



Application Report

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

Application No:	76760
Application Type:	NDC Regulation 3
Application Expiry:	7 June 2023
Extension of Time Expiry:	
Publicity Expiry:	27 April 2023
Parish/Ward:	BARNSTAPLE/BARNSTAPLE CENTRAL
Location:	36-37 Boutport Street Barnstaple Devon EX31 1RX
Proposal:	Application under Regulation 3 of the T & C P General Regulations 1992 notification by NDC for Change of use and refurbishment of no36 to include coworking spaces offices, erection of 1 wheelchair user dwelling to the rear of no36, erection of 3 bed hostel unit together with workshops on the ground floor of no37 to include erection of 10 flats
Agent:	Ms Viki Kamenova
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):	Committee – Application is made by North Devon Council who are also the landowner.

Site Description

36/37 Boutport Street is located within the centre of Barnstaple. Number 36 is a focal point of Barnstaple town centre at the end of Butchers Row.

To the east of the site is the public car park, Queen Street.

Number 36 Boutport Street, Grade II listed building was built at about 1905. The building has 4 storeys and a retail area to the ground floor.

Both 36 and 37 Boutport Street have fallen out of use, with no. 37 the victim of a fire in 1990 leading to the abandoning of both buildings apart from the retail unit at 36. This fire led to the delisting of 37 from a Grade II Listed building whilst 36 remains Grade II Listed.

To the south of the site is a modern commercial property. To the east is Boutport Street which is fronted by commercial properties and runs North/South. To the north are further

commercial properties in the main whilst to the east is a public car park. Directly to the North East is a vacant plot with residential and commercial uses beyond.



36 Boutport Street (front)



37 Boutport Street (front)



Rear of application site viewed from Queen Street Car Park



Aerial view of site

Recommendation

Approved

Legal Agreement Required: Yes

Planning History

Reference Number	Proposal	Decision	Decision Date
76761	Listed Building Consent for Application under Regulation 3 of the T & C P General Regulations 1992 notification by NDC for Change of use and refurbishment of no36 to include coworking spaces offices, erection of 1 wheelchair user dwelling to the rear of no36, erection of 3 bed hostel unit together with workshops on the ground floor of no37 to include erection of 10 flats at 36-37 Boutport Street, Barnstaple, Devon EX31 1RX	Also on this agenda	
11046	T. & C.P. Gen Regs 1976. Proposed demolition of building & formation of temporary car Park at car park & land adj., Queen Street, Barnstaple, EX32 7DA	Full Planning Approval	8 March 1990
15927	Listed Building Application - Proposed demolition of existing buildings at Nos 37 & 37a, Boutport Street, Barnstaple, EX31 1RX	Full Planning Refusal	3 September 1992
16786	Application under Regulation 3 of the T & C P Gen Regs 1992 in respect of continued use of temporary car park (Renewal of 11046) at car park & land adj., Queen Street, Barnstaple, EX32 7DA	Full Planning Approval	30 March 1993
17253	Retrospective Application in respect of conversion of shop to taxi office at 36 Boutport Street, Barnstaple, EX31 1RX	Full Planning Approval	17 August 1993
17254	Retrospective Listed Building Application in respect of conversion of shop to taxi office at 36 Boutport Street, Barnstaple, EX31 1RX	Full Planning Approval	17 August 1993
17527	Listed Building Application Proposed demolition of façade at Nos 37/37a, Boutport Street, Barnstaple, EX31 1RX	Full Planning Refusal	12 October 1993
22032	Application under Regulation 3 of the T & C P General Regs 1992 in respect of formation of temporary car park (Renewal of Plan Per 13302) at car park & land adjoining, Queen Street, Barnstaple, EX32 7DA	Full Planning Approval	11 June 1996
22980	Proposed change of use of existing taxi office and waiting room to form Tourist Information Centre at 36 Boutport Street, Barnstaple, EX31 1RX	Full Planning Approval	20 December 1996
22981	Proposed formation of private car park at 37-37a Boutport Street, Barnstaple, EX31 1RX	Full Planning Approval	13 January 1998

Reference Number	Proposal	Decision	Decision Date
25212	Proposed installation of new shopfront at La Pizza, 35 Boutport Street, Barnstaple, EX31 1RX	Full Planning Approval	13 May 1998
24605	Proposed new shopfront (Amended Plans) at Barclays Bank PLC, PO Box No 10, 38 Boutport Street, Barnstaple, EX31 1HH	Withdrawn	3 June 1999
30560	Siting of 2 No. illuminated fascia signs & 1 No. non-illuminated projecting sign at Barclays Bank PLC, 38 Boutport Street, Barnstaple, EX31 1HH	Withdrawn	4 April 2001
30932	Conversion of living accommodation into 2 No. dwellings with formation of 4 No dormer windows & demolition of brick chimney stack at 35 Boutport Street, Barnstaple, EX31 1RX	Full Planning Approval	3 May 2001
31166	Advert Application in respect of erection of 3 No. signs at 35 Boutport Street, Barnstaple, EX31 1RX	Advert Refusal	6 July 2001
31623	Retrospective Application in respect of continued use of land as private car park at 37 & 37a Boutport Street, Barnstaple, EX31 1RX	Full Planning Approval	21 September 2001
34423	First floor extension above kitchens to existing restaurant at Giovannis, 35 Boutport Street, Barnstaple, Devon, EX31 1RX	Full Planning Approval	8 April 2003
34830	Formation of new doorway to allow disabled access at Barclays Bank PLC, 38 Boutport Street, Barnstaple, EX31 1HH	Full Planning Approval	11 April 2003
35356	Listed Building Application in respect of revision of shop frontage at Tourist Information Office, 36 Boutport Street, Barnstaple, Devon, EX31 1RX	LB (Execution Works) Approval	15 July 2003
36905	Advertisement Application to replace existing fascia & projecting sign at Silver Cod, 47 Bear Street, Barnstaple, EX32 7DB	Advert Approval	1 March 2004
36906	Listed Building Application in respect of replacement of existing fascia & projecting sign at Silver Cod, 47 Bear Street, Barnstaple, Devon, EX32 7DB	LB (Execution Works) Approval	1 March 2004
36014	Outline Application in respect of office, residential and retail development at 48, 49, 50, 50a Bear Street, Barnstaple, EX32 7DB	Finally Disposed Of	17 May 2006
44169	Retrospective Application for continued use of land as private car park at 37-37a Boutport Street, Barnstaple, EX31 1RX	Full Planning Approval	17 May 2007

Reference Number	Proposal	Decision	Decision Date
48265	Continued use of land as a private car park (renewal of limited period planning permission 44169) at land rear of 37-37a Boutport Street, Barnstaple, EX31 1RX	Full Planning Approval	1 June 2009
48994	Conversion of upper floor to form 2 flats at Barclays Bank PLC, 38 Boutport Street, Barnstaple, EX31 1RX	Full Planning Approval	27 October 2009
52778	Renovation & rendering front elevations at 48, 49 & 50b Bear Street, Barnstaple, Devon, EX32 7DB	Full Planning Approval	4 November 2011
55542	Installation of one CCTV camera (primary entrance), installation of one security light (primary entrance) & removal of tile stall riser below ATM at Barclays Bank PLC, 38 Boutport Street, Barnstaple, Devon, EX31 1RX	Full Planning Approval	24 May 2013
58389	Siting of new non-illuminated fascia & projecting signs to front & rear elevations, new housing for ATM machine, new branch nameplate & new safety manifestations (amended description) at Barclays Bank PLC, 38 Boutport Street, Barnstaple, Devon, EX31 1RX	Advert Approval	16 December 2014
58164	Installation of 4 external air conditioning condenser units at Barclays Bank PLC, 38 Boutport Street, Barnstaple, Devon, EX31 1RX	Full Planning Approval	17 December 2014
71120	Replacement of existing window with door & formation of timber steps & landing area at 47 Bear Street, Barnstaple, Devon EX32 7DB	Approved	3 April 2020
74232	Siting of 5 non-illuminated foamex boards at 37 Boutport Street Barnstaple Devon EX31 1RX	Approved	13 December 2021
76119	Demolition of the existing façade in a Conservation Area at 37 Boutport Street Barnstaple Devon EX31 1RX	Approved	15 December 2022
76313	Application under Regulation 3 of the T & C P General Regulations 1992 notification by NDC for demolition of a non-listed barn in a conservation area at the rear of 36 Boutport Street at 36 Boutport Street Barnstaple Devon EX31 1RX	Approved	8 February 2023

