



Application Report

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

Application No:	75731
Application Type:	Full Application
Application Expiry:	22 March 2023
Extension of Time Expiry:	22 March 2023
Publicity Expiry:	13 October 2022
Parish/Ward:	SOUTH MOLTON/SOUTH MOLTON
Location:	Wesley House North Street South Molton Devon EX36 3AW
Proposal:	Demolition of existing Wesley House and garage buildings. Reform site and erection of a new building to provide two maisonettes and ground floor office/storage area
Agent:	Mr Daniel Gill
Applicant:	Trustees for Methodist Church
Planning Case Officer:	Mrs D. Butler
Departure:	N
EIA Development:	
EIA Conclusion:	Development is outside the scope of the Regulations.
Decision Level/Reason for Report to Committee (If Applicable):	Committee – The application has been called to Committee by Councillor Henderson - 'The reason for the calling of this application is based on the fact that this historic building falls within the Conservation Area of South Molton. Whilst I empathise with the building's owners over their reasoning for the application, the Planning Committee should hear this application as to grant approval has the potential to set a dangerous precedent for other historic buildings within the South Molton Conservation Area'

Site Description

Wesley House is sited in the centre of South Molton accessed from North Street. The building has been historically linked with the adjacent Methodist church. The property is an imposing two storey dwelling with a three storey gable projection that sits within the Conservation Area but is not listed. There is a parking area to the front and access to the side of the building and garages which leads to a small garden area to the rear. The property is surrounded by residential buildings and the church.

Recommendation

APPROVE

Legal Agreement Required: No

Planning History

Reference Number	Proposal	Decision	Decision Date
64971	Alterations to existing access at Wesley House, North Street, South Molton, Devon, EX36 3AW	Full Planning Approval	24 July 2018

Constraints/Planning Policy

Constraint / Local Plan Policy	Distance (Metres)
Adjacent to Conservation Area: 30 South Molton Adopted 09/12/2008;	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 90 metres in height.	Within constraint
Class III Road	
Conservation Area: 30 South Molton Adopted 09/12/2008;	Within constraint
Landscape Character is: 3A Upper Farmed & Wooded Valley Slopes	Within constraint
Listed Building Adjacent: 17 EH Ref 1106872 No 5 (Church House), The Churchyard, South Molton	14.59
Listed Building Adjacent: 26 EH Ref 1106835 No 11 (Sherborn House), Duke Street (east side), South Molton	17.93
Listed Building Curtilage (Adjacent to)	6.97
Unclassified Road	
USRN: 27501572 Road Class:R Ownership: Highway Authority	5.64
USRN: 27501606 Road Class:C Ownership: Highway Authority	7.16
USRN: 27501613 Road Class:R Ownership: Highway Authority	2.86
Within adopted Development Boundary: South Molton Development Boundary ST06	Within constraint
Within Adopted Unesco Biosphere Transition (ST14)	Within constraint
Within:Exmoor Heaths, SAC 10KM Buffer if agricultural development consider need for AQIA	Within constraint
SSSI Impact Risk Consultation Area	Within constraint
Conservation Area: SOUTH MOLTON	
DM01 - Amenity Considerations DM02 - Environmental Protection DM02 - Environmental Protection DM04 - Design Principles DM05 - Highways DM06 - Parking Provision DM07 - Historic Environment DM08 - Biodiversity and Geodiversity ST01 - Principles of Sustainable Development ST02 - Mitigating Climate Change	

Constraint / Local Plan Policy	Distance (Metres)
ST04 - Improving the Quality of Development ST06 - Spatial Development Strategy for Northern Devon's Strategic and Main Centres ST15 - Conserving Heritage Assets	

