Advertisements

December 2001
1.0 INTRODUCTION

1.1 The Council’s adopted Unitary Development Plan (UDP) 2001 is the statutory landuse planning framework governing the future development of the whole of Newham. It contains both strategic and detailed policies relevant to all developments needing planning permission and advertising consent.

1.2 To help you when you apply for planning permission, the Council has produced a number of Supplementary Planning Guidance Notes (SPGs), which provide additional information regarding key areas of policy.

1.3 Although not a formal part of the UDP, the guidance is a material consideration when the Council is dealing with planning applications.

These Guidance Notes:

• Identify the relevant UDP policy; (for a full statement of the policy, the UDP itself should be consulted);
• Give planning guidance on design and standards;
• Provide general advice as well as some information on non-town planning matters such as Building Regulations and Highways, which may need separate approvals from the Council.

1.4 The purpose of this SPG is therefore to provide applicants with clear advice on the planning issues involved when proposing advertisements that require consent. As well as providing advice for advertisers, this SPG therefore provides a basis for rational and consistent decision-making. This is particularly important given the increasingly diverse range of advertising appearing throughout the Borough.

1.5 This Guidance does not prescribe inflexible standards or standard solutions, but instead describes the design principles and performance criteria to be aimed for.

1.6 Please remember that every application for advertisement consent will always be considered on its merits, taking into account the specific application of the guidelines and other Council and Government policy statements. You are encouraged to discuss the proposals with the Council’s Development Control staff before you make a formal application.

1.7 The word 'normally' is implied in much of what follows, but has been omitted to keep the text short.

1.8 Most design principles will be well known to architects and other qualified designers, who can use the document as a checklist.
1.9 The Council, with the co-operation of advertising companies and applicants, would like to encourage displays in the Borough which are carefully located, properly designed and which improve the appearance of the street scene. It is hoped that the advice given in this leaflet will help to achieve attractive outdoor advertising that contributes towards the creation of a high quality environment, a key objective of the Council's Vision for the Borough.

2.0 SCOPE OF CONTROL

2.1 An 'advertisement' is defined in the Town and Country Planning Act 1990 as:

"any word, letter, model, sign, placard, board, notice, awning, blind, device or representation, whether illuminated or not, in the nature of, and employed wholly or partly for the purposes of, advertisement, announcement or direction, and (without prejudice to the previous provisions of this definition) includes any hoarding or similar structure used, or designed or adapted for use and anything else principally used, or designed or adapted principally for use, for the display of advertisements, and references to the display of advertisements shall be construed accordingly." Section 336 (1)

2.2 Advertising is important to commercial activity and undoubtedly has a valid place in the street scene but should not be of a size or sited so that it appears brash, over-dominant or incongruous.

2.3 The Borough has unfortunately suffered from a long history of inappropriate and poorly designed advertisement displays. Many such displays originated from before the introduction of controls or were simply erected without consent. Their insensitive design and siting can detract from the Borough's environmental quality.

2.4 Advertisements are continually appearing in new and diverse forms, although not all types of advertising require consent from the Council. Recent additions to advertising types include advertising inside telephone boxes, on traffic signal boxes, and on the outside of scaffolding. While policies in the UDP provide general guidance on planning requirements, it has been recognised that additional detailed information is now required to address new emerging proposals for advertising.

3.0 PLANNING POLICY CONTEXT

3.1 Current legislation covering virtually all outdoor advertisements is set out in the Town and Country Planning Act 1990 and the Town and Country Planning (Control of Advertisements) Regulations 1992 (as amended). In addition, government advice is contained in Department of the Environment Circular 5/92. Government guidance is also provided in Planning Policy Guidance Note (PPG) 19 'Outdoor Advertisement Control' (March 1992). Those documents are available for purchase at any Stationery Office Bookshop or for inspection at the Council's Development Control office.
good summary of this complex legislation is provided in the free booklet 'Outdoor Advertisements and Signs: A Guide for Advertisers', prepared by the Department of Transport, Local Government and the Regions (DTLR).