Constraints/Planning Policy

Constraint / Local Plan Policy	Distance (Metres)
Adjacent to Conservation Area: 5 Barnstaple-Town Centre Adopted 20/04/2010;	Within constraint
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
Chivenor Safeguard Zone Consultation Structure or works exceeding 91.4m	Within constraint
Class III Road	
Conservation Area: 5 Barnstaple-Town Centre Adopted 20/04/2010;	Within constraint
Landscape Character is: 7 Main Cities and Towns	Within constraint
Listed Building Adjacent: 249 EH Ref 1385030 No.36, Boutport Street (east side), Barnstaple	Within constraint
Listed Building Adjacent: 278 EH Ref 1385054 No. 95 Marshals Public House, Boutport Street (west side), Barnstaple	17.29
Listed Building Adjacent: 279 EH Ref 1385054 No. 96, Boutport Street (west side), Barnstaple	17.29
Listed Building Adjacent: 652 EH Ref 1384995 No.47, Bear Street, Barnstaple	12.53
Listed Building Curtilage (Adjacent to)	2.10
Listed Building Curtilage (within)	Within constraint
Listed Building: 249 EH Ref 1385030 No.36, Boutport Street (east side), Barnstaple	Within constraint
Use Class: A1 - Shops - A1a - Sale of goods (other than hot food)	Within constraint
Use Class: A2 - Financial and Professional Services - A2b - Professional services (excluding health and medical services)	Within constraint
Use Class: A3 - Restaurants and Cafes - A3 - Sale of food and drink for consumption on the premises	Within constraint
USRN: 27500877 Road Class:C Ownership: Highway Authority	12.74
USRN: 27500892 Road Class:R Ownership: Highway Authority	8.52
USRN: 27501088 Road Class:C Ownership: Highway Authority	12.74
Within adopted Development Boundary: Barnstaple North Development Boundary ST06	Within constraint
Within Adopted District Centre: Barnstaple Town Centre	Within constraint
Within Adopted Town Centre Expansion: BAR11 Queen Street/Bear Street	Within constraint
Within Adopted Unesco Biosphere Transition (ST14)	Within constraint
Within Braunton Burrows Zone of Influence	Within constraint
Within:, SSSI 5KM Buffer in North Devon, consider need for AQIA if proposal is for anaerobic digester without combustion plant	Within constraint

Constraint / Local Plan Policy	Distance (Metres)
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 BAR11 - Queen Street / Bear Street DM01 - Amenity Considerations DM02 - Environmental Protection DM03 - Construction and Environmental Management DM04 - Design Principles DM05 - Highways DM06 - Parking Provision DM07 - Historic Environment DM08 - Biodiversity and Geodiversity DM10 - Green Infrastructure Provision DM13 - Safeguarding Employment Land DM19 - Town and District Centres DM22 - Shop Front Design and Signage ST01 - Principles of Sustainable Development ST02 - Mitigating Climate Change ST04 - Improving the Quality of Development ST05 - Sustainable Construction and Buildings ST06 - Spatial Development Strategy for Northern Devon's Strategic and Main Centres ST10 - Transport Strategy ST12 - Town and District Centres ST14 - Enhancing Environmental Assets ST15 - Conserving Heritage Assets ST17 - A Balanced Local Housing Market ST18 - Affordable Housing on Development Sites ST23 - Infrastructure	

Consultees

Name	Comment
Arboriculture Officer	13/03/2023 15:59 - No arboriculture impacts arising from this proposal - so no comment on arboriculture matters.
Reply Received 13 March 2023	<p>I note and welcome reference is made to delivery of biodiversity net gain (BNG) in association with this project on land adjacent (Bear Street Car Park.) If this were considered necessary in relation to this project then further information would be required in order that its delivery could be secured through the imposition of appropriate conditions.</p> <p>I will assume that the sustainability officer will provide formal comment on the protected species impacts and BNG matters in relation to this application.</p>

Name	Comment
Barnstaple Town Council	No objection received.
Councillor R Mack	No objection received.
DCC - Childrens Services Reply Received 5 April 2023	This development is only generating 3 family-type dwellings and therefore under our threshold for requesting contributions. Contributions towards education would not be sought for this application.
DCC - Development Management Highways Reply Received 15 March 2023	Recommendation: THE HEAD OF PLANNING, TRANSPORTATION AND ENVIRONMENT, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, HAS NO OBJECTION TO THE PROPOSED DEVELOPMENT
DCC - Lead Local Flood Authority Reply Received 3 April 2023	<p>Although we have no in-principle objection to the above planning application at this stage, the applicant must submit additional information, as outlined below, in order to demonstrate that all aspects of the proposed surface water drainage management system have been considered.</p> <p>Observations:</p> <p>The applicant has proposed to manage surface water within an underground attenuation tank before discharging into South West Water's combined sewer.</p> <p>The applicant has proposed to use a 50mm orifice plate to restrict surface water flows. The applicant should clarify whether other flow controls (such as Hydro-Brakes) have been assessed.</p> <p>Rainfall could be reused (such as for flushing toilets) if the applicant wishes. Sections of green roofs and living walls could be used across the site.</p> <p>Rain gardens, such as SuDS Planters, could be constructed at the base of downpipes.</p>
DCC Waste Management Reply Received 5 April 2023	<p>Paragraph 8 of the National Planning Policy for Waste and Policy W4 of the Devon Waste Plan requires major development proposals to be accompanied by a Waste Audit Statement. This ensures that waste generated by the development during both its construction and operational phases is managed in accordance with the waste hierarchy, with a clear focus on waste prevention in the first instance. A key part of this will be to consider the potential for on-site reuse of inert material which reduces the generation of waste and subsequent need to export waste off-site for management. It is recommended that these principles are considered by the applicant when finalising the layout, design and levels.</p> <p>This application is not supported by a Waste Audit Statement, it is therefore recommended that a condition is attached to any consent to require the submission of a statement prior to the commencement of development.</p>

Name	Comment
	<p>Devon County Council has published a Waste Management and Infrastructure SPD that provides guidance on the production of Waste Audit Statements. This includes a template set out in Appendix B, a construction, demolition and excavation waste checklist (page 14) and an operational waste checklist (page 17). Following the guidance provided in the SPD will enable the applicant to produce a comprehensive waste audit statement that is in accordance with Policy W4: Waste Prevention of the Devon Waste Plan. This can be found online at: https://www.devon.gov.uk/planning/planning-policies/minerals-and-waste-policy/supplementary-planning-document</p>
<p>Designing Out Crime Officer</p> <p>Reply Received 23 March 2023</p>	<p>23/03/2023 12:14 - Re COU & refurbishment to include coworking offices, 1 wheelchair user dwelling, 3 bed hostel unit, workshops & 10 flats at 36-37 Boutport Street Barnstaple Devon - 21st March 2023</p> <p>Thank you for this application I have no objections to the proposals in principle, however based on the available plans and documents shown there will be a number of concerns to be resolved from a designing out crime perspective. Having reviewed the Design & Access Statement I could find no mention of security or crime prevention measures per se, therefore, it is not known if these key matters have been considered for the scheme or where and how it is proposed they be implemented. Crime, the fear of crime and anti-social behaviour can all have negative impacts upon community wellbeing and the quality of life. As well as the direct costs of crime and ASB experienced by its victims, the fear of crime contributes to social exclusion, particularly for vulnerable groups such as women, children, the elderly, and minority groups. Crime and ASB can also threaten the success and vitality of town centres and employment areas by acting as a hindrance to economic growth and prosperity.</p> <p>The proposal should demonstrate the following attributes of Crime Prevention through Environmental Design (CPtED):-</p> <ul style="list-style-type: none"> Access and movement: Places with well-defined and well used routes, with spaces and entrances that provide for convenient movement without compromising security Structure: Places that are structured so that different uses do not cause conflict Surveillance: Places where all publicly accessible spaces are overlooked; have a purpose and are well managed to prevent creating areas which could attract criminal activity, the antisocial to gather or for unacceptable behaviour such as dumping, littering and dog fouling etc. to go unnoticed Ownership: Places that promote a sense of ownership, respect, territorial responsibility and community Physical protection: Places that include necessary, well-designed security features, for example, those detailed in SBD Homes 2023 and ADQ

Name	Comment
	<p>Activity - Places where the level of human activity is appropriate to the location and creates a reduced risk of crime, fear of crime and a sense of safety at all times.</p> <p>Management and maintenance - Places that are designed with management and maintenance in mind to discourage crime, fear of crime and ASB</p> <p>Site specific</p> <p>All doors and windows, including roof lights, must be shown to have been manufactured to a design that has been tested to an acceptable security standard i.e. PAS 24 2022.</p> <p>As such it is recommended that all external doors and easily accessible windows are sourced from a Secured by Design (SBD) member-company. The requirements of SBD are that doors and windows are not only tested to meet PAS 24 2022 standard by the product manufacturer, but independent third-party certification from a UKAS accredited independent third-party certification authority is also in place, thus exceeding the requirements of ADQ and reducing much time and effort in establishing the provenance of non SBD approved products.</p> <p>Dwellings (flats & hostel)</p> <p>It is recommended a door entry system should be installed for all units with audio and video capability, which will allow the resident to remotely operate the electric locking device from their terminal and provide access for visitors. Visitor door entry systems shall be easy to operate and understand and have the ability to display the image of the caller before the call is answered so the resident can choose whether to answer the call or not. It is however, not recommended that a trade entrance button is available with the door entry system as they have been proven to be the cause of anti-social behaviour and unlawful access to communal developments.</p> <p>There must be no unrestricted access internally between the private dwellings and the public areas and office space.</p> <p>24 hour lighting (switched using a photoelectric cell) to communal parts should be considered, for example, the communal entrance hall, lobbies, landings, corridors and stairwells, storage facilities and all entrance/exit points.</p> <p>Management of the hostel will also require careful consideration as this type of accommodation can be vulnerable to criminal incidents such as burglary, theft and vandalism. As such it is vital that the security of this part of the building, both residents' rooms and external areas is taken into consideration in order to provide a safe and secure environment for residents/visitors and their valuables.</p> <p>No details have been provided in terms of a mail delivery provision, it is recommended either an external mail delivery facility is installed on the wall, or if the intention is to provide an internal communal mail delivery facility that this is installed within a lobby to ensure the security of the building.</p> <p>Communal Courtyard</p> <p>The proposed communal courtyard is also area of concern, is the intention that this is restricted to residents only? If not, how this space is managed will potentially have a huge impact on the site as</p>

