

PRACTICAL GUIDE

External Signs and Notices at Church Premises: The Need for Consent

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PART 1 - THE RULES AND REGULATIONS

Part 1 of this document deals with the rules, regulations and legislation regarding external signage. Part 2 deals with the practical application of the most common type of external signs which a church is likely to consider.

1.0 Introduction: What are termed as advertisements?

Virtually all forms of external signs and notices are covered by The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and are controlled the Local Authority (in most cases the Borough Council).

Most kinds of signs and notices which a church may consider, such as the name of the church/fellowship, invitations to events, lists of regular meetings, posters for special events, boards displaying information about the café or similar activities, will all be considered as advertising, in the same way as any business, although there are a few concessions for places of worship and religious institutions.

The term advertisement includes:

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

For most small/medium sized churches, many of the above items will not be relevant to their activities, but some will be, and specific consent may be required depending upon size, location etc and specifically if they are illuminated or not. Details will be covered in a later section.

Most churches will tend to consider their external signage as notice boards, displays or signs and will not consider themselves to be advertising the goods or services they have to offer. However, throughout this document these items will be referred to as advertisements, rather than notice boards, display boards or signs, because that is how the legislation refers to them.

This document is intended specifically to assist churches and only addresses the forms of advertising most likely to be employed by churches. It does not cover forms of signage or advertising which are unlikely to be relevant to churches, such as town and village signs or bus stop signage.

It also assumes that any signs or notices referred to are located on the premises to which they refer. If, for example, a church erected advertising signs for church events on sites which were remote from the church building where the event is to be held, then different criteria would apply.

Churches may wish to note that memorials are specifically not regarded as advertisements.

The Regulations discussed in this document only relate to England. Special or additional restrictions may apply if the church premises are located in an Area of Outstanding Natural Beauty, a Conservation Area, a National Park, or an Area of Special Control (see section 9 below).

2.0 Legislation

Advertising and notices are covered by The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (referred to as “the Regulations”).

There is a subsequent amendment: The Town and Country Planning (Control of Advertisements) (England) (Amendment) Regulations 2021. This relates solely to revised regulations and provisions for flags.

The regulations subdivide advertisements into three principle categories; those which are normally permitted, those which have deemed consent and those which require express consent.

Any advertisements attached to a listed building, or within the vicinity/setting of a listed building may also require Listed Building Consent.

3.0 The “Standard Conditions”

Schedule 2 of the Regulations lists five conditions with which all advertisements must comply. These are referred to as the “Standard Conditions”. They are fairly basic and logical, and compliance is unlikely to cause a church any problems. They are summarized as follows:

1. They must only be displayed with the permission of the owner of the site or any other person with an interest in the site. This may be a body other than the church, such as trustees or landlords.
2. They must not be sited so as to endanger persons using any highway, railway, waterway, dock, harbour or aerodrome. They must not obscure or hinder the ready interpretation of any traffic sign, railway signal or aid to navigation by water or air. They must not hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
3. Any advertisement displayed and any site used for the display must be maintained in a condition which does not impair the visual amenity of the site.
4. Any structure or hoarding for displaying advertisements must be maintained in a condition which does not endanger the public.
5. When an advertisement is required to be removed under the Regulations, the site must be left in a condition which does not endanger the public or impair visual amenity.

4.0 How do we gain consent?

In England the local planning authorities are the authority responsible for the advertisement control system. Applications are made to them and processed in much the same way as a planning application.

However, if the property where the advertisement is to be displayed is in any National Park, then the relevant authority is the National Park Authority, or if it is within the Broads then the authority is the Broads Authority.

Applications are subject to a fee, currently £132 at the time of publication of this document.

The application will need to be supported by the appropriate application form, an Ordnance Survey Location Plan and details of the proposed advertisements, together with details of their proposed location. The type and extent of information required to accompany the application will vary according to the nature of the sign or advertisement. If signs are to be attached to the elevation of a building then, typically, an elevation drawing of the building indicating the sign position will be required. If external notice boards, flags or banners are proposed, typically drawings or details of the boards will need to be accompanied by a site plan indicating their proposed position.