Consultees

Name	Comment
Councillor D Worden	No comments received.
Councillor M Bushell	No comments received.
Councillor P Henderson	The application has been called to committee so the impact on historic buildings in the Conservation Area can be considered.
DCC - Historic Environment Team	<p>The proposed development lies in proximity to the 15th century parish church of Church of St Mary Magdalene which is likely to have been the focus for early settlement here, within an area that appears to have been enclosed sometime in the medieval period and is on the eastern edge of the core of the historic town. As such, groundworks for the construction of the proposed development have the potential to expose and destroy archaeological and artefactual deposits associated with the historic settlement at South Molton. The impact of development upon the archaeological resource here should be mitigated by a programme of archaeological work that should investigate, record and analyse the archaeological evidence that will otherwise be destroyed by the proposed development.</p> <p>The Historic Environment Team recommends that this application should be supported by the submission of a Written Scheme of Investigation (WSI) setting out a programme of archaeological work to be undertaken in mitigation for the loss of heritage assets with archaeological interest. The WSI should be based on national standards and guidance and be approved by the Historic Environment Team.</p> <p>This can either be submitted prior to any approval or dealt with by way of condition.</p>
Heritage & Conservation Officer Reply Received 26 August 2022	<p>Wesley House stands to the east of the Methodist Chapel on North Street, in South Molton. The two buildings are connected by a single storey schoolroom structure, which has a foundation stone dated 1906. The site is within the South Molton Conservation Area, which was extended in 2008 specifically to include the Chapel and the Manse.</p> <p>Wesley House is an imposing two storey dwelling with a three storey gabled projection, built as the manse for the chapel adjacent, which was designed in 1883 by Alexander Lauder. It is</p>

Name	Comment
	<p>constructed of squared coursed rubble with sandstone dressings, and has a natural slate roof with coped gables and kneelers. Looking at the historic mapping, it was built on an area of land which had a formal layout associated with the chapel, and was perhaps intended as a graveyard. The Manse was built in the early 20th century, in a tudoresque style which relates well to adjacent historic buildings. The garden, stone wall and railings to the front of the house are also positive elements which add character and interest to the streetscene. The group of buildings as existing have a distinctive appearance and style, and make a positive contribution to the character and appearance of the South Molton Conservation Area. The buildings can all be classed as non-designated heritage assets, and the demolition of any of them will result in harm to the significance of the heritage assets - obviously the buildings themselves but also the wider Conservation Area. Therefore the provisions of paragraphs 202 and 203 of the NPPF apply, requiring a balanced judgement. In the case of 202, the harm needs to be balanced against the public benefits of the scheme.</p> <p>The proposed replacement building does make use of stone on the front, south elevation, and the design of the windows does reflect the existing arrangement, but the massing is different, the materials to the east are different, and the relationship with the smaller schoolroom building to the west, and the Chapel, is altered - the proposed new building being more dominant within the grouping, by reason of the increased mass, than the existing. This scheme does not preserve the architectural or historic integrity of the group, and as noted above, in my view will result in less than substantial harm to the significance of the heritage asset in terms of the Conservation Area, and total loss of the undesignated heritage asset in terms of the Manse.</p>
<p>South Molton Town Council</p> <p>Reply Received 7 September 2022</p>	<p>It was resolved that this application be deferred as further information was required as follows: Copy of any reports from the Conservation Officer Comments from the Planning Department as to how this application conforms with the Local Plan.</p> <p>7/09/2022 - It was resolved that this application be recommended for approval.</p>

Neighbours / Interested Parties

Comments	No Objection	Object	Petition	No. Signatures
2	11	7	0	0

The application has attracted 20 letters of representation, with 7 of these being made in objection, 11 in support, and 2 comments as summarised below:

Objections

- Wesley House should be considered as though it is listed as it is an example of the historic buildings that enhance the town.
- The property is part of the history and heritage of South Molton that should be protected.
- Other historic buildings in the town such as the congregational church and junior school have all tried to preserve the exterior of their buildings with conversions instead of demolitions.
- The development will create a blot on the landscape along North Street.
- There is little public benefit from the creation of 2 open market houses.
- Impact on amenity from overlooking, loss of light, noise and disturbance to Delamar. Parsonage Lane.