Name	Comment
	<p>a whole. As seen elsewhere within the town centre, these spaces can, without proper management and clear ownership, have the potential to generate crime, the fear of crime and anti-social behaviour and quickly become centres for inappropriate and antisocial behaviour.</p> <p>facilities. This area must be overlooked by active rooms, especially important outside of any proposed business hours, when surveillance will be greatly reduced.</p> <p>Coworking Office Given the potential for multiple users of these units, how will this be managed? Access control, safety and security, for example, personal, equipment and facilities needs careful consideration. It is recommended CCTV and an alarm system is included as part of any security management plan.</p> <p>Workshops Due to the way in which many commercial units evolve from inception to completion and the fact that in many instances, the intended occupier and the nature of their business is unknown even beyond completion, it is not possible to comment in any greater detail than the minimum recommended standards. The proposed buildings appear to be of a simple design where recesses and concealed areas are minimised, thus increasing surveillance opportunities. It is recommended doors and windows be to PAS 24:2022 or LPS 1175 Issue 8: A1 as a minimum. However, given the proximity to the public realm, it is further recommended glazing incorporate one pane of laminated glass to a minimum thickness of 6.4mm or glass tested to BS EN356:2000 Glass in building. Security glazing - resistance to manual attack to category P2A unless it is protected by a roller shutter or grille. Additional security may be gained by utilising additional protection such as a certified roller shutter or grille or with a doorset certified to higher security standards. Whilst it is recommended CCTV be included as part of the initial build process, it should not be seen as a universal solution to security problems. It can help deter vandalism or burglary and assist with the identification of offenders once a crime has been committed, but unless it is monitored continuously and appropriately recorded, CCTV will be of limited value in relation to the personal security of staff and visitors. That being said, the provision and effective use of CCTV fits well within the overall framework of security management and is most effective when it forms part of an overall security plan. It is recommended an appropriate monitored CCTV and alarm system is installed as part of the overall security package for the workshop units with any lighting for the site compatible with the CCTV system.</p> <p>Caf Any direct access to the proposed residential and business units It is recommended doors and windows are installed to meet the following minimum standards; PAS 24:2022 LPS 1175: Issue 8, A1 STS 201 or STS 202: Issue 3, BR2</p>

Name	Comment
	<p>To prevent unauthorised access to staff only areas, for example, staff rooms, offices and stores access control measures must be incorporated.</p> <p>It should be noted that details of any specific license operating conditions and requirements are a matter for discussion/agreement between the applicant and the Police and Local Authority Licensing Officers respectively.</p> <p>Public toilets Are the proposed toilets intended for general public use or solely for the staff and customers of the caf/restaurant?</p> <p>Monitored CCTV should be installed within the circulation area outside of the cubicles, accompanied by the relevant signage. A management and maintenance plan should be in place and agreed before the facility is opened.</p> <p>External bin stores It is recommended the bin stores are securely enclosed to prevent unauthorised access. The stores should have no windows and thumb turn locks fitted on the inner face of the access doors to prevent being locked in.</p> <p>Cycle storage Short term visitor bicycle parking, for instance delivery riders, should be located in view of occupants of the location and included in any on site CCTV system. Bicycle parking stands in public areas of a development must be certified to one of the following standards: Sold Secure - SS104 Security Rating Silver, or Element (Wednesbury) - STS 501 Security Rating TR2, or Element (Wednesbury) - STS 503 Security Rating TR2, or Warringtonfire - STS 205 Issue 6:2021 Security Rating BR2, or Warringtonfire - STS 225 Issue 1:2021 Security Rating BR2 (S), or Loss Prevention Certification Board LPS1175 Issue 8:2018 Security Rating B (B3)</p> <p>Public realm Whilst this area will potentially benefit from good surveillance and overlooking during daylight and business hours this will likely drop outside of these times. It is recommended this area is covered by/added to the existing town centre CCTV provision and lit to BS 5489-1:2020 Design of road lighting. Lighting of roads and public amenity areas. Please do not hesitate to contact me if any clarification is sought or I can assist further.</p> <p>Kind regards Rick Napier Designing Out Crime Officer North Devon, Torridge & Mid Devon</p>
Environment Agency	No objection received.
Environmental Health Manager	1 Noise I have reviewed the Parker Acoustics Noise Impact Assessment dated 26 January 2023. The assessment considers the potential

Name	Comment
<p>Reply Received 22 March 2023</p>	<p>for the proposed development to be affected by or to give rise to noise problems. The report has regard to the existing noise environment (including an approved live music venue nearby), and to relevant standards and guidance.</p> <p>The report highlights a number of areas in which noise could be a potential concern unless appropriate mitigation measures are adopted.</p> <p>The report includes detailed mitigation recommendations in respect of existing sources of environmental noise, noise from proposed plant, noise associated with the proposed cafe / restaurant, street noise, and noise from the proposed commercial / workshop spaces.</p> <p>I accept the findings of the report and consider that unreasonable noise impacts are unlikely to occur provided the mitigation measures and related recommendations contained in the report are fully implemented and adhered to.</p> <p>Given the extent and complexity of the noise mitigation recommendations, it will be important to ensure that the relevant works and other requirements are implemented as specified and in full. I therefore recommend a condition be imposed along the lines of the following:</p> <ul style="list-style-type: none"> - Noise Mitigation Validation Report Condition <p>Prior to first occupation of the approved development, a noise mitigation validation report shall be submitted to the Local Planning Authority for written approval. The report must be prepared by a suitably qualified and experienced person (Member of the Institute of Acoustics or equivalent). The report shall address the following:</p> <ol style="list-style-type: none"> a) describe approved noise mitigation measures and requirements as set out in the Parker Acoustics Noise Impact Assessment dated 26 January 2023 b) present evidence to show that the approved mitigation works have been fully completed and that acoustic performance requirements have been achieved where relevant. c) recommendations for addressing any unsatisfactory results identified by the validation assessment. <p>Where any further assessment or mitigation measures are found to be required, such works shall be agreed with the Local Planning Authority and agreed works shall be implemented in full, to the written satisfaction of the Local Planning Authority, prior to first occupation of the approved development.</p> <p>Reason: To protect the amenity of existing residents and future occupiers of the development from the potential effects of noise.</p> <ul style="list-style-type: none"> - Commercial Kitchen Ventilation and Extraction System <p>The noise report mentions the installation of a commercial kitchen ventilation and extraction system to serve the proposed cafe/restaurant. However, detailed information on the proposed system is as yet unavailable.</p>

Name	Comment
	<p>Commercial kitchen ventilation systems have the potential to produce significant noise and odour emissions that may impact sensitive receptors in the vicinity if the system is not suitably located, designed and operated.</p> <p>I recommend any such installation require the prior approval of the Local Planning Authority. This will enable potential noise and / or odour impacts to be properly considered having regard to relevant standards and guidance including Control of Odour and Noise from Commercial Kitchen Exhaust Systems (EMAQ, 6 May 2022) and also to the recommendations contained in the Parker Acoustics Noise Impact Assessment.</p> <p>The EMAQ document gives guidance on system design and on the information required to support planning applications. It also contains a risk assessment procedure to help identify the likely level of odour control required based on site specific circumstances.</p> <p>2 Land Contamination</p> <p>In order to ensure that any potentially significant contamination risks associated with development of this brownfield site are adequately considered, I recommend the following conditions be included on any permission:</p> <p>- Contaminated Land Phase 1 Condition Prior to the commencement of any site clearance, groundworks or construction, the local planning authority shall be provided with a Phase 1 Preliminary Risk Assessment Report for potential ground contamination for written approval. The report shall be prepared by a suitably qualified competent person and be sufficient to identify any and all potential sources of ground contamination affecting any part of the development site. Thereafter, depending on the outcome of Phase 1, a proposal for any Phase 2 (intrusive) survey that may be required shall be presented to and agreed with the planning authority. Where remediation of any part of the site is found to be required, a remediation scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of any necessary quality assurance, verification and certification requirements in accordance with established best practice. The construction phase of the development shall be carried out in accordance with the agreed details and, where relevant, verification reports and completion certificates shall be submitted for the written approval of the local planning authority. Reason: To ensure that risks from land contamination to future users of the land and neighbouring land, together with those to controlled waters, property and ecological systems are identified and, where necessary, remediated in accordance with the National Planning Policy Framework.</p>