The exact level of information which needs to be submitted will vary according to the type and location of the proposed advertisement. Although there are national requirements for the level of information to be provided, in addition each Local Authority will have its own list of requirements, so it is not possible to give an accurate or exhaustive list of required documents here, but the list below should serve to give some guidance:

- Application Form, including a declaration relating to ownership of the site;
- Location Plan - usually scale 1:1250 (or 1:2500 in rural areas) with the extent of the site outlined in red and including a North point;
- Site Plan, to show the proposed location of the advertisement - usually at a scale of 1:200 or 1:500;
- If the advertisement is to be affixed to part of the building, an elevation of the building showing the position of the advertisement, typically at a scale of 1:100 or 1:50;
- Larger scale drawings of the advertisement itself, including free-standing notice boards, typically at a scale of 1:20.

The content of the application forms is regularly updated. At the time of writing the following information will typically be required, either on the application form or on the submitted drawings:

- The height from the ground to the base of the advertisement;
- Dimensions of the proposed advertisement;
- Maximum height of lettering/symbols;
- Colour of text and background;
- Materials;
- Maximum projection from face of the building (not relevant if free-standing);
- Method of illumination (if illuminated);
- Illuminance levels (cd/m²) (if illuminated);
- Whether illuminance will be static or intermittent (if illuminated).

Site photographs or a photo-montage can often assist in presenting the proposals and assist the planning authority in visualizing the location and impact of advertisements.

If the application is made via hard copies there will be a minimum number of copies of the documents required, usually four. If the application is submitted online, then there are restrictions on the maximum electronic file size and the type of file formats which are acceptable. See the Planning Portal for details. There is also a service charge payable with the Planning Portal of £23.33+ VAT.

If the church/applicant is not the legal owner of the property, then consent of the owner will need to be obtained and it may be necessary to serve a notice on the legal owners such as the trustees of the property.

Churches not familiar with preparing the necessary scale drawings or completing the application forms may wish to engage the services of an agent to undertake the drawings and submit the applications for them. This could be Church Growth Trust, an architectural consultant or a surveyor.

Applications are dealt with in much the same process as a planning application with, for example, comments being invited from the public and town/parish council before a decision is made.

As for refusal of planning permission, an appeal can be made to the Secretary of State should advertising consent not be granted. An appeal can also be made against any conditions attached to a consent, which may be considered unreasonable (e.g. hours of illumination).

If approval is granted a time limit for the expiration of approval is often stated on the approval notice, typically five years, but refer to section 11 below on time limits for display.

5.0 Advertisements which are normally permitted

These are advertisements which are outside the control of the local authority and for which permission is not required. There are nine different classes which are summarized below.

- A. Advertisements displayed on enclosed land (e.g. within railway or bus stations, sports stadia, shopping precincts);
- B. Advertisements displayed in or on a vehicle which is normally moving;
- C. Advertisements which are an integral part of a building's fabric;
- D. Advertising in the form of price tickets, branded goods, vending machines etc;
- E. Advertisements relating specifically to a pending parliamentary or European Parliamentary election;
- F. Advertisements displayed by Parliamentary Order;
- G. Traffic signs as defined by section 64(1) of the Road Traffic Act 1984;
- H. Flags which are the flag of a nation, European Union, the Commonwealth, United Nations, English county flags and saint's flags;
- I. Advertisements displayed inside a building, provided that they are not illuminated or displayed within one metre of any window or other external opening from where they can be seen from outside.

6.0 Advertisements which have deemed consent

These are advertisements which are deemed to have consent and therefore do not require an application to be made for approval by the local authority, provided they comply with certain criteria (e.g. size, height location and size of font). There are sixteen different classes which are briefly summarized as follows:

- 1. "Functional advertisements" by public bodies;
- 2. Miscellaneous advertisements on any premises;
- 3. Temporary advertisements;
- 4. Illuminated advertisements on business premises;
- 5. Other advertisements on business premises;
- 6. Advertisements on forecourts of business premises;

7. Flag advertisements;
8. Advertisements on hoardings around temporary construction sites;
9. Advertisements displayed on purpose-designed highway structures;
10. Properly authorized signs for approved Neighbourhood Watch and similar schemes;
11. Directional advertisements;
12. Advertisements displayed inside buildings;
13. Advertisements on sites used for the preceding 10 years for displaying advertisements without express consent;
14. Advertisements displayed after the expiry of express consent;
15. Captive balloons advertisements;
16. Advertisements on telephone kiosks.

