

ENVIRONMENT COMMITTEE  
29 NOVEMBER 2012

Report of Director of Planning and Housing Services

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## **REVIEW OF THE AREA OF SPECIAL CONTROL OF ADVERTISEMENTS – MATLOCK BATH**

### **SUMMARY**

This report seeks authority to retain the existing Area of Special Control of Advertisements in Matlock Bath and the surrounding area (as shown in Appendix 1).

### **RECOMMENDATION**

That the Matlock Bath Area of Special Control of Advertisements be retained without modification.

### **WARDS AFFECTED**

Masson.

### **STRATEGIC LINK**

The Area of Special Control of Advertisements coupled with other initiatives such as the Matlock Bath Article 4 Direction, Conservation Area designation and the Derwent Valley Mills World Heritage Site all directly contribute to the Council's corporate aim to protect and enhance the environment.

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## **1.0 BACKGROUND**

- 1.1 An Area of Special Control of Advertisements (ASCA) is an area specifically defined by a Local Planning Authority because its scenic, historical, architectural or cultural features are so significant that a stricter degree of advertisement control is justified in order to conserve the visual amenity within that area. An ASCA is generally, either located within a rural area or an area which appears to the Secretary of State to require 'special protection on grounds of amenity'.
- 1.2 Following approval by the Secretary of State, the Matlock Bath ASCA was designated on 14th December 1984 under Section 63 of the Town and Country Planning Act 1971 and Regulation 26 of the Town and Country (Control of Advertisements) Regulations 1984. This provided the Local Planning Authority with enhanced powers to control the display of advertisements as it introduced stricter limits for permitted heights and sizes of an advertisement.
- 1.3 The Matlock Bath ASCA (see Appendix 1) was introduced, because at that time, there had been an increase in the number and type of advertisements that could be undertaken without express consent, the consequences of which would have led to a

profusion of signs on shops, cafes and other commercial concerns which were dependent upon the tourist trade, to the detriment of the appearance of the buildings and the overall character of the area. In 1984 the Matlock Bath ASCA covered three Conservation Areas – Matlock Bath, Matlock Dale and Cromford together with an area designated as having Special Landscape value.

- 1.4 Since designation in 1984, the Advertisement Regulations have been subject to change, the most recent being the Town and Country Planning (Control of Advertisements) Regulations 2007. The extent of the current controls which operate throughout the Matlock Bath ASCA are set out in Appendix 2.
- 1.5 The Regulations require that reviews of any ASCA be undertaken at least once every five years, and consider whether it remains appropriate to retain or revoke the Order.
- 1.6 Reviews of the Matlock Bath ASCA were undertaken in 1995, 2001 and 2007, with the most recent review being approved by the Partnership and Regeneration Committee (Minute 261/07 refers). The 2007 review considered the impact that the inscription of the Derwent Valley Mills World Heritage Site and its buffer zone, would have on the Matlock Bath ASCA, given the degree of overlap between the two. The Matlock Bath Article 4 was also reviewed in 2007 and it was considered that at that time that together that with the Matlock Bath ASCA it could help to protect the character and appearance of the Matlock Bath Conservation Area, particularly along the Parades

## **2.0 REPORT**

- 2.1 Since the 2007 review there has been no fundamental changes to the Advertisement Regulations or to conservation and heritage considerations. Whilst the World Heritage Site, the three Conservation Areas and the Matlock Bath Article 4 Direction remain unchanged any protection they afford to the area does not extend to advertisements.
- 2.2 The inscription of the area as part of the Derwent Valley Mills World Heritage Site has undoubtedly brought additional tourist pressures to the area, particularly Matlock Bath, with its high level of cafes, restaurants and shops.
- 2.2 The retail and commercial frontages along the Parades in Matlock Bath and similar properties across the designated area are therefore, vulnerable to undesirable forms of advertisement. The topography and development of Matlock Bath also highlights the desire for the controls to continue to include land to the west of the A6, particularly where that land has commercial/tourist potential. Furthermore it is considered that those parts of the area that fall within the Matlock Dale Conservation Area and the Cromford Conservation Area, will also benefit from the retention of this order.
- 2.3 Whilst many advertisements have express consent, the Matlock Bath ASCA acts as a deterrent for the display of discordant advertising material. The World Heritage Site and its associated buffer zone, the conservation areas, listed buildings and properties controlled via the Article 4 Direction are all key heritage assets in the locality and local and national planning policy guidance places emphasis on protecting and enhancing, these heritage assets.
- 2.4 Taking all the matters together it is therefore recommended that the existing Matlock Bath Area of Special Control of Advertisements as identified in Appendix 1 remains in operation in the area.

### **3.0 RISK ASSESSMENT**

- 3.1 Legal  
The recommendation is legally compliant with the risk being accordingly low.
- 3.2 Financial  
There are no financial risks arising from this report.

### **4.0 OTHER CONSIDERATIONS**

In preparing this report the relevance of the following factors has also been considered: prevention of crime and disorder, equality of opportunity, environmental, health, legal and human rights, financial, personnel and property considerations.

### **5.0 CONTACT INFORMATION**

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### **6.0 BACKGROUND PAPERS**

<b>Description</b>	<b>Date</b>
Report to Partnership and Regeneration Committee	September 2007
Report to Planning and Economic Development Committee	March 2001
Town and Country Planning (Control of Advertisements) (England) 2007	April 2007
Outdoor Advertisements and Signs: A guide for advertisers	June 2007
Area of Special Control of Advertisements	1984 to date

## **7. ATTACHMENTS**

**Appendix 1** – Map of ‘Area of Special Control of Advertisements Matlock Bath’

**Appendix 2** – ASCA – Outline of Current Controls