

Application Report

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



Application No: 74616
Application Type: NDC Reg 3
Application Expiry: 15 April 2022
Ext Of Time Expiry: 15 April 2022
Publicity Expiry: 10 February 2022
Parish/Ward: BARNSTAPLE/BARNSTAPLE CENTRAL
Location: Green Lanes Shopping Centre
Barnstaple
Devon
EX31 1UL

Proposal: Application under Regulation 3 of the Town & Country Planning General Regulations 1992 notification by North Devon council for variation of condition 14 of planning consent 2/86/916/4/3 and variation of condition 4 of planning permission 3765 to remove reference to condition 4 of planning permission 2/86/916/4/3 and remove condition 8 of planning permission 1795 and condition 5 of planning permission 20190 in so far its reference to condition 4 of planning permission 2/86/916/4/3 to allow for the shopping centre to be re-classed for designation as commercial, business and service use under Class E (a, b, c, d, e, f, g(i) (amended description)

Agent:
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 The applicant is North Devon Council
Level/Reason for Report to Committee:

Site Description

Green Lanes Shopping Centre is a large 1990s shopping precinct and multi storey car park lying in the historic core of Barnstaple and its conservation area. The building itself is finished in brick with mansard slate roofs and glazed atriums in the main. It relates to the domestic scale of the area but also allows for a larger development screened from close by, but this scale is visible in more distant views. There are several shared views of the building such as various listed buildings, non-designated heritage assets and a Scheduled Monument (Barnstaple Castle).

As suggested above it is seen in many long distant views, with views across the river and from various vantage points on surrounding hills being important and attractive. The roof scape is therefore a contributory factor to its visibility and the slate relates to the character and appearance of the remainder of the conservation area. The varying roof levels also help to reduce the bulk of the proposal and add interest.

The closest residential properties are on Green Lane, Bull Court, Bear Street and Boutport Street. There is a sheltered housing scheme on Boutport Street opposite the shopping complex.

There are pedestrian accesses to the complex from the High Street, Green Lane, Boutport Street and Bull Court. There is a service deck for the complex and the main access to this and the public car park is via the urban relief road, Vicarage Street and Boutport Street. The former Green Lane runs through the complex and is accessible during opening hours.

Recommendation

APPROVAL

Legal Agreement Required: To be confirmed

Planning History

Reference Number	Proposal	Decision	Decision Date
77/2149/0 4/03	Proposed Alteration To Existing Shop Areas And Change Of Use To Upper Areas From Restaurant, Kitchens And Living Accommodation Into Office And Storage. At High Street, , , Barnstaple, Devon, Ex31 1bz	Approve - With Conditions	19 January 1978
13694	Proposed New Shopfronts To Joy Street Elevations. At Green Lanes Shopping Centre, (Units 16-18), Barnstaple, Devon, Ex31 1uh	Full Planning Approval	17 June 1991
14178	Proposed Alterations To Bull Court Elevation And Formation Of New Escape Doors On Elevation Overlooking Car Park Entrance. At Unit 12, Green Lane, Barnstaple, Devon, Ex31 1uq	Full Planning Approval	16 August 1991
13911	Proposed New Shopfront To Unit 19 (Fronting Joy Street To Comply With Condition 7 Attached To Plan Per 2/86/916/4/3. At Green Lanes Shopping Centre, Barnstaple, Devon, Ex31 1uh	Full Planning Approval	21 August 1991
14547	Proposed Illuminated Fascia Sign. At Unit 17, Green Lane Shopping Centre, Barnstaple, Ex31 1uh	Full Planning Refusal	25 October 1991

Reference Number	Proposal	Decision	Decision Date
14897	Proposed Change Of Use From Class A1 (Shop) To Class D1 To Allow Use As Children's Crèche. At Unit K10, Green Lanes Shopping Centre, Barnstaple, Ex31 1ul	Full Planning Approval	28 January 1992
14896	Proposed Change Of Use From Class A1 Shop To Class A3 (Food And Drink) Plus Alteration And Extension. At 47 High Street, Barnstaple, Ex31 1bz	Full Planning Approval	5 February 1992
14569	Proposed Non-Illuminated Fascia Sign To Green Lane Elevation. At 129 Boutport Street, Barnstaple, Ex31 1td	Withdrawn	23 March 1992
14798	Proposed 2 No. Illuminated Public Information Signs For Centre And Car Park. At Green Lanes Shopping Centre, , Barnstaple, Ex31 1uq	Full Planning Approval	26 May 1992
14568	Proposed Installation Of New Shopfront To Green Lane Elevation. (Amended Plans). At 129 Boutport Street, Barnstaple, Ex31 1td	Full Planning Approval	17 July 1992
15484	Proposed Illuminated Replacement Signs To Entrances To Green Lanes Shopping Centre. At Green Lanes Shopping Centre, , Barnstaple, Ex31 1uj	Full Planning Approval	17 July 1992
15382	Proposed Illuminated Fascia And Hanging Signs. At Formerly Fosters Menswear, 47 High Street, Barnstaple, Ex31 1bz	Full Planning Approval	21 August 1992
15485	Proposed Repair And Refurbishment Of Existing Building With Retention Of Agreed Features Of Historical Interest (Photocare And Sue Ryder Shop). (Amended Description) At Nos 38 & 38a High Street, Barnstaple, Ex31 1bz	Full Planning Approval	9 November 1992
15486	Listed Building Application Proposed Repair And Refurbishment Of Existing Building With Retention Of Agreed Features Of Historical Interest (Photocare & Sue Ryder Shop). (Amended Description). At Nos 38 & 38a High Street, Barnstaple, Ex31 1bz	Full Planning Approval	9 November 1992
14045	Proposed Internal Alterations To Form Link To Unit 13 Inc. Formation Of New Staircase. At Red Cross Building, 3 Green Lane, Barnstaple, Devon, Ex31 1dd	Withdrawn	7 April 1993
14046	Listed Building Application Proposed Alterations To Form Link With Unit 13 Including Construction Of New Staircase.	Withdrawn	7 April 1993