Each of the above classes has its own restrictions criteria which need to be checked to ensure the proposed advertisement or notice complies. If it does not comply (e.g. if it is larger than the prescribed size), then a specific application will be required to obtain express consent. Some of the deemed consent classes do not apply or have greater restrictions in an Area of Outstanding Natural Beauty, a Conservation Area, a National Park and an Area of Special Control.

7.0 Advertisements which require express consent

These are forms of advertising which specifically require an application to be submitted and cover the large majority of external signage and notices. If an advertisement does not fall into the “normally permitted” or “deemed consent” categories above, then it will require an application for express consent. The proposed advertisement may exceed one of the restrictions imposed by deemed consent, such as overall size or restriction on font size, and hence require express consent.

The fact that an application is required for express consent should not necessarily be taken as indicative that consent will not be granted.

8.0 Sites within Areas of Outstanding Natural Beauty, Conservation Areas, National Parks and The Broads

For good reason, particularly to maintain the special character of these areas, the degree or size of advertisements is often restricted to minimize adverse visual impact of signage on the visually sensitive environment. Even the big players in advertising, such as supermarket chains and banks have to compromise or reduce their signage in such areas, and the same will apply to churches.

This is particularly relevant when considering one of the classes of deemed consent listed above. Some of the deemed consent classes will not be applicable if the church site is within one of these areas, or there may be further restrictions on size of font and size of sign. Often there are very specific limitations on illumination. None of these restrictions mean that an advertisement which does not meet the restrictions cannot be erected. What it does mean is that an application for express consent is required. Each case will be taken on its own merit.

If the church site is located within one of these areas, it will be important to read through the specific restrictions and criteria for each class of advertisement, which are not fully listed in this document, in order to consider whether the advertisement complies.

9.0 Areas of Special Control of Advertisements

In addition to the above controlled areas and their restrictions, there may be some locations and areas which the Local Authority considers to be sensitive areas. Local Authorities therefore have the power to designate specific areas as Areas of Special Control of Advertisements.

These Areas of Special Control may include areas noted for their historic, scenic, cultural or architectural features. These are not just restricted to rural areas and the areas vary widely in their size and nature. They include large areas of the Lake District and the Peak District and large areas of the counties of North Yorkshire, Devon and Cornwall. They also include smaller areas, such as the cathedral precinct in York and small areas in the city of Leeds.

It is likely that churches located within an Area of Special Control of Advertisements will already be aware of their circumstance but, if in doubt, this should be ascertained with the local authority, as almost any form of advertisements in an Area of Special Control will require express consent.

10.0 Withdrawal of deemed consent

Local Authorities have the power to remove the benefit of one or more of the Classes of deemed consent for any particular site. This means that an advertisement which would normally benefit from deemed consent would have to be the subject of an application for express consent.

Withdrawal of deemed consent is not an action taken often by a Local Authority, or lightly, as it requires the approval of the Secretary of State to action.

11.0 How long can a church display an advertisement for?

If granted, most express advertising consents will give a time limit for which the advertisement can be displayed. This is usually five years from the date of granting the consent.

However, Class 14 of the deemed consent provisions allows for an advertisement to continue to be displayed after the expiry of express consent, provided that the Local Authority has not forbidden the continued display and has not refused an application for continued display.

In most circumstances this will effectively mean that the advertisement can be displayed indefinitely; although the church will always need to comply with the “Standard Conditions” referred to previously in Section 3.

12.0 Do we need permission to replace existing signage?

Class 13 of the deemed consent provisions allows advertisements to be displayed on a site that has been used to display advertisements for the preceding 10 years, provided that the advertisement has been displayed continually during that period (e.g. displaying an advertisement for part of each year, over a 10-year period would not qualify). This applies both to advertisements which have previously received express permission to display them and those which have never received express consent.



