

## Boardwatch

# A Guide to the Design and Display of Estate Agents' Boards

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At times of both boom and slump in the property market, large numbers of properties are available for sale or to let. While recognising the importance of such transactions, the City Council wishes to protect the visual amenity of neighbourhoods, the character and appearance of conservation areas and historic buildings, and the general quality of the built environment throughout Westminster.

Estate Agents' boards (and any other advertisement) which are designed or displayed without concern for an area's environment, can seriously diminish the appearance or amenity of an area and the environment of the City as a whole. For this reason, the City Council aims to control their display and keep a fair balance between owners' and agents' wishes and needs, and protection of the City's outstanding built environment.

### 1. Legislation: 'Deemed' and 'Express' Consent

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#### The Town and Country Planning (Control of Advertisements)

**Regulations 2007** specify a number of cases where boards are given consent automatically (**Deemed Consent**) and therefore can be displayed without **Express Consent** from the local planning authority. The conditions which must be met for a board to be displayed with Deemed Consent are explained in Section 3.

If any of the conditions for Deemed Consent are not satisfied, then the display requires Express Consent from the Council.

In cases where boards displayed with Deemed Consent are detracting seriously from the character or appearance of buildings or streets or cause serious injury to the general amenity of an area, the Secretary of State can issue a Direction (under Regulation 7 of the 2007 Regulations) cancelling Deemed Consent rights in the area(s) specified in the Direction. Therefore

the display of all 'To Let', 'For Sale' and similar boards needs Express Consent from the Local Planning Authority.

### 2. Listed Buildings

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Whether Deemed Consent rights exist or Express Consent is needed, if a board is to be displayed on a listed building, **Listed Building Consent** is normally required, and an application must be made for this to the City Council. Exceptions to this requirement are made for boards on listed buildings in **Regulation 7 Direction areas**, if the boards comply with the agreed criteria set out in this publication.

In addition, under Highways legislation, boards may not be fixed to a tree or structure, or placed directly on or over the highway, causing a nuisance or danger to the public.

Before any board is displayed, the permission of the owners of the land (or other person entitled to give permission) must be obtained. **To display a board without the permission of the owners of the land is an offence open to immediate prosecution.**

### 3. Boards which can be displayed with 'Deemed Consent' (i.e. without the need for consent from the Council)

Estate Agents' boards can be displayed with Deemed Consent on a property if all of the following conditions are met:

- ✓ **The property is not in an area affected by a Regulation 7 Direction**
- ✓ **There is only one board** (or two boards joined in a V-shape) **for each individual sale or letting**. If there is more than one board, the first one displayed is treated as having Deemed Consent (subject of course, to the other conditions below)
- ✓ **The board is no bigger than:**

#### For residential properties:

**0.5 sq.m** if it is a single board, **or 0.6 sq.m total** (i.e. 0.3 sq.m each side) if it is a 'V-shape' board

#### For commercial properties:

**2 sq.m** if it is a single board, **or 2.3 sq.m total** (i.e. 1.15 sq.m each side) if it is a 'V-shape board)

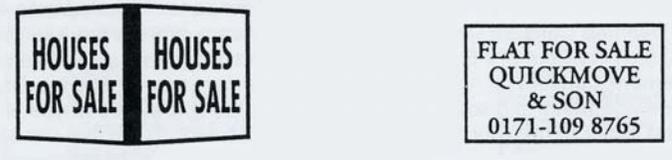
- ✓ The board **does not project more than 1m** from the building
- ✓ The board is **not illuminated**
- ✓ **No part of the board is more than 4.6m above the ground** unless only a higher part of the building is for sale or letting and it is not practical to fix the board lower down.
- ✓ **No character or symbol** on the board is **more than 75mm** in height
- ✓ The fact that a **sale or letting has been made, is indicated** (if required) **only an addition** to an existing board
- ✓ **The board is removed within 14 days** of a sale being completed or a tenancy granted.

If the board satisfies all these conditions then it can be displayed without the City Council's Express Advertisement Consent.

If a board fails to meet one or more of these conditions 'Express' Advertisement Consent is required.

