STATUTORY INSTRUMENTS

1987 No. 2227

TOWN AND COUNTRY PLANNING, ENGLAND AND WALES

The Town and Country Planning (Control of Advertisements) (Amendment No. 2) Regulations 1987

Made - - - -	*23rd December 1987*
Laid before Parliament	*8th January 1988*
Coming into force	
(except Regulation 3)	*29th January 1988*
Regulation 3	*28th October 1988*

The Secretary of State for the Environment in exercise of the powers conferred upon him by sections 63 and 287(1) of the Town and Country Planning Act 1971(**a**), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation and commencement

1.—(1) These Regulations may be cited as the Town and Country Planning (Control of Advertisements) (Amendment No. 2) Regulations 1987.

(2) These Regulations other than Regulation 3 shall come into force on 29th January 1988. Regulation 3 shall come into force on 28th October 1988.

Amendment of the Town and Country Planning (Control of Advertisements) Regulations 1984 from 29th January 1988

2. The Town and Country Planning (Control of Advertisements) Regulations 1984(**b**) are further amended as follows–

(i) for regulation 11 substitute–

"**Advertisements on sites used for the display of advertisements on 1st April 1974**

11.—(1) A site being used for the display of advertisements on 1st April 1974 may continue to be so used without express consent after 29th January 1988 unless a notice under regulation 16 has effect to require the discontinuance of that use.

(2) The use of a site pursuant to paragraph (1) is subject to the condition that it is not used for the display of advertisements to an extent which is substantially greater than, or in a manner substantially different from, the extent and manner of use on 1st April 1974.

(3) Paragraph (1) does not permit the erection of any replacement structure or building on which to continue the display of advertisements.";

(ii) in regulation 14(1), insert after Class VIII the new Classes set out in Schedule 1 hereto;

(**a**) 1971 c.78. Section 63 was amended by section 45 of the Housing and Planning Act 1986 (c.63).
(**b**) S.I. 1984/421, amended by S.I. 1986/443 and 1987/804.

(iii) for regulation 14(2) substitute–

" (2) The display of any advertisements pursuant to paragraph (1) is subject to the standard conditions and the following limitations and additional conditions–

(a) no advertisement of Class II, III, IV, V, VI, IX or X shall include letters, figures, symbols, emblems or devices more than 0.75 metre high or, in the case of an advertisement in an area of special control, 0.3 metre high;

(b) (i) no advertisement of any Class other than Class I or VI shall be so displayed in an area of special control that the highest part of it is more than 3.6 metres above ground level;

(ii) no advertisement of Class X shall be so displayed outside an area of special control that the highest part of it is more than 3.6 metres above ground level;

(iii) no advertisement of any Class (other than Class X) except an advertisement of Class I or VI shall be so displayed outside an area of special control that the highest part of it is more than 4.6 metres above ground level:

Provided that heads (i) and (iii) shall not restrict the display of an advertisement of Class III(a) above the relevant height on any part of a building if the advertisement relates only to the separate sale or letting of that part and the highest part of the advertisement is at the lowest level that is reasonably practicable;

(c) no advertisement shall be illuminated save that–

(i) an advertisement of Class I or Class VII may be illuminated in a manner reasonably required to fulfil the purpose of the advertisement; and

(ii) an advertisement of Class II or IV may be so illuminated in so far as it advertises that medical or similar services or supplies are available on the premises on which it is displayed;

(d) an advertisement of Class III(a) shall be removed within 14 days after the sale of the relevant land or premises is completed or a tenancy is granted;

(e) an advertisement of Class III(b), (d) or (e) relating to a sale or other event due to take place on a specific date may not be displayed earlier than 28 days before the day (or first day) on which the sale or event is due to take place and any such advertisement shall be removed within 14 days after the end of the sale or event;

(f) an advertisement of Class III(c) may only be displayed while the relevant works are being carried out;

(g) an advertisement of Class X shall be removed within the following 14 days if the relevant watch scheme ceases to operate or to be approved by the police authority or if the highway authority withdraw their consent to the display of the advertisement;

(h) an advertisement of Class XI shall not be displayed after the development of the site is completed or, in any event, for more than 2 years.".

Further amendment of the 1984 Regulations from 28th October 1988

3. Regulation 14(1) of the 1984 Regulations is additionally amended (except as respects advertisements which are being displayed when this regulation comes into force) by substituting for paragraph (a) of Class III, the paragraph set out in Schedule 2 hereto.

Nicholas Ridley
Secretary of State for the Environment

23rd December 1987

SCHEDULE 1

Regulation 2(ii)

(NEW CLASSES IX TO XI IN REGULATION 14(1) OF THE 1984 REGULATIONS)

Class IX—Advertisements on highway structures

Advertisements displayed on parts of objects or structures designed to accommodate four sheet panel displays (not exceeding 1.5 square metres in total area) the use of which for the display of such advertisements is authorised under section 115E (1) of the Highways Act 1980(**a**).

