

Application Report

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

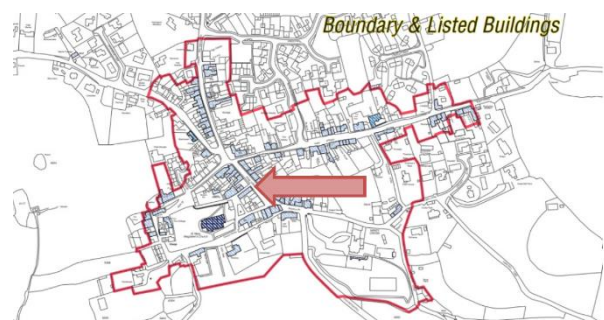
Application No:	76972
Application Type:	Listed Building Consent
Application Expiry:	1 June 2023
Extension of Time Expiry:	
Publicity Expiry:	26 May 2023
Parish/Ward:	CHULMLEIGH/CHULMLEIGH
Location:	Town Hall Fore Street Chulmleigh Devon EX18 7BR
Proposal:	Application for listed building consent for installation of acoustic insulation to underside of first floor above front hall
Agent:	Mr Kevin Davies
Applicant:	Mr Sweeney
Planning Case Officer:	Mrs D. Butler
Departure:	N
EIA Development:	
EIA Conclusion:	Development is outside the scope of the Regulations.
Decision Level/Reason for Report to Committee (If Applicable):	Committee – Cllr Davies is the agent for the application.

Site Description

Chulmleigh Town Hall is a Grade II listed building located on Fore Street (the High Street) in the centre of Chulmleigh and within the Conservation Area. The building dates back to 1846 with some later alterations. The Town Hall is a two-storey property which features a rendered front gable end, otherwise un-rendered stone rubble elevations with brick dressings. The roof is slated and the windows are sash type.



Location Plan



Location within Conservation Area



Exterior of building



Exterior of building

Recommendation

Approved

Legal Agreement Required: No

Planning History

Reference Number	Proposal	Decision	Decision Date
18157	Listed Building Application Proposed installation of Christmas tree /hanging basket bracket at Town Hall, Fore Street, Chulmleigh, EX17 7BR	Full Planning Approval	11 January 1994
38358	External & internal alterations to improve disabled access including removal of door-steps, refurbished toilets, refurbished kitchens & installation of lift at Chulmleigh Town Hall, Fore Street, Chulmleigh, EX18 7BR	Full Planning Approval	3 December 2004
38359	Listed Building Application for external & internal alterations to improve disabled access including removal of door-steps, refurbished toilets, refurbished kitchens & installation of lift at Chulmleigh Town Hall, Fore Street, Chulmleigh, EX18 7BR	LB (Execution Works) Approval	3 December 2004
60747	Siting of one non illuminated sign at Town Hall, Fore Street, Chulmleigh, Devon, EX18 7BR	Advert Approval	29 April 2016
60855	Listed Building Application for siting of one non illuminated sign at Town Hall, Fore Street, Chulmleigh, Devon, EX18 7BR	LB (Execution Works) Approval	29 April 2016

Constraints/Planning Policy

Constraint / Local Plan Policy	Distance (Metres)
Advert Control Area Area of Special Advert Control	Within constraint
Ancient Woodland: DARTRIDGE WOOD Ancient & Semi-Natural Woodland	193.36
Burrington Radar Safeguard Area consultation required for: All buildings, structures, erections & works exceeding 45 metres in height.	Within constraint
Class II Road	
Conservation Area: 12 Chulmleigh Adopted 13/12/2011;	Within constraint
Landscape Character is: 3A Upper Farmed & Wooded Valley Slopes	Within constraint
Listed Building Adjacent: EH Ref	16.53
Listed Building Curtilage (Adjacent to)	17.69
Listed Building: EH Ref	Within constraint
Unclassified Road	
USRN: 27502032 Road Class:B Ownership: Highway Authority	5.36
USRN: 27502046 Road Class:Q Ownership: Private	1.45
Within adopted Development Boundary: Chulmleigh DM04	Within constraint
Within Adopted Unesco Biosphere Transition (ST14)	Within constraint
Conservation Area: CHULMLEIGH	
DM07 - Historic Environment ST01 - Principles of Sustainable Development ST15 - Conserving Heritage Assets	

Consultees

Name	Comment
Chulmleigh Parish Council	Chulmleigh Parish Council wishes to recommend approval of this application.
Reply Received 21 April 2023	
Councillor K Davies	Cllr Davies is acting applicant for this application and as such no comments have been received.
Heritage & Conservation Officer	I do not consider that this proposal will cause harm to the significance of the heritage asset.
Reply Received 28 April 2023	
The Forestry Commission	No comments received.

Neighbours / Interested Parties

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

No representations received.

Considerations

Proposal Description

This application seeks listed building consent for the installation of acoustic insulation to underside of first floor above front hall.

