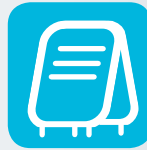


Draft Supplementary Guidance 13

Advertisements



Stirling Council Local Development Plan
October 2011



Draft Supplementary Guidance 13

Advertisements

Introduction

Advertisements are essential to commercial activity; however there is a balance to be struck between those who undertake the display of an advertisement, the safety of the general public and the protection of the amenity and characteristics of a locality.

An unrestricted approach to advertisements could all too easily result in a cluttered, confusing and unattractive environment that has a negative impact on the perception of the locality for both residents and visitors to the Stirling area.

The main objective of this Statutory Planning Guidance (SPG) is to provide guidance on proposals for advertisements and to ensure that advertisements requiring consent are sensitive to the character and appearance of the locale whether urban or rural, that they respect the character of the building to which they are attached. A focus will be placed on buildings within conservation areas and/or listed as being of special architectural interest.

Principles

In determining the acceptability of an advertisement/signage display the following two principles will always be taken into account.

Amenity: advertisement displays have an impact on visual amenity. Proposals which are considered to have a detrimental impact will not be considered acceptable; and

Safety: The effect of all advertisements will be assessed for their impact on public safety. Proposals considered to have a detrimental impact on road or pedestrian safety will not be supported.



Policy 18

Proposals for the display of advertisements will be supported where they do not either detract from the visual amenity of the locale or adversely affect road safety. In this respect proposals should meet all of the following criteria:

- a. the cumulative effect of a number of advertisements on a building or within a locality do not result in advertisement clutter
- b. the effect of any illumination used on advertisements is not detrimental to the appearance of a locality. The Council will discourage illuminated box signs because of their general bulk and appearance.
- c. the advertisement should respect the overall design of the building to which it relates.
- d. advertisements should be sited so as not to cause driver distraction or be confused with traffic lights or traffic signs
- e. advertisements should be sited so as not to obstruct or impede pedestrian flow.
- f. advertisements and signage on listed building, within the curtilage of a listed building or in a conservation area should protect or enhance the character and appearance of the building and/or the wider locality
- g. advanced directional signs particularly in the countryside, will not be permitted unless in relation to the temporary advertisement of events and construction or those considered to be desirable on road safety grounds.
- h. advertisement hoardings (i.e structures providing space for commercial advertising) are unacceptable in rural areas



Statutory Requirements (Legislation and Control)

The Town and Country Planning (Control of advertisements) (Scotland) Regulations 1984 (as amended by the Planning and Compensation Act 1991) defines an advertisement as a “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 purpose of advertisement, announcement or direction.”

The regulations allow for some advertisements to be displayed with “deemed consent” i.e. without obtaining formal advertisement consent from the Local Authority.

The display of any advertisement is subject to a number of standard conditions. The standard conditions ensure that advertisements are displayed with the agreement of the owner of the land, and are maintained in a reasonable and safe condition.

Enforcement of Unauthorised Advertisements

Under section 182 of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006, the display of placards and posters is unlawful and active steps can be taken under Section 187 of the Act to ensure their removal. Formal action can also be taken to regularise or remove other signage displayed without the requisite consent.

Furthermore, the Roads (Scotland) Act 1984, (Section 59) makes it an offence to place anything on or within the boundary of a public road. This includes the unauthorised display of advertisements.

The Council will seek the removal of unauthorised advertisements by use of its planning and roads legislative powers.



A-board advertisements

A-Boards are non-illuminated portable boards/stands most often placed on the public footway and associated with advertising of adjoining retail/business premises.

This form of advertising is often unnecessary and must be strictly controlled as it often adds to street clutter. A-boards can be detrimental to the visual quality, appearance and character of areas and to public safety as they often compromise pedestrian movement particularly for people with disabilities.

Stirling Council wants to work together with retailers to keep business thriving, but at the same time keep pavements safe and clutter-free in the shopping areas of our city, towns and villages.

All business units can have one A-board, if the following rules are met:

- A permit system will be introduced. Permits will be valid for 2 years and regularly inspected. A charge for permits will be applied to cover inspection costs.
- A-boards should be no more than 1m high and 0.75m wide.
- The sign should be placed over the frontage of the premises it is promoting.
- The sign must be touching the front of the building, making sure that there is an unobstructed passage at least 1.5m wide for people using the footway.
- Businesses with frontages on to pavements of less than 1.5m are not eligible for an A-board.
- An A-board can only be displayed during the public opening hours of the business it is promoting.
- Businesses will be encouraged to group together and use 'column-style' signage for sign-posting and promotion wherever possible.
- Businesses without a frontage on to a public pavement are not eligible for an A-board.



Illuminated advertisements

Illumination of signs can positively contribute to a street scene where the illumination is treated as an integrated part of the overall design, however the illumination of advertisements can be a visually dominant feature which, can substantially change the character of buildings and areas. Illuminated advertisements may adversely affect public safety and amenity, therefore the visual impact of the light source and fittings requires consideration.

