

Stirling Council Local Development Plan

November 2021

Supplementary
Guidance:

Advertisements

www.stirling.gov.uk/planning



Contents

	Page
1. Introduction to Guidance	3
2. Purpose of this Supplementary Guidance.....	4
3. Legislative Context	5
4. Policy Principles for the Display of Advertisements	9
5. Advertisements on Buildings	12
6. Illuminated Advertisements	15
7. Advertisements within the Curtilage of Buildings	17
8. Advertisements on Roundabouts	18
9. A-Board Advertisements	19
10. Digital Advertisements	22
11. Advertisements on Street Furniture	24
12. Advance Directional Signs	25
13. Advertisement Hoardings and Poster Signs	26
14. Useful Links	27

1. Introduction to Guidance

- 1.1 Advertisements and signs can help to define the character and function of a place by virtue of their design and ability to attract interest and activity.
- 1.2 Well designed and sited advertisements not only preserve and enhance the character of buildings and areas, they also make a significant contribution to their commercial success.
- 1.3 However, in undertaking the display of advertisements regard must be had to public safety and the protection of amenity. An unrestricted approach to the display of advertisements has the potential to distract road users and endanger pedestrians. There is also the potential for advertisements and signs to detract from the visual amenity of a places and neighbourhoods either individually or cumulatively; too many advertisements in any given area may result in an environment that is cluttered, unattractive, and hazardous.

2. Purpose of this Supplementary Guidance

- 2.1 The principal purpose of this Supplementary Guidance is to provide detailed design guidance in support of Policy 2.14: Advertisements of the adopted [Stirling Local Development Plan, October 2018](#)¹. This policy seeks to ensure that proposals for the display of advertisements do not adversely affect public safety or detract from visual or residential amenity.
- 2.2 The advice contained within this guidance should therefore assist when preparing an application for consent to display an advertisement. In particular, it aims to ensure that those which require consent are sensitive to the character and appearance of the area, urban or rural, and that they respect the character of any building to which they are relate.

3. Legislative Context

3.1 Definition of an Advertisement

Advertisements are defined in [The Town and Country Planning \(Control of Advertisements\) \(Scotland\) Regulations 1984²](#), as amended, 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 (excluding any such thing employed wholly as a memorial or as a railway signal), and includes any hoarding or similar structure or any balloon used or designed, or adapted for use and anything else used, or designed or adapted principally for use, for the display of advertisements”.

3.2 Planning Consents

Advertisement Consent: The display of advertisements are subject to a separate consent process within the planning system, known as Advertisement Consent. This is principally set out in [The Town and Country Planning \(Control of Advertisements\) \(Scotland\) Regulations 1984](#) (as amended).

In accordance with the Regulation 4, the Planning Authority must consider applications for consent to display advertisements only with reference to their effect on amenity and public safety.

There are two categories of advertisement consent set out in the Regulations; those which have “deemed consent” and those which require the “express consent” of the Planning Authority.

3.3 Advertisements which have Deemed Consent

There are six different classes (Classes 1 to 6) of advertisements contained within Schedule 4 to the Regulations, which do not require express consent from the Planning Authority subject to meeting certain conditions. Subject to complying with these, advertisements can be displayed without the need to obtain advertisement consent from the Planning Authority.

3.4 Advertisements requiring Consent

If an advertisement does not fall into one of the Classes in Schedule 4 to the Regulations, advertisement consent must be obtained from the Planning Authority (referred to as express consent in the Regulations). Advertisement consent is also required to display an advertisement that does not comply with the specific conditions on the class that the advertisement would otherwise have consent under.

3.5 Planning Permission

Separate planning permission is not required for the display of an advertisement in addition to advertisement consent. Under Section 184 of [The Town and Country Planning \(Scotland\) Act 1997³](#), as amended, planning permission is deemed to be granted for any development of land involved in the display of advertisements in accordance with the regulations.