3.2 Under the Regulations, not all forms of advertising require consent and many types of advertisement benefit from 'deemed consent' (i.e. they can be displayed without the need to formally submit a planning application). In addition, advertisements which are displayed in accordance with the requirements of the Regulations need no further consent. Advertisements are therefore either exempted from control, displayed with deemed consent or require an application to be made to the Council for express consent.

3.3 Excepted advertisements: There are three classes in which advertisements are excepted from control. These are:

- Class B: Advertisements displayed on enclosed land which are not readily visible from outside the enclosure;
- Class C: Advertisements displayed on or in any vehicle or vessel which is normally moving;
- Class J: Advertisements displayed inside a building which is not principally used to display advertisements, so long as it is not within one metre of any external door, window or other opening through which it can be seen.

3.4 Advertisements displayed with deemed consent: There are five classes in which, subject to certain design requirements, advertisement hoardings and posters can be displayed without the need to obtain consent from the Council, i.e. classes 6, 8, 9, 13 and 14. Details are again contained in Appendix 1 of this document. The Council has, under the Regulations, powers to discontinue the display of an advertisement with deemed consent on amenity and public safety grounds (see Section 5.3 below for further information).

3.5 Advertisements requiring express consent: If an advertisement is not excepted from control and does not benefit from any of the provisions for deemed consent, then an application for express consent must be made to the Council's Development Control office. Generally, flank wall advertisements and free standing advertisement hoardings will require consent.

4.0 OBTAINING ADVERTISEMENT CONSENT

4.1 When making a decision about whether to grant advertisement consent, the Council is restricted to considering the effects on 'amenity' and 'public safety'. Regard will also be given to relevant policies in the London Borough of Newham Unitary Development Plan June 2001 (UDP). Therefore, before submitting an application for advertisement consent, it is necessary to
consider policies on advertisements contained in the UDP. If a proposal does not comply with these policies, applicants will need to supply a convincing argument as to why their proposals should be an exception. The main policies relating to advertisements are Policies EQ16, EQ22-23 and EQ30.

These policies state:

**EQ16 (Green Corridors)** "As part of a green corridor strategy to improve the appearance of the Borough's transport gateways and promote regeneration, the Council will:

a). Refuse advertisement consent for, or issue discontinuance notices against hoardings, signs and other advertisements which by reason of their size and situation detract from the appearance of the corridor.............."

**EQ22 (Advertising Hoardings)** "Advertisements should be sensitively located within the street scene or waterways to avoid visual detriment and traffic hazards, in particular:

a). the Council will normally resist advertisement hoardings within residential settings;

b). the Council will normally resist wall-mounted hoardings except where they are in keeping with the scale and architectural character of the building. They will not be permitted where they detract from the appearance of a building, the street scene or waterways;

c). free standing hoardings will not normally be permitted where that are out of scale with neighbouring buildings; result in excessive clutter the pavement or interrupt visibility of highways road junctions or traffic signs and have an adverse effect on the street scene or the amenity of the area;

d). advertisements on shore-side buildings and permanently moored vessels or structures on the River Thames should not constitute a visual hazard to navigation or have and adverse effect on the quality of buildings or the amenity of the area;

e). temporary advertising hoardings may be permitted where they screen sites awaiting development; and

f). where appropriate, the council will require advertisement sites to be fenced, with arrangements for maintenance of land within the fenced perimeter controlled by imposition of conditions on the grant of planning permission."

**EQ23 (Removal of Advertisements)** "The Council will seek the removal of advertisements which are detrimental to visual amenity or highway safety."

**EQ30 (Planning Proposals within Conservation Areas)** "In considering development proposals in a conservation area, the planning authority will pay
special attention to the desirability of preserving or enhancing the character or appearance of that area. Applicants will be required to provide sufficient information about their proposed development and its immediate setting to enable an assessment to be made of the potential effect of the proposal. In appropriate cases, this may include the submission of design impact statements as part of the application".

