Application For Consent To Display An Advertisement Form

Guidance Notes

Town and Country Planning (Control of Advertisement) (Scotland) Regulations 1984

The Application For Consent To Display An Advertisement(s) Form allows you to apply for permission to display one or more advertisements or signs.

These guidance notes provide clarification and further information to help you complete each section of the form.

When To Use This Form

1. Please use this form to make an application to display an advertisement or sign. Advertisements are defined as any word, letter, model, sign, placard, board, notice, awning, blind, device or representation, whether illuminated or not, and employed wholly or partly for the purposes of advertisement, announcement or direction. More details are included paragraph 4.

2. Certain types of advertisement do not need permission as they enjoy “deemed consent” under the Regulations. You can check this by consulting the regulations or by seeking advice from the planning authority.

What Is An “Advertisement”?

3. The term “advertisement” is described in the 1984 Regulations as a word, letter, sign, placard or device used to advertise or make an announcement or direction. It may be illuminated or non-illuminated.
4. The advertisement control system therefore covers a very wide range of advertisements and signs including:

- posters and notices
- placards and boards
- fascia signs and projecting signs
- pole signs
- canopy signs
- models and devices
- advance signs and directional signs
- estate agents’ boards
- captive balloon advertising (not balloons in flight)
- flag advertisements
- price markers and price displays
- traffic signs
- town and village name-signs

Memorials and railway signals are not regarded as advertisements

Who Controls Outdoor Advertisements?

5. Planning authorities are responsible for the day-to-day operation of the Regulations through the advertisement control system, and decide whether a particular advertisement should be permitted or not.
When Is Advertisement Consent Required?

6. Certain types of advertisements do not need consent, they have “deemed consent” under the Regulations. As a guide the types of advertising that normally require “express consent” under the Regulations include:

   a. the majority of illuminated signs;

   b. advertisements using specialised structures for their display, such as poster hoardings and most roadside advance warning or directional signs unless these are road signs displayed by the Roads Authority.

   c. large signs or those positioned very high up on buildings.

   If you think your proposed adverts may not need consent you should check the detail of the Regulations or with your planning authority [or Expert System]

7. Advertisements which need consent include illuminated signs, advance signs or non-illuminated signs of a certain size and position. In addition, some authorities have defined “Areas of Special Control” within which they exercise a stricter control of adverts and signs – even those which enjoy deemed consent elsewhere. For further details please check the Town and Country Planning (Control of Advertisement) (Scotland) Regulations 1984. You may also use the expert system facility to check if your proposals will need consent.

8. When determining applications for advertisement consent planning authorities have regard only to considerations of "amenity" and "public safety". Planning authorities cannot consider the content of advertisements.

9. Particular care must be taken when signs are displayed on or close to listed buildings so that they do not detract from the character and appearance of the building. Even signs that are normally permitted within the Advertisement Regulations require separate Listed Building Consent if they are attached to listed buildings. If the building on which the advert is to be displayed is listed it is likely that you will need to submit a separate application for Listed Building Consent.
What Plans Are Required With My Application?

10. **A location plan will always be required.** When you submit a location plan it is recommended that this is at a scale of 1:1250 or 1:2500 (or larger), showing at least two named roads and surrounding buildings, it must have a north point. The properties shown should be numbered or named to ensure that the exact location of the application site is clear.

11. The application site must be edged clearly with a red line. It should include all land necessary to carry out the proposed development – for example, land required for access to the site from a public road, visibility splays, landscaping, car parking and open areas around buildings. A blue line must be drawn around any other land owned by the applicant, close to or adjoining the application site.

12. You should provide drawings to show clearly the proposed advertisement(s), with dimensions and position on the land or building(s). Where it would project from a building, detail the extent of the projection. Indicate the materials to be used, fixings, colours, height above the ground. Photographs and photomontages may be used. The following plans are recommended:

- Site plan or block plan – showing position of advertisements in relation to buildings and site boundaries.
- Elevations – showing size and position of advertisements
- Cross sections – clearly identifying the projection of adverts out from the building façade. All proposals for fascia adverts need to include cross sections.

All plans must be to a recognised metric scale and any figured dimensions given in metres (millimetres for finer detail) and should include a scale bar.

13. The plans you submit should include notes or annotations to confirm if adverts are to be illuminated or non-illuminated. If illuminated, please illustrate the type of lighting (e.g. internal or spotlights etc) and the proposed colour of illumination. Your plans will also need to show full details of lettering and motifs and the materials proposed.
What Does The Planning Authority Take Into Account In Making A Decision?

