting/Hanging Signs - Usually located at fascia level, often as part of the fascia sign, projecting at right angles from the building, normally supported by a bracket (See figs. 2 & 3).

- Except for corner properties, only one such sign will be allowed per property, normally located at fascia level. Signs at first floor level will not normally be permitted (see fig 4).
- This form of advertisement can, where designed and displayed appropriately, form a positive addition to the street scene, adding interest and variety. However it should be borne in mind that a proliferation of such signs may result in a cluttered and unattractive appearance; to help avoid this situation only one such sign will be allowed per premises.
- The sign should not project more than one metre from the supporting wall, and should be in excess of 2.5m from ground level to ensure public safety.
- The use of materials (plastic / wood) and colour as for fascia signs should be in keeping with the surroundings and other examples in the area (See figs.2 & 3).

5.4 Illumination - Whilst it is reasonable to expect commercial properties to illuminate adverts, garish colours or high intensity light often have an adverse impact on individual or groups of buildings or shopping centres. Consequently in the sensitive areas identified as above particular care needs to be exercised to avoid overbearing either individually or cumulatively.

5.5 Sun blinds and Canopies - These were traditionally constructed from wood and canvas, with the ability of being retracted back to fascia level. Traditionally, they were used to protect goods, normally fresh produce in and outside the shop from the elements - e.g. butchers (with refrigeration this need is reduced). Sun blinds and canopies are nowadays more often a fixed, permanent feature - now more barrel shaped-used as an additional form of advertising, therefore requiring consent.

- These sort of blinds generally detract from the street scene and the character of the building, and therefore are unlikely to gain consent.
- Where they have a functional requirement they should be in keeping with the surroundings. In most locations they should be of traditional design and materials (wood, canvas), using colours that match

or compliment the existing shop front. The apparatus should be fully retractable, and not pose any danger in position to the public, especially those walking beneath the blind.

5.6 **Forecourt Signs** - Forecourt signs consist of temporary/moveable 'A' boards of standard poster size and other fixed structures located on land in the same ownership as the commercial business the sign is advertising.

- There has to be careful control of signs of this nature as a proliferation of such signs can lead to an untidy appearance and may pose a danger to pedestrians by restricting their movement, especially to the mobility and visually impaired.
- One such sign per premises, sensibly located to avoid hazard, may be acceptable, such as those carrying newspaper headlines.
- Rotating signs will not be encouraged as they can create a danger to pedestrians, especially younger children, and potentially cause distraction to drivers.
- It should be borne in mind that public footway is part of the adopted highway. Advertisement thereon requires consent from the Highway Authority (Denbighshire County Council), which is unlikely to be granted.

5.7 **Flags** - A piece of cloth or other material attached to a pole or rope used as a standard, ensign or signal is defined as an advertisement irrespective of the writing on the logo or flag, excepting national flags. Some flag advertisements do not require advert consent, such as those for a temporary period (for example advertising a housing development). This does not apply in the AONB, AOB, Conservation Area or on a Listed Building. Safety regarding flag advertisements will always be a major consideration.

- Flag advertisements may be employed to advertise or promote a particular event, function or company, and in the right location can add vitality to an area.
- Permission may be granted for a temporary period where a need has been identified and justified by the applicant.
- The flag should be in proportion with the size and height of the flagpole, and must not detract from the building and/or the surrounding area.
- Away from an urban area, the demand for flag advertisements may be outweighed by the potential detrimental effect on the surrounding rural area.

5.8 **Temporary Banners** - This is usually in the form of banners of canvas or plastic, attached to a building or structure by way of ropes and hooks. They are generally used to advertise forthcoming events.

- Advertisements of this nature are not encouraged, and are unlikely to be granted permission as they rarely relate to the building on which they are located, and are not intended for permanent display.

5.9 **Advance directional signs** - These are used by advertisers where the site or event to be advertised is not easily seen from the highway and they wish to give prior warning to passers by. The signs are usually located adjacent to the roadside. If such signs are located in highway land consent from the Highways and Transportation Department, Denbighshire County Council will be required.

- In proliferation, such signs can result in clutter in both urban and rural environments.
- The Council accepts that due to the nature of many such signs, such as Pick Your Own or Bed and Breakfasts, it is important to advertise in this way, especially due to the seasonal nature of such businesses.
- Other types of advance directional signs may be justified on highway safety grounds, for example giving prior notification of a road junction. AA or white on brown (tourist) signs are often the most appropriate method of signing under these circumstances; advertisement consent is not required for these signs.
- If a need has been identified and justified, and neither of the choices above are deemed appropriate, careful consideration ought to be given with regard to the size, design and location of the sign.

