



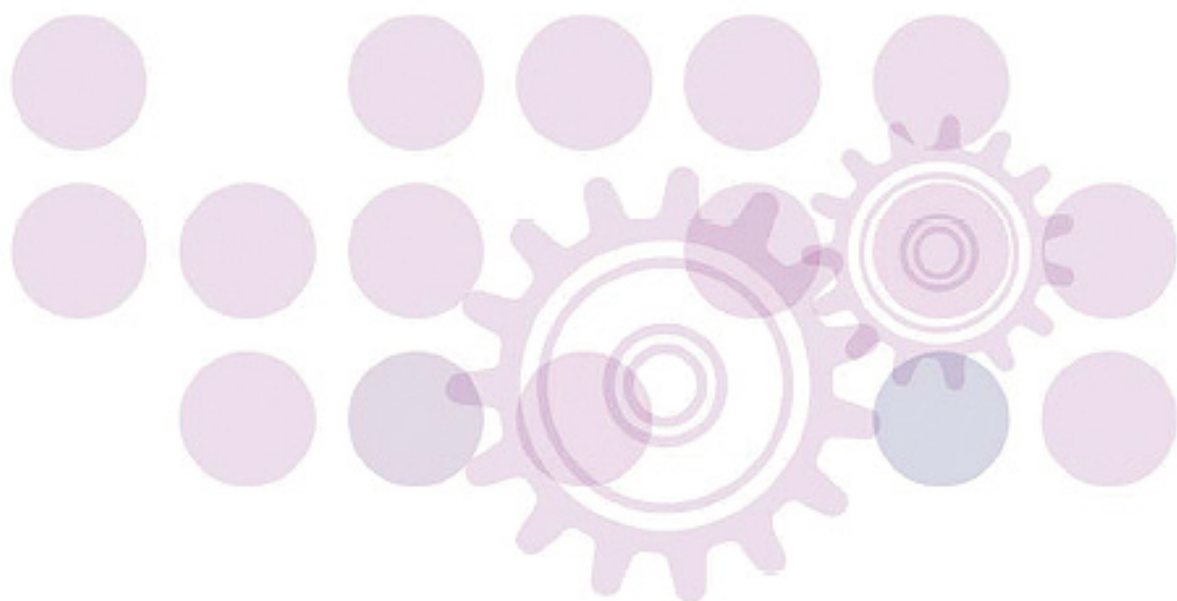
spd 07

supplementary planning document

Brighton & Hove City Council's Local Development Framework

adopted *date*

advertisements





What is an SPD?

A Supplementary Planning Document (SPD) is one of the material considerations that can be taken into account when determining a planning application. It forms a part of the Local Development Framework (LDF) and is intended to elaborate upon policies in the Development Plan Documents (DPD). This SPD is one of a series produced by Brighton & Hove City Council and it is to be read in conjunction with the DPDs. Each SPD has been subject to a period of formal consultation and approval under the LDF. In preparing this SPD the council has had particular regard to Government policy as set out in Planning Policy Guidance Note 15: Planning and the Historic Environment and Planning Policy Guidance Note 19: Outdoor Advertisement Control.

This SPD was adopted by the Environment Committee on 7th June 2007. It supplements policies QD11, QD12, QD13, HE1, HE4 and HE9 of the Brighton & Hove Local Plan adopted on 21st July 2005.

It complements the SPD on Shop Front Design (SPD01) adopted on 8th September 2005.

Contents	Page
Section 1 – Introduction	3
Section 2 - The Need for Consent	3
Section 3 - General Policy Advice	5
Section 4 - Shop Front Signage	11
Section 5 – Hotels and Guest Houses	17
Section 6 - Commercial Banners and Flags	18
Section 7 - Hoardings and Scaffold Shrouds	20
Section 8 - Estate Agents Boards	22
Section 9 - Advertisements on Street Furniture	23
Further Information and Contacts	24
Appendix A - Definition of an Advertisement	26
Appendix B - Regulation 7 Areas (Estate Agent Boards)	26
Appendix C - Local Shopping Centres	27



Section 1 - Introduction



Under planning legislation, the council has controls over outdoor advertising in the interests of **'amenity'** and **'public safety'**. Decisions can only be made on these grounds but can take into account policy in the council's development plan (of which this SPD forms part). The term 'amenity' covers the effect of advertising on the appearance of a building or group of buildings and on visual or aural amenity in the locality where the advertisement is to be displayed. Relevant considerations are those scenic, historic, architectural or cultural features that contribute to the distinctive character of the locality. The term 'public safety' refers to the potential impact of commercial advertising on transport and traffic (including pedestrians) and on crime prevention and protection. All forms of sign, notice or other device intended to announce or advertise something or somewhere are covered by the definition of an advertisement; for a full definition please see Appendix A.

Advertising is important to the viability of commercial enterprises and to the health of the local economy. It can be informative and, when well designed and sited, can add interest and vitality to the street scene. However, a proliferation of signs and advertisements of different sizes, colours, designs etc. can create a cluttered appearance with no visual cohesion which may be damaging to the appearance of buildings, streets or areas. Moreover, because advertising only works where it can be clearly seen, a clutter of signs may simply cause confusion, defeating its object and potentially impacting on public safety.



This SPD therefore seeks to give detailed policy guidance on the erection, fixing or replacement of advertisements and signs throughout the city. It aims to raise the standard of design quality and enhance the attractiveness and local distinctiveness of the city's shopping centres and commercial areas, whilst at the same time protecting residential areas. Particular attention is given to ensuring that advertisements will preserve and enhance the city's historic built environment. The SPD does not cover all forms of advertising, only those most commonly found or proposed in Brighton & Hove. Planning applications that take proper account of this policy guidance are likely to be dealt with both positively and quickly.

Section 2 - The Need for Consent

Some forms of advertisement can be displayed without the need to make an application, subject to certain criteria on size, location and illumination etc, and this is known as **'deemed consent'**. Others require a formal application to be made to the council. This is known as an application for **Advertisement Consent**. In sections 4 to 9 of this SPD the main criteria for determining whether consent is required are set out for each type of signage. However, the legislation is complex and therefore advice should be sought from the



council's City Planning service where any doubt exists or where the proposed advertisement is not covered by the policy in this SPD. Contact details are given on page 24.