In terms of replacement signs, through wear and tear etc, these would be permitted, provided that there is not to be any substantial increase in the extent or size, or alteration to the manner of the display. It therefore follows that replacement advertisements on a like for like basis would be permitted by Class 13. However, if a significant increase in the size was intended, a different position proposed, or if it was intended to illuminate the sign where it previously was not illuminated, then a new express consent for the advertisement is likely to be required, unless it falls into those categories which are permitted or have deemed consent as referred to in Sections 6 and 7 above.

If the advertisements are retained or replaced, the church will need to continue to comply with the “Standard Conditions” referred to previously in Section 3.

PART 2 – TYPICAL EXAMPLES OF CHURCH SIGNS, NOTICES AND ADVERTISING

Part 2 considers some of the most common forms of signage, notices and advertising considered by churches, but is not intended to be an exhaustive list of the options available.

13.0 The name of the church/fellowship mounted on the building

Class 4 of the deemed consents allows illuminated signage at business premises and Class 5 covers a wide variety of external signage at business premises, both subject to conditions and restrictions.

However, both classes refer specifically to business premises. The signs need to relate to any or all of the following: the business carried on, the goods sold, or services provided, or the name and qualifications of the person carrying on the business, or supplying goods and services, on those premises.

The guidance published by the government refers to business premises being any building in which a professional, commercial or industrial undertaking is being carried on, or any commercial services are being provided for the public. It goes on to list examples of such premises, such as offices, theatres, cinemas and shops. The list of examples does not include places of worship. It can therefore be taken that the Class 4 and 5 deemed consent do not apply to churches.



An application for express consent is required, including details of any illumination, if intended. Such an application would usually be supported by an elevation drawing of the building showing the size, position, wording of the sign and/or logo.

If the size of the intended sign is small, it may fall within deemed consent Class 2(C) as covered by the section below.

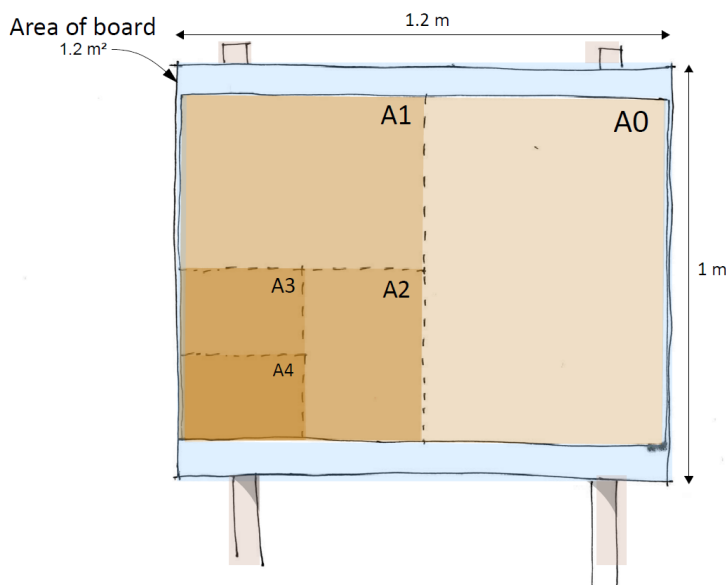
14.0 External notice boards: permanent displays

Typically, for church premises, this type of sign will usually contain the name/logo of the church/fellowship and contact details or service times.

Deemed consent Class 2(C) relates to external notices and signs and grants a specific benefit to a small number of types of premises, which include religious institutions. Small signs and notice boards for church buildings will therefore fall within this deemed consent class and not require permission.

To meet with the conditions, the sign can only be displayed at the actual premises to which it relates (e.g. not in a nearby location further down the road).

The size of the sign or notice board must not exceed 1.2 m² in area (e.g. 1.2m wide x 1m high). In practice this will restrict the information displayed to say the name of the church/fellowship and a modest list of service times. Note that this is the total area permitted. If the church already displays a notice board or sign, then the combined areas will need to be taken into account when preparing the details of the new sign.