Examples of boards displayed with Deemed Consent outside Regulation 7 Direction areas

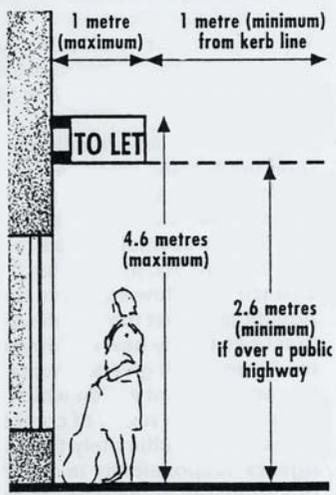
**Fig. 1: Residential**



**V-shaped boards**  
0.6 sq. metres overall maximum  
(e.g. maximum 500x600mm each side)

**Flat boards**  
0.5 sq. metres in area maximum  
(e.g. maximum 900x550mm approx.)

**Fig. 2: Commercial or Residential**



1 metre (maximum) | 1 metre (minimum) from kerb line

TO LET

4.6 metres (maximum)

2.6 metres (minimum) if over a public highway

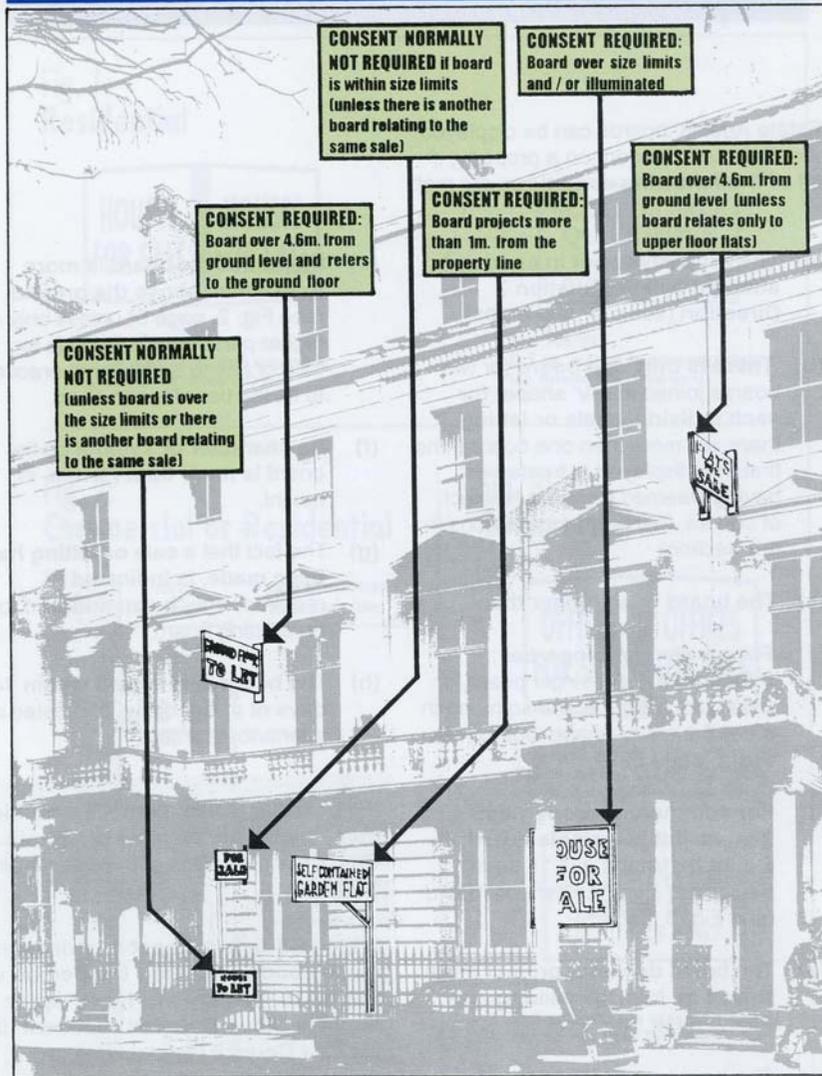
**Fig. 3: Commercial**



**V-shaped boards**  
2.3 sq. metres overall maximum  
(e.g. maximum 1200x950mm approx. each side)

**Flat boards**  
2.0 sq metres in area maximum  
(e.g. maximum 1500x1300mm approx.)

## Examples of boards on residential properties outside Regulation 7 Direction areas



## 4. Boards which need 'Express' Consent from the Council

Applications will be considered on their own merits, on the basis of proposed **size, appearance** and **positioning** of the board, as well as the **characteristics of the affected building and area and impact upon amenity and public safety.**