Intermittent (flashing) advertisements are particularly intrusive and are not considered appropriate, due to the detrimental impact that they may have on the character of a building or street setting and on road safety grounds.

In the interests of amenity the Council will generally discourage the use of internally illuminated box signs because of their general bulk and appearance when not in use.

The use of illuminated cases where poster advertisements can be displayed can be obtrusive both in the terms of the way they look and also by reason of them being illuminated. The Council considers that they may be acceptable within certain commercial areas but that they are unlikely to be suited to primary residential areas, conservation areas or when attached to, or in close proximity to listed buildings.

The levels of illumination of signs visible from roads will be controlled in the interests of road safety.

In the interests of amenity the council will not favour illuminated signs in locations outwith town centres, unless they are required specifically to advertise premises (such as petrol stations, public houses, pharmacies) where services are provided outwith usual business hours.



Advertisements within the curtilage of buildings

Advertisements within the curtilage of buildings will only be permitted where they relate to the services or goods provided within the building or site. Advertisements mounted upon existing features, such as walls or fences will be preferred to free standing signs, although care is required where a building is listed or in a conservation area as formal consent may be required.

Advertisements on street furniture

Advertising on street furniture will generally not be permitted unless it is an integral part of the original design of the furniture.

Advanced directional signs

Advanced signs can be a vital marketing tool for companies which, depend on passing trade particularly when the business is in the countryside. Within both urban and rural areas a balance needs to be struck between promoting businesses and avoiding unnecessary clutter.

It is worth noting that under certain circumstances, businesses have other options available for advanced signs outwith the remit of the planning system. Visit Scotland signs and the AA directional signs are two well-known examples.

Proposals for advanced directional signs (i.e. signs advertising goods or services not available at the point where the advertisement is sited) will not be permitted unless in relation to the temporary advertisement of events and construction sites or those considered desirable on driver information and road safety grounds.

In all cases, any signs permitted will be coloured and sited in order that the visual impact is minimised without compromising their effectiveness, and any unnecessary proliferation of sign will be opposed.



Advertisements outwith built-up areas

The detrimental effect that the uncontrolled erection of advertisements and signs can have on the appearance of an area, particularly within the countryside where such items are more alien is significant.

Not unnaturally however, in times of economic recession, businesses in the countryside, especially those geared towards tourism or passing trade wish to make their presence known by erecting signs or advertisements.

The countryside is a sensitive asset and excessive signage can be visually harmful. Excessive signage can also be a traffic hazard therefore, it is important to strike the right balance. Accordingly, the amount of advertisement matter in the countryside will be strictly controlled.

There will be a presumption against any advertisement that detracts from the visual amenity of the countryside. Advertising hoardings (i.e. structures providing space for letting for commercial advertising) are unacceptable in rural areas.

Listed Buildings and Conservation Areas

Any sign to be situated on or within the curtilage of a Listed Building which, is used for business or commercial purposes should be carefully designed to relate to the character and style of the building and its setting.

Generally within a Conservation Area or on a Listed Building, the only appropriate advertisement display is that which relates to the use of the building.

The advertisement should be moderately scaled and sensitively sited so as not to detract from the character of the building or surrounding area. Preference is given to signs made of traditional and natural materials and hand written/ painted signage. Any accumulation of signage relating to several businesses operating from a single building should be avoided.



Residential Areas

In general advertisements will not be permitted within predominantly residential areas except where there are isolated commercial uses. The size and location of any advertisement should not adversely affect residential amenity.

Temporary advertisements

Formal consent is not required for certain types of temporary signs. The size of the adverts which, can be displayed are however strictly controlled.

Some of the types of adverts which, can be displayed with deemed consent are outlined below but please check with the Planning Authority before displaying an advert as restrictions in terms of size and location may apply.

The Town and Country Planning (Scotland) (Control of Advertisement Regulations) 1984: Classes of temporary advertisements which, may be displayed with deemed consent.

“Advertisements announcing the sale of goods or livestock, and displayed on land where such goods or livestock are situated or where such a sale is held, not being land which is normally used, whether at regular intervals or not”

“Advertisements announcing any local event of a religious, educational, cultural, social or recreational character and advertisements relating to any temporary matter in connection with an event or a local activity of such character, not in either case being an event or local activity promoted or carried on for commercial purposes”

“Advertisements announcing that a property is for sale or lease. Such boards must be displayed on or within the curtilage of the property to which they relate and at the lowest level at which it is reasonably practicable to display them”





There must only be one board per property. Boards should not measure more than 0.5 square metres in size, or if two boards are joined together as one, they must not measure more than 0.6 square metres in total.

Any board displayed must be removed within two weeks of the sale or let being completed.

Areas of Special Control

Some areas within towns and villages and within many parts of the countryside are especially vulnerable to the visual effects of advertisements. In such cases the Planning Authority can designate an “Area of Special Control”. This is generally done to protect areas of high landscape or townscape value.

Stirling Council does not presently have any designated Areas of Special Control although, 30 Conservation Areas have been designated in which stricter controls over advertisements are in operation.



Further Information

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If you need help or this information
supplied in an alternative format
please call 0845 277 700.