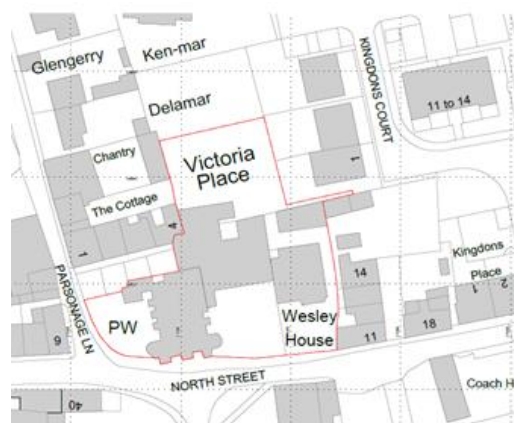
Support

- The house is damp, uninhabitable and unfit for purpose. The development will provide benefits to the Methodist church and community.
- The development will be similarly designed as the existing and bought back into life on a brownfield site.
- The church have spent a lot of money on the building but it still requires a vast amount to make it habitable. It has damp and water ingress with no one currently occupying it.
- If the building is left it will deteriorate with ongoing structural issues becoming worse.
- The church is seeking to try and maintain the street scene with a sympathetic design whilst addressing the current issues with the building and provide benefits.
- The development will improve the amenity to Byways.

Considerations

Proposal Description

This application seeks detailed planning permission for the Demolition of existing Wesley House and garage buildings. Reform site and erection of a new building to provide two maisonettes and ground floor office/storage area



Location Plan



Site Plan



Front of building



Rear of building garden and garages

Planning Considerations Summary

- Principle of development
- Justification for the development
- Design and setting
- Heritage impact - Listed Status
 - Impact on the Conservation Area
- Amenity
- Parking and highways
- Ecology and Biodiversity
- Planning Balance

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 Torrington Local Plan. The relevant Policies are detailed above.

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.

Principle of Development

Development will be supported within the development boundaries of the Sub-regional, Strategic and Main Centres, as defined in the Local Plan as set out in Policy ST06. The property is within the development boundary of South Molton where residential development is accepted.

The Council acknowledges that it cannot demonstrate a five-year supply of deliverable housing sites. Consequently, Paragraph 11(d) of the Framework is engaged, whereby

planning permission should be granted unless the adverse impacts of the proposal significantly and demonstrably outweigh the benefits.

Justification for removal of the existing building

The current building is no longer addressing the church's requirements and is also proving to be difficult to maintain and adapt for the future. The total amount spent on maintenance of the property to date has come to approximately £300,000 which is over half the current market value of the property.

The age of the building does mean that the structural design is behind that of current standards would be difficult to retrofit. The house, even with costly retrofitting, will struggle to ever compete with modern standards or to become sufficiently thermally efficient to make modern heating methods (like heat pumps) a viable choice.

The remedial and updating works were priced, as a conservative estimate, in the last year and came to somewhere between £100,000 and £200,000 plus VAT. However this is likely to increase significantly due to the most recent building survey due to the damp and rotting that is present and difficult to assess. The Design and Access Statement advises that when using the RICS Building Cost Indices rate from 2019 an estimate of the refurbishment costs comes to approximately half a million pounds including VAT.

Due to the unviable nature of the ongoing maintenance and required investment the proposal is for the removal of the existing building and its replacement. The property is currently inhabitable due to the issues and is vacant. Attempts to repair any of the issues have often required failed. The existing roof structure is very complex with multiple heights, valleys, and hips which have made it difficult. Equally the introduction of insulation would only exacerbate the damp problems.

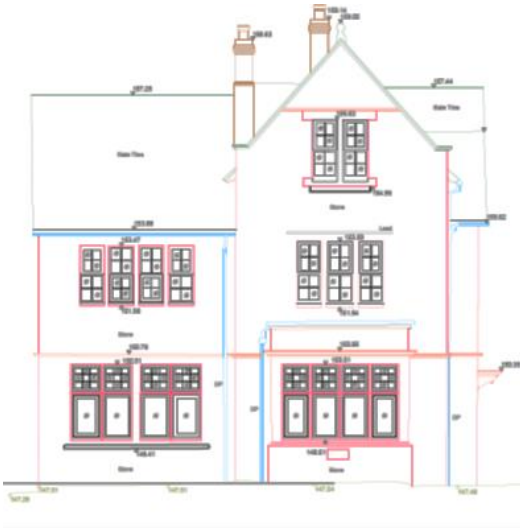
Given the current condition of the property, requirement for ongoing repairs and the cost of renovations the proposal is for the demolition of the existing building. This will be considered further in the planning balance.

