



Application Report

Planning, Housing and Health
North Devon Council
Lynton House, Commercial Road,
Barnstaple, EX31 1DG

Application No: 75962
Application Type: Advert Consent
Application Expiry: 2 January 2023
Extension of Time Expiry:
Publicity Expiry: 6 December 2022
Parish/Ward: BARNSTAPLE/BARNSTAPLE WITH PILTON
Location: Land to the east of Frankmarsh Farm
Barnstaple
Devon

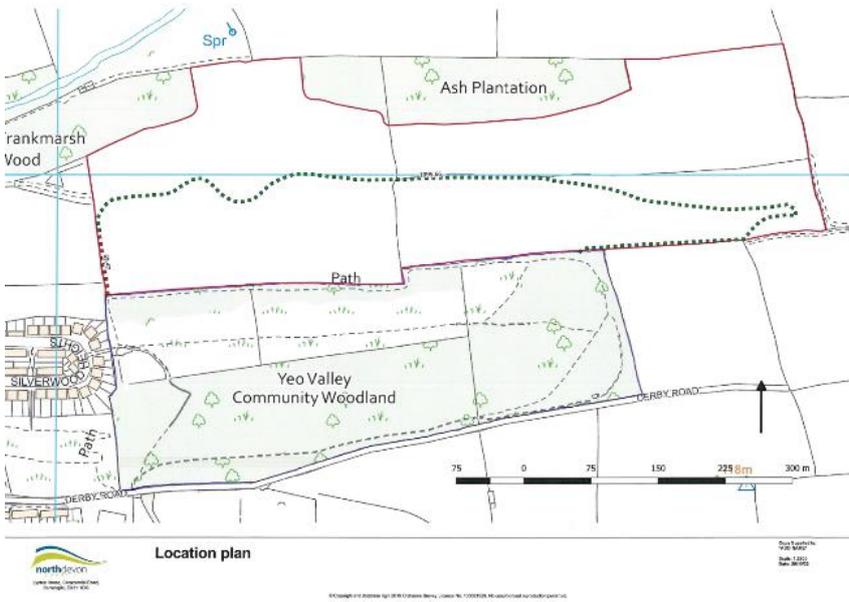
Proposal: Siting of 2 interpretation panels, free standing on timber legs positioned next to the two access points
Agent: Andrew Moulton
Applicant: North Devon Council
Planning Case Officer: Mr M. Brown
Departure: N
EIA Development:
EIA Conclusion: Development is outside the scope of the Regulations.
Decision Level/Reason for Report to Committee (If Applicable): The application has been submitted by North Devon Council.

Site Description

The site is farmland in the north-east edge of Barnstaple. The site rises from next to the river to a ridge axis which runs east west and dipping slightly to the west. The area has been in pasture and arable use but is being developed into a woodland. The sides of the hill are flanked by old but not ancient woodland to the north and by the existing community woodland to the south. The only public views from a distance onto the site are from the estuary and the Western approaches to Barnstaple. Views from within the town are obstructed by buildings. Inter visibility of the site from other high areas is to the south, northern slopes are largely unseen. As the woodland develops views into the site will be further minimised.



Aerial Photograph



Location Plan

Recommendation

APPROVED

Legal Agreement Required: No

Planning History

Reference Number	Proposal	Decision	Decision Date
57316	Construction of hard surfaced path and viewing platform at Yeo Valley Community Woodland, Derby Road, Barnstaple, Devon	Full Planning Approval	21 August 2014
59991	Replacement of grass path with hard surfaced path at Yeo Valley Community	Full Planning Approval	22 October 2015

Reference Number	Proposal	Decision	Decision Date
	Woodland, Derby Road, Barnstaple, Devon		
73835	Creation of Permissive path at proposed new woodland at Land to the East of Frankmarsh Farm, Barnstaple, Devon	Approved	19 November 2021