Name	Comment
	<p data-bbox="443 197 1310 232">- Contaminated Land (Unexpected Contamination) Condition</p> <p data-bbox="443 271 1401 521">Should any suspected contamination of ground or groundwater not previously identified be discovered during development of the site, the Local Planning Authority shall be contacted immediately. Site activities within that sub-phase or part thereof shall be temporarily suspended until such time as a procedure for addressing the contamination is agreed upon with the Local Planning Authority or other regulating bodies.</p> <p data-bbox="443 562 1289 667">Reason: To ensure that any contamination exposed during development is remediated in accordance with the National Planning Policy Framework</p> <p data-bbox="443 707 616 743">3 Asbestos</p> <p data-bbox="443 784 1409 1182">The existing buildings are of an age where asbestos containing materials (ACMs) may have been used in their construction or subsequent modification. The buildings should be surveyed for ACMs prior to conversion / demolition by a suitably qualified person in order to protect site workers and public health. Where found, ACMs must be dealt with and be disposed of in accordance with asbestos regulations and health and safety guidance. The results of the survey should be referenced within the Construction Environmental Management Plan (see below) along with any requirements for dealing with ACMs prior to construction works commencing.</p> <p data-bbox="443 1223 887 1258">4 Construction Phase Impacts</p> <p data-bbox="443 1258 1394 1402">In order to ensure that nearby residents are not unreasonably affected by dust, noise or other impacts during the demolition and construction phase of the development, I recommend the following conditions be included on any permission:</p> <p data-bbox="443 1402 1401 1731">- Construction Environmental Management Plan Condition Prior to the commencement of development, including any demolition, site clearance, groundworks or construction (save such preliminary or minor works that the Local Planning Authority may agree in writing), a Construction Environmental Management Plan (CEMP) to manage the impacts of demolition and construction during the life of the works shall be submitted in writing for the approval of the Local Planning Authority. For the avoidance of doubt and where relevant, the CEMP shall include:-</p> <p data-bbox="443 1771 1401 2096">a) measures for identifying, removing and safely dealing with any asbestos containing materials; b) details of control measures for addressing fugitive dust from demolition, earthworks and construction activities; dust suppression; c) a noise control plan which details hours of operation and proposed mitigation measures; d) specified parking for vehicles associated with the development works and the provision made for access thereto;</p>

Name	Comment
	<p>e) the times within which traffic can enter and leave the site;</p> <p>f) details of measures to prevent mud contaminating public footpaths and roads;</p> <p>g) arrangements for materials deliveries, storage and waste materials removals;</p> <p>h) a point of contact (such as a Construction Liaison Officer/site manager) and details of how complaints will be addressed.</p> <p>The details so approved and any subsequent amendments as shall be agreed in writing by the Local Planning Authority shall be complied with in full and be monitored by the applicants to ensure continuing compliance throughout the development.</p> <p>Reason: To minimise the impact of the works during the construction of the development in the interests of highway safety and to safeguard the amenities of local residents from potential impacts whilst site clearance, groundworks and construction is underway.</p>
<p>Heritage & Conservation Officer</p> <p>Reply Received 6 April 2023</p>	<p>6/04/2023 13:14 - I have already made comments in respect of the Listed Building Consent application for number 36 (76761). The general comments in relation to that application are repeated below:</p> <p>"Number 36 Boutport Street is a grade II listed building, dating from the beginning of the 20th century, and designed to act as a visual landmark to the east end of Butchers Row. Number 37, adjacent to the south, was built around 20 years earlier, and was, until the late 20th century, an impressive and highly decorative furniture showroom building which was also listed grade II. The majority of the building was destroyed in a fire, and only the facade has remained ever since. This was de-listed in 2013. but does retain some interesting architectural features. Both buildings stand within the Barnstaple Town Centre Conservation Area and do (in the case of 36) and have the potential to (number 37 site) contribute positively to the character and appearance of the Conservation Area.</p> <p>The listed building and adjacent site have been acquired by North Devon Council, and the overall scheme is part of the Future High Street Fund project for the Market Quarter. I have been part of the development team for this project, and remain as the Conservation advisor. In this role, I have made comments throughout the design process, and this advice has been taken on board.</p> <p>There are, within the scheme, various alterations which will affect the character of the [listed] building. Some of these will be beneficial, in that decayed elements will be replaced, historic features repaired, and new facilities installed to allow the building to have a viable function going forward. There is also some loss of historic fabric. Some of this is unavoidable, in that it is too badly decayed to retain. Other elements are needed to adapt the building to its new use. In my role I have tried to keep the degree of loss to</p>

Name	Comment
	<p>a minimum, and to mitigate where possible. I am satisfied that this scheme balances harm with benefit, and am happy to support the application. "</p> <p>In terms of the new build on the site of 37, again I have been closely involved in the development of this scheme. It has been through various iterations, and I am satisfied that the overall design, particularly the massing and proportions of the block fronting Boutport Street, reflect the characteristics of the context whilst having its own definite contemporary identity. The re-use of features from the existing facade will be incorporated where possible within the scheme, though there is a degree of uncertainty about how far this may be possible, given the current inaccessibility of some of these elements. The creation of an arcade from Boutport Street through to the Queen Street car park is a very positive piece of town planning, in my view, and should bring considerable public benefit to residents and visitors.</p> <p>As with the associated LBC application, on balance I feel that this proposal will bring with it considerable public benefit, through enhancement to the character and appearance of the Conservation Area and setting of the listed building, plus facilitating movement and enjoyment of the historic town. I am therefore happy to support the application.</p>
Historic England	Awaited.
Housing Enabling Officer Reply Received 12 April 2023	12/04/2023 09:54 - Dear Matthew, We would require 30% affordable housing on this application. On the total of 11 units this equates to 3.2 affordables. After discussions with the applicant (Property Manager) on 21st February 2023 along with myself and the Head of Service, the applicant's preference was to aim for onsite deliver of 4 affordables as opposed to a financial contribution for the fraction. We therefore discussed: 1 unit of temporary accommodation (already in the scheme - wheelchair user dwelling) at social rent A further 1 unit of temporary accommodation at social rent or intermediate rent (LHA cap). And 2 Social Rents. Further discussions will be needed around the dwelling sizes and sqm - the location of which may predetermine which units in no. 37 will be better suited for affordable housing.
NDC Waste, Recycling & Commercial Services	No comments rec'd

Name	Comment
Open Space Officer	This application generates a requirement for open space and green infrastructure in accordance with policy DM10, calculation attached. If the application is recommended for approval, we can provide details of specific open space schemes, in line with CIL regulations. £20,188 requested.
Planning Policy Unit	No objection received.
Planning, Transportation & Environment	No objection received.
South West Water Reply Received 20 March 2023	<p>With reference to the planning application at the above address, the applicant/agent is advised to contact South West Water if they are unable to comply with our requirements as detailed below.</p> <p>Clean Potable Water South West Water is able to provide clean potable water services from the existing public water main for the above proposal. The practical point of connection will be determined by the diameter of the connecting pipework being no larger than the diameter of the company's existing network.</p> <p>Foul Sewerage Services South West Water is able to provide foul sewerage services from the existing public foul or combined sewer in the vicinity of the site. The practical point of connection will be determined by the diameter of the connecting pipework being no larger than the diameter of the company's existing network.</p> <p>The applicant can apply to South West Water for clarification of the point of connection for either clean potable water services and/or foul sewerage services. For more information and to download the application form, please visit our website:</p> <p>www.southwestwater.co.uk/developers</p> <p>Surface Water Services The applicant should demonstrate to your LPA that its prospective surface run-off will discharge as high up the hierarchy of drainage options as is reasonably practicable (with evidence that the Run-off Destination Hierarchy has been addressed, and reasoning as to why any preferred disposal route is not reasonably practicable):</p> <ol style="list-style-type: none"> 1. Discharge into the ground (infiltration); or where not reasonably practicable, 2. Discharge to a surface waterbody; or where not reasonably practicable, 3. Discharge to a surface water sewer, highway drain, or another drainage system; or where not reasonably practicable, 4. Discharge to a combined sewer. (Subject to Sewerage Undertaker carrying out capacity evaluation)