5.10 **Poster Hoardings** - These are often used to screen building sites whilst work is being carried out, attached to the flank walls of buildings, or free standing structures often along road sides. They are large, generally illuminated boards.

- These are the largest sort of outdoor advertisement and are hence controlled strictly through the planning system. They should not have an adverse impact on the character and appearance of the building or locality.
- Any illumination of the sign should not form any distraction to drivers or any nearby residents, or cause significant light pollution.

5.11 **Fly Posting** - Often used to advertise forthcoming events such as Circus, forthcoming sales, events etc.

- These types of advertisement are nearly always unacceptable if on highway land (i.e. on lampposts), and advertisers could face prosecution by the Council.
- On private land, e.g. on boarded up shops, fly posters can be untidy and detrimental to the appearance of the area. The display of these types of advertisements can lead to prosecution by the Council.
- Posters should be displayed in shop / offices windows, with the consent of the owner, or on Council advertisement boards, or other approved boards.

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6. FURTHER ADVICE

6.1 Corporate signage

- This sort of advertisement is designed and located to promote company image and identity. All such signage will be considered by the same criteria as other signs. Applicants should note that the same sign may not be appropriate in all locations, and should be prepared to compromise to alter their signage to take this into account. For example a corporate sign designed for the centre of modern shopping centre is likely to look out of place in a historic market town.

6.2 Listed Buildings and Conservation Areas

- Any advertising in a conservation area or on a listed building will be expected to be essential to and to meet very high standards in terms of location, size design and especially in terms of materials used.
- It should be noted that any signs on Listed Buildings will need listed building consent in addition to advertisement consent.

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7. APPLICATIONS

- Application (using a separate form to a planning application form) needs to be made for express consent from the Council for those advertisements that require consent. The application should show accurately the location of the sign, and all the necessary details to enable the Council to assess the impact of this planned sign (including the height, design, materials, colour, etc.).

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8. UNAUTHORISED SIGNAGE

- Placing a sign without the appropriate consent constitutes an offence and may result in prosecution proceedings being taken. The fine in this situation can be up to £5000 and the person(s) responsible for displaying the sign and / or the landowner can be prosecuted. There is no right of appeal to the Welsh Assembly Government against these proceedings.
- In certain circumstances signs may be displayed with deemed consent, when there is no requirement to submit an application to the Council. If such signs fail the amenity and/or safety test then discontinuance action can be taken by the serving of a formal notice requiring the removal of the sign. There is a right of appeal against such action.



Figure 1

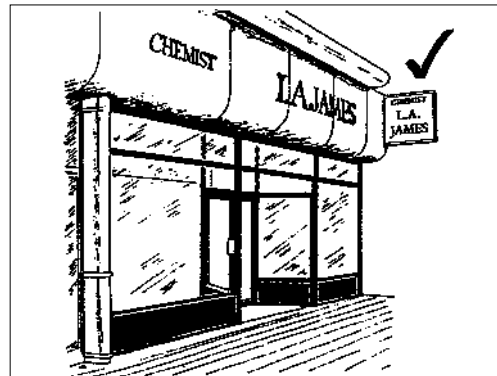


Figure 2



Figure 3



Figure 4

There is a right of appeal against such action.

FURTHER CONTACTS

Wales Tourist Board

Brunel House	or	77, Conway Road
2, Fitzalan Road		Colwyn Bay
Cardiff		Conwy
CF24 0UY		LL29 7LN

02920 499909

01492 533419



Environment Directorate • Planning & Public Protection Services

Contacts:

Development Control Team North
 Ty Nant, Nant Hall Road, Prestatyn, Denbighshire LL19 9LL
 Tel: 01824 708111 • Fax: 01824 706533
 Web site: www.denbighshire.gov.uk

Development Control Team South
 Trem Clwyd, Canol y Dre, Ruthin, Denbighshire LL15 1QA
 Tel: 01824 708111 • Fax: 01824 708039
 Web site: www.denbighshire.gov.uk

Planning & Public Protection Services can also be contacted by e-mail dcc_planning@denbighshire.gov.uk
 The Building Control North and South Area Teams can also be contacted at the above.