Reference Number	Proposal	Decision	Decision Date
	At Red Cross Building, 3 Green Lane, Barnstaple, Devon, Ex31 1dd		
17166	Proposed Non-Illuminated Fascia Sign & 1 No. Non-Illuminated Projecting Sign (Amended Description). At 49-52 High Street, Barnstaple, Ex31 1bz	Full Planning Approval	18 August 1993
17167	Listed Building Application Proposed Non-Illuminated Fascia Sign & 1 No. Non-Illuminated Projecting Sign (Amended Description). At 49-52 High Street, Barnstaple, Ex31 1bz	Full Planning Approval	18 August 1993
17916	Proposed Internal Alterations And New Shop Front. At Rumbelows, 42 High Street, Barnstaple, Ex31 1bz	Full Planning Approval	24 November 1993
17712	Proposed Non Illuminated Hanging Sign. At Green Lanes Shopping Centre, Barnstaple, Ex31 1ul	Full Planning Approval	14 December 1993
18052	Proposed Demolition And Rebuilding Of Existing Rear Extension Together With Alterations To Interior Of Building And Removal Of Existing First Floor To Retained Building. At Nos 38 & 38a, High Street, Barnstaple, Ex31 1bz	Full Planning Refusal	19 January 1994
18053	Listed Building Application Proposed Demolition And Rebuilding Of Existing Rear Extension Together With Alterations To Interior Of Building And Removal Of First Floor To Retained Building. At Nos 38 & 38a, High Street, Barnstaple, Ex31 1bz	Full Planning Refusal	19 January 1994
18783	Proposed Installation Of Satellite Antenna For First Floor Betting Office. At 42 High Street, Barnstaple, Ex31 1bz	Full Planning Approval	24 May 1994
20081	Proposed Additional Usage Of Premises For The Sale Of Hot Food At 22a - Scoop N'save, Joy Street, Barnstaple, Devon, Ex31 1bp	Full Planning Approval	7 March 1995
20259	Proposed Non-Illuminated Individual Letters Sign At Former Red Cross Building, 3 Green Lane, Barnstaple, Ex31 1dd	Full Planning Approval	2 May 1995
20260	Listed Building Application Proposed Non-Illuminated Individual Letters Sign At Former Red Cross Building, 3 Green Lane, Barnstaple, Ex311dd	Full Planning Approval	2 May 1995
20261	Proposed Conversion Of Unit 13 Incorporating Former Red Cross Building To Form Coffee Shop, Wine Bar/Bistro At	Full Planning Approval	1 June 1995

Reference Number	Proposal	Decision	Decision Date
	Green Lanes Shopping Centre, Barnstaple, Ex31 1uh		
20262	Listed Building Application Proposed Conversion Of Unit 13 Incorporating Former Red Cross Building To Form Coffee Shop, Wine Bar/Bistro. At Green Lanes Shopping Centre, Barnstaple, Ex31 1uh	Full Planning Approval	1 June 1995
18859	Proposed Demolition & Rebuilding Of Existing Rear Extension Together With Alterations To Interior Of Building & Removal Of Existing First Floor To Retained Building. At 38/38a, High Street, Barnstaple, Ex31 1bz	Full Planning Approval	14 June 1995
18860	Listed Building Application Proposed Demolition & Rebuilding Of Existing Rear Extension Together With Alterations To Interior Of Building & Removal Of Existing First Floor To Retained Building. At 38/38a, High Street, Barnstaple, Ex31 1bz	Full Planning Approval	14 June 1995
20190	Proposed Alterations And Extension To Existing Shops To Form New Retail Unit (Amended Plans) At Units 11 & 12, Green Lanes Shopping Centre, Barnstaple, Devon, Ex31 1uq	Full Planning Approval	15 August 1995
20939	Proposed Siting Of Illuminated Fascia & Projecting Signs To Joy Street Elevation At 19-20 Principles, Green Lanes Shopping Centre, Barnstaple, Ex31 1uh	Full Planning Approval	13 October 1995
21170	Proposed Siting Of Satellite Dish At TSB, , 24/25 Joy Street, Barnstaple, Ex31 1bp	Full Planning Approval	29 November 1995
21279	Proposed Alterations To Shopfront At Apex Sports, , 44 High Street, Barnstaple, Ex31 1bz	Full Planning Approval	30 November 1995
21280	Listed Building Application Proposed Alterations To Shopfront At Apex Sports, , 44 High Street, Barnstaple, Ex31 1bz	Full Planning Approval	30 November 1995
21390	Listed Building Application Proposed Internal Alterations To Approved Retail Unit (Amendment To Plan Pers 18859 & 18860) At 38/38a High Street, Barnstaple, Ex311uh	Full Planning Approval	20 December 1995
20189	Proposed Alterations And Extension To Existing Shopping Complex To Form Retail Unit (Amended Plans) At Green Lanes Shopping Centre, Barnstaple, Devon, Ex31 1uq	Withdrawn	16 February 1996