Design and Setting

Policy DM04 of the NDTLP requires development to be appropriate and sympathetic to the scale, density, massing, height, layout, appearance and relationship to buildings and landscape features in the local area.

Wesley House is constructed of squared coursed rubble with sandstone dressings, and has a natural slate roof with coped gables and kneelers. It was built in the early 20th century, in a tudoresque style and has a stone wall and metal railings along the site frontage.

The proposal is to replace the single dwelling with two maisonettes, the church office and storage space along with garden areas and parking. Some of the proposed plans are set out below:



Existing Frontage



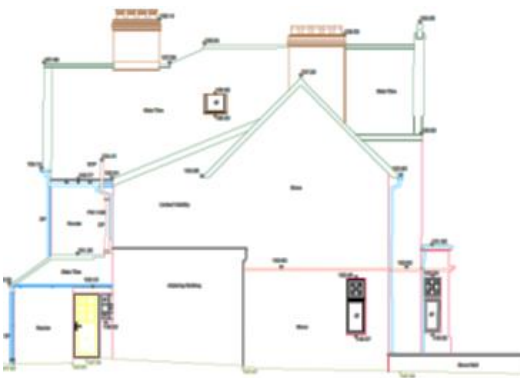
Proposed Frontage



Existing East Elevation



Proposed East Elevation



Existing West Elevation



Proposed West Elevation

The proposed buildings will be constructed on a similar footprint to the existing building. The mass and bulk of the building will be bigger than the existing however it will reflect the character and style of the existing house and remain set back from the road.

The existing boundary treatments to North Street and the church's carpark will be retained. The stones from the existing façades will be retained and reused if viable. Alternatively the

stone with a similar finish and of a similar quality would be used to match to the existing façades.

To the rear of the site there will be a private garden allocated to each unit with secure cycle store. The remaining garden will be used by the church and a new storage building erected in place of the existing garage. The existing stone walls around the rear garden will be retained.

The development will include various forms of sustainable energy production including heat pumps to serve the Ground Floor and each Maisonette, Electric car charging points for 3 spaces across the site and 11x photovoltaic panels on the roof.

The development has sought to reflect the character, materials and scale of the existing building through the provision of a sympathetic design and traditional materials whilst providing some improvements to build quality through sustainable energy production and build standards.

Heritage Impact and Conservation Area Setting

Paragraph 193 of the NPPF and policies ST15 and DM07 of the NDTLP states that great weight should be given to the conservation and enhancement of any heritage asset and its setting.

Listed status of building

Wesley House stands to the east of the Methodist Chapel on North Street, in South Molton. The two buildings are connected by a single storey schoolroom structure, which has a foundation stone dated 1906. The site is within the South Molton Conservation Area, which was extended in 2008 specifically to include the Chapel and the Manse. The buildings are not locally listed, but the house is considered a non-designated heritage asset.

Historic England recently received an application to consider the house for listing. Following their assessment Historic England advised that they have decided to not add Wesley House to the list at this time. Part of this reasoning states the following reasons:

- Although a substantial house, and well-made, the design is competent but unremarkable, and its massing and composition are rather stolid.
- The elevational treatment is very plain, and lacks the variety, detailing and lightness of touch of better designs of the period
- The house was a later addition to the group of the chapel and associated hall, so lacks the historic interest of a contemporary group; * its style is typical of its period, rather than exceptional

The full conclusion from Historic England can be read in **Appendix 1**.

Conservation Area setting

Wesley House is an imposing two storey dwelling with a three storey gabled projection, built as the manse for the chapel adjacent, which was designed in 1883 by Alexander Lauder. It is constructed of squared coursed rubble with sandstone dressings, and has a natural slate roof with coped gables and kneelers. Looking at the historic mapping, it was built on an area of land which had a formal layout associated with the chapel, and was perhaps intended as a graveyard.

The Manse was built in the early 20th century, in a tudoresque style which relates well to adjacent historic buildings. The garden, stone wall and railings to the front of the house are also positive elements which add character and interest to the street scene. The group of buildings as existing have a distinctive appearance and style, and make a positive contribution to the character and appearance of the South Molton Conservation Area.

