

SCHEDULE 3

Regulation 6

CLASSES OF ADVERTISEMENTS WHICH MAY BE DISPLAYED WITH DEEMED CONSENT

PART I

SPECIFIED CLASSES AND CONDITIONS

Class 1

*Functional advertisements of local authorities,
statutory undertakers and public transport undertakers*

1A Description.

1A. An advertisement displayed wholly for the purpose of announcement or direction in relation to any of the functions of a local authority or to the operation of a statutory undertaking or a public transport undertaking, which—

- (a) is reasonably required to be displayed for the safe or efficient performance of those functions, or operation of that undertaking, and
- (b) cannot be displayed by virtue of any other specified class.

1A Conditions and Limitations.

- (1) Illumination is not permitted unless reasonably required for the purpose of the advertisement.

1B Description.

1B. An advertisement displayed by a local planning authority on land in their area.

1B Conditions and Limitations.

(1) In an area of special control, such an advertisement may be displayed only if the authority could have granted express consent for its display.

Class 2

Miscellaneous advertisements relating to the premises on which they are displayed

2A Description.

2A. An advertisement displayed for the purpose of identification, direction or warning, with respect to the land or building on which it is displayed.

2A Conditions and Limitations.

- (1) No such advertisement may exceed 0.3 square metre in area.
- (2) Illumination is not permitted.
- (3) No character or symbol on the advertisement may be more than 0.75 metre in height, or 0.3 metre in an area of special control.

Status: This is the original version (as it was originally made).

(4) No part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control.

2B Description.

2B. An advertisement relating to any person, partnership or company separately carrying on a profession, business or trade at the premises where it is displayed.

2B Conditions and Limitations.

- (1) No advertisement may exceed 0.3 square metre in area.
- (2) No character or symbol on the advertisement may be more than 0.75 metre in height, or 0.3 metre in an area of special control.
- (3) No part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control.
- (4) Not more than one such advertisement is permitted for each person, partnership or company or, in the case of premises with entrances on different road frontages, one such advertisement at each of two such entrances.
- (5) Illumination is not permitted unless the advertisement states that medical or similar services or supplies are available on the premises and the illumination is in a manner reasonably required to fulfil the purpose of the advertisement.

2C Description.

2C. An advertisement relating to any institution of a religious, educational, cultural, recreational or medical or similar character, or to any hotel, inn or public house, block of flats, club, boarding house or hostel, at the premises where it is displayed.

2C Conditions and Limitations.

- (1) Not more than one such advertisement is permitted in respect of each premises or, in the case of premises with entrances on different road frontages, one such advertisement at each of two such entrances.
- (2) No such advertisement may exceed 1.2 square metres in area.
- (3) No character or symbol on the advertisement may be more than 0.75 metre in height, or 0.3 metre in an area of special control.
- (4) No part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control.
- (5) Illumination is not permitted unless the advertisement states that medical or similar services or supplies are available at the premises and the illumination is in a manner reasonably required to fulfil the purpose of the advertisement.

Class 3

Miscellaneous temporary advertisements

3A Description.

3A. An advertisement relating to the sale or letting, for residential, agricultural, industrial or commercial use or for development for such use, of the land or premises on which it is displayed.

3A Conditions and Limitations.

- (a) **3A.** (1) (a) Not more than one such advertisement, consisting of a single board or two joined boards, is permitted.
- (b) Where more than one such advertisement is displayed, the first to be displayed shall be taken to be the one permitted.
- (2) No advertisement may be displayed 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.
- (3) Any such advertisement shall be removed within 14 days after the sale is completed or a tenancy is granted.
- (4) No such advertisement may exceed in area—
 - (a) where the advertisement relates to residential use or development, 0.5 square metre or, in the case of two joined boards together, 0.6 square metre in aggregate;
 - (b) where the advertisement relates to any other use or development, 2 square metres or, in the case of two joined boards together, 2.3 square metres in aggregate.
- (5) Where the advertisement is displayed on a building, the maximum projection permitted from the face of the building is 1 metre.
- (6) Illumination is not permitted.
- (7) No character or symbol on the advertisement may be more than 0.75 metre in height, or 0.3 metre in an area of special control.
- (8) No part of the advertisement may be higher above ground level than 4.6 metres, or 3.6 metres in an area of special control or, in the case of a sale or letting of part only of a building, the lowest level of that part of the building on which display is reasonably practicable.

3B Description.

3B. An advertisement announcing the sale of goods or livestock, and displayed on the land where the goods or livestock are situated or where the sale is held, not being land which is normally used, whether at regular intervals or otherwise, for the purpose of holding such sales.