Planning Considerations Summary

- Heritage impact
- Ecology

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.

Section 16 of the Listed Building Act, in considering whether to grant listed building consent for any works the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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.

Heritage Impact

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

The building a Grade II listed structure which dates back to 1846. The building is described as having a long, narrow rectangular plan, built gable end to street, the front and right side formerly open at ground floor level but which are now infilled.

The proposal is to fix an acoustic ceiling to the underside of the first floor above the Lower Hall (approx. 34m²). The acoustic ceiling is to be installed below the existing floor construction and comprises: nominal 60mm x 50mm battens with 50mm acoustic sound batts between by Knauf or equivalent to receive 12.5mm Soundbloc plasterboard skimmed and painted.

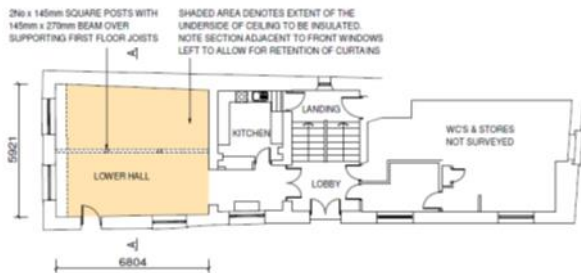


Lower Hall

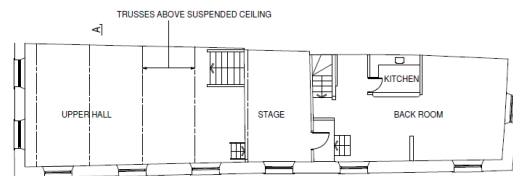


Upper Hall

The internal appearance will remain very similar to that which exists. The existing floor construction is to be retained. There would not be any changes to the exterior of the building.

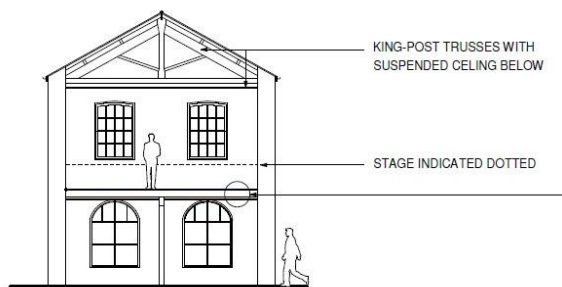


Proposed lower floor



FIRST FLOOR PLAN

No changes to first floor



Section proposed

FLOOR CONSTRUCTION RETAINED:
FLOOR BOARDS ON 200mm x 60mm JOISTS @ 440mm CTS WITH 145mm x 270mm BEAM UNDER MID-SPAN AND 2No x 145mm SQUARE POSTS. LATH & PLASTER CEILING TO UNDERSIDE OF JOISTS WITH PAINTED PAPER FINISH

ACOUSTIC CEILING TO BE INSTALLED BELOW THE EXISTING FLOOR CONSTRUCTION TO COMPRISE:
NOMINAL 60mm x 50mm BATTENS WITH 50mm ACOUSTIC SOUND BATTS BETWEEN BY KNAUF OE TO RECEIVE 12.5mm SOUNBLOC PLASTERBOARD SKIMMED AND PAINTED



ACOUSTIC CEILING DETAIL 1:20

Acoustic ceiling detail

The Heritage Officer has advised that she does not consider the proposal to cause harm to the significance of the Heritage Asset. Due to the minimal impact on the listed building and moderate scale of the proposed works the development is considered to comply with policies ST15 and DM07.

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).

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

The wildlife trigger list does not generate the requirement for a wildlife survey as there will not be any works to the roof.

Conclusion

The overall scale, design and materials of the proposed works would protect the historic core of the main building and would not harm any features of significance. The application is considered to accord with the adopted development plan. Approval of the application is therefore recommended subject to the imposition of planning conditions.

Human Rights Act 1998

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

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

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

Recommendation

Approved

Legal Agreement Required: No

Conditions

1. This Listed Building Consent is granted subject to the condition that the works to which it relates must be begun not later than the expiration of three years beginning with the date on which the Consent is granted.

Reason :

The time limit condition is imposed in order to comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans/details:
2707 RDJWL ZZ ZZ DR A 0025 C1 Proposed Plans, Section & Elevations received on the 06/04/23
2707-RDJWL- XX-XX-DR-A-0015 C1 Location Plan received on the 06/04/2023 ('the approved plans').

Reason:

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

Informatives

1. INFORMATIVE NOTE: -

The Planning [Listed Buildings and Conservation Areas] [England] [Amendment] Regulations 2003

SUMMARY OF REASONS FOR THE DECISION TO GRANT LISTED BUILDING CONSENT.

The Local Planning Authority considers that listed building consent should be granted as it does not consider that permitting the proposed works would conflict with its duty under Section 16 of The Planning [Listed Buildings and Conservation Areas] Act 1990 to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.