Example of a notice board with deemed consent

Those church premises which have the benefit of corner plots, where there are two frontages to the building, have the benefit of being entitled to display one such sign on each road frontage. This does not mean that one larger sign of 2.4m² can be displayed on just one frontage.

This class of deemed consent does not cover illumination of signs, unless it relates to medical or similar services, which clearly do not apply to church premises.

To comply with the Class 2 conditions, lettering must not exceed 0.75m in height or, if the site is within an Area of Special Control of Advertisements, 0.3m high.

Therefore, if the proposed sign or notice board is to be illuminated (e.g. either internally within a cabinet or by flood lighting), or if the proposed size of the sign or lettering exceeds the permitted size, then an application for express consent will be required, but this should not be taken that approval may be granted.

Such an application is likely to be supported with details or drawings of the proposed sign, together with a site plan to show the intended location. With regard to location, note that any sign placed near car park entrances should not obstruct the visibility splays required to give motorists a safe view of the road when exiting the car park.

15.0 External notice boards: variable displays

The concept of notice boards where the displayed contents can be changed on a regular basis is not specifically referred to in the Regulations but can be a useful resource to churches who may wish to display details of events to be held at the premises, such as Christmas services, holiday clubs, harvest thanksgiving or Alpha courses. These can be changed on a daily basis if necessary. The most suitable and convenient method is perhaps to use a notice board with a glazed hinged door and a metal backing so that posters can be quickly fitted by magnets, whilst the glazed door protects the posters from weather damage.

One could argue the case that, if the notice boards meets all the criteria for Class 2 as described above then they have deemed consent. The Local Authority could contest this opinion as they cannot control the content of the advertising.

The size required to display one A1 size poster is around 0.5m², or a cabinet which displays two vertical A1 posters size by side will be around 1m²



Often a church will require one notice board which gives their fixed information, such as contact times and regular services, plus a separate notice board on which to display variable events. If this is the case, then the combined area is almost certainly going to exceed the 1.2m² restriction, so express consent would be required. If so, this rather negates the question of whether interchangeable displays come under the Class 2 deemed consent.

Many glazed cabinets have the option of illumination and, if this option is selected, then express consent will be required anyway, irrespective of whether the size falls within the Class 2 restrictions.

16.0 Internal signs visible from outside

Under Class I of the advertisements which are normally permitted and therefore outside the control of the Local Authority, internal signs do not require permission. However, Class I does not include signs which are placed within 1m of a window or door, or signs which are illuminated, and which are visible externally.

Deemed consent Class 12 does permit such displays which are excluded from Class I, but only if the building itself is mainly used to display advertisements (e.g. an estate agent's premises), which cannot usually be said of a place of worship.

The conclusion is therefore that any signs posted in such a position where they can be readily seen from outside, such as posters displayed on the inside of windows or entrance doors, are not permitted without express permission.

However, if such signs are erected, the worst-case scenario is that the local authority could serve a discontinuance notice for the displays to be removed, which should not have the major cost implication of having to remove external notice boards erected without permission.



17.0 LCD or similar displays

LCD displays are not specifically referred to in the Regulations. However, some churches are considering the use of an LCD screen visible from outside and served by a computer inside the building. This could be a means of displaying up to date information regarding events at the church premises, including topics to be covered at forthcoming meetings, advertisements for mid-week activities, such as youth groups, parent and toddler clubs. It can be changed regularly, particularly if the church has a manned office or reception area.

The most attractive proposal is for the screen to be mounted internally up against a glass panel or window, so it is protected from the elements and vandalism. In recent years, this kind of display has now become more popular with estate agents.

As the display is both illuminated and placed against a window to enable viewing from outside it is generally interpreted that this kind of display would require express consent. The application may typically include a picture or drawing of an elevation of the building concerned, indicating the position and size of the display.

In making the application, care will need to be taken that the position any such display does not distract road users driving along the highway.

To avoid potential disturbance to neighbours the use of moving images may be restricted under any consent, together with a condition of the hours between which the display is illuminated, to ensure that the illuminated display and changing images do not continue through the night.

