

Parc Cenedlaethol Bannau Brycheiniog Brecon Beacons National Park

PLANNING ADVICE NOTE 5 (June 2014)



Advertisements & Signs

The display of advertisements and signs very often needs the consent of the National Park Authority (as the planning authority). Legislation requires that considerations of amenity and public safety are applied to such things as:

- Posters and notices
- Placards and boards
- Fascia and projecting signs
- Pole and canopy signs
- Models and devices
- Estate agent boards
- Captive balloon advertisements
- Flag advertisements
- Price markers and price displays
- Traffic signs
- Town and village name signs
- Advance and directional signs

The advertisement regulations are complex and involved, but they are intended to achieve a reasonable balance between the need to advertise and the public amenity of areas which we all value.

All advertisements and signs fall into three main groups:

1. Advertisements exempt from control

Provided certain conditions are met, the following are specifically excluded from control by planning authorities:

- advertisements displayed in enclosed land (such as a railway station, bus station or sports stadium);
- advertisements which are an integral part of a building's fabric;
- advertisements in the form of price tickets or markers (such as petrol pumps or vending machines), which must not be illuminated or exceed 0.1 square metres in area;
- advertisements relating specifically to a pending Parliamentary, European Assembly or local government election, which must not be displayed 14 days after the close of the poll;

- advertisements required to be displayed by any Parliamentary Order of any enactment;
- any traffic sign (as defined in Section 64 (1) of the Road Traffic Regulation Act 1984) on land forming part of the highway;
- a national flag of any country (on a single vertical flagstaff, so long as it does not have anything added to the design of the flag or flagstaff);
- advertisements displayed inside a building, which must not be illuminated and must be at least one metre from any window.

2. Advertisements with 'deemed consent'

There are 14 classes of advertisement which are permitted as long as the rules are fully met, so no application is needed. Details of the relevant limitations are listed in the [The Town and Country Planning \(Control of Advertisements\) Regulations 1992](#)

Most of the National Park is a designated area of Special Control for advertisements, where the Welsh Assembly Government considers that special protection in the interests of amenity is required. In practice this means that the size of signs and lettering permitted under the 'deemed consent' classes have to be smaller than elsewhere. The centres of Brecon, Crickhowell and Hay-on-Wye are excluded from the area. A map showing the boundary is available for inspection at the National Park Office in Brecon.

3. Advertisements requiring express consent

If an advertisement you wish to display does not fall within the two previous groups, you will need to submit an application for the National Park Authority's express consent. Examples of the types of advertisement requiring such consent are:

- virtually all posters
- virtually all directional signs

- most illuminated signs
- most advertisements on gable ends
- signs which exceed the limitations for the 14 classes of deemed consent

Applying for consent

Applications for consent should be made on the appropriate forms, available from our web site www.beacons-npa.gov.uk or www.planningportal.gov.uk and may be submitted online via the planning portal. For further information please refer to our [planning application forms](#), [national requirements](#) and [local requirements](#) before submitting an application for advertisement consent.. 4 copies of the completed forms should be accompanied by illustrative plans and drawings, as required, together with the appropriate fee, please refer to [Planning Advice Note 2](#) or the [portal calculator](#).

How an application is decided

In deciding whether to approve your application the Authority will consider only two issues: the interests of *amenity* and *public safety*.

Amenity is usually understood to mean the effect upon the visual amenity in the immediate neighbourhood. The Authority will always consider the local characteristics of the neighbourhood - clearly of considerable importance in a National Park.

Public safety means the conditions which are relevant to the safe use and operation of any form of traffic or transport on land (including pedestrians), over water or in the air. Signs which cause confusion to drivers or distract their attention, or interfere with visibility, are obvious reasons for refusal. However, advertisements are intended to attract people's attention, so an advertisement would not automatically be regarded as a distraction. What matters is whether what is proposed, or where it is proposed to be sited, is of sufficient distraction to endanger public safety. Highway authorities are always consulted in such cases.

Conditions of consent

- All advertisements 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 local planning authority.
- Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

- Where an advertisement is required to be removed, the removal shall be carried out to the reasonable satisfaction of the National Park Authority.
- 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.
- 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).

After the decision

Advertisement consent normally lasts for five years only (but can be granted for a shorter or longer period). An advertisement does not need to be removed after the five year period, however, unless a condition has been imposed requiring this, or discontinuance action is taken by the Authority to remedy 'a substantial injury to the amenity of the locality', or danger to members of the public. The recipient of a notice of such action has the right of appeal to the Welsh Assembly Government through The Planning Inspectorate (address below).

If an application for advertisement consent is refused, an appeal can be made within eight weeks of the decision to the Welsh Assembly Government. Forms for such appeals are obtainable from:

The Planning Inspectorate, Crown Buildings, Cathays Park, Cardiff, CF1 3NQ, Telephone: 02920 823889, [The Planning Inspectorate \(Wales\)- Homepage](#)

Unauthorised signs

Anyone who displays an advertisement or uses an advertisement site, or knowingly permits someone else to do so, without consent is acting illegally. It is then open to the National Park Authority to bring a prosecution in the Magistrates' court for an offence under Section 224 of the Town and Country Planning Act 1990.