It should be noted that where an existing advertisement or sign is to be replaced by a new sign (for example where a new owner or business takes over the premises), the new sign will require consent unless it is covered by the relevant criteria for deemed consent.

Once granted, consent normally lasts for five years unless specified otherwise in the conditions to the consent, but the advertisement may continue to be displayed with deemed consent beyond that period unless the council has added a condition specifying immediate removal (though it is open to the council to take discontinuance action after five years in all cases – see below). Any consent will also be subject to other conditions, including requiring the advertisement(s) to be kept in a clean, tidy and safe condition.

Lasers, searchlights and beams of light will be regarded as advertisements and will require an application for consent. Floodlighting can be considered a form of advertisement where its function is wholly or partly to announce the location or use of the premises and in such cases an application for consent will be required. (The council's policy on Floodlighting generally is set out in Policy QD26 of the Local Plan).

How to Apply for Consent

An application for **Advertisement Consent** should be made on the appropriate form (available from the council) either by hard copy or electronically and, in order to be valid, should be accompanied by:

1. A scale plan that identifies the location of the site by reference to at least two named roads and shows the direction of North.
2. A scale drawing that clearly identifies the proposed position where the advertisement(s) will be displayed on the building or structure. This should be at 1:50 or 1:100 scale. Where the advertisement is to project from the face of the building, a scale section drawing should be submitted to show the extent of projection.
3. Individual drawings or illustrations of the proposed advertisement(s), either to larger scale (1:10 or 1:20) or with all metric dimensions clearly marked. Where the proposed sign is a shop fascia, this should include a scale section through the fascia showing the projection of any sign board, letters or blind box.
4. Full details, for each sign, of the proposed materials, finishes, colours, means of fixture and method and extent of illumination (where proposed).

Three copies of the application form and all plans must be submitted (except where the form is submitted electronically).

With regard to item 2, where the advertisement is to be displayed on a shop front, the drawing(s) should show the elevation of the building above the shop front, at least up to first floor level, together with the level and position of any adjoining shop front signs.



Photographs and photomontages are **not** an acceptable substitute for scale drawings but they can be helpful when submitted as additional, supporting information, particularly in order to show the adjoining buildings.

Listed Buildings

Where an advertisement or sign is to be fixed to a listed building (including a shop front on a listed building), **Listed Building Consent** will be required for the advertisement, irrespective of whether or not Advertisement Consent is required.

Unauthorised Advertisements

Any person who displays an advertisement without the necessary consent is liable to prosecution. The council will consider such action in cases where the unauthorised advertisement has not been voluntarily removed or a retrospective application for consent has been not been received within a reasonable timescale.

If the property is a listed building, the alteration of the building by the fixing of a sign without consent is a criminal offence. In addition to prosecution proceedings, the council can issue a Listed Building Enforcement Notice to require the removal of the sign.

Discontinuance Action

Where an advertisement benefits from deemed consent but is considered by the council to be substantially harmful to amenity or public safety (due to its location, size, materials, method of illumination, cumulative impact etc.), the council may take discontinuance action to require the removal of the advertisement. This includes signs that were granted consent for five years but continue to be displayed with deemed consent after that period, where the council's policy or other material circumstances have changed since consent was granted. In considering whether to take such action in any case, the council will give particular consideration to the policy advice in this SPD and to the aim of reducing the number and clutter of signs in certain locations. Particular priority will be given to discontinuance action in historic shopping streets, along the seafront and within conservation areas as part of wider conservation or regeneration area improvements.

Section 3 – General Policy Advice

Sensitively designed and located advertisements or signs, which contribute to the visual amenity of the area and do not prejudice public safety, will be permitted. The criteria used to determine the suitability of an advertisement include:

- a. Size;
- b. Design;
- c. Colour;



- d. Materials;
- e. Lettering;
- f. Illumination;
- g. Means of fixture;
- h. Location; and
- i. Overall impact, individually and cumulatively with existing advertisements.



The council will seek to ensure that advertisements and signs are kept to a minimum and that they relate well to the function and use of the building or structure on which they are displayed. All advertisements should be carefully designed so that the appearance and character of the locality or area in which they are situated is preserved. The size of any sign should be proportionate to the scale of the building or structure to which it is fixed and should not extend over any window or obscure any street name sign. The presence in an area of some existing poorly located or designed advertisements will **not** be considered to set a precedent for others in the area.

Brighton & Hove is a historic city with a tight urban grain and predominantly low to medium rise buildings. Therefore, as a general rule, advertisements or signs above first floor window sill level will be considered inappropriate. Exceptions may only be made where such signs were a historic feature of the area; where the proposed sign clearly relates to the use and character of the building; and where the proposal is considered by the council to preserve the character of the commercial locality within which it is to be displayed. On larger scale buildings, particularly of the post war period, the display of higher level signs may in some cases be allowed where these are well designed, do not interrupt architectural features and relate to the function of the building. In some cases, such as theatres and cinemas, high level signs formed part of the original design and replacement by similar signs is likely to be acceptable. Theatres and cinemas, due to their scale and cultural importance to the city, can often satisfactorily accommodate larger scale signage.

Within the countryside, advertisements must be in keeping with the rural landscape and should not be prominent in key views. Brash colour contrasts should be avoided and illumination will be considered inappropriate.

The choice of appropriate materials and finishes will depend on the design and materials of the building or structure on which the advertisement is to be displayed and the appearance and character of the locality. In general shiny, reflective or highly glossy materials will be inappropriate in Brighton & Hove. Environmental sustainability considerations cannot legally form part of the council's determination of whether advertisement applications are acceptable. However, the council is keen to ensure that as far as possible advertisements should take into account the use of natural resources. In respect of materials, applicants are asked to consider the 'embodied energy' of the proposed material and how easily it can be repaired, reused or recycled. For example, plastic is unlikely to rate highly against these criteria and should be avoided as far as possible.



Illumination

Illumination can play a positive role in adding to the vitality of commercial areas and contributing to the evening economy. However, excessive or indiscriminate use of illumination can harm visual amenity and result in light pollution. It should therefore be confined to what is reasonably required to fulfil the purposes of the advertisement only. Illumination will generally be appropriate in commercial and mixed use areas but not in predominantly residential areas or streets. The council may add a condition restricting the hours of illumination where this could overcome harm to amenity in such areas. Illumination will generally be considered appropriate on theatres and cinemas due to the scale of such buildings and their contribution to the vitality of the night-time economy.