4.2 **Amenity:** PPG19 states that amenity refers to *'the local characteristics of the neighbourhood, including scenic, historic, architectural or cultural features, which contribute to the distinctive character of the locality'* (paragraph 11) and how the proposed advertisement relates to these. When considering amenity, the Council will look at how an advertisement relates to the general characteristics of a locality as well as its effects on the appearance of the building, structure or place where they are displayed.

4.3 When considering an advertisement, account will be taken not only of factors that cause it to be detrimental to amenity, but also of factors that may be to the advantage of the amenity of a locality, such as adding appropriate colour and interest to a drab area, or screening an eyesore.

4.4 Consideration will also be given as to whether an advertisement will result in a proliferation of advertisements in an area. The Council will seek to avoid advertising creating or contributing to visual clutter in an area.

4.5 The following general factors will be taken into account when considering an advertisement application:

- The general character of the area (e.g. residential, commercial, industrial, riverside).
- Whether the advertisement is of a sympathetic size, scale, proportion, colour and design for its surroundings.
- Whether the advertisement will be visually intrusive or dominant.
- Whether the advertisement will detract from the appearance of the building it is sited on.
- Whether the addition of an advertisement would cause or contribute to visual clutter.
- Whether the removal of any other redundant signs, supports or brackets is proposed.
- Whether the sign is illuminated and if so, the type of illumination.
- The presence of other advertising in the area.
- The effects on the setting of listed buildings, or the character of a Conservation Area.
4.6 **Public Safety:** The vital consideration in assessing the impact of an advertisement in terms of public safety is whether the advertisement or its location would be so distracting or confusing that it creates a hazard to those taking reasonable care for their own, and others, safety.

4.7 Advertisements on highways can be a potential road safety hazard, particularly if they are positioned at points where drivers need to take special care - pedestrian crossings, roundabouts, junctions, bridges etc. Public safety can be described in this context as being the safety of people using any form of travel likely to be affected by the advertisement, including road, railway, waterway, dock, harbour or aerodrome.

4.8 The following types of advertisements are likely to be unacceptable, particularly in close proximity to the highway.

- Advertisements with flashing lights or moving parts, or advertisements that could create glare or dazzle.
- Advertisements which could unduly distract or confuse road users.
- Illuminated signs that use colours similar to traffic lights or the lights on emergency vehicles.
- Advertisements that would impair sight lines on highways.
- Advertisements that would impair sight lines between private property and highways.
- Advertisements that hinder access along the footway. Attention will also be given to whether unobstructed access is maintained for those with special mobility needs or visual impairment.
- In addition, advertisements likely to obscure or hinder the ready interpretation of any road traffic sign, railway signal or aid to navigation by water or air are also likely to be unacceptable.

4.9 Section 6.0 below, 'Design Guidance', will be used by the Council in the consideration of an advertisement hoarding or poster application.

4.10 An express consent lasts for five years unless the Council considers it expedient to grant consent for a shorter or longer period. In addition, the Council may use its discontinuance powers to remove an advertisement with express consent after five years (see paragraph 5.3 below).

4.11 **Advertisement Consent:** To apply for advertisement consent the appropriate form can be obtained from the Council's Development Control office. In addition to the completed application form, three copies of plans and illustrative drawings are required. Applicants should note that in respect of proposals for similar signs in a number of locations (i.e. multiple applications), a separate application must be made for each site. The requirement for each...
proposal to be considered on its merits and the differing site characteristics of each location preclude the submission of multiple applications. For information about the requirements and most up-to-date application fees, contact:

The Development Control Section
Environmental Management Division
Town Hall Annexe,
Barking Road, E6 2RP
Phone. 020 8430 2000 ext 22282

4.12 Please contact the Development Control Section either by telephone or in person between 9am and 5pm. Please note that planning officers may not be available without a prior appointment.