Name	Comment
	<p>Having reviewed the applicant's current information as to proposed surface water disposal for its development, please note that discharge to the public combined sewerage network is not an acceptable proposed method of disposal, in the absence of clear evidence to demonstrate why the preferred methods listed within the Run-off Destination Hierarchy have been discounted by the applicant. The applicant should contact South West Water directly to work through the surface water drainage strategy with us.</p>
<p>Sustainability Officer</p> <p>Reply Received 16 March 2023</p>	<p>16/03/2023 10:05 - The submitted Bat Surveys conclude that the existing structures provide summer day roosts for low numbers of common pipistrelle bats, including two crevices on the southern wall, two crevices on the eastern gable and likely wall tops on the western roof pitch. Recommendations for mitigation and compensatory habitat are not currently illustrated on submitted Elevations. A Natural England licence will be required prior to works commencing.</p> <p>The Bat Survey states that:</p> <p>6.1.11 The proposals should consider the reinstatement of a roost within the building if possible. Should the roof voids be re-instated, it is recommended that access is re-instated to provide continued roosting opportunities. If the wall top gaps currently used for access on the eastern elevation and associated with the western pitch cannot be retained or re-instated, bat access tiles measuring 15-20mm high by 20-50mm wide should be incorporated within the roof as near as possible to the existing access or near the eaves or ridge line, facing between southwest and south-east and away from light sources.</p> <p>6.1.12 Breathable roofing membranes must not be installed into a roof used by bats, and if the use of roof membranes is necessary, only Bitumen type 1F felt with a hessian matrix should be used. Provision of exposed untreated timbers/battens would also add crevices internally, for example, pipistrelle bats would benefit from the creation of crevices by pinning rough plywood to the rafters in the roof void.</p> <p>6.1.13 If any timber treatment is needed, only treatments on the approved list of 'Bat roost and Timber products (TIN 092)' may be used (Natural England, 2013)</p> <p>6.1.14 One bat box is also recommended. These should be erected on a mature tree in vicinity of the site (possibly the tree-line along the eastern boundary of Bear Street Car Park) and would provide a release site option for any bats found during the works and to further compensate for loss of the roosts. Schwegler 2F (or similar) would be a suitable box. The bat box should be positioned to face between south-west and south-east, with the entrance positioned as high as possible off the ground (ideally at least 5 metres) and free of dense vegetation. Care should be taken to ensure that the bat box and adjoining vegetation are kept free of any lightspill.</p>

Name	Comment
	<p>In terms of the location of the site, it is within the Zone of Influence (ZOI) identified through the Local Authority's Appropriate Assessment in relation to the Braunton Burrows Special Area Conservation (SAC) under the Habitat Regulations 2017. As such, any new residential development in the ZOI is considered to have recreational impacts on the SAC and is therefore required to pay a contribution of 190 per unit in order to mitigate the impacts of development. At present developers can either enter into a S106 agreement or make a direct payment to the LPA under Section 111 of the Local Government Act 1972.</p> <p>Based on the information provided, the application will increase residential capacity and is therefore likely to have an indirect impact on the Braunton Burrows SAC due to its proximity and the likelihood of recreational impacts associated with visitor impacts. North Devon Council must have regard for any potential impacts that a plan or project may have and are required to conduct a Habitat Regulations Assessment to determine the significance of these impacts on the SAC and the scope for mitigation. North Devon Council's Habitat Regulations Assessment (HRA) at the Joint Plan level (JLP) identified the main recreational pressure as coming from the Braunton, Wrafton, Chivenor area and concluded that there is unlikely to be an adverse effect on the integrity of the interest features of the SAC. However, since adoption of the JLP, new evidence has concluded that recreational impacts are evident and contributions towards strategic mitigation will be required from all development within an identified Zone of Influence.</p>

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 detailed planning permission for the change of use and refurbishment of no36 Boutport Street to include co-working spaces offices, erection of 1 wheelchair user dwelling to the rear of no36, erection of 3 bed hostel unit together with workshops on the ground floor of no37 to include erection of 10 flats above.

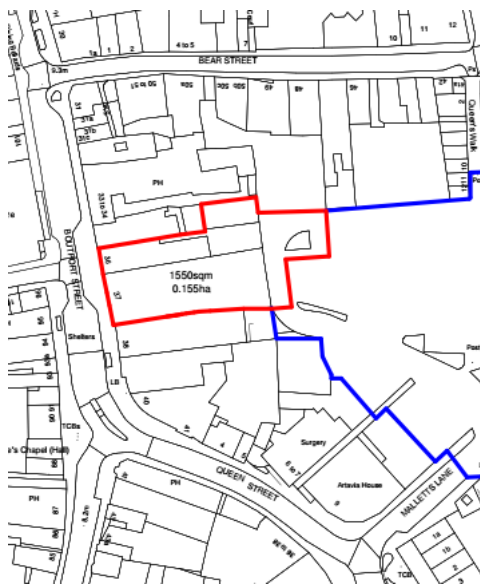
This project aims to rejuvenate the section of Boutport Street, connecting the Queen Street Car Park to Butchers Row with a new pedestrian route. The scope for the project includes:

-

- Structural timber repairs to no. 36 this will include detailed information about the proposed repairs to no. 36, including materials used, methods of construction, and the potential impact on the building. A number of surveys and structural reports have helped to ensure that any proposed structural timber repairs to no. 36 are compliant with relevant regulations and codes of practice. They also identify any potential risks associated with the project, providing informed decision-making. –
- Watertight the Grade II Listed Building. The current dilapidated aspect of the building requires some repair works, particularly to the roof, to make watertight the building, avoiding any further damage. –
- Change of use to no 36: Restaurant Café to ground floor and coworking/office spaces above No.36 will be a mixed-use development that provides access to a restaurant and café on the ground floor, with coworking and office spaces on the floors above. The alterations to the existing building have been designed to provide accessibility to all users. This includes wheelchair access, level thresholds, accessible routes, lift facilities and safe evacuation in case of an emergency. –
- New wheelchair accessible dwelling and a hostel at the rear of no.36 The new wheelchair accessible dwelling in the town centre with associated parking space. The hostel is intended for short term let for visitors.
- New workshops on the ground floor and flats on the floor above to no.37 No. 37 is an exciting new development in the area which offers workshops on the ground floor and flats above. This development is designed to bring a boost to the local economy while also providing an opportunity for people to live and work in one place. It offers a unique chance for people to create their own business or live in the town centre. With its prime location, plenty of space, and potential for business growth, No. 37 could become one of the most popular places in town!
- Public realm that connects Butchers Row with Queens Street Carpark. Butchers Row and Queens Street Carpark are two focal points in Barnstaple. Connecting these with a new pedestrian route through 37 Boutport Street will invite people to the town centre and spend time in the new market quarters and the new workshops on 37. This connection is an ideal spot for people to gather and socialize in the historic centre of Barnstaple.

The proposed residential accommodation comprises:-

Residential GIA		
Name	Comments	Area
Unit 1	1B-2P (Acc.)	70.6 m ²
Unit 2	1B-2P	52.3 m ²
Unit 3	1B-2P	50.1 m ²
Unit 4	2B-3P	70.0 m ²
Unit 5	1B-2P	54.4 m ²
Unit 6	1B-2P	53.1 m ²
Unit 7	1B-2P	51.7 m ²
Unit 8	1B-2P	52.9 m ²
Unit 9	3B-6P	103.3 m ²
Unit 10	2B-3P	59.4 m ²
Unit 11	Hostel	84.8 m ²



Location Plan



Proposed uses schematic



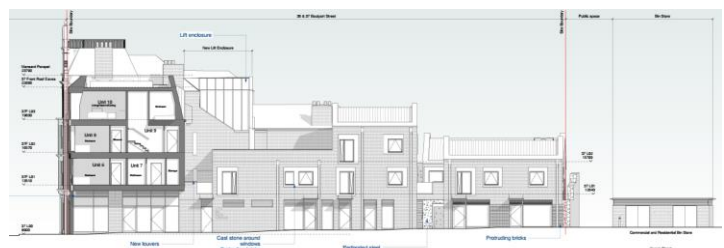
Proposed Boutport Street elevation



Proposed Queen Street car park elevation



Ground floor plan/layout



Southern street scene elevation

Planning Considerations Summary

- Principle Of Development
- Affordable Housing
- Public Open Space
- Education

- Design/Heritage
- Amenity
- Ecology
- Flood Risk
- Highways
- Other Matters

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.

Principle of Development

The application site located within the main built-up area / development boundary of Barnstaple which is identified as a sustainable, sub-regional centre under LP Policy ST06 where development will be supported within its development boundaries, this is supported by policy BAR.

At a principle level, there is support for the re-use of the application site for the erection of residential accommodation, which is considered to contribute to the planned provision for a minimum of 17,220 dwellings across the plan area, particularly in contribution to the planned housing requirement for Barnstaple of 4,139 dwellings between 2011 and 2031 as per LP Policy ST08.

Policy BAR11 of the adopted local plan states:

Land between Queen Street and Bear Street, of approximately 4 hectares as shown on Policies Map 1, is identified for the expansion and enhancement of the town centre to deliver a sustainable, high quality, mixed use development that includes:

- (a) a mix of retail and other town centre uses that support the vitality and viability of the town centre;
- (b) safe and accessible pedestrian linkages through the site between Boutport Street, Queen Street and Bear Street, including improved connectivity with existing shopping frontages on the High Street, Boutport Street and with Barnstaple Bus Station;

- (c) provision of a short-stay car park, together with secure cycle parking, adequate service provision and traffic management measures; and
- (d) enhancement of the area's built heritage including the special character and appearance of the Barnstaple Town Centre and Eberly Lawn Conservation Areas.