The type and method of illumination should be carefully considered having regard to the building and locality. Internally illuminated box signs (where the sign as a whole is illuminated) will be considered inappropriate on listed buildings or within their setting, within conservation areas or their immediate setting and within predominantly residential streets.



Individual internally illuminated letters or 'halo' lit letters on an unlit background are acceptable in most cases. On listed buildings and within conservation areas they must not require a bulky projecting box housing for the light source. This form of illumination will not be acceptable on some historic groups of small scale buildings in conservation areas. 'Halo illumination' is where the light source is concealed behind lettering or symbols that stand proud of the surface and light is shone back onto that surface, creating a glow or 'halo' immediately around the letters or symbols.

Neon tube signs are generally an acceptable form of illumination in commercial areas and main shopping centres, but not on traditional shop fronts on listed buildings unless the building in question dates from the 1930s or later. An exception will apply where a neon tube sign is hung internally behind shop front glazing. (Deemed consent applies to internal signs, whether illuminated or not).



Externally illuminated signs are also likely to be acceptable in commercial or mixed use settings, but the light sources should be discreetly sited and of the minimum size and number necessary to illuminate the advertisement lettering or symbols. In the case of historic buildings, care should be taken to ensure that the wiring or cabling to serve the illumination is hidden from view and does not harm architectural features.

Flashing, scrolling, animated or intermittent signs or moving digital displays will not be considered acceptable in Brighton & Hove, except in cases where they are located internally but visible through a display window and do not cause harm to amenity or public safety. However, they will not be considered appropriate within traditional shop fronts in listed buildings.



The maximum acceptable levels of luminance for any sign (or any side of a double-sided sign) will be those allowed with deemed consent, i.e.

- 600 candela per square metre where the illuminated area is not more than 10 square metres; or
- 300 candela per square metre where the illuminated area is more than 10 square metres.

Choice of the method and extent of illumination should preferably take into account the need to save energy. For example, consideration should be given to limiting the hours of operation (for example through a timer) and using low energy light sources. Where a number of separate signs are included within one application, consideration should be given to the use of solar power.

Public Safety and Accessibility Issues

In the interests of public safety, no advertisement or sign should obstruct or obscure any highway or traffic sign and should not obstruct the operation of speed cameras, CCTV or surveillance/security cameras or similar. For accessibility reasons, signs must avoid obstructing the public highway or the entrance to any adjoining premises. Signs placed on the ground should not be sited in such a way as to constitute a trip hazard and should not be so low that they would cause a danger to the partially sighted. Any advertisement or sign that projects over the highway must be at least 2.4 metres above ground.

Commercial Areas and Main Shopping Centres

This means the city centre, London Road town centre, Hove town centre, Lewes Road district shopping centre, Boundary Road/Station Road district shopping centre, St James's Street district shopping centre and the Marina.

Within these areas the council will expect commercial advertising and will permit signs that are well designed and carefully located. These areas are likely to be able to accommodate a range of materials and styles of sign, having careful regard to the characteristics of each locality. Illuminated signs will generally be permitted, subject to meeting the policy guidance set out under the heading 'Illumination' above.

However, it should be noted that most of the city centre, part of Hove town centre and the whole of St James's Street district centre are within conservation areas and contain significant numbers of listed buildings. Advertisement proposals in these areas will therefore need to take account of the policy advice under the heading 'Conservation Areas and Listed Buildings' below.

Local Shopping Centres

A list of defined local shopping centres is given at Appendix C.



Within local shopping centres the council will expect commercial advertising and will permit signs that are well designed and carefully located. However, due to the smaller scale of these shopping centres the council will require that signage is more restricted, in terms of numbers and size, than in the main shopping centres. Where individual parades have a uniform or cohesive design, the council will expect advertisements to reflect that.

The following local shopping centres lie wholly within conservation areas and contain listed buildings: High Street, Rottingdean; Old London Road, Patcham; and St George's Road, Kemp Town. Advertisement proposals in these areas will therefore need to take account of the policy advice under the heading 'Conservation Areas and Listed Buildings' below. Parts of the Fiveways and Seven Dials local shopping centres also lie within conservation areas and contain some good traditional shop fronts, which should be respected in any signage proposals.

Commercial Premises in Predominantly Residential Areas

Advertisement proposals on individual commercial premises (or a small group of commercial premises) within predominantly residential streets must respect the residential character of the area. In such cases signs should therefore be low-key in design and colour and be limited in size. Illumination will be strictly controlled to avoid any harm to local residential amenity and the council may add a condition restricting the hours of illumination where this could overcome such harm.

Conservation Areas and Listed Buildings

When considering proposals for signs within conservation areas, the council will expect signs to preserve the particular appearance and character of the conservation area in question and will be guided by the published character appraisal of that area. If well designed and sited, advertisements can make a positive contribution to commercial streets in conservation areas. Generally, those conservation areas within the urban, mixed use core of the city which contain significant commercial streets will be able to accommodate a wider range of signage (in terms of design, materials and illumination) than those conservation areas which are largely residential or village in character.

In the case of listed buildings and other historic buildings of merit within conservation areas, no advertisement or sign should have an adverse impact on the architectural or historic character of the building or its setting and should not, through its display or method of fixing, interrupt or obscure any architectural features of the building. Where a historic building forms part of a uniform or cohesive group, the council will expect advertisements to reflect that uniformity or cohesiveness.

The choice between a contemporary or traditional approach to signage on historic buildings will depend upon the nature of the building's use, the scale and architecture of the building and the character of the area. Most importantly, all advertisements or signs should be designed and constructed to a high quality and materials and finishes should be kept simple.



In general, a contemporary approach will be more appropriate in commercial and mixed use locations within the central urban conservation areas. Robust commercial or industrial/warehouse style buildings are particularly suited to a contemporary approach. A traditional approach will be more appropriate in The Lanes and in the outer suburban or village conservation areas, particularly on small scale historic buildings.