Consent under Section 184 would not grant permission for the erection of any structure unless its primary purpose is to display advertisements, although it would include development which is ancillary to the actual advertisement's display but part of the same scheme.

3.6 Listed Building Consent

Listed building consent may be required to display an advertisement on a listed building, which can include associated structures such as ancillary buildings and walls. Under section 6 of The [Planning \(Listed Buildings and Conservation Areas\) \(Scotland\) Act 1997⁴](#), consent is required for any works that would alter or extend a listed building in a manner that would affect its character as a building of special architectural or historic interest.

3.7 Do I need Permission?

If you wish to display an advertisement and need to permission please visit the [Planning Applications⁵](#) page of the Council's website for more information.

However, if you are still unsure on what consents are required you can contact the Planning Service between 9am and 1pm Monday to Friday on tel: 01786 233660 or by email: planning@stirling.gov.uk.

3.8 Standard Conditions

All advertisements, whether they require Advertisement Consent or not, are subject to the standard conditions in Schedule 1 of The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984. In summary these require:

- a) All advertisements, and land used for the display of advertisements, to be maintained in a clean and tidy condition.
- b) Any structure or fixture used principally for the purpose of displaying advertisements to be maintained in a safe condition.
- c) The removal of any advertisements when required under these regulations.
- d) That before an advertisement is displayed on land the permission of the owner of that land, or other person entitled to grant permission, shall be obtained.

These conditions will be included within the 'informative' section of any decision notice for the grant of advertisement consent issued by the Planning Authority.

3.9 **Unauthorised Advertisements**

All Under Section 182 of the Town and Country Planning (Scotland) Act 1997 (as amended), the display of placards and posters is unlawful and active steps can be taken by the Planning Authority to remove these under Section 187 of the Act. Formal action can also be taken to regularise or remove other unauthorised advertisement signage under Section 186 of the Act.

Furthermore, Section 59 to the [Roads \(Scotland\) Act 1984](#)⁶ makes it an offence to place anything on or within the boundary of a public road. This includes the unauthorised display of advertisements.

Further information can be found in [PAN 80 Control and Management of Fly-Posting](#)⁷.

4. Policy Principles for the Display of Advertisements

- 4.1 The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 limits the exercise of the powers to determine applications for Advertisement Consent solely to the interests of amenity and public safety, and these considerations are elaborated below.
- 4.2 **Amenity:** amenity is a matter of interpretation by the Planning Authority as it applies to any particular case. However, in the consideration of advertisements, the factors relevant to amenity include the general characteristics of the locality, having regard to the presence of any feature of historic, architectural, and cultural importance, or of similar interest (Regulation 4(1)).
- 4.3 So, in assessing amenity, the Planning Authority will always consider the local characteristics of the locality, urban or rural, within which a particular proposal is located. Advertisements displayed within areas of special control, conservation areas and/or on listed buildings (taking into account Primary Policy 7: Historic Environment of the adopted LDP), or in locations which affect the setting of these designations, will be given particular consideration: for example, if the locality where the advertisement is to be displayed has important scenic, historic, architectural or cultural features, the Planning Authority will consider whether the proposed advertisement is in keeping with these features.
- 4.4 This might mean that a large advertisement hoarding or digital display would be refused where it would dominate the street scene of a conservation area or the setting of a listed building, but would be permitted in a retail park where there are large modern buildings, and within this context, the advertisement would not adversely affect the visual amenity of the area.

- 4.5 If the advertisement makes a noise, aural amenity (relating to hearing) would also be taken into account in the assessment of any application.
- 4.6 **Public Safety:** in the interests of public safety, the display of advertisements will be determined on the basis of the potential impact on the safety of people using any form of travel (Regulation 4(1)).