There are no national restrictions regarding the brightness of LCD or similar monitors contained within the Regulations, but some Local Authorities may have their own restrictions or guidelines regarding levels of illuminance, and it would be prudent to make enquiries of the church's Local Authority on this matter. The recently updated application forms require that the illuminance levels of illuminated displays are stated on the application forms.

On a practical matter it should be noted that there are display screens specifically manufactured for this application which have automatic level of light adjustment. A brighter screen may be required in daytime, particularly in cases of strong sunlight, but the screen illumination drops to a lower level in the evening or after dusk.

Domestic quality monitors placed up against a window, particularly a South-facing window, may struggle to provide sufficient brightness to combat the ambient light levels. They can also suffer over-heating as they are unable to dissipate the heat produced from the monitor effectively, as well as absorbing solar gain from the window; thus, causing malfunction or damage/fire risk. Technology is rapidly changing regarding these matters and the seeking of expert advice is recommended.

Outdoor digital signage that can be mounted outside a building is also becoming more prevalent and some churches already use these instead of a traditional notice board. Whilst there is no standard planning legislation for them yet, they do need express consent, even if they are within the size permitted by deemed consent. It is advisable to contact the Local Authority for advice before submitting an application, to find out what issues might be relevant to the church's location.

18.0 Temporary signs and banners

Temporary signs and banners are covered by Class 3 deemed consent and the conditions associated with deemed consent are somewhat complex.

Class 3(A) concerns signs by estate agents, auctioneers and valuers and will not be covered here.

Class 3(B) concerns advertisement regarding a proposed sale of goods on premises which are not usually used for such purposes (e.g. a sale of contents). This may happen very occasionally at church premises. If so, the size of the notice is restricted to 1.2m².

Class 3(C) concerns display boards used by building contractors and other firms whilst carrying out work at the premises. The permitted sizes vary according to how many companies are involved and whether they share a display board and will not be covered here. Signs may only be displayed for the duration of the works.

Class 3(D) is the class most relevant to church activities and concerns temporary notices or sign which are intended to advertise any local event which is being held for charitable purposes, which specifically includes religious activities. These may typically include a church bazaar, fetes, amateur sports events and sponsored events in aid of charity. It does not include consent for events which are of a commercial nature.

Conditions associated with Class 3(D) temporary signs are:

- Signs may not exceed 0.6m² in area. In practice this is a little larger than an A1 size poster.
- Signs may not be erected more than 28 days before the event commences and must be removed within 14 days of the close of the event.
- Signs are not permitted to be illuminated.
- Font size must be no larger than 0.75m, or no more than 0.3m in an Area of Special Control of Advertisements.
- No part of the advert must be more than 4.6m above ground, or no more than 3.6m in Areas of Special Control of Advertisements.

Class 3(E) concerns advertisements regarding agricultural demonstrations which will not usually be relevant to churches.

Class 3(F) concerns notices regarding the visit of a travelling circus or fair; again, not unlikely to be relevant to church premises.

As Class 3 advertisements have deemed consent, no application is required, provided the conditions are complied with.

19.0 Flags

The 2021 amendments to the Regulations solely concern flags and extended the range of flags for which permission is not required or which have deemed consent. If flags are being considered, it is therefore important to consult the 2021 amendments, in addition to the 2007 Regulations. The following comments include matters related to flags.

Class H of the Regulations gives details of flags which are normally permitted, and which are not controlled by the Local Authority and for which permission is not required. Class H covers National and similar flags. This now includes the Commonwealth, United Nations and the flag of any island, county, district, burgh, parish, city, town or village within the UK, other regional areas, such as Wessex or historic counties. It also includes the flags of St David, St Patrick, Her Majesty's Forces and The Armed Forces Day flag. For full details consult the text of the Regulations. Permission to fly these flags is not required, provided there are no extra additions to the flag or the flagstaff, such as a church name or logo.

Class 7 of the Regulations gives details of flags which have deemed consent and thus do not require specific consent to fly them. Again, most of these will not be relevant to most church activities.