Reference Number	Proposal	Decision	Decision Date
21572	Retrospective Application In Respect Of Non-Illuminated Individual Letters Sign At The Old Meeting House, 3 Green Lane, Barnstaple, Ex311uh	Full Planning Approval	20 February 1996
21573	Listed Building Application In Respect Of Non-Illuminated Individual Letters Sign (Amended Description) At The Old Meeting House, 3 Green Lane, Barnstaple, Ex311uh	Full Planning Approval	20 February 1996
21331	Proposed Conversion Of And Extension To Existing 3 No. Shop Units To Form 1 No. Office (A2 Use) Unit Together With Alterations To Highway Servicing Access (Amended Plans & Description) At 34-36 Green Lanes Shopping Centre, Barnstaple, Ex31 1td	Full Planning Approval	27 February 1996
21595	Proposed 2 No. Non-Illuminated Fascia And Projecting Bhs Signs To High Street Entrance And 1 No. Non-Illuminated Bhs Fascia Sign To Car Park Entrance At Green Lanes Shopping Centre, Barnstaple, Ex311ul	Full Planning Refusal	27 February 1996
21782	Proposed Alterations To New Rear Extension To Provide Stair Access Onto Flat Roof And Stair Bridge Link Onto Roof Of Green Lanes Shopping Centre (Amendment To 18859 & 18860) At 38/38a High Street, Barnstaple, Ex311bz	Full Planning Approval	23 April 1996
21783	Listed Building Application Proposed Alterations To New Rear Extension To Provide Stair Access Onto Flat Roof And Stair Bridge Link Onto Roof Of Green Lanes Shopping Centre (Amendment To 18859 And 18860) At 38/38a High Street, Barnstaple, Ex311bz	Full Planning Approval	23 April 1996
22181	Proposed Erection Of Storage Building On Service Deck Level At Green Lanes Shopping Centre, High Street, Barnstaple, Ex311uh	Full Planning Approval	17 July 1996
25983	Proposed Siting Of Illuminated Fascia And Projecting Sign At Lloyds TSB Bank Plc, 24-25, Joy Street, Barnstaple, Ex311bp	Full Planning Refusal	29 September 1998
26563	Proposed Installation Of New Shop Front (Unit 2) At Dixons, 40 High Street, Barnstaple, Ex311bz	Withdrawn	16 April 1999

Reference Number	Proposal	Decision	Decision Date
27100	Change Of Use Of Pavement Area For The Siting Of 2 No. Seating Areas In Connection With Wimpy At Wimpy Bar, 47 High Street, Barnstaple, Ex311bz	Full Planning Approval	7 June 1999
26915	Proposed Alterations To Existing High Street Entrance At Green Lanes Shopping Centre, Barnstaple, Ex311uj	Full Planning Approval	17 June 1999
27237	Alterations To Existing High Street Entrance At High Street Entrance, Green Lanes Shopping Centre, Barnstaple, Ex311ug	Full Planning Approval	17 June 1999
27964	New Non-Illuminated Fascia Signs To Joy Street Elevations (Amended Description) At New Look, 17/18 Green Lanes Shopping Centre, Barnstaple, Ex311uh	Advert Approval	10 November 1999
27965	Alterations To Joy Street Frontages At New Look, 17/18 Green Lanes Shopping Centre, Barnstaple, Ex311uh	Full Planning Approval	10 November 1999
29404	Installation Of 2 No. Fascia Antennae At Orange Retail Shopping Centre, Green Lanes, Barnstaple, Ex311jb	Full Planning Refusal	10 August 2000
26942	Proposed Non-Illuminated Fascia And Projecting Signs At Dixons Stores, 38 & 38a High Street, Barnstaple, Ex311bz	Advert Approval	17 August 2000
26943	Listed Building Application Proposed Non-Illuminated Fascia And Projecting Signs At Dixons Stores, 38 & 38a High Street, Barnstaple, EX311BZ	Lb (Execution Works) Approval	17 August 2000
26944	Proposed New Shopfront (Amended Plans) At Dixons Stores, , 38 High Street, Barnstaple, Ex311bz	Full Planning Approval	17 August 2000
26945	Listed Building Application Proposed Installation Of New Shopfront And Internal Shopfitting (Amended Plans) At Dixons Stores, 38 High Street, Barnstaple, Ex311bz	Lb (Execution Works) Approval	17 August 2000
29901	Proposed Telecommunications Installation At Green Lanes Shopping Centre, Barnstaple, Ex311ul	Full Planning Approval	23 October 2000
29801	Retrospective Application In Respect Of Replacement Windows At Let's Go Travel Ltd, 22 Joy Street, Barnstaple, Ex311bp	Full Planning Refusal	22 November 2000
30323	Change Of Use Of Pavement Area For Siting Of 2 No. Seating Areas In Connection With Wimpy (Renewal Of Planning Consent 27100) At Wimpy Bar, 47 High Street, Barnstaple, Ex311bz	Full Planning Approval	19 February 2001

Reference Number	Proposal	Decision	Decision Date
30678	Conversion Of First & Second Floors Of Premises To Form 1 No. Self Contained Flat Together With Erection Of Balcony At Bowdens Cleaning Services, Bull Court, Green Lane, , Barnstaple, Ex311dd	Full Planning Approval	4 April 2001
30679	Listed Building Application In Respect Of Conversion Of First & Second Floors Of Premises To Form 1 No. Self Contained Flat Together With Erection Of Balcony At Bowdens Cleaning Services, Bull Court, Green Lane, , Barnstaple, Ex311dd	Lb (Execution Works) Approval	4 April 2001
26791	Proposed First Floor Extension To Existing Shop Unit At , 4 Green Lanes Shopping Centre, Barnstaple, Ex311ug	Full Planning + S106 Approval	20 August 2001
30181	Siting Of 2 No. Fascia Signs & 1 No. Projecting Sign (Amended Description) At Wimpy Bar, 47 High Street, Barnstaple, Ex311bz	Advert Approval	22 August 2001
25857	Proposed Formation Of New Retail Unit At Land Adj., 39 Green Lanes Shopping Centre, Barnstaple, Ex311ul	Withdrawn	7 December 2001
32613	Change Of Use Of First Floor Restaurant To Form Offices With Internal Alterations At , Former Red Cross Building &, 22 Joy Street, Barnstaple, Ex311bp	Full Planning Approval	26 March 2002
32614	Listed Building Application In Respect Of Internal Alterations At , Former Red Cross Building, R/O 22 Joy Street, Barnstaple, Ex311bp	Lb (Execution Works) Approval	26 March 2002
34663	Replacement Of Existing Unauthorised Upvc Windows With Timber Windows At Lets Go Travel, 22 Joy Street, Barnstaple, Devon, Ex31 1bp	Full Planning Approval	7 March 2003
34876	Change Of Use Of Public Highway To Allow Siting Of Tables & Chairs At Henrys Restaurant, 23 Joy Street, Barnstaple, Ex311bp	Full Planning Approval	7 July 2003
36637	Retrospective Listed Building Application In Respect Of Internal Alterations At Unit 13, Green Lanes Shopping Centre, Barnstaple, Ex311ul	Lb (Execution Works) Approval	9 January 2004
36993	Siting Of 1 Illuminated Fascia & Projecting Sign At Abbey National Plc, 43 High Street, , Barnstaple, Devon, Ex31 1hj	Advert Refusal	30 March 2004
37981	Siting Of Illuminated Fascia & Projecting Sign At 43 High Street, Barnstaple, Ex311hj	Advert Refusal	28 July 2004