The Heritage Officer has advised the following:

“The buildings can all be classed as non-designated heritage assets, and the demolition of any of them will result in harm to the significance of the heritage assets - obviously the buildings themselves but also the wider Conservation Area. Therefore the provisions of paragraphs 202 and 203 of the NPPF apply, requiring a balanced judgement. In the case of 202, the harm needs to be balanced against the public benefits of the scheme.

The proposed replacement building does make use of stone on the front, south elevation, and the design of the windows does reflect the existing arrangement, but the massing is different, the materials to the east are different, and the relationship with the smaller schoolroom building to the west, and the Chapel, is altered - the proposed new building being more dominant within the grouping, by reason of the increased mass, than the existing. This scheme does not preserve the architectural or historic integrity of the group, and as noted above, in my view will result in less than substantial harm to the significance of the heritage asset in terms of the Conservation Area, and total loss of the undesigned heritage asset in terms of the Manse.”

In this instance the resulting harm to the Conservation Area and its setting will need to be balanced against any wider benefit.

Amenity

Policy DM01 of the NDTLP states that development will be supported where there is no significant harm to the amenities of neighbouring occupiers and the intended occupants of the proposed development.



West Boundary



North Boundary



South West Boundary



East Boundary

North – (gardens) – To the north of the site is a domestic garden area separated by a close boarded fence. There is a good 30m separation from the rear of the proposed dwellings to the northern boundary. There are already third floor windows in the rear of Wesley House and the proposed windows would not result in any further overlooking than that already experienced.

East – (Residential properties at Kingdons Court) – The existing garage building sits adjacent to the boundary with Kingdons Court with a 2m high stone wall separating the site from the neighbours rear garden. The neighbours properties are single storey and some of the occupants have expressed their support of the application as the removal of the existing garage as the development will improve their light. The proposed storage shed will be further away from the boundary and it is not considered there would be any further impact on the properties to the east.

South – (North Street) – The south elevation fronts onto North Street with a 20m separation distance from the properties on the other side of the road.

West – (Church and residential properties) – Adjacent to the west boundary of the new building is the existing church and its car park. The rear garden is separated from the residential properties along Parsonage Lane by a high stone wall.

Objections have been received from neighbours with regard to the impact on amenity to Delamar (Parsonage Lane). The garden area adjacent to the boundary will remain as per existing with the new storage building screening the private garden areas. There would be some additional upper floor windows in the proposed property however this would be around 40m away.

There will be additional vehicular movements due to the new car parking area however the noise created will be typical of a residential property in the town centre where there are numerous movements already along North Street and Parsonage Lane outside of the property. The noise created is unlikely to be significantly above that expected in such an area.

Overall the development is unlikely to create any significant impact on amenity for the neighbours or future occupiers of the building. The uses in relation to the church and residential are compatible with the surrounding buildings and town centre location.

Ecology and biodiversity

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).

Paragraph 175 of the NPPF and policy DM08 of the NDTLP states that adverse impact on protected species should be avoided where possible and sufficient mitigation used.

The existing site has little ecological value as it consists of buildings, hard standing, domestic hedges and a garden that is clearly cut frequently. The application has been supported by a Bat Emergence and Activity Survey and Preliminary Roost Assessment. These reports conclude that there is a confirmed occasional day roost for a single common pipistrelle and Transitional day roost for a low number of brown long-eared bats in the existing dwelling

As the proposals involve the complete demolition of the building, the bat roosts present will be destroyed and appropriate mitigation is required. Mitigation will include the following:

- Soft stripping of the building/roof under supervision by the registered consultant and the creation of a suitable roosting provisions within the proposed new builds
- Placement of two Schwegler 2FR Bat Tubes (or equivalent) into the walls of the proposed building to provide roosting habitat for brown long eared bats and a single Schwegler 2F Universal Bat Box mounted on the exterior wall of the proposed building.
- Any future lighting should be kept to a minimum, and in line with guidance produced by the Bat Conservation Trust and Institute of Lighting Professionals.
- The installation of at least one Schwegler 1FF or 2FN (or similar woodstone) bat box erected on a retained building or any suitable trees on site

The proposed site plans details all of these mitigation methods apart from the lighting scheme which can be conditioned.