The most common issues arise from the impact of advertisements on pedestrians and road safety, and the main types of advertisement which may cause harm are:

- a) those which obstruct or impair sightlines at corners, bends, junctions, or at any point of access to a road;
- b) those which, because of their size, design or siting, would obstruct or confuse a road user's view, or reduce the clarity or effectiveness of a traffic sign or signal, or would be likely to distract road users because of their unusual nature;
- c) those which effectively leave insufficient clearance above any part of a footway or a road;
- d) those sited on narrow footpaths where they may interfere with safe passage by people walking or wheeling;

- e) those illuminated signs (incorporating either flashing or static lights) which:
 - are directly visible from any part of a road;
 - because of their colour, could be mistaken for, or confused with, traffic lights or any other authorised signals;
 - because of their size or brightness, could result in glare and dazzle, particularly in misty or wet weather; or
 - are subject to frequent changes of the display.
- f) those which incorporate moving elements in their display, or successive individual letters or words which do not display the whole message;
- g) those which require close study or contain excessive information; and,
- h) those which resemble traffic signals (e.g. by displaying red circles, crosses or triangles, directional arrows, or any other traffic symbol).

5. Advertisements on Buildings

Buildings

The design and character of advertisements and signs are determined by their size and shape, position, materials, colour, font and graphics, and the type and extent of illumination.

Advertisements and signs to be displayed on new and existing buildings should:

- a) be designed in keeping with the design and character of the shopfront, the building and the general locality to which it relates, as relevant;
- b) preserve or enhance the character and appearance of any listed building and / or conservation area to which it relates;
- c) not obscure architectural features or detail, or form an over-dominant feature on the shopfront, building and the general locality;
- d) be sited mainly on principal elevations, avoiding secondary elevations unless integral to the overall design of the building and in keeping with the character and appearance of the locality; in such circumstances advertisements will generally be limited to one sign for each elevation;
- e) not normally be sited above fascia level;
- f) have an acceptable impact on the visual and residential amenity of the locality; and,
- g) be considered with regards the overall impact on the locality as advertisement clutter within an area could lead to adverse impacts on amenity.

5.2 Shopfronts: Fascia Advertisements and Signs

The Council's guidance for the display of fascia advertisements and signs is contained within the adopted [Supplementary Guidance, SG Historic Environment – Shopfronts](#)⁸



Example of shopfront fascia sign

5.3 Shopfronts: Projecting and Hanging Advertisements Signs

The Council's guidance for the display of projecting and hanging advertisement signage is contained with adopted Supplementary Guidance, [SG: Historic Environment – Shopfronts](#)⁸.



Example of hanging advertisement sign

6. Illuminated Advertisements

- 6.1 Illuminated advertisements are any advertisements, including those for the purpose of announcement or direction, which are designed or adapted to be illuminated by artificial lighting, directly or by reflection.
- 6.2 Illuminated advertisements can positively contribute to a street scene where the illumination is treated as an integrated part of its overall character and the design of any building to which it relates. However, illumination can also be a visually dominant feature which can substantially change the character of buildings and areas, and in certain circumstances, may adversely affect public safety and visual or residential amenity. Therefore, the visual impacts of the light source and fittings require careful consideration.
- 6.3 Externally illuminated advertisements and signs (i.e. illuminated by downlights, spotlights, or by such other means) are preferred to internally illuminated advertisements and signs, particularly on listed buildings and within conservation areas. In all cases, light fittings and cable runs should be concealed, or installed as discreetly as possible.
- 6.4 Where internally illuminated advertisements and signs on shopfronts and buildings are considered appropriate, they should be of slender profile or set back within the fascia so that they do not protrude excessively beyond the shopfront or façade; internally illuminated advertisements do not need bulky signage boxes or light fittings. Simple individual lettering and logos illuminated with face or halo lighting can also look attractive particularly when fixed directly to a traditional fascia or façade with concealed fixings, or onto plain/matt backgrounds. Detailed design guidance from shopfronts is contained within the adopted Supplementary Guidance, [SG Historic Environment – Shopfronts](#)⁸.