Reference Number	Proposal	Decision	Decision Date
38372	Re-Fitting Of Shop Unit (Interior & Exterior), Installation Of Air Conditioning Plant & Installation Of Security Roller Shutter At 39 High Street, Barnstaple, Ex311bz	Withdrawn	11 October 2004
38373	Erection Of 1 Fascia Sign & 1 Projecting Sign At 39 High Street, Barnstaple, Ex311bz	Advert Approval	13 October 2004
38374	Listed Building Application For Re-Fitting Of Shop Unit (Interior & Exterior) And Erection Of 1 Fascia Sign & 1 Projecting Sign (Amended Description) At 39 High Street, Barnstaple, Ex311bz	Lb (Execution Works) Approval	27 October 2004
38992	Siting Of Illuminated Fascia & Projecting Sign (Amendment To Advertisement Consent 37981) At Abbey National Plc, 43 High Street, Barnstaple, Ex311hj	Advert Refusal	11 January 2005
39462	Alterations To Retail Unit To Create Additional Retail Floorspace At Green Lanes Shopping Centre, 40 Green Lanes, Barnstaple, Ex311ul	Full Planning Approval	29 April 2005
38599	Erection Of 4 Directory Signs On Entrance Pillars At Green Lanes Shopping Centre, 40 Green Lanes, Barnstaple, Ex311ul	Advert Approval	7 September 2005
40875	Installation Of Air Conditioning Plant With External Condenser At The Carphone Warehouse, 39 High Street, Barnstaple, Devon, Ex311bz	Full Planning Approval	25 October 2005
40876	Listed Building Installation Of Air Conditioning Plant With External Condenser At The Carphone Warehouse, 39 High Street, Barnstaple, Devon, Ex311bz	Lb (Execution Works) Approval	14 December 2005
42921	Installation Of Non-Illuminated Fascia Signage & 1 Non-Illuminated Projecting Sign At 38 High Street, Barnstaple, Ex311bz	Advert Approval	27 October 2006
42922	Listed Building Application For Installation Of Non-Illuminated Fascia Signage & 1 Non-Illuminated Projecting Sign At 38 High Street, Barnstaple, Ex311bz	Lb (Execution Works) Approval	27 October 2006
43137	Installation Of Illuminated Fascia Sign At 42 High Street, Barnstaple, Ex311bz	Advert Refusal	20 November 2006
43327	Siting Of 1 Internally Illuminated Fascia Sign & 2 Internally Illuminated Projecting	Advert Refusal	2 January 2007

Reference Number	Proposal	Decision	Decision Date
	Signs At Lloyds Tsb Bank Plc, 24-25 Joy Street, Barnstaple, Ex311bp		
43431	Telecommunications Prior Approval Application For Installation Of Telecommunications Mast Disguised As Flagpole Together With 3 Antenna At Roof Of Green Lanes Shopping Centre, High Street, Barnstaple, Ex311ul	Approved	21 March 2007
43781	Installation Of A Radio Base Station Comprising Shrouded Antennas Disguised As A Flagpole, Radio Equipment Housing & Ancillary Development Thereto. At Green Lanes Shopping Centre, Boutport Street, Barnstaple, Ex311uj	Full Planning Approval	22 March 2007
44108	Siting Of 1 Non-Illuminated Fascia Sign & 1 Non- Illuminated Hanging Sign At Lloyds Tsb Bank Plc, 24-25, Joy Street, Barnstaple, Ex311bp	Advert Refusal	14 May 2007
44503	Siting Of 3 Non-Illuminated Fascia Signs & 2 Non-Illuminated Hanging Signs At Lloyds Tsb Bank Plc, 24-25 Joy Street, Barnstaple, Ex311bp	Advert Approval	24 July 2007
45322	Listed Building Application For Siting Of 1 Non Illuminated Fascia Sign At Orange, 38 High Street, Barnstaple, Ex311bz	Lb (Execution Works) Approval	22 November 2007
45323	Siting Of 1 Non Illuminated Fascia Sign At Orange, 38 High Street, Barnstaple, Ex311bz	Advert Approval	22 November 2007
45445	Change Of Use From Use Class B1 (Business) To Use Class A2 (Financial & Professional Services) At 117 Boutport Street, Barnstaple, Ex311td	Full Planning Approval	26 November 2007
46649	Siting Of 1 Non-Illuminated Fascia Sign & 1 Non-Illuminated Projecting Sign On Joy Street Elevation At 16 Green Lanes Shopping Centre, Barnstaple, Ex311ul	Advert Approval	23 June 2008
46723	Siting Of 2 Sets Of Non-Illuminated Logo & Lettering & 1 Non-Illuminated Hanging Sign At Lloyds Tsb Bank Plc, 24-25 Joy Street, Barnstaple, Ex311bp	Advert Approval	29 July 2008
47116	Siting Of 1 Externally Illuminated Hanging Sign At Orange, 38 High Street, ,Barnstaple, Devon, Ex31 1bz	Advert Refusal	3 November 2008
47296	Listed Building Application For Siting Of 1 Externally Illuminated Hanging Sign At	Lb (Execution	11 December 2008

