



Department for
Communities and
Local Government

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Please ask for: Rachael Beard
Tel: [REDACTED]
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Your ref:
Our ref: PCU/ADV/U1105/3232397
Date: 28 October 2020

Dear Linda Renshaw

**TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS)
(ENGLAND) REGULATIONS 2007: (“the Regulations”)
REGULATION 20: Area of Special Control Orders**

1. I am directed by the Secretary of State to refer to the request made by East Devon District Council (“the Council”) on 20 November 2019 for a Direction that deemed consent for the County Devon (North & East Devon Area of Special Control of Advertisements) Order Proposed Modifications 2019, which are advertisements under Schedule 3 to the Regulations, should be either excluded, included or retained in certain areas in North & East Devon.

2. The Council’s request for the making of the Direction was publicly advertised in the local press on 25th and 27th November 2019. There were no objections to the proposed Direction.

The Proposed Areas

3. The Direction would cover the following areas in North and East Devon, namely:
- Axminster, Beer, Budleigh Salterton, Colyton, Cranbrook, Enterprize Zone, Exmouth, Honiton, Otley St Mary, Seaton & Sidmouth

The areas are identified on maps provided by the Council and are identified in the plans, annexed hereto.

The Council’s reasons for making the Direction

Planning Casework Unit
Department for Communities and Local Government
5 St Philips Place
Birmingham
B3 2PW

4. Most of East Devon is covered by the County of Devon (North and East Devon ASCA) Order that was designated by Devon County Council in 1964 and has since been modified periodically. East Devon District Council has undertaken a comprehensive review of the ASCA to see whether it should be modified. The review showed that some areas no longer require the special protection afforded by the ASCA and should be removed from it. It also showed that a small number of areas that currently lie outside of the ASCA did merit additional protection and should be included in the ASCA.

Description of Proposed Areas

5. The Order relates to a large area. There are overview maps in each Schedule to the 2019 Order, with individual larger scale maps showing more detail. Schedule 1 to the 2019 Order shows the land proposed to be excluded from the ASCA as edged and hatched purple on the sealed plan, whilst retaining those areas outlined and hatched green. Schedule 2 to the Order shows the land proposed to be included in the ASCA as edged and hatched yellow, with the current ASCA land outlined and hatched green.

Appraisal

8. (IR7-8) The inspector reports that no objections were received to the Order for consideration. Site visits took place in July 2020 to consider all aspects of the modifications being proposed under regulation 20(4). (IR20) The inspector notes that representatives of local amenity groups, local trade organisations, Parish Council's, local Members and the national advertising body¹ were sent details of the review and asked for comments. Alterations to the ASCA were made in response to the consultation.

9. The areas involved have been considered in turn by the Inspector IR22 to 62. There are 11 areas as listed above in para 3 that form part of the proposed modifications for inclusion or exclusion.

10. The inspector carefully considered the proposals and concluded that each modification was appropriate for the area.

11. The Inspector noted that there are two potential modifications that could be made to the Map as a result of the proposed modifications to the Order. Those being at IR45 Enterprise Zone - the Cranbrook Town Centre enterprise zone is wholly included within the area CRa relating to the area to be excluded from Cranbrook. The Inspector noted that it would be included twice in the Order. The inspector concluded that the continuation as is would not result in an error in the intended outcome, which is to exclude the area. And IR54 Honiton the exclusion of the land HOd from the ASCA on the basis that as a residential area there is limited scope for advertisement in any event and so it would be adequately served without the need for additional controls. The Inspector concluded that it is helpful to have an identified boundary to work to, which is provided by the BUAB. For that reason, considered that it would also be appropriate to leave the Map as it is as.

¹ the Advertising Association

12. The inspector's recommendation is at IR65, the inspector recommends that the Secretary of State approve The County of Devon (North and East Devon Area of Special Control of Advertisements) Modification Order 2019 without modification.

Formal Decision

13. The Secretary of State agrees with the Inspectors conclusions set out in the Inspectors report and is satisfied that a Direction should be made for modifications for the exclusion of land, the inclusion of land and the appropriateness of retention of control for the remaining land of the Order.

14. A formal Direction is attached. The Council's attention is drawn to the provisions of Regulation 7(7), which specify the procedure for publishing the effect and date of operation of the Direction.

15. When this Direction is brought into effect, the Council are invited to ensure that any such applications for express consent are decided within the period specified in Regulation 14(1) of the Regulations.

Right of Appeal against the Decision

18. The decision of the Secretary of State may be challenged by way of an application to the High Court and a separate note is attached to this letter setting out the circumstances in which such an application may be made.

Yours sincerely,

Rachael Beard
Senior Planning Manager