Class X—Advertisements for neighbourhood watch schemes and similar schemes

Advertisements displayed on or near highway land (but not in the window of a building) to give notice that a neighbourhood watch scheme or a similar scheme established jointly by the police authority and a local committee or other body of persons is in operation in the area:

Provided in any particular case that–

(i) the advertisement does not exceed 0.2 square metre in area;

(ii) the advertisement is not displayed on highway land without consent of the highway authority;

(iii) the local planning authority have, at least fourteen days before the advertisement is first displayed, been given particulars of the place at which it is to be displayed and a certificate–

(a) that the scheme has been established as aforesaid;

(b) that the police authority have agreed to the display of the advertisement; and

(c) where relevant, that the consent mentioned in paragraph (ii) has been given.

Class XI—Directional advertisements: house-building sites

Advertisements on a single plane surface not exceeding 0.15 square metre in area directing potential buyers and others to a site where residential development is taking place:

Provided in any particular case that–

(i) all letters, figures, symbols, emblems or devices on the advertisement are not less than 40 millimetres and not more than 250 millimetres high;

(ii) no part of the advertisement is of a reflective material;

(iii) the design of the advertisement is not similar to that of a traffic sign (as defined in Schedule 2A);

(iv) the advertisement is displayed on land adjacent to highway land in a manner which makes it reasonably visible to an approaching driver, but not erected or put in a position within 50 metres of a traffic sign intended to be observed by persons approaching from the same direction or within 25 metres of a Class VIII advertisement;

(v) the advertisement is not more than two miles from the main entrance of the site; and

(vi) the local planning authority have, at least fourteen days before the advertisement is first displayed, been given particulars by letter sent by recorded delivery of the place at which it will be displayed and the date on which it will first be displayed.

SCHEDULE 2

Regulation 3

(NEW CLASS III(a) IN REGULATION 14(1) OF THE 1984 REGULATIONS FROM 28TH OCTOBER 1988)

(a) (i) An advertisement relating to the sale or letting, for agricultural, industrial or commercial use or for development for such use of the land or premises on which it is displayed consisting of a single board not exceeding 2 square metres in area, or of two joined boards, together not exceeding 2.3 square metres in area, which, if displayed on a building, does not project from the face of the building by more than one metre.

(ii) An advertisement relating to the sale or letting for residential use or for development for such use of the land or premises on which it is displayed consisting

(**a**) 1980 c.66. Section 115E was inserted by the Local Government (Miscellaneous Provisions) Act 1982 (c.30), Schedule 5.

of a single board not exceeding 0.5 square metre in area, or of two joined boards together not exceeding 0.6 square metre in area, which, if displayed on a building, does not project from the face of the building by more than one metre:

Provided that nothing in paragraph (i) or (ii)–

(i) shall permit more than one advertisement to be displayed at any one time on the land or premises concerned;

(ii) shall authorise the display of an advertisement indicating that land or premises have been sold or let other than by the addition to an existing advertisement of a statement that a sale or letting has been agreed or that the land or premises have been sold or let, subject to contract.

In this paragraph–

"area" means the area of a single surface, whether or not both surfaces of the relevant board are used for advertising; and

"joined boards" means boards joined at an angle so that only one surface of each is usable for advertising.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Town and Country Planning (Control of Advertisements) Regulations 1984.

The main changes are–

(i) the general consent to continue the display on sites already in use (regulation 11 of the 1984 Regulations) is replaced by a new consent based on use on 1st April 1974, and not 1st August 1948;

(ii) the display of three new classes of advertisements (set out in Schedule 1) relating to four sheet displays on structures on highways, neighbourhood watch schemes and signs directing visitors to house-building sites is authorised without express consent;

(iii) with effect from 28th October 1988, stricter provision is made as respects the display of house agents' boards and similar boards indicating that land or premises are for sale or are for letting. The main changes are that only one advertisement is permitted on the land or premises without express consent and, in the case of residential property or land for residential development, that the size of the permitted board is reduced from 2 sq metres to 0.5 sq metre and from 2.3 sq metres to 0.6 sq metre where a joined board is used. The fact that a sale or letting has been made may only be indicated by an addition to an existing board.

The specific conditions relating to the display of advertisements without express consent (set out in regulation 14(2)) are reproduced with amendments. In particular, all house agents' boards and similar boards are required to be removed within a fortnight of completion of a sale or letting.

85p net

ISBN 0 11 078227 5

Printed in the United Kingdom for Her Majesty's Stationery Office

850/WO 2032 C41 1/88 452/1 9385/0736/2760 PS 7944003