3B Conditions and Limitations.

- (a) **3B.** (1) (a) Not more than one such advertisement may be displayed at any one time on the land concerned.
- (b) Where more than one such advertisement is displayed, the first to be displayed shall be taken to be the one permitted.
- (2) No such advertisement may be displayed earlier than 28 days before the day (or first day) on which the sale is due to take place.
- (3) Any such advertisement shall be removed within 14 days after the sale is completed.
- (4) No such advertisement may exceed 1.2 square metres in area.
- (5) Illumination is not permitted.
- (6) No character or symbol on the advertisement may be more than 0.75 metre in height, or 0.3 metre in an area of special control.
- (7) No part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control.

3C Description.

3C. An advertisement relating to the carrying out of building or similar work on the land on which it is displayed, not being land which is normally used, whether at regular intervals or otherwise, for the purposes of carrying out such work.

3C Conditions and Limitations.

- (a) **3C.** (1) (a) Not more than one such advertisement shall be displayed at any one time, on each road frontage of the land, in respect of each separate development project, except in the case mentioned in paragraph (4) below.
- (b) Where more than one such advertisement is displayed, the first to be displayed on any frontage shall be taken to be the one permitted.
- (2) No such advertisement may be displayed except while the relevant works are being carried out.
- (3) No such advertisement may exceed in aggregate—
 - (a) in the case of an advertisement referring to one person—
 - (i) if the display is more than 10 metres from a highway, 3 square metres in area; or
 - (ii) in any other case, 2 square metres;
 - (b) in the case of an advertisement referring to more than one person—
 - (i) if the display is more than 10 metres from a highway, 3 square metres plus 0.6 square metre for each additional person, or
 - (ii) in any other case, 2 square metres plus 0.4 square metre for each additional person, together with 0.2 of the area permitted under sub-paragraph (a) or (b) above for the name, if any, of the development project.
- (4) Where any such advertisement does not refer to any person carrying out such work, that person may display a separate advertisement with a maximum area of 0.5 square metre, which does so refer, on each frontage of the land for a maximum period of 3 months.
- (5) Illumination is not permitted.
- (6) No character or symbol on the advertisement may be more than 0.75 metre in height, or 0.3 metre in an area of special control.
- (7) No part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control.

3D Description.

3D. An advertisement—

- (i) announcing any local event of a religious, educational, cultural, political, social or recreational character,
- (ii) relating to any temporary matter in connection with an event or local activity of such a character,

not being an event or activity promoted or carried on for commercial purposes.

3D Conditions and Limitations.

- (1) No such advertisement may exceed 0.6 square metre in area.
- (2) No such advertisement may be displayed earlier than 28 days before the day (or first day) on which the event or activity is due to take place.

- (3) Any such advertisement shall be removed within 14 days after the end of the event or activity.
- (4) Illumination is not permitted.
- (5) No character or symbol on the advertisement may be more than 0.75 metre in height, or 0.3 metre in an area of special control.
- (6) No part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control.

3E Description.

3E. An advertisement relating to any demonstration of agricultural methods or processes, on the land on which it is displayed.

3E Conditions and Limitations.

- (1) Advertisements of this Class may not be displayed on any land for more than 6 months in any period of 12 months.
- (2) The maximum area of display permitted in respect of each demonstration is 1.2 square metres.
- (3) No single advertisement within such a display may exceed 0.4 square metre in area.
- (4) No such advertisement may be displayed earlier than 28 days before the day (or first day) on which the demonstration is due to take place and shall be removed within 14 days after the end of the demonstration.
- (5) Illumination is not permitted.
- (6) No character or symbol on the advertisement may be more than 0.75 metre in height, or 0.3 metre in an area of special control.
- (7) No part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control.

3F Description.

3F. An advertisement relating to the visit of a travelling circus, fair or similar travelling entertainment to any specified place in the district.

3F Conditions and Limitations.

- (1) No such advertisement may exceed 0.6 square metre in area.
- (2) No such advertisement may be displayed earlier than 14 days before the first performance or opening of the entertainment at the place specified.
- (3) Any such advertisement shall be removed within 7 days after the last performance or closing of the specified entertainment.
- (4) At least 14 days before the advertisement is first displayed, the local planning authority are to be notified in writing of the first date on which, and of the site at which, it is to be displayed.
- (5) Illumination is not permitted.
- (6) No part of the advertisement may be more than 3.6 metres above ground level.

Class 4

Illuminated advertisements on business premises

4A Description.