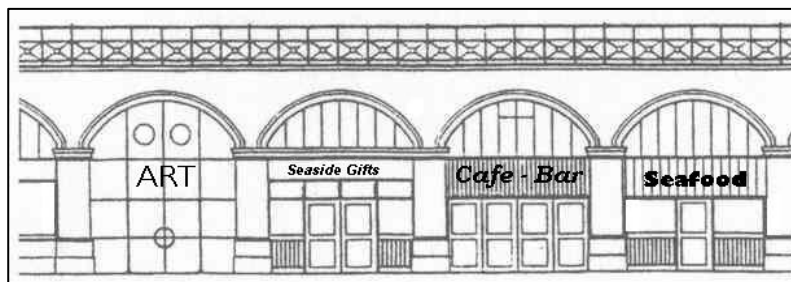
Corporate styles and images can be particularly damaging to listed buildings and within conservation areas, especially where applied indiscriminately across areas. The council will therefore expect corporate styles and images to be modified where necessary to suit the building and locality. This may mean a change in design, format, size or method of illumination.

This policy guidance will also apply within listed parks or gardens of special historic interest and to locally listed buildings.

The Seafront

The seafront south of the A259, between the Marina and Shoreham Harbour, is characterised by wide, open promenades and sweeping views of the beach and sea. Much of this length of seafront lies within a conservation area and contains listed buildings or structures, including the seafront railings in Brighton. To maintain this character, the upper promenade level must not be subjected to advertisement clutter. Commercial advertising south of the A259 will generally be considered inappropriate (except on the lower promenade level, the Aquarium Terraces or the Piers). Advertisements at upper promenade level that relate to businesses at the lower promenade level (Kings Road Arches or Madeira Drive) will not normally be permitted. No advertisements should be fixed to the seafront railings or hinder views of the beach and sea.

Signs to businesses in the Kings Road Arches, or within the historic colonnade and arches on Madeira Drive, should respect the uniformity or cohesiveness of the wider group of arches or colonnade within which they lie. All signs should be confined to within the arch itself and should not obscure architectural features or details.



Resource Use and Waste Minimisation

Wherever possible, the council encourages the use of locally sourced materials and local contractors for new advertisements and signs. Where existing advertisements are to be



renewed or replaced, consideration should be given to whether the existing materials can be reused on site (e.g. the reuse of an existing timber fascia on a shop front or the reuse of a metal bracket to a hanging sign). Where this is not possible, consideration should be given to arranging the collection of materials for recycling and/or using materials from recycled or reclaimed sources. In all cases the waste arising from the change in signage or advertisement should be minimised. Further guidance is given in the council's adopted [SPD03 Construction and Demolition Waste](#) and its Annex (see section on Further Information and Contacts).

Section 4 – Shop Front Signage



This section applies to all ground floor premises with a fascia sign and/or window display, including non-retail uses such as banks, building societies, estate agents, cafes, bars, restaurants, hot food take aways, launderettes and amusement centres. (It does not apply to premises within an enclosed mall or within a retail park). It should be read in conjunction with adopted [SPD02 on Shop Front Design](#); proposals for shop signage should always be carefully integrated with proposals for new shop fronts or alterations to shop fronts.

Advertisements for retail and related uses should be displayed on the premises that they are advertising. The council will not generally permit advertisements that are sited off the premises with the purpose of directing potential customer to the business. Such advertisements are considered to create clutter and harm visual amenity, particularly within conservation areas.

A) Fascia Signs

The Regulations

a) Where a property has a fascia above a shop window, a **non-illuminated** sign on that fascia may be displayed with **deemed consent** subject to the following criteria:

- No part of the sign is higher than the bottom level of any first floor window on the wall on which it is situated, or no higher than 4.6 metres above ground, whichever is the lower;
- No single sign may exceed 1.55 square metres in size; and
- No individual letter or symbol may exceed 0.75 metre in height.

b) **Illuminated** fascia signs within a **conservation area** require consent, whatever the means of illumination, except where the advertisement is for medical, pharmaceutical or veterinary services or supplies (including opticians).



c) **Outside conservation areas**, one **static illuminated** fascia sign per business may be displayed above a shop window with deemed consent, subject to the following criteria:

- Internal illumination is by 'halo' illumination or individually illuminated letters or symbols only;
- No individual letter or symbol may exceed 0.75 metre in height;
- The sign must be at least 2.5 metres above ground level but no higher than 4.6 metres, or no higher than the bottom level of any first floor window on the wall on which it is situated, whichever is the lower;
- No surface of the sign may exceed one sixth of the frontage on which it is displayed, up to a height of 4.6 metres, or one fifth measured to the top of the sign, whichever is less;
- If the sign consists of a built-up box containing the light source, it must not project by more than 0.25 metre from the fascia or wall to which it is fixed; and

The maximum levels of luminance for any sign are 600 candela per square metre where the illuminated area is not more than 10 square metres, or 300 candela per square metre where the illuminated area is more than 10 square metres.

In the case of **listed buildings**, Listed Building Consent will be required for any fascia sign whether illuminated or not, except where it involves a strict like-for-like replacement in terms of size, design and colour.



The Council's Policy

The fascia is generally the appropriate location for the main sign for any business with a shop front or display window(s). A well-designed fascia sign can complete the image of an attractive shop front and the colour and materials should be considered together. It is always helpful if the fascia includes the property number at one end,

Where consent is required, the council will expect any fascia sign to be contained within the dimensions of the existing fascia and individual letters should not extend the full height of the fascia but should leave a space above and below. It will be considered inappropriate to increase the dimensions of an existing fascia or to obscure part of a first floor window above or a shop window below. On historic shop fronts, existing fascia panels should not be over-boarded or built up with new back panels as these harm the traditional relationship of the fascia with the cornice and corbel brackets. Instead, sign writing should be applied or letters/symbols should be mounted directly on the original fascia board. In the case of listed buildings, the council may seek the reinstatement of the original fascia when new signage is proposed.



A proposed fascia sign, or individual letters or symbols, should not project further forward than any cornice and generally not more than 150mm. Greater projections can provide ledges for pigeons and this may result in harm to pedestrian safety or the need for unsightly deterrent spikes.

On traditional timber shop fronts, particularly in listed buildings and in small scale historic shopping streets such as within the Old Town and North Laine areas and within suburban conservation areas, a sign-written timber fascia is often the most appropriate solution. The choice of lettering can reflect the use of the business and the character of the building. Colours are important – gilding or strong tones on a dark background reflect light and are clearly visible after dark. Shading and blocking of letters can achieve rich effects. Shallow individually applied letters in timber or metal are also acceptable and simple solid shapes will normally be most appropriate. The letters should not have a glossy or highly reflective finish.