Reference Number	Proposal	Decision	Decision Date
	Orange, 38 High Street, Barnstaple, Devon, Ex31 1bz	Of Work) Refusal	
49466	Retrospective Application For Alterations To Shopfront (Amended Description) At 47 High Street, Barnstaple, Devon, Ex31 1bz	Full Planning Approval	27 January 2010
49467	Retrospective Application For Siting Of Replacement Non-Illuminated Fascia Signage & One Non-Illuminated Projecting Sign (Amended Description) At 47 High Street, Barnstaple, Devon, Ex31 1bz	Advert Approval	27 January 2010
50310	Re-Paint Shop Front From White To Black Together With Erection Of New Signage At Orange, Green Lanes Shopping Centre, Barnstaple, Devon, Ex31 1ug	Withdrawn	27 May 2010
50476	Siting Of 2 Non-Illuminated Fascia Signs (Amended Description) At New Look, Units 17 - 18, Green Lanes Shopping Centre, Barnstaple, Devon, Ex31 1uh	Advert Approval	15 July 2010
51602	Repair & Repainting Of 4 Rear Elevation Windows & 1 Door At 52 High Street, Barnstaple, Devon, Ex31 1bz	Withdrawn	27 January 2011
51505	Siting Of 1 Non Illuminated Projecting Sign At 49-52 High Street, Barnstaple, Devon, Ex31 1bz	Advert Approval	18 February 2011
51580	Siting Of 2 Non-Illuminated Projecting Signs At Primark Stores Ltd, 49 52 High Street, Barnstaple, Devon, Ex31 1bz	Advert Refusal	21 February 2011
52814	Listed Building Application For Internal Works To Accommodate Shop Re-Fit Within Modern Shop Unit At Carphone Warehouse, 39 High Street, Barnstaple, Devon, Ex31 1bz	Lb (Execution Works) Approval	8 November 2011
53373	Change Of Use Of Office & Training Facilities To Christian Science Church With Reading Room & Shop At 115 Boutport Street, Barnstaple, Devon, Ex31 1td	Full Planning Approval	14 February 2012
53158	Conservation Area Application For Demolition At 22/23 Joy Street, Barnstaple, Devon, Ex31 1bp	Ca (Dem) Approval	2 March 2012
54142	Approval Of Details In Respect Of Discharge Of Conditions 4 (Survey) & 5 (Mitigation Measures) Attached To Conservation Area Consent 53158 At 22/23 Joy Street, Barnstaple, Devon, Ex31 1bp	Discharge Of Condition Approve	26 July 2012

Reference Number	Proposal	Decision	Decision Date
54290	Retrospective Siting Of Non-Illuminated Fascia Board, Wall Panel & Dibond Panel At Christian Science Society, 115 Boutport Street, Barnstaple, Devon, Ex31 1td	Advert Approval	22 August 2012
54723	Siting Of One Non-Illuminated 3d Facia Sign; One Non-Illuminated Wall Mounted Plate; One Projecting Non-Illuminated Sign; One Non-Illuminated Atm Vinyl Sign & One Non-Illuminated Internal Window Vinyl At Lloyds Tsb Bank Plc, , 24 - 25 Joy Street, Barnstaple, Devon, Ex31 1bp	Advert Approval	6 November 2012
54956	Removal Of Existing 8.5m Pole Incorporating 3 Integral Antennae & Replacing With Replica 10m Flagpole Accommodating 6 Stacked Antennae Together With 3 Panel Antennae Together With Additional Equipment Cabinets At Roof Of, Green Lanes Shopping Centre, Barnstaple, Devon, Ex31 1ul	Full Planning Approval	4 January 2013
55043	Change Of Use From Shop (A1) To Cafe (A3) At Units 1, K1, K2 & K3, Green Lanes Shopping Centre, Barnstaple, Devon, Ex31 1ug	Full Planning Approval	8 February 2013
56029	Variation Of Condition 2 (Demolition Completion) Attached To Planning Permission 53158 For Conservation Area Consent For Demolition At 22 & 23 Joy Street, Barnstaple, Devon, Ex31 1bp	Ca (Dem) Approval	19 August 2013
55991	Erection Of A Retail Unit Together With Conversion Of Existing Buildings At 22, 23 Joy Street And, 13, 14 & 15 Green Lanes Shopping Centre, Barnstaple, Ex31 1bp	Full Planning Approval	20 August 2013
55992	Listed Building Application For Erection Of A Retail Unit, Including Conversion Of Existing Buildings At 22, 23 Joy Street & 13, 14 & 15 Green Lanes Shopping Centre, Barnstaple, Devon, Ex31 1bp	Lb (Execution Works) Approval	20 August 2013
56503	Siting Of One Non-Illuminated Foamex Panel, Four Internally Illuminated Pod Signs & One Non-Illuminated Foamex Door Sign At New Look, 17 Green Lanes Shopping Centre, Barnstaple, Devon, Ex31 1uh	Advert Approval	5 December 2013
57353	Application For A Non-Material Amendment To Planning Permission	Approve Non-	14 May 2014

Reference Number	Proposal	Decision	Decision Date
	55991 In Respect Of Lift Details At 22, 23 Joy Street, Barnstaple, Devon, Ex31 1bp	Material Amendment	
57773	Approval Of Details In Respect Of Discharge Of Condition 5 (Construction Management Plan) Attached To Planning Permission 55991 At 23 23a Joy Street, Barnstaple, Devon, Ex31 1bp	Discharge Of Condition Approve	8 August 2014
57893	Listed Building Application For Erection Of A New Retail Unit, Including Conversion Of Existing Buildings At 22 & 23 Joy Street, Units 13, 14 & 15, Green Lanes Shopping Centre, Barnstaple, Devon, Ex31 1uh	Lb (Execution Works) Approval	18 September 2014
57894	Variation Of Condition 2 (Approved Plans) Attached To Planning Permission 55991 At 22 & 23 Joy Street, Units 13, 14 & 15, Green Lanes Shopping Centre, Barnstaple, Devon, Ex31 1uh	Full Planning Approval	19 September 2014
58259	Approval Of Details In Respect Of Discharge Of Condition 7 (Materials) & Condition 8 (Window Detail) Attached To Planning Permission 55991 (Amended Description) At 22 & 23 Joy Street, 13, 14 & 15 Green Lanes Shopping Centre, Barnstaple, , Devon,	Discharge Of Condition Approve	1 December 2014
58418	Listed Building Application For Erection Of Retail Unit At 22 & 23 Joy Street, Barnstaple, Devon, Ex31 1bp	Lb (Execution Works) Approval	19 December 2014
58998	Removal Of The Existing 10.00m High Flagpole Housing 3 Telefonica Only Antennas And Its Replacement With A 10m Flagpole Housing 3 Antennas For The Shared Use Of Telefonica And Vodafone. 3 X Equipment Cabinets To Be Removed And 2 Installed At Green Lanes Shopping Centre, Barnstaple, Devon, Ex31 1ul	Full Planning Approval	29 April 2015
59051	Siting Of 3 Red Signs (Amended Plan & Amended Description) At 13 16 Green Lanes Shopping Centre, Barnstaple, Devon, Ex31 1uh	Advert Approval	7 May 2015
60156	Advertisement Consent For Various Internal Signs At Vodafone, 23 Green Lanes Shopping Centre, Barnstaple, Devon, Ex31 1uh	Plan. Permission Not Required	26 October 2015