4A. An illuminated advertisement displayed on the frontage of premises within a retail park, which overlook or face on to a communal car park wholly bounded by the retail park, where the advertisement refers wholly to any or all of the following matters, namely the business carried on or the name or qualifications of the person carrying on a business from the premises.

4A Conditions and Limitations.

(1) Subject to paragraph (11) below, no such advertisement is permitted within a conservation area, an area of outstanding natural beauty, a National Park or the Broads.

(2) In the case of a shop, no such advertisement may be displayed except on a wall containing a shop window.

(3) Not more than one such advertisement parallel to a wall and one projecting at right angles from such a wall is permitted, and in the case of any projecting advertisement—

- (a) no surface may be greater than 1 square metre in area;
- (b) the advertisement may not project more than 1 metre from the wall; and
- (c) it may not be more than 1.5 metres high.

(4) Each character of the advertisement but no part of the background is to be illuminated from within.

(5) No such advertisement may include any intermittent light source, moving feature, exposed cold cathode tubing, animation or reflective material.

(6) The luminance of any such advertisement may not exceed the limits specified in paragraph 2 of Part II of this Schedule.

(7) In the case of any advertisement consisting of a built-up box containing the light source, the distance between—

- (a) the face of the advertisement and any wall parallel to which it is displayed, at the point where it is affixed, or
- (b) the two faces of an advertisement projecting from a wall,

may not exceed 0.25 metre.

(8) The lowest part of any such advertisement must be at least 2.5 metres above ground level.

(9) No character or symbol on the advertisement may be more than 0.75 metre in height.

(10) No part of the advertisement may be higher above ground level than 4.6 metres or the bottom level of any first floor window in the wall on which the advertisement is displayed, whichever is the lower.

(11) Paragraph (1) above does not preclude the continued display of an advertisement being displayed at the date of designation of the relevant area until the expiry of 5 years from that date.

4B Description.

4B. An illuminated advertisement, other than one falling within Class 4A, displayed on business premises wholly with reference to any or all of the following matters, namely the business carried on or the name or qualifications of the person carrying on a business from those premises.

4B Conditions and Limitations.

(1) Subject to paragraph (12) below, no such advertisement is permitted within a conservation area, an area of outstanding natural beauty, a National Park or the Broads.

(2) In the case of a shop, no such advertisement may be displayed except on a wall containing a shop window.

(3) Not more than one such advertisement parallel to a wall and one projecting at right angles from such a wall is permitted, and in the case of any projecting advertisement—

- (a) no surface may be greater than 0.75 square metre in area;
- (b) the advertisement may not project more than 1 metre from the wall or two-thirds of the width of any footway or pavement below, whichever is the less;
- (c) it may not be more than 1 metre high; and
- (d) it may not project over any carriageway.

(4) Each character of the advertisement but no part of the background is to be illuminated from within.

(5) No such advertisement may include any intermittent light source, moving feature, exposed cold cathode tubing, animation or reflective material.

(6) The luminance of any such advertisement may not exceed the limits specified in paragraph 2 of Part II of this Schedule.

(7) In the case of any such advertisement consisting of a built-up box containing the light source, the distance between—

- (a) the face of the advertisement and any wall parallel to which it is displayed, at the point where it is affixed, or
- (b) the 2 faces of an advertisement projecting from a wall,

may not exceed 0.25 metre.

(8) The lowest part of any such advertisement shall be at least 2.5 metres above ground level.

(9) No surface of any advertisement may exceed one-sixth of the frontage on which it is displayed, measured up to a height of 4.6 metres from ground level or 0.2 of the frontage measured to the top of the advertisement, whichever is the less.

(10) No character or symbol on the advertisement may be more than 0.75 metre in height.

(11) No part of the advertisement may be higher above ground level than 4.6 metres or the bottom level of any first floor window in the wall on which the advertisement is displayed, whichever is the lower.

(12) Paragraph (1) above does not preclude the continued display of an advertisement being displayed at the date of designation of the relevant area until the expiry of 5 years from that date.

Class 5

Advertisements on business premises

5 Description.

5. Any advertisement which does not fall within Class 4A or 4B displayed on business premises wholly with reference to any or all of the following matters, namely the business carried on, the goods sold or services provided, or the name or qualifications of the person carrying on the business, or supplying the goods or services, on those premises.

5 Conditions and Limitations.

(1) In the case of a shop, no such advertisement may be displayed, except on a wall containing a shop window.

(2) In an area of special control, the space occupied by any such advertisement may not exceed 0.1 of the overall area of the face of the building on which it is displayed, up to a height of 3.6 metres from ground level; and the area occupied by any such advertisement shall, notwithstanding that it is displayed in some other manner, be calculated as if the whole advertisement were displayed flat against the face of the building.