Class 7(A) deemed consent permits the display of one flag flown from one flagstaff, fixed vertically to the roof of the building. The content of the flag is restricted to:

- The name or device, or both, of any person occupying the building;
- Reference to a specific event which is taking place in the building (except goods for sale), for the duration of the event;
- Bearing six horizontal equal stripes of red, orange, yellow, green, blue and violet;
- Bearing the device of any sports club, Eco Schools, The Queens Awards for Enterprise or Investors in People;
- Within a Conservation Area, an Area of Outstanding Natural Beauty, a National Park or the Broads, no character or symbol on the flag may be more than 0.75m high. Within an Area of Special Control this is reduced to 0.3m high.

Class 7(AA) deemed consent relates to a single flag flown from a single flagstaff projecting from any part of the building (other than vertically from the roof as covered by Class 7(A):

- Restrictions are generally similar to Class 7(A) above, but refer to the Regulations for detailed information;
- Unlike Class 7(A), the area of the flag is restricted to 2m².

Class 7(AB) deemed consent relates to a flag attached to a single vertical flagstaff erected with the curtilage of a building:

- Restrictions are generally similar to Class 7(A) above, but refer to the Regulations for detailed information;
- Class 7(AB) flags are not permitted in a Conservation Area, an Area of Outstanding Natural Beauty, a National Park, the Broads or an Area of Special Control and will thus require express consent;
- No part of the flagstaff may be more than 4.6m above ground level.

Class 7(AC) deemed consent relates to flags flown at a beach or marina and will be unlikely to be relevant to church premises.

Class 7(AD) deemed consent relates to flags flown at a park, garden or green space and will be unlikely to be relevant to church premises.

Class 7(B) deemed consent related specifically to the display of flags at house-building sites and will not be covered here.

Application to display of flags will usually require a site plan showing the proposed location(s), details of the flagstaff, especially the height and usually details of the graphics to be displayed on the flag. The latter of these requirements may appear pedantic, but it is required to enable the Local Authority to control exactly what is displayed on the flag (e.g. to ensure they do not contain offensive or other undesirable material).

In practice, most flags which a church may wish to fly will need specific consent.

There are restrictions of how many flags can be flown under classes 7(A), 7(AA) and 7(AB) as described above:

- If one flag is flown vertically from the roof of the building (Class 7A), then one additional flag may be flown within the curtilage of the building (Class 7AB);
- If one flag is flown from a pole projecting from the building (Class 7AA), then one additional flag may be flown within the curtilage of the building (Class 7AB);
- Up to two flags can be flown within the curtilage of a building, but this is reduced to one flag if a flag is also being flown from the roof top or attached to the building.

20.0 Temporary A frames/flags/notices for regular weekly events

Many churches, particularly those who hire premises such as schools and community centres will have queries regarding the erection of temporary signage displayed outside the property in which they convene their meetings, but do not own. Whilst usually not advertising particular events, such as a church fun days or sales, they wish to make the community aware of their presence on that particular day, probably on a weekly basis.

On this matter we enter a grey area not specifically covered by the Regulations. Whilst the practice of regular use of other buildings by churches as a place of worship at weekends is well established and indeed this is how many now-established churches commenced, the Regulations do not readily recognise such arrangements in their legislation. In addition, some churches may consider it appropriate to permanently progress with this arrangement, rather than seek their own property. Whether the approach is temporary use of an existing building with a view to a long-term aim to acquire their own property, or whether the church considers it appropriate to use an alternative building on a permanent basis, the problem remains the same: How to make the community aware of their existence when they use the building.

Temporary signs and banners are covered in Section 18, but that section mainly relates to specific events, such as fun days or concerts, rather than use of the building for that particular day, usually but not specifically Sundays.

A-Frames are a popular format of advertising local events. They are usually designed to receive A1 or similar size posters, inserted behind a plastic cover, which enables the poster to be changed on a weekly or daily basis on an economic scale.



A-Frames are not specifically covered by the Regulations but are likely to fall within Class 3 temporary advertisements. It is important to note that A-Frames should not be placed on the public highway or footpath but should be restricted to use on the church premises. It is also important to ensure that they do not obstruct disabled access routes or cause potential hazards to other users of the premises.