Illumination should follow the guidance set out in Section 3 above. Individual internally illuminated letters or 'halo' lit letters on an unlit background are often the best approach, provided that applied box housings are avoided. External illumination should be by discreetly sited light fittings that illuminate the lettering/symbols only. A single slim trough light per sign, colour finished to match the fascia, will generally be appropriate provided that it is fixed below any decorative cornice and does not project as far as the cornice. Large or bulky trough lights will not be approved. A small spotlight at each end of the fascia is an alternative acceptable solution. Swan neck lights are unduly prominent features, which give the fascia a cluttered appearance and detract from cornice details; they will be considered inappropriate on traditional shop fronts in conservation areas or listed buildings.



Where the shop front does not have a fascia, such as some modern shop units, an appropriate solution is to hang a sign internally behind the glazing and the lettering can be internally illuminated. The sign should be in scale with the shop window and not dominate it. Such signs benefit from **deemed consent**.

In the interests of resource use and waste minimisation, consideration should always be given to the reuse of existing timber fascias as the basis for new signage, where they are in sound condition.

B) Projecting and Hanging Signs

The choice of hanging sign, or a more contemporary projecting sign, will depend on the use and design of the building and the choice made for the fascia – the two should be considered together in terms of siting, material, finish and colour.



The Regulations

a) Where a property has a wall containing a shop window, a **non-illuminated** sign on that wall may be displayed with **deemed consent** subject to the following criteria:

- No part of the sign is higher than the bottom level of any first floor window on the wall on which it is situated, or no higher than 4.6 metres above ground, whichever is the lower;
- No single sign may exceed 1.55 square metres in size; and
- No individual letter or symbol may exceed 0.75 metre in height.

b) **Illuminated** hanging or projecting signs within a **conservation area** require consent, whatever the means of illumination, except where the advertisement is for medical, pharmaceutical or veterinary services or supplies (including opticians).

Outside a conservation area, one projecting or hanging sign on each business premises may be **static illuminated**, but there are further restrictions beyond those that apply to illuminated fascia signs as set out in Part A (c) above. These are:

- No surface may be greater than 0.75 square metre in area;
- A sign must not project more than one metre from the wall of the building, or two-thirds of the width of the footway or pavement below, whichever is less;
- The advertisement must not be more than 1 metre high;
- It must not project over any carriageway; and
- If the sign consists of a built-up box containing the light source, it must not be more than 0.25 metre wide.

In the case of **listed buildings**, Listed Building Consent will be required for any projecting or hanging sign whether illuminated or not, except where it involves a strict like-for-like replacement in terms of size, design and colour.

The Council's Policy on Hanging Signs

One hanging sign will generally be allowed on each business frontage (normally under deemed consent) but may not be approved in the case of small-scale historic buildings, particularly where they have narrow frontages and are tightly packed together, such as in The Lanes. In such cases a cluster of hanging signs close together can create a cluttered appearance to the historic townscape.



A hanging sign should relate to the scale and proportions of the building. It should normally be fixed so that it hangs at fascia level or just above the fascia, but should not be fixed to the face of a bay and must not interrupt or obscure architectural details. On traditional timber shop fronts, particularly to listed buildings and within suburban or village conservation areas, a traditional timber hanging sign on a



simple iron bracket will normally be the most appropriate solution. This will also often be the most appropriate solution for public houses, where it is often traditional to hang the sign at first floor level, at one edge or centrally between windows. Where the premises forms part of a uniform or cohesive group of buildings, the council will expect hanging signs to reflect the uniformity of the group in terms of their siting and size.

Traditional trade symbols such as a pawnbroker sign or striped barbers pole are generally acceptable and the council will encourage one-off or artist designs related to the business in question, where these enhance local distinctiveness.



Proposals for illumination should accord with the general policy in Section 3 above. External illumination, where appropriate, should be by means of a small discreet light source fixed immediately above the sign; a small trough light is the preferred means.

The Council's Policy on Projecting Signs

One projecting sign will generally be allowed on each business frontage (normally under deemed consent) but may not be approved in the case of historic buildings with traditional shop fronts. Projecting signs are generally more appropriate on modern buildings and non-traditional shop fronts.



A projecting sign should relate to the scale of the building but generally should not exceed 0.60 square metres in size and must not be deeper than the fascia depth. It should be fixed discreetly at or just above fascia level, at one end, but must not interrupt or obscure architectural details. It should never be fixed to the face of a bay or to a column head or corbel bracket at the end of a fascia.

Proposals for illumination should accord with the general policy in Section 3. Where internal illumination of letters or 'halo' illumination is proposed, the sign should not exceed 0.25 metre in width and on listed buildings or within conservation areas should not exceed 0.15 metre in width. Bulky box signs and glossy or highly reflective surfaces will not be approved.

C) Boards on Forecourts

The Regulations



Double-sided boards (known as an 'A' Boards) may be displayed on a **private forecourt** of any business premises (or each forecourt of a business with more than one frontage) with **deemed consent** provided that no sign, or aggregate total of signs, exceeds 4.6 square metres per forecourt. Illumination is not permitted. Deemed consent does **not** allow an 'A' Board or similar sign on highway land such as public pavement.

Within the city centre there is currently a council **Licensing Scheme** and Code of Conduct for shopkeepers who wish to place boards on highway land. Under this scheme, each site is individually assessed, board positions assigned (where appropriate) and license



conditions set by the council's Street Licensing Team. These sites are then monitored by the Highway Enforcement Team. Wherever possible, licensed boards are required to be positioned in line with street furniture (bollards, bins etc.), flush with shop fronts or so placed as to ensure straight, clear access ways. Boards outside the areas covered by the License Scheme are still required to be placed sensibly and safely. Some restaurant/café businesses have general 'licensed areas' for the placing of tables, chairs, displays, 'A' Boards and other items on the public highway.

The Council's Policy

The council will not approve 'A' Boards beyond those permitted under the Regulations or licensed by the council's highways team. Discontinuance action may be taken where an 'A' Board is considered to cause substantial harm to amenity or public safety.

D) Blinds and Awnings

The council's policy on blinds and awnings is covered in detail in the adopted [SPD02 on Shop Front Design](#). This SPD deals only with the matter of advertisements on blinds and awnings. If erected with care and consideration they can add interest and vitality to a shopping street but advertising on them can create a cluttered appearance. Where a blind is fixed below the fascia and the fascia remains visible, for example, it should not be necessary to incorporate an advertisement.

