
STATUTORY INSTRUMENTS

1989 No. 670

The Town and Country Planning (Control of Advertisements) Regulations 1989

PART IV

AREAS OF SPECIAL CONTROL

Area of Special Control Orders

18.—(1) Every local planning authority shall from time to time consider whether any part or additional part of their area should be designated as an area of special control.

(2) An area of special control shall be designated by an area of special control order made by the local planning authority and approved by the Secretary of State, in accordance with the provisions of Schedule 5.

(3) An area of special control order may be revoked or modified by a subsequent order made by the authority and approved by the Secretary of State, in accordance with the provisions of Schedule 5.

(4) Where an area of special control order is in force, the local planning authority shall consider at least once in every 5 years whether it should be revoked or modified.

(5) Before making an order under this regulation, a local planning authority shall consult—

- (a) where it appears to them that the order will be likely to affect any part of the area of a neighbouring local planning authority, that authority;
- (b) where the order will relate to any land within a National Park, any district planning authority within whose area any of that land is situated.

(6) A local planning authority shall not exercise their power under this regulation in the interests of public safety within the meaning of regulation 4(1).

Control in areas of special control

19.—(1) No advertisements may be displayed in an area of special control unless they come within—

- (a) Classes B to J in Schedule 2;
- (b) Classes 1 to 3 and 5 to 14 in Schedule 3; or
- (c) paragraphs (2) to (5) below.

(2) Advertisements of the following descriptions may be displayed in an area of special control with express consent, subject to paragraph (3) below—

- (a) hoardings or similar structures to be used only for the display of notices relating to local events, activities or entertainments;
- (b) any advertisement for the purpose of announcement or direction in relation to buildings or other land in the locality, reasonably required having regard to the nature and situation of such buildings or other land;

- (c) any advertisement required in the interests of public safety;
 - (d) any advertisement which could be displayed under paragraph (1) above but for some non-compliance with a condition or limitation as respects size, height from the ground, number or illumination imposed by Schedule 3.
- (3) Express consent may not be given for the purposes of paragraph (2) above for an illuminated advertisement, other than one illuminated for the purpose of indicating that medical or similar services or supplies are available at the premises on which the advertisement is displayed.
- (4) On the coming into force of an area of special control order—
- (a) any advertisement within paragraph (2)(d) above for which express consent has been granted may continue to be displayed after the expiry of that consent, by virtue of Class 14 in Schedule 3, subject to the power of the local planning authority to serve a discontinuance notice under regulation 8;
 - (b) any other advertisement for which express consent has been given may continue to be displayed for 6 months from the date on which the order comes into force or for the remainder of the term of the consent, whichever is the longer; and
 - (c) any other advertisement displayed in accordance with these Regulations may continue to be displayed for 8 months from the date on which the order comes into force.
- (5) Where paragraph (4)(b) or (c) above applies, the relevant advertisement shall be removed forthwith, at the end of the relevant period, unless a further consent is granted for its continued display in accordance with this regulation.
- (6) Nothing in the foregoing provisions of this regulation shall—
- (a) affect a notice served under regulation 8 at any time;
 - (b) override any condition attached to a consent, whereby the advertisement is required to be removed;
 - (c) restrict the powers of a local planning authority, or of the Secretary of State, in regard to any contravention of these Regulations;
 - (d) restrict the power of the local planning authority, or of the Secretary of State, to consent to the display, in an area of special control, of an advertisement of a class in respect of which a direction under regulation 7 is in force.