14. The planning authority must make an assessment of how your proposals impact on amenity and public safety. This is set out in the Regulations. If they consider that the proposals will have an adverse effect on either of these, they may refuse consent. Alternatively they may attach conditions to a grant of consent to ensure the advertisement is displayed in accordance with the guidelines and policies.

15. The planning authority may have specific policies or guidance notes relating to the types of advertisements and signs which are and are not generally acceptable and hence likely to obtain consent. You may find that by making a small amendment to your proposals you can meet the authority's planning and design policy objectives. You may also wish to discuss your proposal before you send in your application by seeking pre-application advice from your planning authority. For details of relevant policies and guidance about arrangements for pre-application discussions, please look at your planning authority’s website.

What Happens If Consent Is Refused?

16. If the planning authority refuse consent for your advertisement, or require you to remove an existing advertisement, you have a right of appeal to the Scottish Ministers against their decision. You have to lodge any appeal within 6 months of the date of a decision.

17. If consent is granted it is limited by law to a maximum period of 5 years. However after the 5 years have expired you do not normally need to reapply for consent, as the advert is then deemed to have consent.
Electronic Submission Of Application

18. Under the provisions of The Town and Country Planning (Electronic Communications) (Scotland) Order 2004, please note that by submitting your application using this form you are deemed to have agreed to the following:

   a. to the use of electronic communication for all purposes relating to the application; and

   b. that the electronic address you have used is the one which will be incorporated into the application.

Should you wish to withdraw or revoke your consent you will have to advise the planning authority in writing that you wish to do so, giving at least 7 days’ notice of the date when your withdrawal of consent will take effect.
### Applicant's Details

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### Agent's Details

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### Address or Location of Proposed Advertisement(s) (please include postcode)

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**NB. If you do not have a full site address please describe/identify the location of the site or sites in your accompanying documentation.**
**Description of Proposed Advertisement(s)**

Please describe the proposal.
Please select at least one of the following:

- [ ] Fascia Sign
- [ ] Projecting Sign
- [ ] Advance Sign
- [ ] Box Sign
- [ ] Hoarding
- [ ] Other
- [ ] Canopy
- [ ] Flag

If you have selected "other" please provide a description below:

How many advertisement signs are you seeking consent for?

Will the advertisement(s) be:

- [ ] Illuminated
- [ ] non-illuminated
- [ ] both

If illuminated, please describe the type and colour of illumination to match the details on your plans

Please describe the dimensions of the advert(s), materials to be used for its construction and the methods to be used for fixing it to the building.

Will any of the proposed advertisement(s) project over a footway or public road?  

- [ ] Yes
- [ ] No

Is this a renewal of a previous consent?

- [ ] Yes
- [ ] No

If yes, please give date and reference number of previous consent (if known):

Date: 

Application Reference Number:

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**Advertisement(s) Period**

Please state the period of time for which consent is sought for the advertisement(s):

- [ ] 5 years
- [ ] More or less than 5 years

If more or less than 5 years, please state number of years:

Years:
Pre-Application Discussion

Have you received advice from the planning authority in relation to this proposal?
☐ Yes  ☐ No

If yes, please provide details about the advice below:

In what format was the advice given?
☐ Meeting  ☐ Telephone call  ☐ Letter  ☐ Email

Please provide a description of the advice you were given and who you received the advice from:

Name:  
Reference Number:  Date:  

Interest in the Land

Does the applicant own the land or buildings concerned?
☐ Yes  ☐ No

If no, has the permission of the owner or any other person entitled to give permission for the display of an advertisement been obtained?
☐ Yes  ☐ No

If no, please give details of why permission has not yet been obtained:

Planning Service Employee/Elected Member Interest

Are you or is the applicant, or the applicant's spouse/partner, a member of staff within the planning service or an elected member of the planning authority?
☐ Yes  ☐ No

Or, are you/the applicant/the applicant's spouse or partner a close relative of a member of staff in the planning service or elected member of the planning authority?
☐ Yes  ☐ No

If you have answered yes please provide details:
DECLARATION

I, the applicant/agent certify that this is an application for advertisement consent as described in the form. The accompanying plans/drawings and additional information are provided as part of this application.

Signature: 

Name: 

Date: 