5.0 UNAUTHORISED ADVERTISEMENTS AND DISCONTINUANCE ACTION

5.1 Unauthorised advertisements: Anyone who displays an advertisement or uses an advertisement site, or knowingly permits someone else to do so without the necessary advertisement consent required for it, is acting illegally and could be prosecuted by the Council and face substantial fines on summary conviction.

5.2 It is also illegal to display any advertisement (even if it has deemed or express consent) without first obtaining the permission of the owner of a site or any other person who is entitled to grant permission.

5.3 Discontinuance Action: Under Regulation 8 of the Town and Country Planning (Control of Advertisements) Regulations 1992, the Council will actively pursue the removal of advertisements which, although they benefit from deemed consent or express consent, are considered to cause substantial injury to amenity and/or a danger to the public. The design guidance contained in this note will be used as a basis for assessing the acceptability of existing advertisements.

6.0 DESIGN GUIDANCE

6.1 The guidance below outlines the general principles of design which the Council apply in assessing advertisement applications, and ensuring that such proposals are in harmony with the surrounding environment. This guidance is in accordance with Government advice contained in PPG19 and Department of the Environment Circular 5/92.

6.2 Location: It is usually advisable for potential applicants to discuss general locations with the Council prior to preparing detailed proposals. The following guidelines will apply:

i) Residential Areas: Advertisement panels and hoardings are generally considered to be out of place in any predominantly residential area and will not normally be allowed.
ii) Conservation Areas and Areas of Townscape Value: There are now 7 conservation areas in Newham and 9 areas of townscape value. Architectural and visual quality is particularly important in these areas, and applications for advertisements will be carefully assessed with this in mind. More exacting standards of control exist in Conservation Areas. However, the designation of an area as a Conservation Area does not preclude the display of advertisements, it just means that special attention will be paid to the desirability of preserving or enhancing the character, appearance or setting of that area. However, the character of designated areas varies considerably and the type of advertisements that may be allowed will also vary.

iii) Parks and open spaces, canal towpaths, riverside and dockside sites, civic amenity space and public / civic buildings such as schools, clinics or hospitals, and listed / historic buildings and structures. These types of areas are similar to Conservation Areas in that the quality of the visual environment deserves additional protection from the impact of advertising. Advertising is generally inappropriate in these areas and proposals will normally be resisted. Proposals for attaching advertisements to a listed building will also require the benefit of Listed Building Consent.

iv) Borough Gateways and Public Highways: Displays may also be suitable in areas along sections of main roads, subject to the safety requirements outlined in paragraphs 4.6 - 4.8 above. However, displays close to busy junctions will not normally be acceptable. In addition, as part of a 'Green Corridor' strategy to improve the appearance of the Borough's transport gateways and promote regeneration, the Council will refuse advertisement consent for, or issue discontinuance notices against hoardings, signs and other advertisements which by reason of their size and situation detract from the appearance of the corridor.

6.3 Siting and Design: Most locations suitable for advertising displays are likely to be in areas of mixed land uses such as shopping, commercial or industrial areas. The Council must balance the commercial requirement to advertise with the need to safeguard and enhance the existing townscape. The overall desired effect is to allow an advertisement to be visible but not incongruous. The Council will have regard to the following criteria in considering an application for advertisement consent:

(i) Scale and proportion: Advertisements should respect the scale of their surrounding location, for example, adjacent buildings and street furniture, and have regard to the proportion and symmetry of buildings to which they may be attached. They should not adversely affect the street scene.

(ii) Detailing: Newham possesses many fine groups and terraces of Victorian and Edwardian properties which may contain attractive detailed features such as decorated stucco work and fascias, high quality stock brickwork; vertical sash windows and good roof...
and cornice details. Proposed advertisements should therefore avoid the loss of these important features. Framing and all other details should be constructed in materials sympathetic to those of the building on which advertisements are attached and the locality in which they are placed.

