

SCHEDULE 3

CLASSES OF ADVERTISEMENTS WHICH MAY BE DISPLAYED WITH DEEMED 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,

Status: This is the original version (as it was originally made).

- (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.