Constraints/Planning Policy

Constraint / Local Plan Policy	Distance (Metres)
Adopted County Wild Life Site: Frankmarsh Wood Policy Ref: ST14	Within constraint
Advert Control Area Area of Special Advert Control	Within constraint
Burrington Radar Safeguard Area consultation required for: All buildings, structures, erections & works exceeding 45 metres in height.	Within constraint
Chivenor Safeguard Zone Consultation Structure or works exceeding 15.2m	Within constraint
Chivenor Safeguard Zone Consultation Structure or works exceeding 45.7m	Within constraint
Landscape Character is: 3H Secluded Valleys	Within constraint
Landscape Character is: 5C Downland	Within constraint
Tree Preservation Order: 154 - W1, North Devon District Tree Preservation Order 1982 No.1	Within constraint
Tree Preservation Order: 154 - W2, North Devon District Tree Preservation Order 1982 No.1	Within constraint
Within 100m of Adopted Local Green Space: BAR19(2) Yeo Valley	Within constraint
Within 50m of Adopted Proposed Footpath/Cycle Route:BAR20a Frankmarsh Wood	Within constraint
Within Adopted Unesco Biosphere Transition (ST14)	Within constraint
Within:, SSSI 5KM Buffer in North Devon, consider need for AQIA if proposal is for anaerobic digester without combustion plant	Within constraint
Within: Braunton Burrows, SAC 10KM Buffer if agricultural development consider need for AQIA	Within constraint
SSSI Impact Risk Consultation Area	Within constraint
DM04 - Design Principles ST04 - Improving the Quality of Development ST22 - Community Services and Facilities	

Consultees

Name	Comment
Barnstaple Town Council	18/11/2022 10:09 - RECOMMENDATION: Approval (NC).
Reply Received 18 November 2022	

Name	Comment
Councillor I Roome	No objection received.
Councillor J Orange	No objection received.
Councillor M Lovering	No objection received.
Natural England	No objection received.

Neighbours / Interested Parties

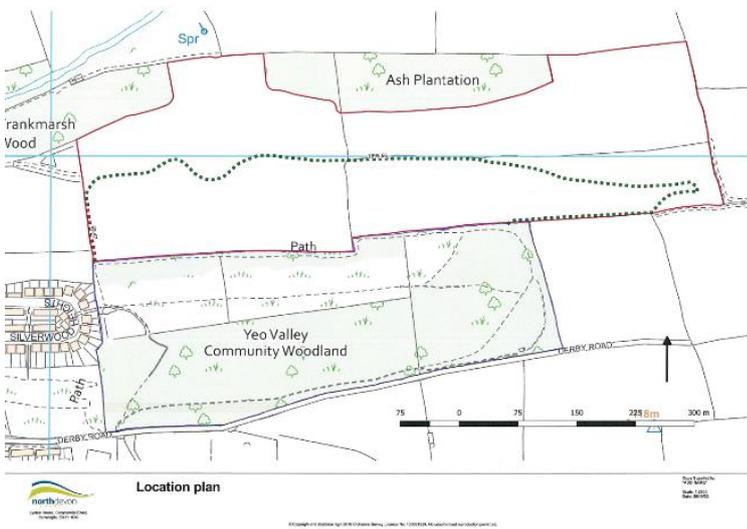
Comments	No Objection	Object	Petition	No. Signatures
0	0	0	0	0

Considerations

Proposal Description

This application seeks advertisement consent for the erection of two interpretation panels at the entrances to the developing community woodland.

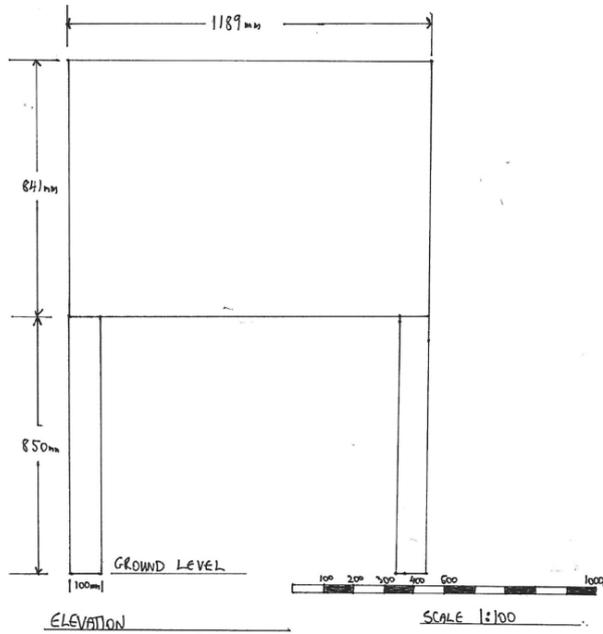
It is proposed that the panels will be approximately 1.6 m above the ground and be 1.1 m in width.



Location Plan



Block Plan



Elevation

Welcome to this brand new woodland that has been created with the help of local school children and residents.

Over 11,000 native broadleaved trees have been planted together with 650 metres of new hedgerows following old field boundaries. Paths let you explore the woodland and seating has been provided at regular intervals. A dog free area provides a venue for events as well as a kick about area and picnic site. A dog free area provides a venue for events as well as a kick about area and picnic site. A dog free area provides a venue for events as well as a kick about area and picnic site.