The site forms part of this allocation and given the nature of the proposal it would comply.

The site being within the commercial core having regard to policies ST12 and DM19 adds support to the scheme.

The council cannot currently demonstrate a Five-Year Housing Land Supply and it should be noted that the introduction of residential accommodation would contribute positively to this current situation, pending adherence with the wider policies of the Local Plan. Given that the site is within the development boundary this lack of supply does not materially impact on the determination of this application.

The proposal is therefore acceptable in principle.

Affordable Housing

In terms of residential accommodation the application is for ten properties and a hostel. The application introduces a schedule of accommodation which is considered to be consistent with the overall aims of the application and location. As the proposed site is within the development boundary and the proposed number of dwellings is above the threshold, at least 30% affordable housing provision would be required as required by Policy ST18 of the adopted Local Plan.

On the total of 11 units this equates to 3.2 affordables. After discussions with the applicant (Property Manager) on 21st February 2023 the applicant's preference was to aim for onsite deliver of 4 affordables as opposed to a financial contribution for the fraction.

The Housing Officer's discussions concluded that the development should provide:-
1 unit of temporary accommodation (already in the scheme – wheelchair user dwelling) at social rent, a further 1 unit of temporary accommodation at social rent or intermediate rent (LHA cap) and 2 Social Rent units.

Further discussions will be needed around the dwelling sizes and sqm - the location of which may predetermine which units in no. 37 will be better suited for affordable housing. This can be secured during the completion of a legal agreement if planning permission is granted.

Having regard to the foregoing the scheme would result in unacceptable affordable housing contribution to address planning policy.

Public Open Space.

This application generates a requirement for open space and green infrastructure in accordance with policy DM10 of the adopted local plan.

The Councils preference, in line with policy DM10 of the local plan is to see on-site provision met. Where on-site provision is not viable or off-site provision is more suitable as a result of proximity to existing facilities, an off-site contribution for that particular provision would be sought to deliver a scheme at a suitably linked location.

Given the nature of the development an off-site financial contribution of £20,188 is requested.

This is considered to be compliant with the regulations and can be secured by a Legal Agreement if planning permission is granted.

Education

There is not a policy requirement to secure contributions towards educational provision given the nature of the residential accommodation proposed.

Design/Heritage

Policy ST04 of the Local Plan states that development will achieve high quality inclusive and sustainable design to support the creation of successful, vibrant places. Design will be based on a clear process that analyses and responds to the characteristics of the site, its wider context and the surrounding area taking full account of the principles of design found in policy DM04.

Policy DM04 of the Local Plan encourages good design and ensures that development proposals should be appropriate and sympathetic to setting in terms of scale, density, massing, height, layout appearance, fenestration, materials and relationship to buildings and landscape features in the local neighbourhood; reinforce the key characteristics and special qualities of the area in which the development is proposed; and contributes positively to local distinctiveness, historic environment and sense of place.

Policy ST15 (Conserving Heritage Assets) states that great weight will be given to the desirability of preserving and enhancing northern Devon's historic environment by:

- (a) conserving the historic dimension of the landscape;
- (b) conserving cultural, built, historic and archaeological features of national and local importance and their settings, including those that are not formally designated;
- (c) identifying and protecting locally important buildings that contribute to the area's local character and identity; and
- (d) increasing opportunities for access, education and appreciation of all aspects of northern Devon's historic environment, for all sections of the community.

Policy DM07 (Historic Environment) of the Local Plan states that all proposals affecting heritage assets should be accompanied by sufficient information, in the form of a Heritage Statement, to enable the impact of the proposal on the significance of the heritage asset and its setting to be properly assessed. As part of such an assessment, consideration should be given, in order of preference, for avoiding any harm, providing, then minimising and mitigating any harm. In addition policy DM07 ensures that proposals which conserve and enhance heritage assets and their settings will be supported. Where there is unavoidable harm to heritage assets and their settings, proposals will only be supported where the harm is minimised as far as possible, and an acceptable balance between harm and benefit can be achieved in line with the national policy tests, giving great weight to the conservation of heritage assets.

The heritage considerations of the Local Plan accords with the aims and objectives of the National Planning Policy Framework (NPPF). In particular, Paragraph 194 states that "in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and

the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation". Also, paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, 'great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'. Paragraph 202 confirms that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use

A Building For Life Assessment has been provided which sets out how the scheme responds positively to the requirements of such assessments.

The Conservation Officer advises that :-

"Number 36 Boutport Street is a grade II listed building, dating from the beginning of the 20th century, and designed to act as a visual landmark to the east end of Butchers Row. Number 37, adjacent to the south, was built around 20 years earlier, and was, until the late 20th century, an impressive and highly decorative furniture showroom building which was also listed grade II. The majority of the building was destroyed in a fire, and only the facade has remained ever since. This was de-listed in 2013. but does retain some interesting architectural features. Both buildings stand within the Barnstaple Town Centre Conservation Area and do (in the case of 36) and have the potential to (number 37 site) contribute positively to the character and appearance of the Conservation Area.

The listed building and adjacent site have been acquired by North Devon Council, and the overall scheme is part of the Future High Street Fund project for the Market Quarter. I have been part of the development team for this project, and remain as the Conservation advisor. In this role, I have made comments throughout the design process, and this advice has been taken on board.

There are, within the scheme, various alterations which will affect the character of the [listed] building. Some of these will be beneficial, in that decayed elements will be replaced, historic features repaired, and new facilities installed to allow the building to have a viable function going forward. There is also some loss of historic fabric. Some of this is unavoidable, in that it is too badly decayed to retain. Other elements are needed to adapt the building to its new use. In my role I have tried to keep the degree of loss to a minimum, and to mitigate where possible. I am satisfied that this scheme balances harm with benefit, and am happy to support the application. "

In terms of the new build on the site of 37, again I have been closely involved in the development of this scheme. It has been through various iterations, and I am satisfied that the overall design, particularly the massing and proportions of the block fronting Boutport Street, reflect the characteristics of the context whilst having its own definite contemporary identity. The re-use of features from the existing facade will be incorporated where possible within the scheme, though there is a degree of uncertainty about how far this may be possible, given the current inaccessibility of some of these elements. The creation of an arcade from

Boutport Street through to the Queen Street car park is a very positive piece of town planning, in my view, and should bring considerable public benefit to residents and visitors.

As with the associated LBC application, on balance I feel that this proposal will bring with it considerable public benefit, through enhancement to the character and appearance of the Conservation Area and setting of the listed building, plus facilitating movement and enjoyment of the historic town. I am therefore happy to support the application.”

The final comments of Historic England with regard to the scheme are awaited, however they are aware of the Future High Street scheme and as such it is hoped they will be supportive overall.

Archaeology

The Senior Historic Environment Officer of the Devon County Historic Environment Team have set out that the proposed development could have an impact upon the heritage asset, by confirming:-

“The proposed development lies within the historic core of Barnstaple and in an area developed at least from the medieval period. Boutport Street is first referred to in the 14th century and, as such, the land adjacent to the street is likely to contain archaeological and artefactual deposits associated with roadside development in the medieval town. While most of the buildings on Boutport Street date to the 18th or 19th centuries they will have been constructed over phases of earlier buildings, and groundworks for the construction of the proposed development therefore have the potential to expose and destroy any heritage assets with archaeological interest within the development site. In addition, the proposed development will have an impact upon the fabric and appearance of no. 36 Boutport Street a grade II listed building.

The impact of development upon the historic building and archaeological resource here should be mitigated by a programme of archaeological work that should investigate, record and analyse the historic building fabric and archaeological evidence that will otherwise be destroyed by the proposed development.

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 historic building recording and 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.

If a Written Scheme of Investigation is not submitted prior to determination the Historic Environment Team would advise, for the above reasons and 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 any consent your Authority may be minded to issue should carry the condition as worded below, based on model Condition 55 as set out in Appendix A of Circular 11/95”.

If planning permission is granted applying the planning conditions suggested by the County Archaeologist would address the policy context in terms of archaeology.

Designing out crime has been considered by the Designing Out Crime Officer who has advised:-

"I have no objections to the proposals in principle, however based on the available plans and documents shown there will be a number of concerns to be resolved from a designing out crime perspective. Having reviewed the Design & Access Statement I could find no mention of security or crime prevention measures per se, therefore, it is not known if these key matters have been considered for the scheme or where and how it is proposed they be implemented. Crime, the fear of crime and anti-social behaviour can all have negative impacts upon community wellbeing and the quality of life. As well as the direct costs of crime and ASB experienced by its victims, the fear of crime contributes to social exclusion, particularly for vulnerable groups such as women, children, the elderly, and minority groups. Crime and ASB can also threaten the success and vitality of town centres and employment areas by acting as a hindrance to economic growth and prosperity.