Reference Number	Proposal	Decision	Decision Date
60414	Alterations To South West Entrance, Change Of Use Of Units 19 & 20 To Form Café With Outdoor Seating Area At Green Lanes Shopping Centre, Barnstaple, , Devon, Ex31 1ul	Full Planning Approval	7 April 2016
60415	Listed Building Application For Alterations To South West Entrance, Change Of Use Of Units 19 & 20 To Form Café With Outdoor Seating Area At Green Lanes Shopping Centre, Barnstaple, , Devon, Ex31 1ul	Lb (Execution Works) Approval	7 April 2016
61160	Installation Of Condenser Units Above Shop Unit On Roof At 6 Green Lanes Shopping Centre, Barnstaple, Devon, Ex31 1ug	Full Planning Approval	1 July 2016
61435	Shop Refurbishment At Green Lanes Shopping Centre, Barnstaple, Devon, Ex31 1ug	Plan. Permission Not Required	11 July 2016
62492	Approval Of Details In Respect Of Discharge Of Condition 4 (Archaeological Works), 5 (Construction Management Plan) 8 (Vehicle Restraint System) 10 (Materials) Attached To Planning Permission 60414 & Conditions 3 (Archaeological Works), 6 (Materials) Attached To Listed Building Consent 60415 (Amended Description) At Green Lanes Shopping Centre, Barnstaple, Devon, Ex31 1ul	Discharge Of Condition Approve	1 March 2017
62583	Advert Application For The Installation Of 1 Fascia Sign & 1 Non Illuminated Projection Sign (Amended Description) At Ee, 38 High Street, Barnstaple, Devon, Ex31 1bz	Advert Approval	29 March 2017
62633	Listed Building Consent For The Installation Of 1 Fascia Sign & 1 Non-Illuminated Projection Sign (Amended Description) At Ee, 38 High Street, Barnstaple, Devon, Ex31 1bz	Lb (Execution Works) Approval	29 March 2017
62661	Advertisement Consent For 2 X Copper Surround Signage Boxes & 1 X Hand Painted Sign On To Wall At Green Lanes Shopping Centre, Barnstaple, Devon, Ex31 1ul	Advert Approval	6 April 2017
60357	Conversion Of Shop To Form One Dwelling & Erection Of Two Dwellings Within Rear Yard (Amended Description)	Full Planning +	22 February 2018

Reference Number	Proposal	Decision	Decision Date
	At 121 Boutport Street, Barnstaple, Devon, Ex31 1td	S106 Approval	
60358	Listed Building Application For Conversion Of Shop To Form One Dwelling & Erection Of Two Dwellings Within Rear Yard (Amended Description & Additional Information) At 121 Boutport Street, Barnstaple, Devon, Ex31 1td	Lb (Execution Works) Approval	22 February 2018
64648	Installation Of Mechanical Extraction & Air Intake Equipment At 19-20 Green Lanes Shopping Centre, Barnstaple, Devon, Ex31 1uh	Full Planning Approval	1 May 2018
64649	Siting Of 1 Externally Illuminated And 1 Non-Illuminated Fascia Sign & 1 Externally Illuminated Hanging Sign (Amended Description And Plans) At 19-20 Green Lanes Shopping Centre, Barnstaple, Devon, Ex31 1uh	Advert Approval	1 May 2018
70288	Internally non illuminated window graphics to existing shopfront glazing at 17 Green Lanes Shopping Centre, Barnstaple, Devon, EX31 1UQ	Refused	24 September 2019
71297	Siting of illuminated signage for cinema at Green Lanes Shopping Centre, Barnstaple, Devon, EX31 1UQ	Withdrawn Invalid	2 April 2020
71296	Extension to shopping centre and refurbishment of retail unit to provide a seven-screen cinema at Green Lanes Shopping Centre, Barnstaple, Devon, EX31 1UQ	Approved	14 May 2021
73128	Siting of non-illuminated fascia sign (amended description) at 24-25 Joy Street, Barnstaple, Devon, EX31 1BP	Approved	17 May 2021
73686	Change of use from restricted Use Class A1 (retail only) to Use Class E at the first and second floor (amended description) at 11 - 12 Green Lanes Shopping Centre Barnstaple, Devon, EX31 1UQ	Withdrawn	14 September 2021

Constraints/Planning Policy

Constraint / Local Plan Policy	Distance (Metres)
Advert Control Area Barnstaple	Within constraint
Burrington Radar Safeguard Area consultation required for: All buildings, structures, erections & works exceeding 45 metres in height.	Within constraint