The Regulations

Blinds and awnings incorporating lettering/symbols are classed as an advertisement. Where erected above a shop window, blinds and awnings with an advertisement are permitted with **deemed consent** subject to the following criteria:

- No single advertisement may exceed 1.55 square metres;
- No part of the advertisement is higher than the bottom level of any first floor window on the wall on which it is situated, or no higher than 4.6 metres above ground, whichever is the lower; and
- No lettering or symbol may exceed 0.75 metre in height.

In all cases blinds and awnings must be at least 2.43 metres above the pavement level at their lowest point. Illumination is not permitted and no deemed consent applies to blinds or awnings over first floor windows or above.

The Council's Policy

The council will not normally grant Advertisement Consent for blinds or awnings above ground floor level and will not approve the illumination of blinds or awnings.

In the case of **listed buildings**, any blind or awning will require Listed Building Consent and the council will not grant consent where blinds or awnings, by means of their design, siting, colour, materials or method of fixing, would fail to preserve the character of the listed building.



E) Other Shop Front Advertising

The council will not normally grant consent for signs on side or end walls of shop premises which are listed buildings or within conservation areas, where they do not form part of a shop front. Advertisements or signs fixed to the columns or pilasters that frame a shop window will be considered inappropriate, except in the case of some modern shop fronts with plain, wide columns. Menu boards and similar items are best placed internally, where they can be read through the display window. Etched lettering on the glass can also provide discreet additional signage.

Signs displayed internally within a shop are covered by the Regulations where they are illuminated and/or where they are within 1 metre of the shop window and door, through which they are visible. They benefit from **deemed consent** but in cases where an excessive number of internal advertisements cause substantial harm to amenity, the council will consider discontinuance action. The layout of any shop unit should therefore be carefully considered to overcome the need for excessive window vinyl graphics to hide shelving (such as in some mini supermarkets) or so as to provide dedicated and well-integrated display space for any necessary advertising (such as in newsagent shops).

Advertisements can sometimes be incorporated into the floor tiling or mosaics in a recessed entrance area. This was a traditional approach in the Victorian period and the early 20th century and can also work well in a more contemporary manner. Provided that they are of high quality and in durable material, such advertisements will be acceptable.

Section 5 – Hotels and Guest Houses

Brighton & Hove is a major tourist and conference destination and tourism plays a major role in the local economy. The council recognises the importance of hotel and guest house accommodation to the future of the city and supports the provision of well-designed signs that enhance the quality of the city's tourism offer and enable visitors to find their accommodation easily and safely. The majority of hotel guests in the city will have already pre-booked accommodation and the function of signage should be to enable them to identify their hotel when they arrive. The council will strongly discourage signs that are designed or sited solely to attract attention over other hotels and guest houses or to announce temporary promotions.

The Regulations

A hotel or guest house may display one non-illuminated sign with **deemed consent** (or two if it has an entrance on separate road frontages). This is subject to the following criteria:

- No sign may exceed 1.2 square metres in size
- No letter or character may exceed 0.75 metre in height.
- No part of the sign may be more than 4.6 metres above ground level.



In the case of **listed buildings**, Listed Building Consent will be required for any external sign that is fixed to the building.

The Council's Policy

The majority of hotels and guest houses in Brighton & Hove are converted historic buildings within conservation areas. Many are listed buildings. The council will therefore expect proposals for signs to respect the architectural and historic character of the building and area. One hanging sign stating the name of the hotel will be allowed, supplemented where appropriate by a second sign flat to the face of the building. They should be sited so that they do not interrupt or obscure architectural features or details such as ironwork or mouldings. Signs should not be fixed to front area railings or balcony railings. Temporary promotional signs or banners will usually be judged inappropriate.

The most appropriate solution is a painted timber hanging sign fixed between ground and first floor level. Possible locations include over the entrance or hung beneath a balcony. If fixed beneath a balcony, the sign should not project forward of the balcony decking. For the sign flat against the face of the building, painted lettering will be the most appropriate solution. An attractive location can be the fascia of an entrance portico. Alternatively, individually applied letters in timber or metal may be acceptable, provided that they do not interrupt original mouldings. External illumination will generally be allowed provided that the light source is small and discreetly sited.



The only further signage that will be allowed is a small sign adjacent to the entrance that refers to a recognised hotel rating system, provided that sufficient space exists for this to be displayed without obscuring architectural features. Vacancy signs and similar, where necessary, should be placed inside windows.



In the case of large, purpose-built hotels a single higher level sign stating the name of the hotel will be allowed in addition to a sign or signs at the entrance(s). All signs should respect the architecture and scale of the building and should not interrupt or obscure architectural features. Internal or 'halo' illumination of individual letters will generally be allowed.

Section 6 – Commercial Banners and Flags

A) Commercial Banners

This section covers banners that are intended to form permanent advertisements on commercial properties or are fixed on other properties for commercial purposes.



The Regulations

Advertisement Consent is required for any banner displayed above the bottom level of any first floor window (or above 4.6 metres from ground level, whichever is the lowest).

Listed Building Consent is also required if the banner is proposed to be fixed to a **listed building**.

The Council's Policy

Consent may be granted for a single vertical banner on an elevation, where all of the following circumstances apply:

- The property is in a major commercial, shopping or cultural area;
- The property is not a listed building or adjoining a listed building;
- The property is considered to be of sufficient scale to accommodate a banner;
- The banner is fixed at one end of the building;
- The design, method of fixing, material and colour are appropriate to the building; and
- The banner is not illuminated.

Consent will not be granted for temporary promotional banners except where they are associated with the redevelopment or regeneration of a major site.

B) Commercial Flags

This section applies to flags that carry the name, logo or symbol of a commercial business or that refer to a specific commercial event.

The Regulations

A single flag attached to a single flagpole projecting vertically from the roof of a building can be displayed with **deemed consent** provided that:

- It refers to the occupier of the building; or
- It refers to a specific event (not including the sale of named goods) of limited duration taking place in the building, for the duration of that event; and
- No letter or symbol exceeds 0.75 metre in height.

When the flag is no longer required the flagpole must be removed at the same time. If the flagpole remains, it will then be classed as a structure requiring planning permission.