(iii) Spaces around advertisements: Areas around advertisements are as important as the advertisements themselves. Planting, landscaping and fencing should, therefore, form an integral part of displays, particularly for free-standing hoardings, where appropriate.

(iv) Existing advertisements: The advertisement should not result in a cluttered effect. The Council will have regard to existing advertisements within and surrounding a site.

7.0 GUIDANCE ON SPECIFIC TYPES OF OUTDOOR ADVERTISEMENTS

7.1 Free-standing advertisement hoardings: These will be treated as temporary measures only, assisting in the improvement of environmental quality with regard to:

1. screening of building and/or landscaping works
2. screening of eyesores such as undeveloped vacant land
3. providing continuity to a street scene.

Where such displays are to be permitted:

(i) The hoardings should respect the scale, features and proportion of the buildings on either side and the surrounding area.

(ii) They should not project beyond the building line. Preferably, they should be set back behind the building line to provide space for landscaping and to ensure that they do not have an overwhelming effect on pedestrians.

(iii) The hoardings should not be sited in a manner which creates areas susceptible to personal crime and/or vandalism.

(iv) When they are displayed on a paved forecourt or in a pedestrianised area their dimensions should be in scale with other street furniture and the effect of the display should not be overwhelming.

(v) Advertisements on adopted highway (with the exception of way-finding or directional signs) will not generally be supported.

(vi) Advertisements should not create or contribute to a narrowing or obstruction of access in front of commercial premises.

(vii) A-boards have the potential to clutter the footway and create a
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...hazard for those who are disabled or have a visual impairment. The use of bracketed signs will be preferred.

(viii) The rear view of structures must not be unsightly or obtrusive from surrounding roads or properties.

7.2 Advertisements on Buildings: Many advertisements are attached to buildings, and it is possible to design and place advertising in a way that does not detract from a building's appearance or undermines the visual line of balance of a building. However, the appearance of a building can be easily spoiled by an advertisement that is poorly designed or located, or one that is out of scale or proportion to the design of the building. Poor choice of materials or inappropriate illumination can also contribute to advertising being out of character with the building to which it is attached, or appearing as an overly dominant or incongruous feature.

- Advertisements should be restricted to areas below the visual line of balance of a building. This is generally below the fascia level and below the cill level of first floor windows.
- When advertisements are displayed on buildings they should be related to the scale of their surroundings and have regard to the architectural features of the locality.
- Advertisements or signs should not obscure or damage existing architectural features, and should not protrude above the roofline or beyond the wall to which they are attached.
- There should be not more than one projecting box sign per frontage.
- Advertising will not normally be supported on buildings used wholly for residential purposes or on that part of a building that is used for residential purposes.

Example of a suitable free-standing advertisement
• Existing surplus or redundant signs and brackets should be removed.
• A proposal to attach an advertisement to a listed building will almost certainly require Listed Building Consent, whether or not it requires consent under the Advertisement Regulations.

7.3 Advertising on Shopfronts: Shopfronts are an important element in giving character and an individual sense of place to a particular street or locality. Modern shopfront alterations have resulted in an increase in the amount of advertising, often in bright colours and often with internal illumination. This can detract significantly from the character of some shopping streets. General guidance on the design of shopfronts is contained in SPG Note: Shopfront Design Guide. This guidance should always be consulted when proposing changes to shopfronts. In respect of advertising on shopfronts, which includes fascia and projecting signs, awnings and blinds, the following guidelines will apply:

• Signs in traditional materials and designs e.g. sign-written painted timber fascias, may often be the only appropriate signage for listed buildings. They will also be preferable in conservation areas although this may be relaxed in less sensitive commercial locations. Appropriateness of scale and relationship to context will be equally important.
• Fascia signs must always be clear and easy to read, and include the street number of the premises.
• Where two or more shop units operate together, signs should not extend across the units and the clear division of individual frontages should be retained.
• Fascia signs should not extend above or below the original fascia panel.