Constraint / Local Plan Policy	Distance (Metres)
Chivenor Safeguard Zone Consultation Structure or works exceeding 91.4m	Within constraint
Chivenor Safeguard Zone Consultation Structure or works exceeding 45.7m	Within constraint
Conservation Area: 5 Barnstaple-Town Centre Adopted 20/04/2010;	Within constraint
Is an Adopted Primary Shopping Frontage: Barnstaple Town Centre	Within constraint
Land is potentially contaminated with: Potential Tanks	Within constraint
Land is potentially contaminated with: Tanks	Within constraint
Landscape Character is: 7 Main Cities and Towns	Within constraint
Listed Building Adjacent: 1423 EH Ref 1385153 Nos. 38 and 38A, High Street (east side), Barnstaple	Within constraint
Listed Building Adjacent: 1424 EH Ref 1385154 No. 39, High Street (east side), Barnstaple	Within constraint
Listed Building Adjacent: 1425 EH Ref 1385155 No. 44, High Street (east side), Barnstaple	Within constraint
Listed Building Adjacent: 286 EH Ref 1385061 No.117, Boutport Street (west side), Barnstaple	Within constraint
Listed Building Adjacent: 287 EH Ref 1385062 No.120, Boutport Street (west side), Barnstaple	Within constraint
Listed Building Adjacent: 669 EH Ref 1385076 Bowdens Warehouse, Bull Court (north side (off)), Barnstaple	Within constraint
Listed Building Curtilage (within)	Within constraint
Listed Building: 1423 EH Ref 1385153 Nos. 38 and 38A, High Street (east side), Barnstaple	Within constraint
Listed Building: 1424 EH Ref 1385154 No. 39, High Street (east side), Barnstaple	Within constraint
Listed Building: 3871 EH Ref 1385133 Green Lane (East side (off)) No. 3, Green Lane , Barnstaple	Within constraint
Listed Building: 669 EH Ref 1385076 Bowdens Warehouse, Bull Court (north side (off)), Barnstaple	Within constraint
Use Class: A1 - Shops - A1a - Sale of goods (other than hot food)	Within constraint
Use Class: A1 - Shops - A1c - Travel and ticket agencies	Within constraint
Use Class: A2 - Financial and Professional Services - A2a - Financial services (banks and building societies)	Within constraint
Use Class: A3 - Restaurants and Cafes - A3 - Sale of food and drink for consumption on the premises	Within constraint
Use Class: C3 - Dwelling Houses - C3 - Dwelling houses for individuals, families and up to six individuals living as a single household	Within constraint
Use Class: D1 - Non-Residential Institutions - D1f - Public library or public reading room	Within constraint
Use Class: Sui Generis - SG - Sui Generis	Within constraint
Use Class: Vacant - vacant - Vacant	Within constraint
USRN: 27500887 Road Class:R Ownership: Highway Authority	Within constraint
USRN: 27504393 Road Class:Q Ownership: Private	Within constraint

Constraint / Local Plan Policy	Distance (Metres)
USRN: 27507396 Road Class:G Ownership: Highway Authority	Within constraint
Within adopted Development Boundary: Barnstaple North Development Boundary ST06	Within constraint
Within Adopted District Centre: Barnstaple Town Centre	Within constraint
Within Adopted Primary Shopping Area: Barnstaple Town Centre	Within constraint
Within Adopted Primary Shopping Area: Barnstaple Town Centre Area	Within constraint
Within Adopted Unesco Biosphere Transition (ST14)	Within constraint
Within Braunton Burrows Zone of Influence	Within constraint
Within:, SSSI 500M Buffer in North Devon, consider need for AQIA if proposal is for anaerobic digester without combustion plant	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
Listed Building Grade: II*	
Conservation Area: BARNSTAPLE, TOWN CENTRE	
BAR - Barnstaple Spatial Vision and Development Strategy DM01 - Amenity Considerations DM05 - Highways DM06 - Parking Provision DM07 - Historic Environment DM19 - Town and District Centres ST06 - Spatial Development Strategy for Northern Devon's Strategic and Main Centres ST12 - Town and District Centres ST15 - Conserving Heritage Assets	

Consultation Responses

Name	Comment
Barnstaple Town Council Reply Received 3 February 2022	3/02/2022 19:42 – Recommend: Approval (NC)
Councillor R Mack	No objection received.
Heritage & Conservation Officer	25/01/2022 16:02 - I do not consider that this proposal will cause harm to the significance of any designated heritage assets.

Name	Comment
Reply Received 25 January 2022	
Sustainability Officer	No objection received.

Neighbours / Interested Parties

Comments	No Objection	Object	Petition	No. Signatures
0.00	0.00	0.00	0.00	0.00

No representations received.

Considerations

Proposal Description

This application seeks to vary planning conditions to allow for the use of the premises under Class E (a), (b), (c), (d), (e), (f), (g) (i) of the Town and Country Planning (Use Classes) Order 1987 (as amended).

For the purpose of interpretation this would allow for the use of the premises for:

- (a) for the display or retail sale of goods, other than hot food, principally to visiting members of the public,
- (b) for the sale of food and drink principally to visiting members of the public where consumption of that food and drink is mostly undertaken on the premises,
- (c) for the provision of the following kinds of services principally to visiting members of the public
 - (i) financial services,
 - (ii) professional services (other than health or medical services), or
 - (iii) any other services which it is appropriate to provide in a commercial, business or service locality,
- (d) for indoor sport, recreation or fitness, not involving motorised vehicles or firearms or use as a swimming pool or skating rink, principally to visiting members of the public,
- (e) for the provision of medical or health services, principally to visiting members of the public, except the use of premises attached to the residence of the consultant or practitioner,
- (f) for a crèche, day nursery or day centre, not including a residential use, principally to visiting members of the public,
- (g) for—
 - (i) an office to carry out any operational or administrative functions

The shopping centre is currently restricted to pure retail uses through the imposition of planning conditions attached to previous planning permissions, save for a few Units which operate under different planning permissions.

Planning Considerations Summary

- Town Centre Policy
- Other Matters
- Ecology
- Highways

Planning Considerations

In the determination of a planning application Section 38 of the Planning & Compulsory Purchase Act 2004 is relevant. It states that for the purpose of any determination to be made under the planning Acts, the determination is to be made in accordance with the development plan unless material considerations indicate otherwise. The development plan for this area includes the Devon Waste Plan and North Devon and Torridge Local Plan. The relevant Policies are detailed above.