The most common types of “advertising” used by churches for weekly occupation of other buildings appear to be “sail flags” (otherwise also commonly referred to as “banner flags” or “feather flags”). Whether these are technically “flags” under the Regulations is not clear. When the Regulations refer to “flags” they refer to a flag flown from one vertical flag-staff, which is questionable when considering “sail flags”.

If “sail flags” were to be considered as “flags” under the Regulations, they would come under Class 7 (AB) described above. That would restrict their number to a total of two displayed within the curtilage of the building with a maximum height of 4.6m (i.e. a line of several “flags” or those higher than 4.6m would require specific consent).



However, it is likely that “sail flags” will not be considered as a “flag” by the Local Authority. They could be considered as “banners”, but again there is no published national guidance with regard to banners. If not classed as “flags” by the Local Authority, “sail flags could be considered by the Local Authority as “temporary advertisements” under Class 3D (See Section 18). If so, their size is severely restricted below the size of what most churches would envisage as a banner.

It is quite probable that opinion regarding “sail flags” will differ from Local Authority to Local Authority until the Regulations are clarified.

In the meantime, the worst-case scenario is for a church to display such “sail flags” (or any other advertisement which the Local Authority considers as requiring consent, but for which consent has not been granted) and be prepared to discontinue if the Local Authority issue a “Discontinuance Notice”. Those receiving a “Discontinuance Notice” have a right to appeal against it to the Secretary of State.

21.0 Captive balloons

Under the advertisements which are normally permitted, and outside the control of the Local Authority, one tethered balloon may be displayed if it is not more than 60 metres above the ground and is not displayed for more than 10 days in any year.

This does not apply in an Area of Special Control of Advertisements, a National Park, an Area of Outstanding Natural Beauty, a Conservation Area or The Broads.

Any balloon tethered at a height of more than 60 metres will require the consent of the Civil Aviation Authority. More than one balloon or display for more than 10 days in a calendar year will require express consent.

22.0 Vehicles

Signs attached to the inside or outside of vehicles are covered by Class 2 of normally permitted advertisements and are outside the control of the Regulations. This would apply to church minibuses.

The assumption is that the vehicle would normally be moving. If, for example, an old church minibus was abandoned on a church car park and had advertising, this would not comply with the spirit of “normally moving” and would require express consent for a permanent advertisement.

23.0 Additional information

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Statutory Instrument 2007 No 783. PDF Copies may be downloaded from the website of the Office for Public Sector Information: www.legislation.gov.uk (http://www.legislation.gov.uk/uksi/2007/783/pdfs/uksi_20070783_en.pdf).

The Town and Country Planning (Control of Advertisements) (England) (Amendment) Regulations 2012. Statutory Instrument 2012 No 2372. PDF Copies may be downloaded from the website of the Office for Public Sector Information: www.legislation.gov.uk (http://www.legislation.gov.uk/uksi/2012/2372/pdfs/uksi_20122372_en.pdf).

The Town and Country Planning (Control of Advertisements) (England) (Amendment) Regulations 2021. Statutory Instrument 2021 No 2372. PDF Copies may be downloaded from the website of the Office for Public Sector Information: www.legislation.gov.uk [The Town and Country Planning \(Control of Advertisements\) \(England\) \(Amendment\) Regulations 2021 \(legislation.gov.uk\)](http://www.legislation.gov.uk/uksi/2021/2372/pdfs/uksi_20212372_en.pdf)

Outdoor advertisements and signs: a guide for advertisers. 33 pages. Published by Department of Housing Communities and Local Government June 2007. Document reference 07HC04607. A guidance book regarding the Regulations. PDF copies may be downloaded from the website: <https://www.gov.uk/government/publications/outdoor-advertisements-and-signs-a-guide-for-advertisers> (https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/11499/326679.pdf).

The Plain English Guide to Flying Flags. Published by the Department for Communities and Local Government, November 2012. 6 pages. PDF copies may be downloaded from the website <https://www.gov.uk/government/publications/flying-flags-a-plain-english-guide>