## 5. Boards displayed in Regulation 7 Direction Areas

In certain parts of Westminster, where the appearance of areas has been badly affected by Estate Agents' boards, the Government has allowed the City Council to control the display of this type of advertisement. To do this, the Secretary of State (DCLG) issues special Directions under Regulation 7 of the Town and Country Planning (Control of Advertisements) Regulations 2007. The Directions suspend Deemed Consent rights in respect of 'To Let, 'For Sale' and similar boards in the specified areas. As a result, anyone who wants to display such boards in these areas must apply for Advertisement Consent from the Council.

In the event of any variation or new Directions being proposed, the City Council will publicise details and will make maps available for public inspection and for representations, as required by the Regulations. In addition, the City Council will allow adequate time for Estate Agents to adjust their professional practices to any new requirements. The Council will also give adequate warning of any enforcement action which may be necessary as a result of contraventions. However, it is ultimately the Estate Agents' responsibility to comply with the requirements of the Regulations and the Council's policy.

The Secretary of State (DCLG) has approved a Direction which took effect on **14.05.2010 for the period of 15 years.**

The areas currently affected by this Direction are:

**Adelphi  
Aldelphi Road Villas and Leamington Road Villas  
Bayswater**

**Charlotte Street (West)**  
**Cleveland Street**  
**Covent Garden**  
**Dorset Square**  
**East Marylebone**  
**Hanway Street**  
**Harley Street**  
**Haymarket**  
**Leicester Square**  
**Maida Vale (excluding three small parts, see detailed map)**  
**Mayfair**  
**Molyneux Street**  
**Queensway**  
**Portman Estate**  
**Pimlico**  
**Regent Street**  
**St James's**  
**St John's Wood (part, see map)**  
**Savoy**  
**Soho**  
**Strand**  
**Stratford Place**  
**Trafalgar Square**  
**Westbourne**

In addition, parts of **Elgin Avenue** and **Sutherland Avenue** in W9 and **pockets of land within the West End Ward** (outside designated Conservation Areas) are affected by the Directions.

For detailed maps of these areas please click [here](#).

## 6. **Agreed criteria for Consent, for boards in Regulation 7 Direction areas in Westminster**

In administering the powers conveyed by the current Directions, the City Council has adopted the practice of normally refusing applications for display of boards on residential property in the affected areas.

Applications for boards on commercial property are assessed on their own merits and on the basis of the special criteria set out below.

- ✓ **No board shall be of three-dimensional design.** All boards shall be rectangular and fixed flat on the building; no 'V-shaped' or angled boards shall be permitted.
- ✓ **No boards shall be illuminated**
- ✓ **The size of a board will be varied according to the height at which the board is to be displayed, and it shall not exceed the maximum size specified in the following table:**

Height of display	Maximum size of board
Between ground level and 3m	0.54 sq.m.
Between 3m and 4.6m	1.1 sq.m.
Higher than 4.6m	Boards will not normally be permitted. Any need for exceptions must be fully justified in the application for Consent.

- ✓ **On listed buildings, boards will normally not be permitted.** Exceptions will be allowed only where the board is to be displayed from inside the building or attached to railings around the building, at street level. Details of the fixing must be included in the application consent. Only one board will be permitted per building and the board must not be illuminated. The size of the board in this case should not exceed the maximum size specified below:

Maximum acceptable size of board displayed from inside a listed building (displays higher than 4.6m will not normally be permitted.	0.54 sq.m.
Maximum acceptable size of board attached to railings of a listed building	0.27 sq.m.