It is also noted that the applicant will need to apply for a European Protected Species Mitigation license (EPSML) from Natural England prior to the works taking place.

The development would not result in any harm to ecological and biodiversity value of the site and appropriate mitigation methods have been proposed.

Flood Risk and Drainage

Policy ST03 states that Development should be designed and constructed to take account of the impacts of climate change and minimise the risk to and vulnerability of people, land, infrastructure and property by locating and designing development to minimise flood risk. Policy DM04: Design Principles part N states that development should provide effective water management including Sustainable Drainage Systems, water efficiency measures and the reuse of rainwater.

The site is not in a flood risk or critical drainage area and surface water runoff will be dealt with by way of a soakaway sited under the hard surfacing. Foul drainage will be disposed of via the mains sewer.

Highways

Policy DMO5 of the NDTLP states that all development should ensure safe and well-designed vehicular access, adequate parking and protect and enhance any public rights of way, footways and other connections.

New car parking spaces and turning area will be provided in the rear area of the site to provide additional spaces for the Methodist Circuit office. Car spaces for the maisonettes will be provided to the front of the site. The access will be similar to the existing and the Highway Authority have advised that they have no objections.

The increase in movements to and from the site are unlikely to be significantly above the existing movements and would not result in a severe impact on the safety and functioning of the highway network.

Sustainable development

So that sustainable development is pursued in a positive way, at the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). The 3 dimensions of sustainability are identified as Economic, Environmental and Social Objectives.

The economic benefits of the proposal include a small, time-limited benefit arising from the construction phase of building additional homes and job creation. Future occupiers of the dwellings would also make a small contribution to the local economy.

Social benefits would include provision of two homes that would make a small contribution towards the supply of housing.

Environmentally the new building will be more energy efficient and provide better build quality and sustainable build methods including renewable energy production when compared to the existing building. The scheme now put forward also allows for much of the site's existing green space to be retained. The location of the site with alternative transport mode offers would also be an environmental benefit

Planning Balance

The Council acknowledges that it cannot demonstrate a five-year supply of deliverable housing sites. Consequently, Paragraph 11(d) of the Framework is engaged, whereby planning permission should be granted unless the adverse impacts of the proposal significantly and demonstrably outweigh the benefits.

As set out in the report there is unlikely to be any harm to highways, ecology and amenity. The development would result in less than substantial harm to the significance of the heritage asset in terms of the Conservation Area, and total loss of the undesignated heritage asset. In this instance the provisions of paragraphs 202 and 203 of the NPPF apply, requiring a balanced judgement to be made. In the case of 202, the harm needs to be balanced against the public benefits of the scheme.

The proposal would come with some benefits such as the provision of two 2 bed residential units in place of a larger 4 bed property would relate to the housing needs of the locality whereby smaller units are in more demand.

The removal of a property that is suffering from structural issues and ongoing problems which are extremely costly to fix would allow the creation of a more purpose-built space for the local Methodist Circuit and save them the ongoing expense. The development would allow for the church to better use the site for their needs whilst providing for a more sustainable and higher quality building with renewable energy benefits.

Given the above discussion it is considered, on balance, that there would not be significant and demonstrable harm in landscape, highways or heritage, which would outweigh the substantial benefits attributed from the provision of much needed housing. As such with the imposition of appropriate conditions the balance is considered in this instance, to fall in favour of the proposal.

Conclusion

The application is considered to accord with the adopted development plan. Approval of the application is therefore recommended subject to the imposition of planning conditions

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

APPROVE

Legal Agreement Required: No

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason

The time limit condition is imposed in order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans/details:
284_D_13E Proposed Site Plan received on the 04/08/22
284_D_21E Proposed East & West Elevations received on the 04/08/22
284_D_20G Proposed North & South Elevations received on the 04/08/22
284_D_11G Proposed Floor Plans received on the 04/08/22
(‘The approved plans’).

Reason

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

3. No work shall commence on any part of the development hereby approved until details of the external finishing stone to be used on the front elevation for the development hereby approved have been submitted to and approved in writing by the Local Planning Authority.