Any flagpole attached to a **listed building** will require Listed Building Consent, whether or not a flag is flown from it.

The Council's Policy

The council will not normally grant Advertisement Consent for any commercial flag advertisement within a conservation area, or within a listed park or garden, that cannot be



displayed with deemed consent under the above criteria, except where the flag relates to the development or regeneration of a significant site and is to be for a strictly limited period only. In such cases no more than one flag will be permitted. Commercial flag advertisements will be considered inappropriate on listed buildings.

Outside conservation areas, commercial flags may be acceptable on buildings in major commercial areas and streets provided that they do not result in cumulative visual clutter. The council will have regard to other existing and proposed signage on the building or site in determining such applications.

C) National Flags



The national flag of any country is **exempted** from advertisement control, together with the flags of the European Union, Commonwealth, United Nations and any English county.

Listed Building Consent will however be required for any such flag and flagpole where it is attached to a listed building.

The Council's Policy

In the case of listed buildings, the council will consider whether the flag and flagpole would preserve the character of the building and listed building consent will only be granted where this is the case. In general, a single flag may be acceptable on larger scale listed buildings which have a civic, community or cultural function. In such cases the flagpole should be fixed vertically at roof level.

Section 7 – Hoardings and Scaffold Shrouds

A) Hoardings

This section refers both to permanent advertisement hoardings erected on buildings or land and temporary advertisement hoardings that are placed around building sites.

The Regulations

The Regulations permit advertisement hoardings around building sites where approved development is taking place of a commercial, industrial or business nature, outside of conservation areas. This **deemed consent** is subject to various criteria. The council expects companies responsible for erecting and maintaining advertisement hoardings to be familiar with the restrictions in the Regulations and will expect those restrictions to be fully met.

No other advertisement hoardings may be displayed without Advertisement Consent. Any hoarding that is fixed to listed building would require Listed Building Consent.



The Council's Policy

The council will not normally approve permanent advertisement hoardings on listed buildings or within their setting; within conservation areas or their immediate setting; within the seafront area; or within the countryside. Temporary advertisement hoardings may be acceptable around building sites where it is considered that the display of such hoardings would enhance a commercial street scene during the course of the works, including wider views of the area. Consent would be granted for a strictly limited period.

Elsewhere, the council will approve hoardings provided that they screen a building site or vacant site or cover an unattractive wall or structure, do not cause harm to the amenity of the locality and do not harm strategic views within the city. In such case the hoarding should be subservient in size to the wall or structure on which it is located. Hoardings will not be considered acceptable in predominantly residential streets or areas.

Where applications for hoardings are made, applicants will be expected to submit a supporting statement to demonstrate that the proposed hoarding causes no harm to amenity and public safety.

B) Scaffold Shrouds

This section refers to temporary advertisements displayed on sheet or mesh material covering scaffolding on a building.

The Regulations

Scaffold shroud advertisements do not benefit from any deemed consent and therefore **Advertisement Consent** will be required in all cases.

The Council's Policy

Shroud advertising is designed to have a short-term dramatic impact on its surroundings and, while it can herald a much-needed regeneration scheme, it can overwhelm historic streets and buildings.

The council will therefore only grant consent for scaffold shroud advertising in commercial areas of the city and where it is associated with a building refurbishment programme. In such cases it is only to be displayed on the scaffolding during the course of the building repair/restoration contract. The council will require evidence of the length of the building contract and will impose a condition on any consent limiting the duration of display. The area of the advertisement should be in proportion to the area of the building façade and in any case should not exceed 50% of the elevation area.

On a listed building or a building that forms part of a historic group in a conservation area, the advertisement will be expected to be incorporated within a full scale reproduction image of the building façade, in whole or in part.

Where illumination is proposed, it should be by static means only; the light fittings should be discreetly sited and kept to the minimum number necessary. The council may impose a



condition limiting the hours of illumination, in the interests of amenity and to preserve the character of conservation areas.

Section 8 – Estate Agent Boards

The Regulations permit the display of estate agent boards advertising the sale or letting of both residential and commercial premises with **deemed consent**, subject to various criteria for each. The council expects estate agents to be familiar with the restrictions in the Regulations and will expect them to be fully met. The council will consider prosecution in the case of estate agents who persistently ignore the Regulations and discontinuance action in the case of properties subject to longstanding, repeated display of boards.

In the case of 'V' Boards that are typically fixed to commercial buildings, they should not be fixed over windows (even where the building is vacant) and all fixing battens should be removed when the board is taken down.

The Brighton & Hove Estate Agents Association has a voluntary Code of Practice for the display of residential sale and letting boards, which applies stricter limits in conservation areas than those set in the Regulations. The council considers this Code of Practice to be a model approach that should be followed by all estate agents.



In addition, the council has applied a **Regulation 7 Direction** to specific properties in the Kemp Town, Montpelier and Clifton Hill and Brunswick Town conservation areas (with the agreement of the Secretary of State) to remove the benefit of deemed consent from these properties. All properties concerned are listed buildings and form historic squares and terraces. For a list of all properties covered by the Regulation 7 Direction please see Appendix B.

The effect of this Direction is that no estate agent boards may be displayed on these properties without Advertisement Consent. In order to prevent visual clutter and consequent harm to the appearance and setting of these squares and terraces, applications for consent will generally be refused. The display of boards in these squares and terraces will only exceptionally be allowed in cases where, because of the condition of the building or the nature of its use, the council is satisfied that other means of marketing alone will not secure a reasonably prompt sale or occupancy. In such circumstances the proposed boards must be well designed and located to suit the specific site.

The Regulation 7 Direction came into force on 22nd October 2004 and will be reviewed within five years from that date, to enable the council to assess the full effects of the Direction and to seek its renewal from the Secretary of State. The review will also enable the council to consider whether to seek an extension of the Direction to cover other historic areas.



Section 9 – Advertisements on Street Furniture

This section covers advertisements displayed on bus shelters, fixed to lamp posts and similar highway structures or displayed on telephone kiosks.

A) Bus Shelters

There are more than 400 bus shelters in Brighton & Hove and approximately half of these shelters currently include an illuminated advertisement display panel for commercial advertising. All such display panels require **Advertisement Consent**.