The proposal should demonstrate the following attributes of Crime Prevention through Environmental Design"

Overall the scheme can be managed to address concerns given that ownership will be retained as one. To ensure full compliance it is considered that a planning condition could be imposed requiring the submission of a scheme setting out how the scheme will address Crime Prevention through Environmental Design.

Conclusion on Design and Heritage

Notwithstanding that the comments of Historic England are outstanding it is concluded that the scheme, as being considered, introduces a design and interesting palette of materials which will sit within the townscape and associated heritage assets, resulting in a modern design, which will not dominate and be of a design that is of a positive contrast to the existing built form to the benefit of the area; Ensuring that a heritage asset is brought into a viable use resulting in overall public benefit. This is subject to planning conditions controlling materials, archaeology and crime prevention being imposed if planning permission is granted.

Amenity

Policies DM01 and DM02 allow for the consideration of amenity impacts as part of a planning application.

Policy DM01 of the Local Plan (Amenity Considerations) states that development will be supported where: (a) it would not significantly harm the amenities of any neighbouring occupiers or uses; and (b) the intended occupants of the proposed development would not be harmed as a result of existing or allocated uses.

Policy DM02 confirms that development will be supported where it does not cause an unacceptable risk to public health and safety due to contamination nor through pollution, noise or vibration.

The nature of the proposal results in a limited need for on site public open space whilst there is an acknowledgement of the nearby amenity facilities.

The residential accommodation is of a size which would reasonably reflect the National Minimum Space Standards.

The Environmental Health Officer has considered the proposal and concluded that noise, contamination and construction phase impacts can be controlled by condition if planning permission is granted.

As such the scheme is considered to record with amenity Policies.

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).

In terms of the location of the site, it is within the Zone of Influence identified through the Local Authority's Appropriate Assessment in relation to the Braunton Burrows Special Area Conservation (SAC) under the Habitat Regulations 2017. As such, any new residential development in the Zol is considered to have recreational impacts on the SAC and is therefore required to pay a contribution in order to mitigate the impacts of development. At present developers can either enter into a S106 agreement or make a direct payment to the LPA under Section 111 of the Local Government Act 1972. The applicant has agreed to enter in to a Section 106 agreement which includes the payment of the relevant sum in relation to the development proposed.

Following discussions with the agent and the Sustainability Officer it is concluded that appropriate ecological mitigation/net gain in biodiversity can be secured through a planning condition and as such addressing the policy requirements if planning permission is granted.

Flood Risk and Drainage

The site is not located in a flood zone however there is still a need to ensure that the development demonstrates that the disposal of surface and foul water can be achieved without the detriment to the water environment to address Policy ST03.

South West Water have confirmed that they can provide clean potable water and foul sewerage services to the site.

However, SWW has clarified that the applicant should demonstrate to your LPA that its prospective surface run-off will discharge as high up the hierarchy of drainage options as is reasonably practicable (with evidence that the Run-off Destination Hierarchy has been addressed, and reasoning as to why any preferred disposal route is not reasonably practicable):

1. Discharge into the ground (infiltration); or where not reasonably practicable,
2. Discharge to a surface waterbody; or where not reasonably practicable,
3. Discharge to a surface water sewer, highway drain, or another drainage system; or where not reasonably practicable,
4. Discharge to a combined sewer. (Subject to Sewerage Undertaker carrying out capacity evaluation)

Having reviewed the applicant's initial submission information as to proposed surface water disposal for its development, there was insufficient information to confirm that this had been considered.

The Local Lead Flood Authority sought clarification with regard to attenuation.

Further technical information has been provided following the receipt of these concerns which is currently being considered by SWW and the Local Lead Flood Authority. There is a technical solution here which the final comments of the consultees can address which may require the application of planning conditions. Once these responses are received it is concluded that a suitable scheme can be secured in terms of water disposal.

Highways

Policies DM05 and DM06 of the adopted local plan allow for the consideration of highway matters whilst the NPPF also sets out the need to consider sustainability and safe access and egress for all to a site.

The Highway Authority has not raised an objection to the scheme.

Overall the site is in a sustainable location with access available to sustainable transport options and public car parking, as such the scheme is considered acceptable in this regard.

Other Matters

Waste Audit

Paragraph 8 of the National Planning Policy for Waste and Policy W4 of the Devon Waste Plan requires major development proposals to be accompanied by a Waste Audit Statement. This ensures that waste generated by the development during both its construction and operational phases is managed in accordance with the waste hierarchy, with a clear focus on waste prevention in the first instance. A key part of this will be to consider the potential for on-site reuse of inert material which reduces the generation of waste and subsequent need to export waste off-site for management.

This application is not supported by a Waste Audit Statement, however section 5.263 of the planning statement mentions a Site Waste Management plan will be present onsite to ensure that operatives, contractors and staff are routinely monitored for compliance. A planning condition to require the submission of a statement in advance of the commencement of development would address this matter.

Conclusion

The development of the site represents an opportunity for a new, integrated and viable use for the site supporting a Listed Building in a Conservation Area; and of course the wider Future High Streets initiative.

We are therefore in a position whereby the Local Planning Authority need to weigh the remaining harm caused to the heritage asset against the public benefits of the scheme as per the requirements of the NPPF at paragraph 202.

In the positive the scheme will provide much-needed housing. There will also be economic benefits during the construction phase of the development and through the commercial operations at the site.

In the positive the scheme will also provide for a net gain in biodiversity.

In the negative there will be some limited impact to the setting of heritage assets.

Given the need for housing and to secure a viable use which will regenerate a site with limited impacts on heritage assets it is concluded that great weight has to be placed on the public benefits of the scheme outweighing the disbenefits. The application is therefore considered to accord with the adopted development plan and Duty detailed above.

It is therefore recommended that approval of the Application be delegated to the Head of Planning, Housing and Health subject to Historic England not objecting to the scheme and matters of surface water being addressed subject to the imposition of planning conditions and a Section 106 agreement securing:-

- 4 Affordable Units of Residential Accommodation,
- Public Open Space contribution of £20,188,
- Contribution to mitigate impacts on Braunton Special Area Conservation at £190 per unit of residential accommodation.

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

It is recommended that approval of the Application be delegated to the Head of Planning, Housing and Health subject to Historic England not objecting to the scheme and matters of surface water being addressed subject to the imposition of planning conditions and a Section 106 agreement securing:-

- 4 Affordable Units of Residential Accommodation,
 - Public Open Space contribution of £20,188,
 - Contribution to mitigate impacts on Braunton Special Area Conservation at £190 per unit of residential accommodation.
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:
- 21132-OA-B3-XX-DR-A-2111P4 Proposed Site Plan received on the 06/03/23
 - 21132 OA BE ZZ DR A 2100P3 Location Plan received on the 23/02/23
 - 21132 OA B3 ZZ DR A 5005P3 Proposed Elevation Rear Unit received on the 23/02/23
 - 21132 OA B3 ZZ DR A 5004P3 Proposed North Internal Street Scene received on the 23/02/23
 - 21132 OA B3 ZZ DR A 5003 P3 Proposed South Internal Street Scene received on the 23/02/23
 - 21132 OA B3 ZZ DR A 5002P5 Proposed East Elevation received on the 23/02/23
 - 21132 OA B3 ZZ DR A 5001P5 Proposed West Elevation received on the 23/02/23
 - 21132 OA B3 XX DR A 4003P3 Proposed Sections received on the 23/02/23
 - 21132 OA B3 XX DR A 4002P3 Proposed Sections received on the 23/02/23
 - 21132 OA B3 XX DR A 4001P3 Demolition Sections received on the 23/02/23
 - 21132 OA B3 03 DR A 3043P12 Proposed Third Floor Plan received on the 02/03/23
 - 21132 OA B3 RF DR A 3045P8 Proposed Roof Plan received on the 02/03/23
 - 21132 OA B3 01 DR A 3041P12 Proposed First Floor Plan received on the 02/03/23
 - 21132 OA B3 00 DR A 3040P15 Proposed Ground Floor Plan received on the 02/03/23
 - 21132 OA B3 RF DR A 3035P3 Demolition Roof Plan received on the 23/02/23
 - 21132 OA B3 04 DR A 3034P3 Demolition Fourth Floor Plan received on the 23/02/23
 - 21132 OA B3 03 DR A 3033P3 Demolition Third Floor Plan received on the 23/02/23
 - 21332 OA B3 02 DR A 3032P3 Demolition Second Floor Plan received on the 23/02/23
 - 21332 OA B3 01 DR A 3031 P3 Demolition First Floor Plan received on the 23/02/23
 - 21332 OA B3 00 DR A 3030P3 Demolition Ground Floor Plan received on the 23/02/23
 - 21132 OA B3 XX DR A 3070P3 Proposed Class Uses received on the 23/02/23
 - 21132 OA B3 XX DR A 1096P4 Shopfront Design Options received on the 23/02/23
 - 21132 OA B3 O4 DR A 3044P9 Proposed Fourth Floor Plan received on the 02/03/23
 - 21132 OA B3 O2 DR A 3042P12 Proposed Second Floor Plan received on the 02/03/23
- ('the approved plans').