Reason

To enable the Local Planning Authority to consider the materials in the interests of the character and appearance of the development and the setting of the Conservation Area in accordance with Policy DM07 of the North Devon and Torridge Local Plan.

4. During the construction phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or dispatched from the site outside the following times:
 - a) Monday - Friday 07.00 - 18.00,
 - b) Saturday 09.00 - 13.00
 - c) nor at any time on Sunday, Bank or Public holidays.

Reason

To protect the amenity of local residents in accordance with Policy DM02 of the North Devon and Torridge Local Plan.

5. No development shall take place until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation (WSI) which has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out at all times in accordance with the approved scheme as agreed in writing by the Local Planning Authority.

Reason

To ensure, in accordance with Policy DM07 of the North Devon and Torridge Local Plan 2011 - 2031 and paragraph 205 of the National Planning Policy Framework (2021), that an appropriate record is made of archaeological evidence that may be affected by the development.

6. Prior to the development hereby approved being brought into use, the biodiversity net gains (Bat and Bird boxes and tubes) as indicated on the approved plans, shall be provided in full and maintained and retained thereafter.

Reason

To achieve net gains in biodiversity in compliance with Policies DM08 and ST14 of the North Devon and Torridge Local Plan and paragraph 174 of the National Planning Policy Framework.

7. Prior to the installation of any external lighting, details of the lighting to be installed shall be submitted to and agreed in writing with the Local Planning Authority. For the avoidance of doubt this must be designed following the Institute of Lighting Professionals (ILP 2018) and the Bat Conservation Trust guidance and supported by evidence from a qualified ecologist of the suitability of the scheme to protect the wildlife habitat.

Reason

In the interests of safeguarding protected species and their habitats that have been identified through the ecology reports in accordance with 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), Paragraph 170 of the National Planning Policy Framework and Policies ST14 and DM08 of the North Devon and Torridge Local Plan.

8. No part of the development hereby permitted shall be occupied until the parking areas have been laid out in accordance with the details approved pursuant to Condition 2. These spaces shall then be retained for parking purposes only.

Reason

To ensure the availability of acceptable parking for use by the occupiers of the development in order to comply with Policies DM05 and DM06 of the North Devon and Torridge Local Plan.

9. No dwelling shall be occupied until the means of enclosure and the bin storage area for that dwelling have been provided in accordance with the approved plans (listed in condition 2) or details submitted as part of the reserved matters.

Reason

To ensure adequate facilities are available to occupants of the dwellings in accordance with Policy DM04 of the North Devon and Torridge Local Plan.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order) express planning permission shall be obtained for any development within class(es) AA and B of Part 1 and class A of Part 2 of Schedule Two of the Order.

Reason

To allow the Local Planning Authority to consider the impact of future development on the appearance and character of the development on the setting of the Conservation Area and impact on the locality in accordance with the requirements of Policies DM04, DM01 and DM07 of the North Devon and Torridge Local Plan.

Informatives

1. For the purpose of interpreting the restrictions expressed in condition: 11 of this consent, permitted development rights have been removed in respect of the following classes:

Part 1:

Class AA Enlargement of a dwellinghouse by construction of additional storeys

Class B The enlargement of a dwelling-house consisting of an addition or alteration to its roof

Part 2:

Class A The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure

Further detailed information can be obtained from the Local Planning Authority, including a guide to householder development, and the Planning Portal at www.planningportal.co.uk

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2. An application for a European Protected Species Mitigation Licence (EPSML) will need to be submitted and approved by Natural England, in order for the works to proceed.
3. The above consent requires the submission of further details to be approved either before works commence or at identified phases of construction.

To discharge these requirements will mean further formal submissions to the Authority on the appropriate forms, which can be completed online via the planning Portal www.planningportal.gov.uk or downloaded from the Planning section of the North Devon Council website, www.northdevon.gov.uk

A fee may be required [dependent on the type of application] for each separate submission [if several or all the details are submitted together only one fee will be payable].

Further details on this process are available on the Planning section of the Council's website or by contacting the Planning Unit at Lynton House, Commercial Road, Barnstaple.

4. 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 design, amenity, street scene and wider conservation area when balanced against the need and justification of the development.

Appendices

Appendix 1: Decision of Historic England