(3) Illumination is not permitted unless the advertisement states that medical or similar services or supplies are available at the premises on which the advertisement is displayed and the illumination is in a manner reasonably required to fulfil the purpose of the advertisement.

(4) No character or symbol on the advertisement may be more than 0.75 metre in height, or 0.3 metre in an area of special control.

(5) No part of the advertisement may be higher above ground level than whichever is the lower of—

- (a) 4.6 metres, or 3.6 metres in an area of special control; or
- (b) the bottom level of any first floor window in the wall on which the advertisement is displayed.

Class 6

An advertisement on a forecourt of business premises

6 Description.

6. An advertisement displayed on any forecourt of business premises, wholly with reference to all or any of the matters specified in Class 5.

6 Conditions and Limitations.

(1) Advertisements displayed on any such forecourt or, in the case of a building with a forecourt on two or more frontages on each of those frontages, shall not exceed in aggregate 4.5 square metres in area.

(2) Illumination is not permitted.

(3) No character or symbol on the advertisement may be more than 0.75 metre in height, or 0.3 metre in an area of special control.

(4) No part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control.

Class 7

Flag advertisements

7 Description.

7. An advertisement in the form of a flag attached to a single flagstaff projecting vertically from the roof of a building.

7 Conditions and Limitations.

- (1) No such advertisement is permitted other than one—
 - (a) bearing the name or device of any person occupying the building; or
 - (b) referring to a specific event (other than the offering of named goods for sale) of limited duration, which is taking place in the building, for the duration of that event.
- (2) No character or symbol on the flag may be more than 0.75 metre in height, or 0.3 metre in an area of special control.

Class 8

Advertisements on hoardings

8 Description.

8. An advertisement on a hoarding which encloses, either wholly or in part, land on which building operations are taking place or are about to take place, if those operations are in accordance with a grant of planning permission (other than outline permission) for development primarily for use for commercial, industrial or business purposes.

8 Conditions and Limitations.

- (1) Subject to paragraph (7) below, no such advertisement shall be displayed in a conservation area, a National Park, an area of outstanding natural beauty or the Broads.
- (2) No such advertisement may be displayed earlier than one month before the commencement of the building operations.
- (3) Any such advertisement shall be at least 1.5 metres high and 1 metre long and not more than 3.1 metres high and 6.1 metres long.
- (4) At least 14 days before the advertisement is first displayed, the local planning authority shall be notified in writing by the person displaying it of the date on which it will first be displayed and shall be sent a copy of the relevant planning permission.
- (5) No such advertisement shall be displayed for more than 2 years.
- (6) Illumination is permitted in a manner and to the extent reasonably required to achieve the purpose of the advertisement.
- (7) Paragraph (1) above does not preclude the continued display of an advertisement being displayed at the date of designation of the relevant area until the expiry of 1 year from that date or 2 years from the date of commencement of the display, whichever is the later.

Class 9

Advertisements on highway structures

9 Description.

9. An advertisement displayed on a part of an object or structure designed to accommodate four-sheet panel displays, the use of which for the display of such advertisements is authorised under section 115E(1)(a) of the Highways Act 1980(1).

(1) 1980 c. 66; section 115E was inserted by the Local Government (Miscellaneous Provisions) Act 1982 (c. 30), Schedule 5, Part I.

9 Conditions and Limitations.

- (1) No such advertisement may exceed 1.6 square metres in area.
- (2) Illumination is not permitted.
- (3) No character or symbol on the advertisement may be more than 0.75 metre in height, or 0.3 metre in an area of special control.
- (4) No part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control.

Class 10

Advertisements for neighbourhood watch and similar schemes

10 Description.

10. An advertisement 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.

10 Conditions and Limitations.

- (1) No such advertisement may exceed 0.2 square metre in area.
- (2) No such advertisement may be displayed on highway land without the consent of the highway authority.
- (3) The local planning authority shall, at least 14 days before the advertisement is first displayed, be given particulars in writing of the place at which it is to be displayed and a certificate—
 - (a) that the scheme has been properly established;
 - (b) that the police authority have agreed to the display of the advertisement; and
 - (c) where relevant, that the consent of the highway authority has been given.
- (4) Any such advertisement shall be removed within 14 days after—
 - (a) the relevant scheme ceases to operate;
 - (b) the relevant scheme ceases to be approved by the police authority; or
 - (c) the highway authority withdraw their consent to its display.
- (5) Illumination is not permitted.
- (6) No character or symbol on the advertisement may be more than 0.75 metre in height, or 0.3 metre in an area of special control.
- (7) No part of the advertisement may be more than 3.6 metres above ground level.