In considering to grant planning permission which affects a listed building or its setting the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses in accordance with Section 66 of the Listed Building Act.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states a general duty of a Local Planning Authority as respects conservation areas in exercise of planning functions. In the exercise, with respect to any buildings or other land in a conservation area special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The National Planning Policy Framework (NPPF) is a material consideration.

Town Centre Policy

In the glossary of the adopted Local Plan it sets out that, Main Town Centre uses include 'retail development (including warehouse clubs and factory outlet centres); leisure and entertainment facilities, the more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, night-clubs, casinos, health and fitness centres, indoor bowling centres, and bingo halls); offices; arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities); this is also reflected in NPPF Annex 2.

Policy DM19 of the adopted Local Plan seeks to increase the vitality and viability of town centres by supporting a wider range of uses. The range of proposed uses that are likely to be acceptable within town centres are also outlined in Policy ST12 (criteria 2 and 3). Therefore, it is considered that Policy DM19 and ST12 are compliant with the uses set out in the NPPF and glossary within the Local Plan.

Therefore the proposed use is acceptable in principle within a town centre location. Criterion 2 of Policy DM19 makes it clear that the primary function of town centres is to ensure the retail function is safeguarded and enhanced although there is a more flexible approach to the change of use of ground floor premises to alternative uses, particularly

in units that are located outside of the primary shopping frontages, not all of the Green Lanes complex meets this.

Whilst there is more flexibility within Policy DM19, criterion 2(c) seeks to ensure that the proportion of A1 uses (retail) within a Primary Shopping Area does not fall below 50%. This percentage was considered reasonable at the time of drafting the Local Plan given the purpose of a town centre is to retain a high percentage of A1 uses. However, given that the new use Class E includes other town centre uses it is not considered reasonable to fully rely on this policy implication as ultimately we need to ensure the overall vitality and viability of the town centre.

Whilst there is no clear indication that the town centre is in serious decline, evidence would suggest some decline is evident within the town centre in relation to A1 uses and therefore paragraph 13.113 of the Local Plan recognises the need for diversification of uses, to maintain buoyant town centres through other uses which will provide for the vitality and viability of the area overall without undermining the overall aim.

Therefore, whilst policy would prefer the occupation of the ground floor to be retained as an A1 use, consideration must be afforded in the planning balance to the wider objectives in terms of the town centre of Barnstaple against the delivery of a viable complex use albeit one that does not strictly accord with Policies ST12 and DM19, but one that is unlikely to harm the vitality and viability of the town centre and given the national change to Class E; which allows more diverse uses in such locations.

In light of the foregoing it is concluded that the proposed change will help to secure the overall vitality and viability of the town centre by allowing a more diverse selection of town centre uses.

Other Matters

No unacceptable impact on the significance of the heritage assets is identified given the nature of this proposal which seeks to secure ongoing use of the premises. Furthermore no unacceptable amenity impact is identified.

Ecology

Local Planning Authorities have a statutory duty to ensure that the impact of development on wildlife is fully considered during the determination of a planning application under the Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006, The Conservation of Habitats and Species Regulations 2017 (Habitats Regulations 2017).

Due to the nature of this application no unacceptable impact on protected species is identified.

Highways

The proposal will not further impact on highway safety as the site will continue to be serviced from the service deck and benefits from a sustainable location and the sustainable transport options this offers.

Conclusion

The public benefits of the proposal in securing the vitality and viability of the Town Centre are considered to outweigh any harm. The application is therefore considered to accord with the adopted development plan and Duty detailed above. Approval of the application is therefore recommended subject to the imposition of planning conditions and securing Deeds of variation to bring forward the legal agreements associated with the previous planning permission on the site if deemed necessary by the Head of Planning, Housing and Health.

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

Approval of the application is recommended subject to the imposition of planning conditions and securing Deeds of variation to bring forward the legal agreements associated with the previous planning permission on the site if deemed necessary by the Head of Planning, Housing and Health.

Legal Agreement Required: To be confirmed.

Conditions

1. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order) the development hereby permitted shall be restricted to uses within Class E, (a), (b), (c), (d), (e), (f), (g) (i) of the Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other purposes whatsoever.

Reason

Only the proposed use is appropriate and any other use would need to be the subject of a separate application to be considered on its merits having regard to the vitality and viability of the town centre along with amenity and highway matters.

2. The development hereby permitted shall be carried out in accordance with the following approved plans/details:
NDC001
(‘The approved plans’).

Reason

To ensure the development is carried out in accordance with the approved plans in the interests of proper planning.

Informatives

1. For the purpose of interpreting the restrictions expressed in condition 1 of this permission, the permission allows for the use of the premises as:
 - (a) for the display or retail sale of goods, other than hot food, principally to visiting members of the public,
 - (b) for the sale of food and drink principally to visiting members of the public where consumption of that food and drink is mostly undertaken on the premises,
 - (c) for the provision of the following kinds of services principally to visiting members of the public
 - (i) financial services,
 - (ii) professional services (other than health or medical services), or
 - (iii) any other services which it is appropriate to provide in a commercial, business or service locality,
 - (d) for indoor sport, recreation or fitness, not involving motorised vehicles or firearms or use as a swimming pool or skating rink, principally to visiting members of the public,
 - (e) for the provision of medical or health services, principally to visiting members of the public, except the use of premises attached to the residence of the consultant or practitioner,
 - (f) for a crèche, day nursery or day centre, not including a residential use, principally to visiting members of the public,
 - (g) for—
 - (i) an office to carry out any operational or administrative functions
2. The submitted drawings have been numbered as set out in condition 2. 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>
3. Statement of Engagement
In accordance with paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way and has imposed planning conditions to enable the grant of planning permission. This has included consideration of the vitality and viability of the town centre.

Inserts

1. Location Plan