It is illegal to display any advertisement (even if it has deemed consent) without first obtaining the permission of the site owner.

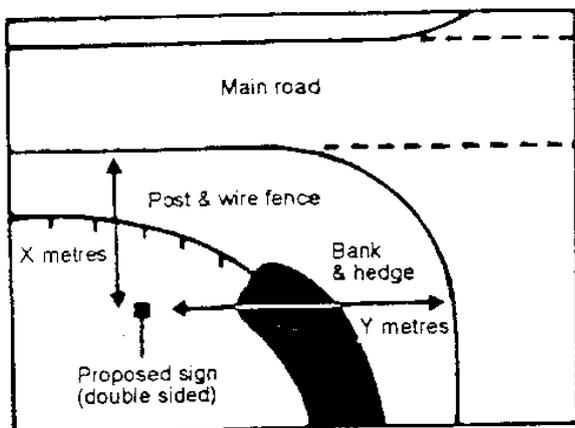
Directional signs to tourism and business premises

There are, in general, three distinct forms of direction signs which are available to help people reach a specific destination:

1. **Normal highway signs** - Erected and paid for by the highway authority and erected on land forming part of the highway.
2. **Brown tourism signs** - Normally erected by the highway authority on land forming part of the highway, but at the expense of the applicant, and subject to regulations set out in the relevant Government circular and to specified minimum visitor numbers.
3. **Other signs** - Generally all other signs erected by individuals fall under the broad category of 'advertisements'. Such signs are controlled by the Town and Country Planning (Control of Advertisements) Regulations 1992.

Generally most private direction signs require advertisement consent from the local planning authority.

Private advance signs will normally be permitted where they are necessary in the interests of local business or road safety and are acceptable in terms of design and siting. Signs should be of a timber finger-post design which contains only the name of the business. Where possible, composite signs will be required to avoid a proliferation of individual signs. Private advance signs will not normally be permitted for tourist establishments that are eligible for Department of Transport (brown) tourism signs.

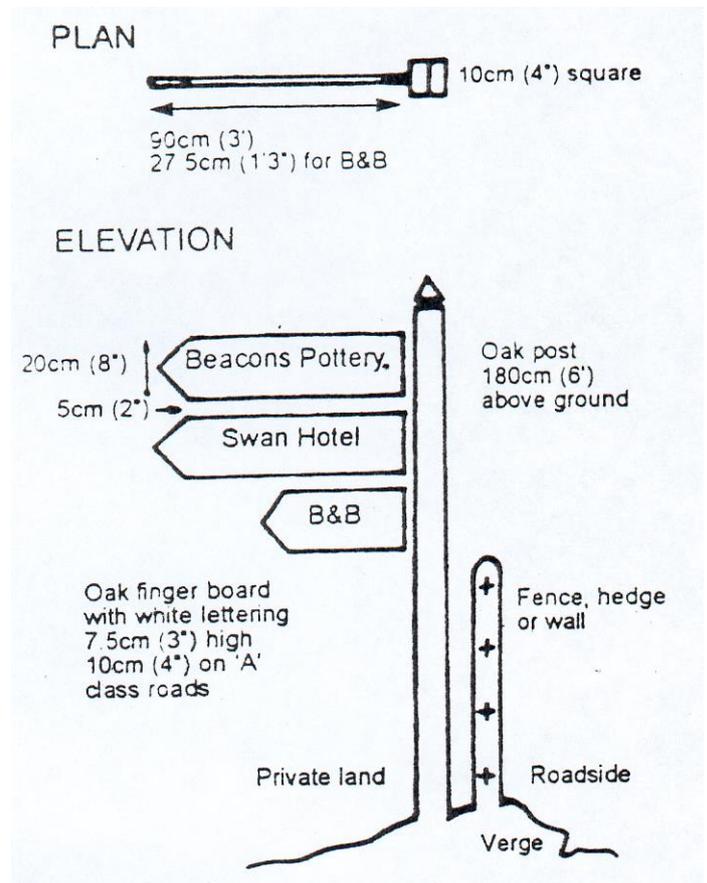


When making an application for a direction sign please bear in mind the following:

- You will need to include a location plan (as shown above) to show the size of sign and its position relating to property and roads. The plan need not be to scale but must have enough detail so that the site can be identified.
- Finger-post signs only should be used. Where there is more than one establishment, composite signs will be required. A maximum of three signs on any single post will be permitted providing each sign relates to a separate establishment.
- Signs should not be illuminated.
- The sign should be sited, where possible, against a background of hedges, trees, buildings or rising ground.

- The content of the sign should be limited to the name of the establishment.
- The sign should be sited as near as reasonably practicable to the entrance of the site and should direct traffic by the most satisfactory route.
- The design, including the materials, colour and wording as well as location should meet the Authority's requirements.

Please use the diagram and information provided as a guide when preparing your application.



- The sign must be legible at a minimum distance of 60m (65yds).
- All characters and symbols to be 75mm (3") high or, on A class roads, 100mm (4").
- Names to combine upper and lower case letters.
- Post and boards to be of oak.
- Letters to be routed and either in sans serif or slab serif style.
- Colour of lettering to be white.

For further information contact:

www.beacons-npa.gov.uk

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