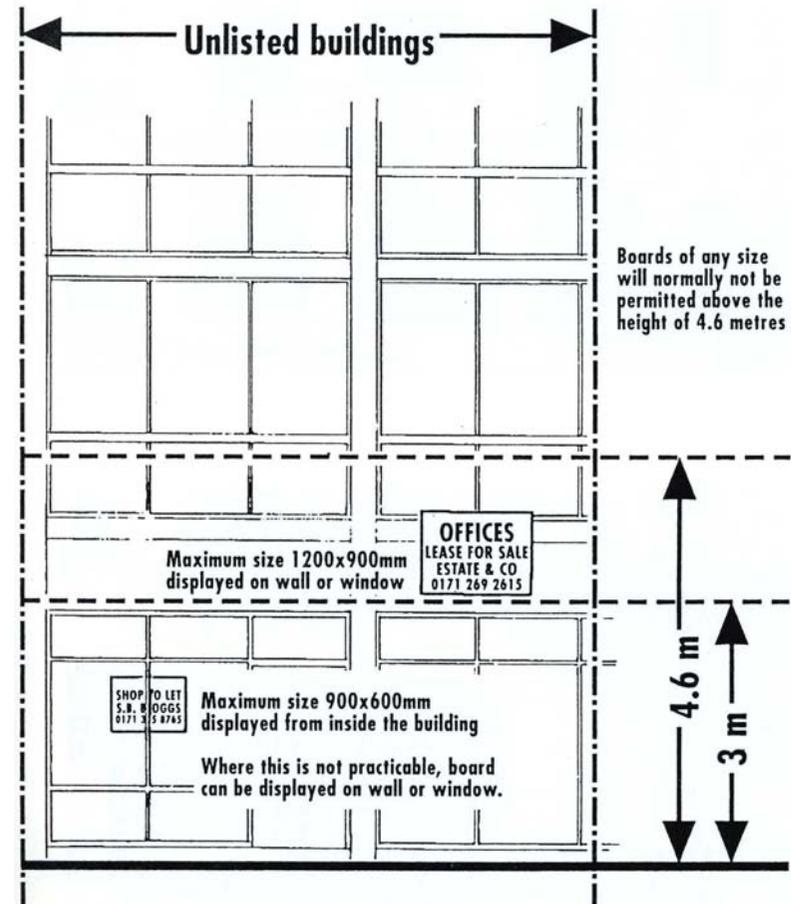
- ✓ **One board only is to be permitted per building**, except in the case of buildings with a ground floor shop or showroom. In this case, one board will be allowed for the ground floor use (A1, A2, A3, A4 or

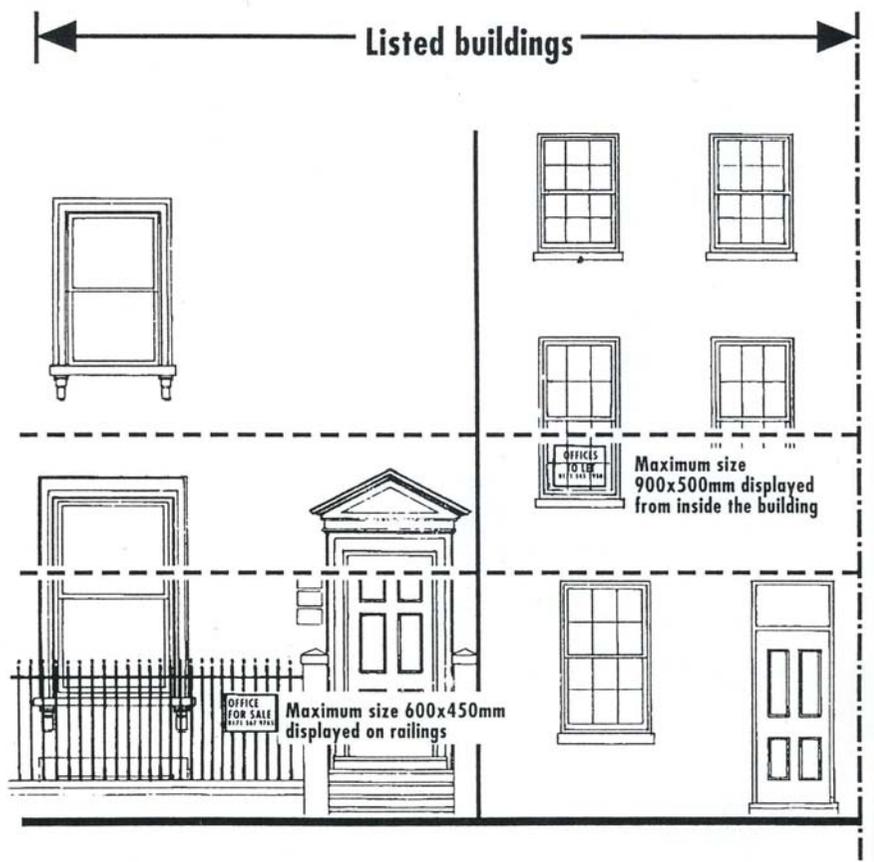
A5 Use Classes) and a maximum of one additional board for upper floor use(s). Further boards will not normally be permitted.

