

Application Report

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



Application No:	78668
Application Type:	Listed Building Consent
Application Expiry:	18 June 2024
Extension of Time Expiry:	
Publicity Expiry:	13 June 2024
Parish/Ward:	BARNSTAPLE/BARNSTAPLE CENTRAL
Location:	Old Town Station North Walk Barnstaple Devon EX31 1DF
Proposal:	Installation of 5 no. hardwood, double glazed opening casement windows, in the platform area of the building
Agent:	North Devon Council
Applicant:	North Devon Council
Planning Case Officer:	Mrs B. Coles
Departure:	N
EIA Development:	
EIA Conclusion:	Development is outside the scope of the Regulations.
Decision Level/Reason for Report to Committee (If Applicable):	Committee Building owned by North Devon District Council

Site Description

The site is the former Barnstaple Railway Station Building dating from c.1898 and is a grade II listed building situated in the centre of Barnstaple close to the river and fronting onto Castle Street. The building is single storey and constructed of square and courses stone rubble with stone window and door surrounds. The site has a pitched roof covered with slate tiles with red ridge tiles with chimneys at each end. To the front is a 12 window range with two doorways the main of which is accessed via rounded stone steps. To the rear is a canopy on iron trusses and a modern glazed conservatory.

The site is situated within the Barnstaple Town Centre Conservation Area.



South Elevation (river facing)



West Elevation



East Elevation



Front Elevation (north facing)

Recommendation

Approved

Legal Agreement Required: No

Planning History

Reference Number	Proposal	Decision	Decision Date
14344	PROPOSED CONVERSION OF EXISTING BASEMENT TO FORM STAFF ACCOMMODATION. at GANGES RESTAURANT, OLD TOWN RAILWAY	FULL PLANNING REFUSAL	24 September 1991

Reference Number	Proposal	Decision	Decision Date
	STATION, NORTH WALK, BARNSTAPLE, DEVON, EX31 1DF		
14345	LISTED BUILDING APPLICATION PROPOSED CONVERSION OF EXISTING BASEMENT TO FORM STAFF ACCOMMODATION. at GANGES RESTAURANT, OLD TOWN RAILWAY STATION, NORTH WALK, BARNSTAPLE, DEVON, EX31 1DF	FULL PLANNING REFUSAL	24 September 1991
19399	LISTED BUILDING APPLICATION PROPOSED NON-ILLUMINATED SIGNS TO REPLACE EXISTING SIGNS. at OLD TOWN STATION, CASTLE STREET, BARNSTAPLE, EX31 1DF	FULL PLANNING APPROVAL	27 September 1994
24712	PROPOSED CONVERSION OF FORMER RESTAURANT TO FORM OFFICES at OLD TOWN STATION, CASTLE STREET, BARNSTAPLE, EX31 1DR	FULL PLANNING APPROVAL	26 January 1998
24713	LISTED BUILDING APPLICATION PROPOSED CONVERSION OF FORMER RESTAURANT TO FORM OFFICES at OLD TOWN STATION, CASTLE STREET, BARNSTAPLE, EX31 1DR	FULL PLANNING APPROVAL	26 January 1998
27245	APPLICATION UNDER REGULATION 3 OF THE T & C P GENERAL REGULATIONS 1992 NOTIFICATION BY DEVON COUNTY COUNCIL IN RESPECT OF CONSTRUCTION OF CYCLEWAY FROM THE RIVER YEO TO COMMERCIAL ROAD INCLUDING THE PROVISION OF A CYCLE/PEDESTRIAN SWING BRIDGE ACROSS THE MOUTH OF THE RIVER YEO at RIVER YEO TO COMMERCIAL ROAD, NORTH WALK, BARNSTAPLE, EX31 1EA	INDICATE APPROVAL	16 July 1999
28895	LISTED BUILDING APPLICATION IN RESPECT OF CONVERSION OF EXISTING RESTAURANT TO FORM SUPPLEMENTARY TEACHING ACCOMMODATION & COMMUNITY CENTRE at OLD TOWN STATION, CASTLE QUAY COURT, , , BARNSTAPLE, EX31 1TS	DCC - RECOMMEND APPROVAL	8 June 2000
28896	APPLICATION UNDER REGULATION 3 OF THE T & C P GENERAL REGULATIONS 1992 NOTIFICATION BY DEVON COUNTY COUNCIL IN RESPECT OF CONVERSION OF	DCC APPROVAL	27 March 2001