- 6.5 Advertisements illuminated by neon tubing and flashing (intermittent advertisements) or ticker tape style advertisements should be avoided particularly on a listed building, or within the curtilage of a listed building, or within conservation areas and residential areas.
- 6.6 Illumination and lighting should not have a detrimental impact on road safety by causing driver distraction, especially at locations of high traffic flows or pedestrian and vehicle conflicts, or where they may be confused with traffic lights or signs.
- 6.7 Where appropriate, levels of illumination (candela) of advertisements will be controlled in the interests of road safety.

7. Advertisements within the Curtilage of Buildings

- 7.1 Advertisements and signage within the boundary of a building, that is the identified planning unit, will only be permitted where they relate to the name or use of that building, or the services or goods provided within the building or site.**
- 7.2 Advertisements and signage within the curtilage of a listed building or a building within a conservation area should preserve or enhance the character and appearance of the building and/or the conservation area. Therefore, advertisements should:
- a) be moderately scaled and designed with the use of traditional and/or natural materials, and include hand written/painted signage, in keeping with the character and appearance of the building and/or area to which it relates;
 - b) be sensitively sited, preferably displayed on free-standing structures that are sited and designed in keeping with the character and appearance of the building and its setting, and/or area to which it relates. Advertisements fixed to any external walls of a building or related structures will not be supported unless integral to the design; and;
 - c) avoid advertising clutter; any accumulation of signage relating to several businesses operating from a single building should be avoided.