Class 11

Directional advertisements

11 Description.

11. An advertisement on a single flat surface directing potential buyers and others to a site where residential development is taking place.

11 Conditions and Limitations.

- (1) No such advertisement may exceed 0.15 square metre in area.
- (2) No part of the advertisement may be of a reflective material.
- (3) The design of the advertisement may not be similar to that of a traffic sign.
- (4) The advertisement is to be displayed on land adjacent to highway land, in a manner which makes it reasonably visible to an approaching driver, but not within 50 metres of a traffic sign intended to be observed by persons approaching from the same direction.
- (5) No advertisement may be more than two miles from the main entrance of the site.
- (6) The local planning authority shall, at least 14 days before the advertisement is first displayed, be notified in writing of the place at which, and the first date on which, it will be displayed.
- (7) No such advertisement may be displayed after the development of the site is completed or, in any event, for more than 2 years.
- (8) Illumination is not permitted.
- (9) Any character or symbol on the advertisement shall be at least 0.04 metre high.
- (10) No character or symbol on the advertisement may be more than 0.25 metre high.
- (11) No part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control.

Class 12

Advertisements inside buildings

12 Description.

- 12.** An advertisement displayed inside a building which does not fall within Class J in Schedule 2.

Class 13

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

13 Description.

- 13.** An advertisement displayed on a site which was used for the display of advertisements without express consent on 1st April 1974 and has been so used continually since that date.

13 Conditions and Limitations.

- (1) No substantial increase in the extent, or substantial alteration in the manner, of the use of the site for the display of advertisements on 1st April 1974 is permitted.
- (2) If any building or structure on which such an advertisement is displayed is required by or under any enactment to be removed, no erection of any building or structure to continue the display is permitted.

Class 14

Advertisements displayed after expiry of express consent

14 Description.

14. An advertisement displayed with express consent, after the expiry of that consent, unless—
- (a) a condition to the contrary was imposed on the consent,
 - (b) a renewal of consent was applied for and refused.

14 Conditions and Limitations.

- (1) Any condition imposed on the relevant express consent is to continue to apply to any such advertisement.
- (2) No advertisement may be displayed under this class except on a site which has been continually used for the purpose since the expiry of the express consent.

PART II

INTERPRETATION

1.—(1) In this Schedule—

“business premises” means any building or part of a building normally used for the purpose of any professional, commercial or industrial undertaking, or for providing services to members of the public or of any association, and includes a public restaurant, licensed premises and a place of public entertainment, but not—

- (a) a building used as an institution of a religious, educational, cultural, recreational, or medical or similar character;
- (b) a building designed for use as one or more separate dwellings, unless it was normally used, immediately before 1st September 1949, for any such purpose or has been adapted for use for any such purpose by the construction of a shop front or the making of a material alteration of a similar kind to its external appearance;
- (c) any forecourt or other land forming part of the curtilage of a building;
- (d) any fence, wall or similar screen or structure, unless it forms part of the fabric of a building;

“forecourt” includes any fence, wall or similar screen or structure enclosing a forecourt and not forming part of the fabric of a building constituting business premises;

“ground level”, in relation to the display of advertisements on any building, means the ground-floor level of that building;

“highway land” means any land within the boundaries of a highway;

“joined boards” means boards joined at an angle, so that only one surface of each is usable for advertising;

“public transport undertaking” means an undertaking engaged in the carriage of passengers in a manner similar to that of a statutory undertaking;

“retail park” means a group of 3 or more retail stores, at least one of which has a minimum internal floor area of 1,000 square metres and which—

- (a) are set apart from existing shopping centres but within an existing or proposed urban area;

- (b) sell primarily goods other than food;
- (c) share one or more communal car parks.

“traffic sign” means a sign falling within Class H of Schedule 2 to these Regulations.

(2) Where a maximum area is specified, in relation to any class in this Schedule, in the case of a double-sided board, the area of one side only shall be taken into account.

2.—(1) Subject to sub-paragraph (2), the permitted limits of luminance for advertisements falling within Class 4A or 4B are, for an illuminated area measuring not more than—

- (a) 0.5 square metre, 1,000 candela per square metre,
- (b) 2 square metres, 800 candela per square metre,
- (c) 10 square metres, 600 candela per square metre,

and for any greater area, 400 candela per square metre.

(2) For the purposes of calculating the relevant area for the permitted limits—

- (a) each advertisement, or in the case of a double-sided projecting advertisement, each side of the advertisement is to be taken separately;
- (b) no unilluminated part of the advertisement is to be taken into account.