Reference Number	Proposal	Decision	Decision Date
	EXISTING RESTAURANT TO FORM SUPPLEMENTARY TEACHING ACCOMMODATION & COMMUNITY CENTRE at , OLD TOWN STATION, CASTLE STREET, , , BARNSTAPLE, EX311TS		
35353	LISTED BUILDING APPLICATION IN RESPECT OF SITING OF NON-ILLUMINATED SIGNS at PATHFIELD SPECIAL SCHOOL -TOWN STATION, NORTH WALK, BARNSTAPLE, DEVON, EX311DF	LB (EXECUTION WORKS) APPROVAL	15 September 2003
75672	Listed building consent for Internal alterations at Old Town Railway Station North Walk Barnstaple Devon EX31 1DF	Withdrawn Invalid	26 August 2022
75878	Listed Building consent for creation of 3 office spaces in existing internal space at Old Town Railway Station North Walk Barnstaple Devon EX31 1DF	Approved	3 November 2022

Constraints/Planning Policy

Constraint / Local Plan Policy	Distance (Metres)
Adopted Existing Strategic Footpath/Cycleway:Whiddon Drive	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
Conservation Area: 5 Barnstaple-Town Centre Adopted 20/04/2010;	Within constraint
Land is potentially contaminated, site was used for:Railways, Is ranked:MEDIUM, Year:1890	Within constraint
Land is potentially contaminated, site was used for:Railways, Is ranked:MEDIUM, Year:1905	Within constraint
Land is potentially contaminated, site was used for:Railways, Is ranked:MEDIUM, Year:1932	Within constraint
Land is potentially contaminated, site was used for:Railways, Is ranked:MEDIUM, Year:1938	Within constraint

Constraint / Local Plan Policy	Distance (Metres)
Land is potentially contaminated, site was used for:Railways, Is ranked:MEDIUM, Year:1964	Within constraint
Landscape Character is: 7 Main cities and towns	Within constraint
Listed Building Adjacent: 1488.0 EH Ref 1385099 Barnstaple Town Station including railings and gates at north end, Castle Street (south west side), Barnstaple	Within constraint
Listed Building: 1488.0 EH Ref 1385099 Barnstaple Town Station including railings and gates at north end, Castle Street (south west side), Barnstaple	Within constraint
Public Right of Way: Footpath 204FP29	0.01
Risk of flooding from: Wistlandpound, reservoir with risk level High-risk	Within constraint
USRN: 27500897 Road Class: Q Ownership: Private	6.36
USRN: 27500913 Road Class: R Ownership: Highway Authority	5.59
USRN: 27501050 Road Class: C Ownership: Highway Authority	14.74
USRN: 27504152 Road Class: G Ownership: Highway Authority	0.76
USRN: 27505364 Road Class: YFP Ownership: Highway Authority	0.01
Within adopted Development Boundary: Barnstaple North Development Boundary DM04	Within constraint
Within Adopted Unesco Biosphere Transition (ST14)	Within constraint
Within Braunton Burrows Zone of Influence	Within constraint
Within Flood Zone 2	Within constraint
Within Flood Zone 3	Within constraint
Within:, SSSI 500M Buffer in North Devon,consider need for AQIA if proposal is for anaerobic digester without combustion plant	Within constraint
Within:, SSSI 5KM Buffer in North Devon,consider need for AQIA if proposal is for anaerobic digester without combustion plant	Within constraint
Within: Braunton Burrows, SAC 10KM Buffer if agricultural development consider need for AQIA	Within constraint
SSSI Impact Risk Consultation Area	Within constraint
Listed Building Grade II	
Conservation Area: BARNSTAPLE. TOWN CENTRE	
DM07 – Historic Environment	
ST15 – Conserving Heritage Assets	

Consultees

Name	Comment
Barnstaple Town Council	Resolved to approve.

Name	Comment
Reply Received	
Councillor S Jusef	No comments received.
Reply Received	
Heritage & Conservation Officer	I do not consider that this proposal will cause harm to the significance of the heritage asset.
Reply Received 30 May 2024	
Sustainability Officer	No comments received.
Reply Received 5 June 2024	

Neighbours / Interested Parties

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

No neighbour representations have been received and no comments following the display of the site notice.