The Council's Policy

Bus shelters with an illuminated advertisement panel will be allowed except in the following cases:

- Within the setting of a listed building;
- Adjacent to or within the setting of a listed park or garden;
- In a residential street (or predominantly residential street) within a conservation area;
- On the seafront south of the A259 coast road; or
- Outside the built up area of the city.



The council will encourage the installation of bus shelters that use solar power for all illumination.

B) Lamp Posts and Similar Structures

Any advertisement or sign fixed to lamp post or similar highway structure will require **Advertisement Consent** unless it is a traffic sign (which are exempt from the Regulations) or a functional sign displayed by the council for the purposes of announcement or direction (which may be displayed with deemed consent).

If the lamp post or other highway structure is a **listed building**, any advertisement or sign fixed to it is likely to require Listed Building Consent.

The Council's Policy

The council will only grant consent for advertisements on lamp posts or similar structures where they form part of a co-ordinated display advertising a specific event of city-wide importance and are sited on one of the major routes into the city. They will not be allowed in residential areas or on the seafront, except in the immediate vicinity of the Brighton Centre and not south of the A259. They must not obscure or distract attention from highway signs or otherwise cause a hazard to road safety. They should not be fixed at more frequent intervals than one on every other lamp post (or similar structure).



No commercial advertisements will be allowed on lamp posts that are listed buildings. Signs that are required in the interests of sustainable transport may be allowed, where no suitable alternative location exists, provided that they are small in proportion to the lamp post and carefully fixed so as to preserve the special character and appearance of the lamp post.

C) Telephone Kiosks

The Regulations

The Regulations permit a commercial advertisement to be displayed on one glazed surface of a kiosk, in addition to the display of the operator's name or logo. This **deemed consent** does not apply to kiosks within conservation areas and does not apply to the traditional red kiosks (known as types K2 and K6).

The Council's Policy

The council will consider commercial advertisements on traditional red kiosks (K2 or K6) to be inappropriate, whether they are listed buildings or not. In other cases the council will grant consent for a commercial advertisement to be displayed on one glazed surface of a kiosk **except** in the following cases:

- Within the setting of a listed building;
- Adjacent to or within the setting of a listed park or garden;
- In a residential street (or a predominantly residential street) within a conservation area;
- On the seafront south of the A259 coast road; or
- Outside the built up area of the city.

In all cases the council will carefully consider the impact of any proposed advertisement on public safety.

Further Information and Contacts

The **Regulations** referred to in this SPD are The Town and Country Planning (Control of Advertisements) (England) Regulations 2007. These can be downloaded from the website of the Office of Public Sector Information at www.opsi.gov.uk/legislation/uk. The Regulations are accompanied by Circular 03/2007 issued by the Department for Communities and Local Government, which can be downloaded from their website www.communities.gov.uk.

The council's adopted **SPD02** on **Shop Front Design** is available on the council's website www.brighton-hove.gov.uk. Alternatively you can e-mail the council at ldf@brighton-hove.gov.uk or telephone (01273) 292271

The council's adopted **SPD03** on **Construction and Demolition Waste** is available on the council's website www.brighton-hove.gov.uk. Alternatively you can e-mail the council at ldf@brighton-hove.gov.uk or telephone (01273) 292505.



Useful Contacts

For further advice on whether Advertisement Consent is required or whether a proposal is likely to be acceptable, please contact one of City Planning's development control teams for the following wards:

East Area: (01273) 292509	West Area: (01273) 292121
East Brighton	Brunswick & Adelaide
Hanover & Elm Grove	Central Hove
Hollingbury & Stanmer	Goldsmid
Moulsecoomb & Bevendean	Hangleton & Knoll
Queens Park	North Portslade
Patcham	South Portslade
Preston Park	Regency
Rottingdean Coastal	Stanford
St Peters & North Laine	Westbourne
Woodingdean	Wish
	Withdean

For further advice on whether a property is a **listed building** or within a **conservation area** or a **listed park and garden**, please see the council's website www.brighton-hove.gov.uk, e-mail conservation@brighton-hove.gov.uk or telephone the Design and Conservation team on (01273) 292271.

For details of the how to obtain a **licence** for an 'A' Board on the public highway (or to report an obstruction caused by an 'A' Board) please contact the council's Street Licensing Unit on (01273) 292071 or e-mail street.licensing@brighton-hove.gov.uk.

Information Sheets on Sustainable Timber Sources and Recycled Building Materials are available from the Design & Conservation team. (See contact details above). The following web sites provide useful guidance on energy efficiency and re-using waste materials:

The Carbon Trust	www.carbontrust.co.uk
The Building Research Establishment	www.bre.co.uk
National Green Specification	www.greenspec.co.uk
Lets Recycle	www.letsrecycle.com

The **Brighton and Hove Estate Agents Association** can be contacted by e-mail to secretary@bhea.co.uk.



Appendix A

Definition of an Advertisement

The statutory definition of an advertisement for planning purposes is set out in Section 336(1) of the Town and Country Planning Act 1990, as amended by Section 24 of the Planning and Compensation Act 1991. It is as follows:

“any 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 purposes of, advertisement, announcement or direction, and (without prejudice to the previous provisions of this definition) includes any hoarding or similar structure used, or designed or adapted for use, and anything else principally used, or designed or adapted principally for use, for the display of advertisements”.

Appendix B

Properties covered by the Regulation 7 Direction

All properties in:

- Adelaide Crescent
- Palmeira Square
- Brunswick Place
- Brunswick Square
- Brunswick Terrace
- Arundel Terrace
- Chichester Terrace
- Lewes Crescent
- Sussex Square
- Montpelier Crescent
- Vernon Terrace
- Numbers 7 to 33 (odd) Church Road (otherwise known as 7 Rochester Mansions, 9-15 and 25-33 Palmeira Mansions and 17-23 Palmeira Avenue Mansions).



Appendix C

Local Shopping Centres

Mill Lane, Portslade

Portland Road, Hove

'The Grenadier', Hangleton Road

Richardson Road, Hove

Eldred Avenue, Withdean

Old London Road, Patcham

Ladies Mile Road, Patcham

Seven Dials

Fiveways

Hollingbury Place, Hollingdean

Beaconsfield Road, Preston Park

St George's Road, Kemp Town

Warren Way, Woodingdean

Whitehawk Road, Whitehawk

High Street, Rottingdean

Lustrells Vale, Saltdean

Longridge Avenue, Saltdean

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