Hay meadows
Areas in the bottom of the valley have been left as a flower rich meadow. The grass is cut and baled in August allowing the plants to set seed and produce next years flowers. The area is a haven for insects such as butterflies and moths.

Fruit trees
Local varieties of fruit trees such as apples, plums and mazzards (a local variety of cherry) have been planted along the side of the meadow, together with cobnuts and filberts which produce a crop each autumn. Please help yourself!

Text jshfhh isdhf hsgl

NEW DIAGRAM

Interpretation Sign Mock-up

It is considered that the main issue in this case is the effect of the proposed advertisements on the character and appearance of the area.

The Council has adopted 'Development Control Guidelines for Shop Fronts and Shop Signs', adopted in 1983. The Advertisement Regulations require that decisions are made only in the interests of amenity and public safety. Therefore the Council's guidelines alone cannot be decisive, but are a material consideration. It states that good design does not stifle enterprise. It goes on to state that signage must be designed as an integral part of the overall scheme.

The North Devon and Torrington Local Plan sets out in Policy DM22 (Shop Front Design and Signage):-

(1) Development altering existing and proposing new shop frontages will be supported where:

(a) the local character and features of traditional shop fronts are retained and enhanced, the local street scene is conserved and they are appropriate to the design and character of the building on which they are installed;

(b) shop fronts and fascia signage relate to individual buildings rather than retail frontages as a whole;

(c) excessive signage is avoided; and

(d) any security shutters are internally mounted.

(2) Illumination of shops, businesses and community facilities is only supported where the premises are open during the evening. Where illumination of premises is justified, shop fronts will be illuminated internally and signage illuminated externally using energy efficient lighting systems.

The National Planning Policy Framework states that 'poorly placed advertisements can have a negative impact on the appearance of the built and natural environment' and 'only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment'. It is considered that this site is one that should be subject to the local planning authority's detailed assessment as the proposal could have a negative impact on the appearance of the natural environment.

Members will recall that the site is utilised as a community woodland and that they recently granted approval for paths on the site. This application relates to the ongoing use of the community woodland.

The advertisement would not be visible outside of the confines of the site due to landscaping and topography. The signage will be discreet and assist with the interpretation of the community use whilst not resulting in excessive signage or clutter. As such, the amenity impact is considered to be acceptable in this instance.

Due to the non-illuminated nature of the signage and distance from the public highway, and having regard to the above, no unacceptable highway safety implications have been identified.

Conclusion

In light of the foregoing approval of the application is recommended as the amenity impacts are not considered to be unacceptable in this instance.

Human Rights Act 1998

The provisions of the Human Rights Act and principles contained in the Convention on Human Rights have been taken into account in reaching the recommendation contained in this report. The articles/protocols identified below were considered of particular relevance:

- Article 8 – Right to Respect for Private and Family Life
- THE FIRST PROTOCOL – Article 1: Protection of Property

Section 149(1) of the Equality Act 2010 places a statutory duty on public authorities in the exercise of their functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it (the Public Sector Equality Duty or 'PSED'). There are no equality implications anticipated as a result of this decision.

Recommendation

APPROVED

Legal Agreement Required: No

Conditions

1. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason

In accordance with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and in the interests of public safety.

2. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason

In accordance with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and in the interests of public safety.

3. Where an advertisement is required under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason

In accordance with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and in the interests of the visual amenities of the locality.

4. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason

In accordance with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and to ensure that, in addition to consent to display, the consent of the landowner or any other person having an interest in the site is obtained.

5. No advertisement shall be sited or displayed so as to:
 - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Reason

In accordance with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and in the interests of public safety.

6. The advertisement[s] hereby approved shall be displayed in accordance with the plans submitted with the application:

NDC 0063 Block plan east received on the 01/11/22
NDC 0053 Block plan west received on the 01/11/22
NDC 004 Planning mock-up elevation received on the 06/10/22
NDC0031 Panel Dimensions received on the 06/10/22
NDC002 Block Plan received on the 08/09/22
NDC0012 Location Plan received on the 07/11/22

Reason

The submitted scheme shows an acceptable form of signage.

Informatives

1. The submitted drawings have been numbered as set out above. Please refer to the planning application tracker on the District Council's website to view the drawings and their allocated numbers, <http://planning.northdevon.gov.uk/search.asp>

Insert

- 1) Location Plan