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HEREFORDSHIRE COUNCILS GUIDANCE NOTE FOR ADVERTISEMENTS AND BUSINESS SIGNS IN THE OPEN COUNTRYSIDE

Introduction

The Council has always been concerned about the detrimental impact of the uncontrolled erection of advertisements and signs on the character and appearance of the County and the potential impact to highway safety.

As a result of this concern this guidance note has been produced to enable signs to be erected where appropriate.

Not unnaturally however and particularly in times of economic recession, businesses in the countryside, especially those geared to the tourist industry or passing trade, may wish to make their presence known by signing. It is also accepted that in many cases some signing is necessary if the visitors are even to find the facilities. Such signing therefore serves a valuable dual function. However, excessive and inappropriate signing can be visually harmful and potentially a highway safety hazard. It is therefore important to strike the right balance.

The purpose of this guidance is to provide advice direction as to what signage the Council considers to be reasonably necessary and what is appropriate in visual terms within Herefordshire.

The Legal Background

The Highways Act 1980 specifies offences relating to activities on the highway imposes duties on the Council and also gives the Council power to enforce its responsibilities.

All unauthorised traffic signs within the highway boundary are illegal. All authorised traffic signs are specified in traffic regulations, and this includes white on brown tourism signs and temporary signs erected by approved bodies such as the AA and RAC.

The Traffic Signs Manual warns that 'An unauthorised sign in the highway is an obstruction. The possible consequences of erecting or permitting the erection of obstructions may be severe and those responsibilities could lay themselves open to a claim for damage: for example if the obstruction is the cause of accident or injury in a collision'

This guidance note aims to minimise the need for exercising such powers by setting acceptable standards.

Guidance

Signs fall into categories:

- 1 Signs within the curtilage of the premises to which they relate
- 2 Signs outside the curtilage of the premises which can advertise but are usually directional.

There appears to be few issues with signs on business premises, as they are normally controlled by way of the submission of a planning application, or in some cases, through confirmation that the proposed sign does not require formal planning permission as it is considered to be permitted development under the Town and Country Planning (Control of Advertisements) regulations 1992. Directional signs located on private land not within the premises to which they relate will always require advertisement consent.

Where a sign is considered reasonably necessary, the Council is keen to guide businesses towards erecting signs appropriate to their setting. It is important that directional advertisement signs do not conflict with or in any way mimic standard traffic signs and they are not located on highway land in a manner that obstructs visibility splays, a hazard to the public or distract drivers to the extent that it will increase the risk to all highway users to an unacceptable level.

Herefordshire Council retains the right to remove or take action in regard to signs that are deemed to be a hazard in the highway, in a location where the cumulative impact is detrimental to the environment and those that do not comply with the principle of this document.

Road signage is not the only guide to travellers, and should use work street name plates, the destinations own publicity media, and other readily available information to guide the travelling public firstly to the right locality, and then onto their final destination.

Signs have both a positive and negative impact on the environment. Located correctly they can ensure visitors arrive at their destination by the most direct route. However, too many signs cause environmental clutter and can threaten one of the reasons why visitors come to the county.

Outlined below are principles of what is considered to be appropriate in terms of location and design.

- Evidence for the need is required to minimise the impact of illegal signs on the highway. Advance directional signs may be accommodated if the access is considered hazardous in location terms.
- The location must not obstruct visibility splays or deem to be positioned and / or configured so as to be an unacceptable distraction to road users.
- Impede the highway or use of the verges such that the sign becomes detrimental to the highway user,
- Signs should not exceed 1.5m² in area and have a maximum height of 2.5m.

- Text on the sign should be limited to just the business name.
- Lettering must be in a clear text with the height dimension suitable for the speed of the road.
- Background colours and lettering must be sympathetic to the environment and setting.
- The sign and posts must be suitable for the location.
- The location of the signs must be subject to risk assessment in terms of statutory undertaker's apparatus such as Welsh water, BT, Electricity etc.
- The signs must not be reflective.
- To avoid a proliferation of inappropriate signs, the sign may require direction to the locality of a Business Park.
- The sign needs to be maintained by the applicant to ensure the quality, safety and the tidiness of the sign.

Procedure

1. Consider Submitting initial proposals to Local Members, parish Councils for support.
2. Consult with Herefordshire Councils Planning Authority as to the acceptability of the design.
3. Consult with Amey Herefordshire as to the acceptability of the design and location.
4. Apply to Herefordshire Council for permission who will consult with Herefordshire Highways as to the acceptability of the location and sign design. If the sign is acceptable in the highway, permission from highways will not be given but the sign will be deemed acceptable and not enforced against.
5. Decision Notice Issued
6. If approved the sign can be erected, permission lasts for 5 years, after which the sign must be removed or reapply for permission.

Costs

There are inevitably costs associated with the approval and installations of signs. Herefordshire Council must ensure all their costs are met but they will not seek to profit. Costs will clearly be set out along with the standard of service applicants can expect. This cost will take account of the whole life of the sign, so that they can remain as effective guidance to the travelling public now and in the future.

Clutter

Signage clutter can come about as the result of redundant signs not being removed, badly thought out procedures, incremental development and the installation of unauthorised signs. The impact of sign clutter can be a safety issue and can detract from the visual beauty of the county. Local communities and providers will have an active role in helping reduce signage clutter along with Herefordshire Council.

Highways Agency and neighbouring authorities

Trunk Roads such, as the A49, and Motorways, as the M50 are managed by the Highways Agency who have their own criteria for signs. Neighbouring authorities also have their own approach to signage. Herefordshire Council will continue to develop the partnership working with the Highways Agency and our neighbours to ensure there is compatibility between the policies of the organisations, recognising that many journeys to destinations within the County will have started from elsewhere in the World.

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