STATUTORY RULES OF NORTHERN IRELAND

1998 No. 147

PLANNING

Planning (Control of Advertisements) (Amendment) Regulations (Northern Ireland) 1998

Made - - - -	*6th April 1998*
Coming into operation	*18th May 1998*

The Department of the Environment, in exercise of the powers conferred by Articles 67(1) and (2) of the Planning (Northern Ireland) Order 1991(**1**) and of every other power enabling it in that behalf, hereby makes the following regulations:

Citation and commencement

1. These regulations may be cited as the Planning (Control of Advertisements) (Amendment) Regulations (Northern Ireland) 1998 and shall come into operation on 18th May 1998.

Interpretation

2. In these regulations—

"the principal Regulations" means the Planning (Control of Advertisements) Regulations (Northern Ireland) 1992(**2**);

"the Class 4 conditions" means the conditions applicable to advertisements described in Class 4(1) and 4(2) in Part I of Schedule 3 to the principal Regulations; and

"the Class 8 conditions" means the conditions applicable to advertisements described in Class 8 in Part I of Schedule 3 to the principal Regulations.

Amendment of regulations

3. The principal Regulations are amended in accordance with regulations 4 to 9.

Classes of advertisements to which the prohibition in regulation 4(1) of the principal Regulations does not apply

4.—(1) In Schedule 2 in Class F for "European" substitute "European Parliamentary".

(**1**) S.I.1991/1220 (N.I. 11); *see*Art. 2(2) for the definition of "the Department"
(**2**) S.R. 1992 No. 448

(2) In Schedule 2 for Class H substitute—

"**CLASS H**

A traffic sign provided under Article 29(3) or placed under Article 30(1)(*b*), 30(2), 31(1)(*b*) or 32 of the Road Traffic Regulation (Northern Ireland) Order 1997(**3**).".

Illuminated advertisements on business premises

5. In Part I of Schedule 3, in Class 4—

(a) in the descriptions of Class 4(1) and 4(2), for the words after "carried on", substitute in each case, "the goods sold or services provided, and/or the name and qualifications of the person carrying on the business, or supplying the goods or services, on those premises.";

(b) for paragraph (*d*) of the Class 4(1) and 4(2) conditions substitute the following—

"(d) Illumination may be—

(i) by halo illumination; or

(ii) so long as no part of the background of the advertisement is illuminated, by illumination of each character or symbol of the advertisement from within.";

(c) in paragraph (*e*) of the Class 4(1) and 4(2) conditions for ", animation or reflective material" substitute "or animation"; and

(d) in paragraph (*f*) of the Class 4(1) and 4(2) conditions for "The luminance" substitute "Where the method of illumination is that described in paragraph (*d*)(ii), the luminance".

Flag advertisements

6. In Part I of Schedule 3 for Class 7 substitute—

"CLASS 7	*Flag advertisements*
(1) Description	An advertisement in the form of a flag attached to a single flagstaff projecting from the roof of a building.
Conditions	(a) No advertisement is permitted other than one— (i) bearing the name and/or device of any person occupying the building; or (ii) referring to a specific event (other than the offering of named goods for sale) of limited duration, which is taking place in the building, for the duration of that event. (b) No character or symbol on the flag may be more than 0.3 metre in height.

(**3**) S.I. 1997/276 (N.I. 2)

"CLASS 7	*Flag advertisements*
(2) Description	An advertisement in the form of a flag attached to a single flagstaff erected on a site which forms part of an area of land in respect of which planning permission has been granted for development of which the only principal component is residential development and on which— (a) operations for the construction of houses are in progress pursuant to that permission; or (b) such operations having been completed, at least one of the houses remains unsold.
Conditions	(a) No such advertisement is permitted within a conservation area, an area of outstanding natural beauty or a National Park. (b) The number of such advertisements on the land concerned shall not exceed— (i) where the aggregate number of houses on that land does not exceed 10, one; (ii) where the aggregate number of houses on that land exceeds 10 but does not exceed 100, two; (iii) where the aggregate number of houses on that land exceeds 100, three. (c) No part of the flagstaff may be more than 4.6 metres above ground level. (d) No flag shall exceed 2 square metres in area. (e) No such advertisement shall be displayed after the expiration of the period of one year commencing on the day on which building operations on the land concerned have been substantially completed.".

Advertisements on hoardings relating to building operations

7. In Part I of Schedule 3, in Class 8—

(a) in paragraph (*b*) of the Class 8 conditions for "28 days" substitute "13 weeks";

(b) in paragraph (*c*) of the Class 8 conditions for "6.1 metres long" substitute "12.1 metres long"; and