7.4 Flank Wall Advertising: As the original scale and architectural treatment of flank walls bear important relationships to frontages, more stringent criteria are necessary. Flank wall advertising in Newham will be restricted to properties which have a commercial element and should satisfy the following criteria:

(i) Advertisements should be restricted to areas below the visual line of balance of a building.
(ii) All original features and details should be retained.
(iii) Flank wall displays should match the architecture of the building and be in scale and proportion with the building. Display boards should line up with windows above; the size of boards should be such that they do not dominate the wall; trims and frames should match existing features in shape, section and colour, or blend in with the supporting background.
8.0 SIGNS

8.1 To erect signs you may need to make an application under the Advertisement Regulations. Effective advertising and an attractive townscape can be achieved by taking the following points into account:

i) **Simplicity:** A shop is most easily identified if it has only one or two clear signs. Numerous signs, by competing for attention, confuse, look intrusive and so are unacceptable. Avoid excessive repetition onto grille boxes, canopies etc., or putting signs on storeys above the shop.

ii) **Harmony:** Aim for a balanced, tidy arrangement. Do not add advertisements without thought to the overall effect on the shopfront or the parade. Remove redundant signs.

iii) **Style:** Choose signs which blend with your shop to create an overall style (consider colour, lettering, materials). Used inside and out, a style becomes a trademark that is remembered. The colour should also co-ordinate with other shopfront elements.

8.2 **High Level Signs:** High level signs (usually attached to buildings) are potentially visually intrusive. Signs which are displayed intrusively at high level (first floor and above), above fascia level or on a flank wall (see paragraph 7.4 above), or are harmful to the visual amenity or character of their locality, will not normally be supported. In all cases, the following guidelines are relevant:

- All signs must be of high quality design, and consistent with the design and scale of the building to which it is attached and the character of the surrounding area.
• Signs should not interfere with the parapet or protrude above the roofline of the building.
• If illumination is required, it should be back-lit or front-lit with an even illumination. Neon signs are not generally appropriate (see paragraph 8.7 below).
• Signs that flash or otherwise alter in appearance are not supported.

8.3 Fascia Signs: Use only one sign per fascia. It should fit, full-width, between capitals. This will clearly identify your store whilst avoiding a confusing and untidy appearance. Fascias should be aligned throughout a terrace by keeping to a standard depth, normally that of the capital. This promotes both a more attractive street scene and also ensures that each shopfront retains its original, balanced proportions. Fascia signs should not be overdominant, extend above first floor window cills or run across more than one unit. When installing new ones take the opportunity to improve the unit and street scene by using a fascia sign of traditional size. Do not sacrifice the identity of the shop by using signs supplied by advertisers.

8.4 Projecting Box Signs: These must accord with dimensions indicated in the diagram below. Only one per shop is normally acceptable. Its position should not obscure others on adjacent shops nor damage architectural details. Its ideal place is on the fascia.

8.5 Projecting box signs should not be overly obtrusive. Whilst 1000mm is the maximum projection allowed, the acceptability of the sign will also depend
on its height. The diagram below gives guidance on the type of dimensions normally permitted for two shapes of sign. These are the dimensions which will be applied in the consideration of applications for advertisement consent.

**Siting requirements for projecting box signs (Cross section)**

It should also be noted that any sign which causes danger or obstruction along the highway (including the pavements) may be removed by the Council under S.152 of the Highways Act 1980. This applies to all signs, illuminated or not, and irrespective of any advertisement consent.

8.6 **Non-illuminated signs:** Hand-painted signs are easily implemented and relatively cheap. They provide greatest scope for individuality and are especially suitable where traditional character is important. So too are hanging signs. These can be suspended from the fascia or above. Always consider retaining any original sign of historic merit. Pre-formed non-illuminated signs can be made more distinctive by using individual raised lettering or stylish typefaces.