- ✓ **Wherever practicable, the board should be displayed from within the premises.** If this is not practicable, the board and its supporting elements should, if possible, be secured to 'independent' parts of the building such as railings or balustrades or, alternatively, the board and its temporary support should be fixed between window reveals. Only if the Council can be satisfied that no other method can be used, may boards be placed on wooden battens carefully fixed flat on the wall of the building.
- ✓ **The board shall contain only the name and telephone number of the Agents, the type and size of the available property, and the kind of intended transaction.** The name of the erecting contractor shall be incorporated in letters not exceeding 25mm in height.
- ✓ **The board and lettering shall be in black, white and/or grey only**
- ✓ Where applicable, **permission for the display of the board must be obtained from the owners of the land** or from any other person entitled to give such permission.
- ✓ In cases where a 'For sale' or 'To Let' sign is to be displayed on a site where a hoarding is necessary to screen buildings undergoing construction, **it will be in favour of the application to integrate the sign into an attractive decorative treatment of the boarding.**
- ✓ **Applications for Express Consent must state clearly all the details relating to the above criteria.** Drawings and/or photographs adequate to describe the location, size and appearance of the proposed board, as well as any other relevant documents, must be submitted with the application.

In addition to the above criteria:

- ✓ **The board(s) must be removed immediately after the expiry of the period specified in the Express Consent** (up to six months or on completion of contracts, whichever is earlier unless the City Council has renewed the Consent. Any fixing battens or other elements supporting the board must also be removed.
- ✓ **Boards must be removed as soon as contracts have been completed** for the transactions (or on the expiry of the period specified in the Express Consent). **'Sold By', 'Let By' and similar signs shall not be displayed.**





NOTE: The criteria explained here applies to applications for boards on **commercial properties only**. The City Council's practise in respect of boards on residential properties in the Regulation 7 Directions, is to normally refuse applications.

## 7. Boards displayed inside a building

Under the 2007 Regulations, 'To Let', 'For Sale' and similar boards can, in summary, be displayed inside a building without Consent, regardless of whether the building is within or outside Regulation 7 Direction area. However, on a listed building, a separate **Listed Building Consent** may be required in these cases.

The Council's advice to anyone who wishes to display a aboard from the inside of a window, is to design and position the board in a way which does not detract from the appearance of the building and does not harm the character or appearance of the street.

**The City Council has powers to discontinue the display of any illuminated board placed inside a building or of any non-illuminated board placed within one metre of a window if, in its opinion, the board causes a substantial injury to the amenity of the locality or a danger to members of the public.**

## 8. Enforcement

Under current legislation, any person who displays an advertisement in contravention of the 2007 Regulations, shall be guilty of an offence and liable, on summary conviction, to a fine up to £1,000 and £100 for each day during which the offence continues after conviction.

All parts of Westminster are regularly inspected to ensure compliance with Planning and Highways legislation. The City Council has prosecuted and will continue to do so, those responsible for the display of boards which do not meet the conditions for Deemed Consent or are otherwise unauthorised.

## Contacts

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Agents who wish to display boards on specific properties and require further advice on legislation, policy or procedures for Advertisement Consent should contact:

Built Environment

Tel: 020 7641 2513

Email: [planninginformation@westminster.gov.uk](mailto:planninginformation@westminster.gov.uk)