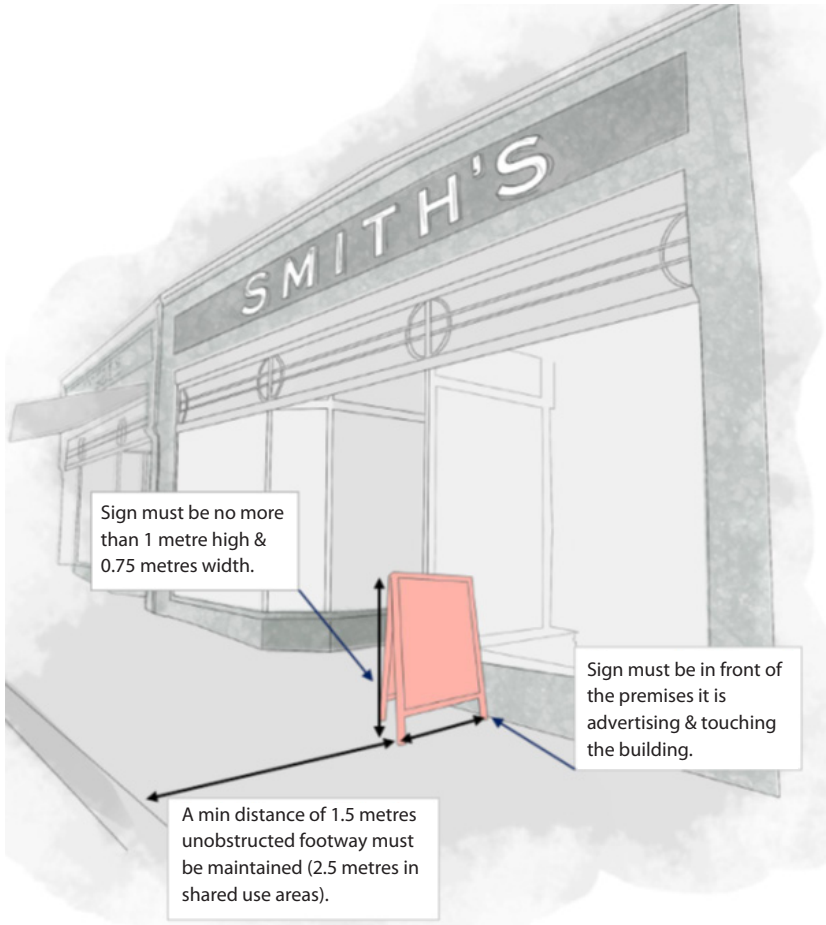
8. Advertisements on Roundabouts

- 8.1 Advertisements on, or near to, roundabouts are generally considered detrimental to the safety of road users. However, in some locations there may be scope for the siting of small, non-illuminated advertisements on the central island of a roundabout. Assessments for such applications will be primarily concerned with the impact on road safety as set out in section 4.6 above
- 8.2 In acceptable locations, and to ensure public safety is maintained, advertisements should:
- a) be sited a minimum of 0.6 metres distance when measured from the carriageway edge;
 - b) not exceed 0.9 metres in height at any point when measured from the carriageway level of the circulatory section;
 - c) not exceed 1.5 metres in length;
 - d) not result in the total number of advertisements exceeding the number of approaches of the roundabout on which it would be sited, having regard to both existing and consented advertisements on the roundabout;
 - e) be limited to one advertisement only facing in the direction of any approach road;
 - f) not located on any roundabout with more than 5 approaches; and,
 - g) not have a negative impact on the setting of any conservation area, listed building or a scheduled monument, or any residential area.
- 8.3 The above criteria applies only to the adopted road network and advertisements on, or relating to, any roundabout on the trunk road will not be permitted.

9. A-Board Advertisements

- 9.1 'A-boards' and other similar advertisements are typically moveable, non-illuminated signs that are most often placed on public footways in association with an adjoining business premises.
- 9.2 This form of advertising, whilst popular with businesses, can be hazardous for pedestrians, in particular people with visual impairments or mobility problems, and can often create an obstruction for people using wheel chairs, mobility scooters or prams. They can also detract from the appearance, character and visual amenity of a locality through visual clutter. For these reasons A-boards, and other similar advertisements, are strictly controlled.
- 9.3 Whilst there will always be a preference for well designed permanent advertisements fixed to business premises, Stirling Council wants to work with businesses to ensure that their advertising needs are met but at the same time ensure that the footways within our urban areas are safe, inclusive and clutter-free.
- 9.4 In order to meet this objective, in exercising its powers under The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984, the Planning Authority will take a pragmatic approach to the control of A-boards and other moveable advertisements on public footways, and will consider each proposal on a case-by-case basis. Such advertisements however will only be permitted where the following criteria are met:
 - a) Only one sign is permitted per business unit, which must be removed out with public trading hours.

- b) The advertisement shall consist of a simple A-Frame or similar design of modest size; the dimensions of which shall be limited to a maximum of 1.0 metres high and 0.75 metres wide.
- c) The advertisement shall be located over the frontage of the premises to which it relates and must be positioned against the building façade ensuring that a minimum width of 1.5 metres unobstructed passage is maintained to footway users, and a minimum of 1.5 metres from doorway.
- d) Within shared use areas, such as Port Street and Friars Street, a minimum clearance of 2.5 metres will be required at all times.
- e) The advertisement must not be attached or chained to any items of street furniture, and must not obstruct visibility at road junctions or accesses.
- f) Signs must not be placed where they may interfere with pedestrian facilities such as bus stops and pedestrian crossings.



The display of A-boards advertisements within the public road will only be allowed subject to a valid permit issued by the Council's Roads Authority. Further details on how to apply for a permit can be found on the Roads Authority webpage [Permission to Occupy Roads⁹](#).

10. Digital Advertisements

- 10.1 Digital advertisements allow static images, moving images or video footage to be displayed on a rotational basis in a fixed location. This eliminates the need for printing and physical renewal of posters. They offer a potential to reduce the amount of advertising clutter through the display of multiple adverts from the one advertisement fixture.
- 10.2 In considering proposals for the display of digital advertisements, the characteristics of the locality where an advertisement is to be displayed will be taken into account. It is therefore important to ensure that digital advertisements are not over dominant in the street scene and do not detract from road safety due to their unusual appearance giving rise to driver distraction. Therefore, digital advertisements should:
- a) be located out with predominantly residential areas;
 - b) relate well to the locality to which it relates and should be designed and sited so that it is subservient in scale and massing to existing surrounding buildings or structures.
 - c) safeguard the historic character and appearance of conservation areas, and the settings of listed buildings; detailed analysis, supported by visualisations, should be undertaken to establish the potential impact on the historic environment;
 - d) avoid the display of video footage or moving/transitional images in locations where the advertisement would front directly onto oncoming road traffic and be visible to road users. **In such locations, advertisements should be static and displayed for a minimum of 24 hours before changing.** A condition restricting the rate of change may be imposed on the granting of advertisement consent;