8.7 **Illuminated signs:** These have increased potential to distract, particularly after dark. Planning officers will use the guidelines of the Institute of Lighting Engineers (ILE) to determine appropriate levels of illumination, and applications for illuminated advertisements will also be assessed by Environmental Health to ensure that no light pollution will be created. Conditions may be imposed on planning consents to restrict the hours of illumination where it is considered lighting would create a nuisance. In particular:
• illuminated advertisements should not generally be located above ground floor level.
• light (especially from neon tubes, crown and floodlights) must not adversely affect homes above or nearby (conditions on planning consents may restrict hours of illumination).
• very brightly lit advertisements or those lit by an intermittent light source will not normally be given consent.
• advertisements with moving parts or moving images (for example those with holographic images) have increased potential to distract.
• flashing and illuminated signs must not be used where they could be a distraction or create glare for road users.
• retroflective material is generally inappropriate.
• for advertisements lit from the front, the means of illumination should not project more than 500m from the advertisement.
• individually illuminated letters (halo or back lit) or neon tube signs are often more distinctive and attractive than internally illuminated box signs, the appearance of which can soon deteriorate in appearance. Lettering is easier read placed against a dark background. If white, yellow or opal backgrounds are used their luminance should be less than for other colours.

8.8 **Windows:** Numerous stickers and adverts obscure goods for sale, they can be confusing and they produce unattractive townscape. Keep to one sign written on the glazing. A street number on the fanlight is useful.

8.9 **Small Scale Free-standing Displays:** Small scale features, drums and other free-standing displays may also be acceptable, particularly in town centres, shopping parades and commercial areas. The size of the advertising should respect other street furniture. Favoured locations would be sites where the features maintain and enhance visual interest at eye level, particularly between shop units and other associated features such as pedestrian routes, staircases and public facilities. Within shopping areas such as East Ham, Green Street and Stratford such signs will be required to relate to the existing styles and colours adopted by the Council. Such locations should take into account the need to allow free flow of all members of the Community.

8.10 **Fly-Posting:** Fly-posting is most often seen as posters pasted to walls, street furniture and vacant premises, and is illegal. The Council will remove fly-posters, retrieve costs, and where necessary take legal action against contraveners.

8.11 **Temporary Advertisements:** Temporary advertisements advertising local cultural, social, recreational or religious events are permitted under the Advertisement Regulations, subject to a range of conditions which restrict
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the size and length of time the advertisements can be displayed. Such advertisements are sometimes attached to railings and fences, and often remain in place after the event has occurred. In addition, unauthorised advertisements can lead to visual clutter in the streetscape and compromise vehicle and pedestrian safety. They therefore have the potential to adversely affect the amenity of an area, and enforcement action will be pursued if they remain.

8.12 Standard Conditions: Advertisement consent is usually granted for a period of 5 years, unless the Council specifies an alternative period. When allowing an application of consent for an advertisement, the Council will always impose the 'standard conditions' contained in the Regulations. Additional conditions may be imposed if it is desirable to control a certain aspect of the advertising display, for example, the hours of illumination. These include:

1. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Council.

2. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

3. Where an advertisement is required under these regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Council.

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 or aerodrome (civil or military).

8.13 Enforcement: The Council will take appropriate legal action relating to enforcement. Successful prosecution can result in a fine of up to £1000, plus an additional £100 for each day an advertisement is illegally displayed.
Further Information:

1) To obtain copies of the booklet 'Outdoor Advertisements and Signs: A Guide for Advertisers' prepared by the Department of Transport, Local Government and the Regions, contact:

**DTLR Free Literature**
PO Box 236
Wetherby
West Yorkshire
LS23 7NB
Telephone: 0870 1226 236  Fax: 0870 1226 237
Internet: www.dtlr.gov.uk

or contact:

**The London Borough of Newham**
Environmental Management Division
Town Hall Annexe
330-354 Barking Road
London
E6 2RP
Telephone: 020 8430 2000 ext. 22282
Fax: 020 8430 6676
For minicom facilities call 0202 8430 2000

2) **Advertising Standards Authority**

Advertising Standards Authority
2 Torrington Place
London
WC1E 7HW

Telephone: 020 7580 5555
Fax: 020 7631 3051
Internet: www.asa.org.uk
APPENDIX 1

ADVERTISEMENT HOARDINGS AND POSTERS WHICH ARE EXCEPTED FROM CONTROL

Various classes of advertisement are completely excluded from control under the Town and Country (Control of Advertisements) Regulations 1992 provided certain conditions are fulfilled. These include:

Class B  Advertisements displayed on enclosed land which are not readily visible from outside the enclosure.

Class C  Advertisements displayed on or in any vehicle or vessel which is normally moving.

Class J  Advertisements displayed within a building which is not principally used to display advertisements, so long as it is not within one metre of any external door, window or other opening through which it can be seen.

ADVERTISEMENT HOARDINGS AND POSTERS WHICH CAN BE DISPLAYED WITH DEEMED CONSENT

Class 6 - An Advertisement on the Forecourt of Business Premises

If a business has a forecourt, Class 6 of the Advertisement Regulations gives consent to display notices, signs and advertisements to draw attention to any commercial services, goods for sale or other services available at the premises.

Any such advertisements must be at ground floor level and the total permitted area for all forecourt advertisements must not exceed 4.5m² on each forecourt frontage to business premises.

A building with two forecourt frontages may have advertisements not exceeding 9m² in all, provided that those on each frontage do not exceed 4.5m².

In all cases forecourt advertisements must not be illuminated.

For the purposes of Class 6 a 'forecourt' includes any fence, wall, or similar screen or structure enclosing a forecourt, not forming any part of the fabric of a building constituting 'business premises'.

Class 8 - Poster Hoardings Around Temporary Construction Sites

Class 8 permits the display for two years only, of poster hoardings which are used to screen building or construction sites whilst work is being carried out on site.
Advertisements permitted by Class 8 must not:

a) be displayed more than one month before the date on which the building or construction works actually start;

b) be less than 1.5m high and 1 metre long or more than 3.1m high and 6.1m long and;

c) be displayed for more than two years.

Additionally:

d) the advertiser must send written notification to the Council at least 14 days before the display starts and provide a copy of the relevant planning permission for the site; such provision relates to development primarily for commercial, industrial or business use.

e) such advertisements may be illuminated in a manner reasonably required to fulfil the advertisement, provided this does not cause hazards to motorists on the adjoining highway. The purpose of this consent is to bring about some environmental improvements on building sites by enabling screening and where possible landscaping to take place during the construction period.

NB No such advertisements shall be displayed within a Conservation Area.

Class 9 - Four-Sheet Poster Panels Displayed on Purpose-designed Highway Structures

This enables the smallest standard size of poster-panel (known as the four sheet) to be displayed on structures or objects placed on highway land with the Council's approval (Highway Act 1980 (Section 115E)).

The rules for Class 9 area:

a) the structure such as a bus shelter or information kiosk must be purpose-designed for displaying this size of poster panel;

b) the poster panel must not exceed 1.6m² in area and;

c) no illumination is permitted.

Class 13 - Sites used for the display of advertisements on 1st April 1974

Consent is not required to display advertisements on a site that has been continuously used for this purpose since 1st April 1974 without express consent. This is subject to there being no 'substantial increase' in the extent of 'substantial alteration', in the manner of the use of the site.
Class 14 - Advertisements displayed after the expiry of express consent

Class 14 permits the continued display of advertisements for which the period of express consent (usually five years) has expired unless:

a) a condition to the contrary was imposed on the consent
or
b) a renewal of consent was applied for and refused.