Reason:

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

3. The authorised uses of the development shall be as described in the approved plans (21132 OA B3 XX DR A 3070) and for no other uses.

Reason:

In the interests of amenity having regard to Policy DM01 of the adopted Local Plan.

4. No work shall be commenced on any part of the development hereby permitted above damp proof course until samples of the facing materials to be used on the external walls and roof, including brick laying detail, have been submitted to and approved in writing by the Local Planning Authority.

Reason:

In the interests of the appearance of the development and locality in accordance with Policy DM04 and DM07 of the North Devon and Torridge Local Plan.

5. The existing brackets and tiles shown as to be incorporated into the development as shown on the approved plans shall be installed prior to the first use of the development and retained in situ thereafter.

Reason:

In the interests of the appearance of the development and locality in accordance with Policy DM04 and DM07 of the North Devon and Torridge Local Plan.

6. The development shall not be occupied or brought into its intended use until (i) the post investigation assessment has been completed in accordance with the approved Written Scheme of Investigation and (ii) that the provision made for analysis, publication and dissemination of results, and archive deposition, has been confirmed in writing to, and approved by, the Local Planning Authority.

Reason

'To comply with Paragraph 205 of the NPPF, which requires the developer to record and advance understanding of the significance of heritage assets, and to ensure that the information gathered becomes publicly accessible.

7. No development shall take place until the developer has secured the implementation of (i) historic building recording and (ii) 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 historic building fabric and archaeological evidence that may be affected by the development

8. Prior to first occupation of the approved development, a noise mitigation validation report shall be submitted to the Local Planning Authority for written approval. The report must be prepared by a suitably qualified and experienced person (Member of the Institute of Acoustics or equivalent). The report shall address the following:
 - a) describe approved noise mitigation measures and requirements as set out in the Parker Acoustics Noise Impact Assessment dated 26 January 2023
 - b) present evidence to show that the approved mitigation works have been fully completed and that acoustic performance requirements have been achieved where relevant.

c) recommendations for addressing any unsatisfactory results identified by the validation assessment.

Where any further assessment or mitigation measures are found to be required, such works shall be agreed with the Local Planning Authority and agreed works shall be implemented in full, to the written satisfaction of the Local Planning Authority, prior to first occupation of the approved development.

Reason:

To protect the amenity of existing residents and future occupiers of the development from the potential effects of noise having regard to Policy DM01 and DM02 of the adopted Local Plan.

9. Prior to the installation of any commercial kitchen ventilation and extraction system the local planning authorities shall be provided with details including potential noise and/or odour impacts having regard to the relevant standards and guidance including Control of Odour and Noise from Commercial Kitchen Exhaust Systems (EMAQ, 6 May 2022) and also to the recommendations contained in the Parker Acoustics Noise Impact Assessment.

Reason:

To protect the amenity of existing residents and future occupiers of the development from the potential effects of noise and odour having regard to Policy DM01 and DM02 of the adopted Local Plan.

NOTE

The EMAQ document gives guidance on system design and on the information required to support planning applications. It also contains a risk assessment procedure to help identify the likely level of odour control required based on site specific circumstances.

10. Prior to the commencement of any site clearance, groundworks or construction, the local planning authority shall be provided with a Phase 1 Preliminary Risk Assessment Report for potential ground contamination for written approval. The report shall be prepared by a suitably qualified competent person and be sufficient to identify any and all potential sources of ground contamination affecting any part of the development site. Thereafter, depending on the outcome of Phase 1, a proposal for any Phase 2 (intrusive) survey that may be required shall be presented to and agreed with the planning authority. Where remediation of any part of the site is found to be required, a remediation scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of any necessary quality assurance, verification and certification requirements in accordance with established best practice. The construction phase of the development shall be carried out in accordance with the agreed details and, where relevant, verification reports and completion certificates shall be submitted for the written approval of the local planning authority.

Reason:

To ensure that risks from land contamination to future users of the land and neighbouring land, together with those to controlled waters, property and ecological systems are identified and, where necessary, remediated in accordance with the National Planning Policy Framework and Policy DM01 and DM02 of the adopted Local Plan.

11. Should any suspected contamination of ground or groundwater not previously identified be discovered during development of the site, the Local Planning Authority shall be contacted immediately. Site activities within that sub-phase or part thereof shall be temporarily suspended until such time as a procedure for addressing the contamination is agreed upon with the Local Planning Authority or other regulating bodies.

Reason:

To ensure that any contamination exposed during development is remediated in accordance with the National Planning Policy Framework and Policy DM01 and DM02 of the adopted Local Plan.

12. In order to ensure that nearby residents are not unreasonably affected by dust, noise or other impacts during the demolition and construction phase of the development, I recommend the following conditions be included on any permission:

- Construction Environmental Management Plan Condition

Prior to the commencement of development, including any demolition, site clearance, groundworks or construction (save such preliminary or minor works that the Local Planning Authority may agree in writing), a Construction Environmental Management Plan (CEMP) to manage the impacts of demolition and construction during the life of the works shall be submitted in writing for the approval of the Local Planning Authority. For the avoidance of doubt and where relevant, the CEMP shall include:-

- a) measures for identifying, removing and safely dealing with any asbestos containing materials;
- b) details of control measures for addressing fugitive dust from demolition, earthworks and construction activities; dust suppression;
- c) a noise control plan which details hours of operation and proposed mitigation measures;
- d) specified parking for vehicles associated with the development works and the provision made for access thereto;
- e) the times within which traffic can enter and leave the site;
- f) details of measures to prevent mud contaminating public footpaths and roads;
- g) arrangements for materials deliveries, storage and waste materials removals;
- h) a point of contact (such as a Construction Liaison Officer/site manager) and details of how complaints will be addressed.

The details so approved and any subsequent amendments as shall be agreed in writing by the Local Planning Authority shall be complied with in full and be monitored by the applicants to ensure continuing compliance throughout the development.

Reason:

To minimise the impact of the works during the construction of the development in the interests of highway safety and to safeguard the amenities of local residents from potential impacts whilst site clearance, groundworks and construction is underway having regard to Policy DM01 and DM02 of the adopted Local Plan.

NOTE

The existing buildings are of an age where asbestos containing materials (ACMs) may have been used in their construction or subsequent modification. The buildings should be surveyed for ACMs prior to conversion / demolition by a suitably qualified

person in order to protect site workers and public health. Where found, ACMs must be dealt with and be disposed of in accordance with asbestos regulations and health and safety guidance. The results of the survey should be referenced within the Construction Environmental Management Plan along with any requirements for dealing with ACMs prior to construction works commencing.

13. Prior to any development above damp proof course being undertaken a scheme setting out how the development demonstrates attributes of Crime Prevention through Environmental Design shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed scheme.

Reason:

In the interests of minimising Anti Social Behaviour and negative impacts on the vitality of the Town Centre having regard to Policy DM01 and DM04 of the adopted Local Plan.

NOTE

Reference should be made to the consultation response of the Designing Out Crime Officer dated 23 March 2023.

14. Prior to the development hereby approved being brought into first use, the biodiversity net gains 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.

15. The refuse and cycle storage facilities shown on the approved plans shall be provided on site prior to the first occupation of any of the development hereby approved being brought in to first use.

Reason:

In the interests of amenity and sustainability having regard to Policy DM01, DM04 and DM06 of the adopted Local Plan.

16. Drainage conditions.

17. Prior to the commencement of development including any demolition works a Site Waste Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason:-

To minimise waste generation having regard to Policy W4 of the Waste Local Plan.

NOTE

Devon County Council has published a Waste Management and Infrastructure SPD that provides guidance on the production of Waste Audit Statements. This includes a template set out in Appendix B, a construction, demolition and excavation waste checklist (page 14) and an operational waste checklist (page 17). Following the guidance provided in the SPD will enable the applicant to produce a comprehensive waste audit statement that is in accordance with Policy W4: Waste Prevention of the Devon Waste Plan. This can be found online at:

[https://www.devon.gov.uk/planning/planning-policies/minerals-andwastepolicy/supplementary-planning document](https://www.devon.gov.uk/planning/planning-policies/minerals-andwastepolicy/supplementary-planning-document).

Informatives

1. 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.

2. As the proposed works affect / are in close proximity to the boundary with a neighbouring property, this decision does not convey any other form of consent or agreement that may be necessary in conjunction with these works and does not override or supersede any civil rights, which the neighbour may have. The attention of the applicant is drawn to the information contained in the Guide to the Party Wall etc. Act 1996 booklet. Copies available from the Communities and Local Government website www.communities.gov.uk/publications/planningandbuilding/partywall.
3. A Natural England bat licence will be required prior to works commencing.
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 settlement policy, housing. Design, heritage, ecology, highways and flood risk.

INSERTS

Site Location Plan