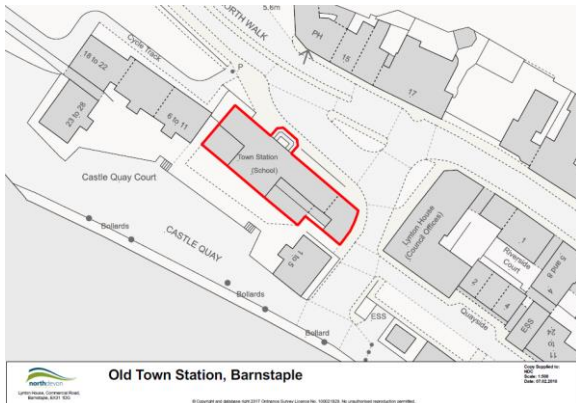
Considerations

Proposal Description

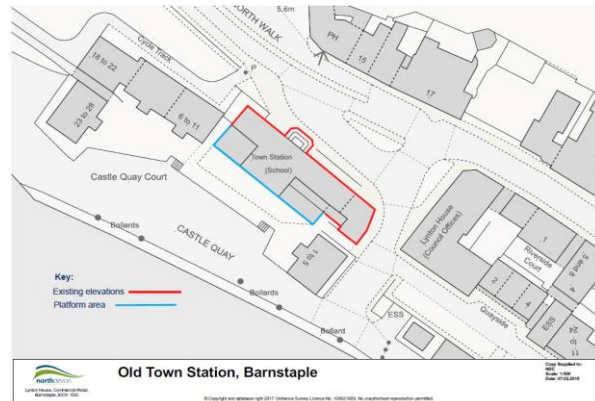
This application seeks listed building consent for the replacement of 5 no. timber windows within a modern glazed structure to the south of the Grade II listed Old Town Station building. The glazed structure covers the former platform and provides additional internal space.

The proposed opening casement windows will allow for passive ventilation of the glazed structure to enable this part of the building to be in use all year round given its south facing aspect.

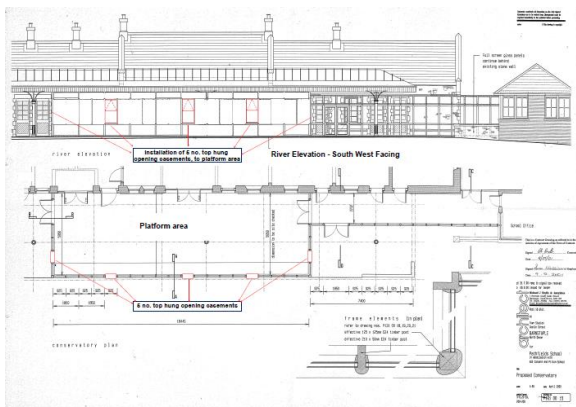
The windows will be constructed from hardwood timber and the existing double glazed units will be removed from the frame and the new casements installed into these openings. The proposed windows will be double glazed as existing and painted in a dark green colour to match existing.



Location Plan



Block Plan



Elevations Proposed



Site Photograph

Planning Considerations Summary

- Impact on Heritage Assets
- Ecology

Planning Considerations

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.

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.

Consideration is also given to consultee comments and on this matter comments from Barnstaple Town Council at the time of preparation of the report are not available but will be noted at Committee.

Impact on Heritage Assets

Consideration is given to Policies ST15 Conserving Heritage Assets and DM07 Historic Environment of the NDTLP both of which have as a fundamental objective that proposals will be supported which conserve and enhance heritage assets and their settings. These policies are compliant with the statutory duty under Section 16 of the Listed Building Act 1990 as detailed above which requires decision takers to have special regard to the need to ensure proposals preserve and enhance the architectural and historic features of listed buildings.

The heritage considerations of the Local Plan accords with the aims and objectives of the National Planning Policy Framework (NPPF). In particular, 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'.

The main planning issue is therefore whether the proposed window repair and replacement with like for like materials will achieve these aims.

It is not considered that this minor proposal will have a significant or detrimental impact upon the site, or its setting. The works comprise of the replacement of modern windows which will fit into the existing frames using hardwood timber which will be painted dark green to match existing which will not impact upon the original building or effect its character.

The Heritage and Conservation Officer has been consulted regarding the proposal, who has commented as follows:

I do not consider that this proposal will cause harm to the significance of the heritage asset.

It is therefore considered that the above proposal meets the requirements of Local Plan policies and the statutory duties referred to above by preserving the building.

Ecology

Given the minor nature of the proposed works it is not anticipated that the proposal will impact upon the existing ecology associated with the site.

Conclusion

The application is considered to accord with the adopted development plan and duties detailed above. Approval of the application is therefore recommended subject to the imposition of 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 works hereby permitted shall be carried out in accordance with the following approved plans/details:

NDC001 Location Plan received on the 23/04/24

P131 00 15A Proposed Elevations received on the 15/05/24

NDC002 Joinery Details received on the 23/04/24
NDC003 Block Plan received on the 23/04/24
NDC002 Photos of SE & NW Elevations received on the 23/05/24
(‘the approved plans’).

Reason:

To ensure the works are carried out in accordance with the approved plans in the interests of the heritage asset.

Informatives

1. This decision does not give or convey any form of consent to any other works other than those specified in the submitted and approved drawings / schedule of works or the alteration or removal of any fixtures or fittings which may require separate specific listed building consent. If any other such works are intended the applicant is advised to contact the Local Planning Authority for advice before commencing these on site.
2. The submitted drawings have been numbered as set out in condition 2. Please refer to the planning application tracker on the District Council's website to view the drawings and their allocated numbers, <http://planning.northdevon.gov.uk/search.asp>
3. 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.