- e) avoid obstructing or impairing sightlines at corners, bends, junctions, parking bays, and crossing points (formal or informal), or reducing the clarity or effectiveness of any road traffic sign or signal, or distracting road users because of their usual design or size;
- f) be limited to the following maximum level of candelas in the interests of amenity and public safety, taking into account the illuminated area and the location of the proposal:

Illuminated area (m ²) Network of Centres	Up to 10m ²	10m ² and over
City Centre/ Town Centres/ Commercial Centre*	1000 cd/m ²	600 cd/m ²
Local Centres*	800 cd/m ²	600 cd/m ²
Outwith Network Centres*	600 cd/m ²	300 cd/m ²

* Please see Policy 2.6 for details of the Network of Centres.

11. Advertisements on Street Furniture

- 11.1 Street furniture includes street lights, traffic signs, litter bins, planting boxes, benches/seating, bus shelters and similar structures, all competing for space in urban areas and the attention of the passers-by.
- 11.2 The Council is seeking to reduce and rationalise the amount of unnecessary street furniture and visual clutter, especially in the Stirling city centre area and within conservation areas. New, free standing structures to display advertisements will therefore rarely be allowed in sensitive locations such as these, and proposals to display advertisements on existing street furniture are unlikely to be consented.

12. Advance Directional Signs

- 12.1 Proposals for advance directional signs (i.e. signs advertising goods or services not available at the point where the advertisement is displayed) will not be permitted unless in relation to the temporary advertisement of public events; marketing material relating to construction sites, or for those which are considered essential for the display of information for road safety purposes.
- 12.2 Where permitted, advance directional signs should:
- a) be sited and designed to avoid any adverse impacts on pedestrians and road safety;
 - b) be sited to avoid advertisement clutter in order to protect the appearance, character and visual amenity of a locality; and,
 - c) be designed in order to avoid any potential adverse impacts on the visual amenity of the locality.
- 12.3 It is worth noting that under certain circumstances, businesses have other options available for advance signs out with the remit of the planning system. Visit Scotland signs and the AA directional signs are two well-known examples. For trunk roads, these are the preferred options.

13. Advertisement Hoardings and Poster Signs

- 13.1 Free-standing advertisement hoardings and poster signs (i.e. structures providing space for commercial advertising) are unacceptable in rural locations. In urban areas these will only be supported in exceptional circumstances and where the scale of buildings and character of use may accommodate structures and displays without appearing incongruous or out of place.
- 13.2 Permanent hoardings or structures fixed to buildings to display advertisements will rarely be permitted, particularly on or close to listed buildings, or within conservation areas and residential areas.

14. Useful Links

1. Local Development Plan 2018 - Stirling Council [LINK](#)
2. The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (legislation.gov.uk) [LINK](#)
3. The Town and Country Planning (Scotland) Act 1997 (legislation.gov.uk) [LINK](#)
4. Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (legislation.gov.uk) [LINK](#)
5. View/comment on Planning Applications - Stirling Council [LINK](#)
6. Roads (Scotland) Act 1984 (legislation.gov.uk) [LINK](#)
7. Planning Advice Note 80: Control & Management of Fly-Posting - gov.scot (www.gov.scot) [LINK](#)
8. SG Shopfronts 27-2-19.pdf (stirling.gov.uk) [LINK](#)
9. Permission to Occupy Roads - Stirling Council [LINK](#)

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Formats

If you need help or this information
supplied in an alternative format
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