

# **Application Report**

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



**Application No:** 78722  
**Application Type:** Listed Building Consent  
**Application Expiry:** 6 September 2024  
**Extension of Time Expiry:** 6 September 2024  
**Publicity Expiry:** 26 June 2024  
**Parish/Ward:** SOUTH MOLTON/SOUTH MOLTON  
**Location:** Pannier Market  
Broad Street  
South Molton  
Devon  
EX36 3AB  
**Proposal:** Listed Building Consent for replacement of 4 rooflights & a ridge rooflight together with replacement of 2 hoppers & downpipes  
**Agent:** David Wilson Partnership  
**Applicant:** South Molton Town Council  
**Planning Case Officer:** Miss D. Martin  
**Departure:** N  
**EIA Development:**  
**EIA Conclusion:** Development is outside the scope of the Regulations.  
**Decision Level/Reason for Report to Committee (If Applicable):** Committee – Agent is a Councillor

## **Site Description**

The Pannier Market occupies a central position in South Molton, and is very much an important part of the life of the town.

It was erected in 1863 and was by the Exeter architect W F Cross. The front elevation is a carefully composed assemblage of ashlar stone with classical detailing, including a rusticated base with three arched entrances, three first floor windows to the New Assembly Room above and a balustraded parapet. The ram's head keystones to the arches have been suggested to refer to the importance of the wool trade in the region.

## **Recommendation**

**APPROVED**

Legal Agreement Required: No

## **Planning History**

<b>Reference Number</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision Date</b>
<b>19829</b>	PROPOSED FORMATION OF NEW ACCESS TO EXISTING FLAT. at 7 BROAD STREET, SOUTH MOLTON, EX36 3AB	FULL PLANNING APPROVAL	5 January 1995
<b>19830</b>	LISTED BUILDING APPLICATION PROPOSED FORMATION OF NEW ACCESS TO EXISTING FLAT. at 7 BROAD STREET, SOUTH MOLTON, EX36 3AB	FULL PLANNING APPROVAL	5 January 1995
<b>27969</b>	LISTED BUILDING APPLICATION IN RESPECT OF INSTALLATION OF 1 NO. SECURITY BOLLARD AT EACH ENTRANCE OF THE PANNIER MARKET TOGETHER WITH REMOVAL OF MIDDLE SPEED RAMP (AMENDED DESCRIPTION & PLANS) at PANNIER MARKET, , BROAD STREET, SOUTH MOLTON, EX363AB	LB (EXECUTION WORKS) APPROVAL	6 March 2000
<b>28268</b>	LISTED BUILDING APPLICATION IN RESPECT OF SITING OF NON ILLUMINATED HERITAGE TRAIL PLAQUE at SOUTH MOLTON PANNIER MARKET, BROAD STREET, SOUTH MOLTON, EX363AB	LB (EXECUTION WORKS) APPROVAL	13 June 2000
<b>28272</b>	LISTED BUILDING APPLICATION IN RESPECT OF SITING OF NON ILLUMINATED HERITAGE TRAIL PLAQUE at SOUTH MOLTON TOWN HALL, 5 BROAD STREET, SOUTH MOLTON, EX363AB	LB (EXECUTION WORKS) APPROVAL	13 June 2000
<b>28646</b>	SITING OF FREE STANDING NON - ILLUMINATED DISPLAY BOARD at PANNIER MARKET, BROAD STREET, SOUTH MOLTON, EX363AB	ADVERT APPROVAL	22 June 2000
<b>28647</b>	LISTED BUILDING APPLICATION SITING OF FREE STANDING NON-ILLUMINATED DISPLAY BOARD at PANNIER MARKET, BROAD STREET, SOUTH MOLTON, EX363AB	LB (EXECUTION WORKS) APPROVAL	22 June 2000
<b>32318</b>	CONVERSION OF 1 NO. FLAT TO FORM 2 NO. FLATS at , 6 BROAD STREET, , , SOUTH MOLTON, EX363AB	FULL PLANNING APPROVAL	20 February 2002
<b>32325</b>	LISTED BUILDING APPLICATION IN RESPECT OF CONVERSION OF 1 NO FLAT TO FORM 2 NO FLATS at , 6 BROAD STREET, , , SOUTH MOLTON, EX363AB	LB (EXECUTION WORKS) APPROVAL	20 February 2002
<b>32321</b>	LISTED BUILDING APPLICATION IN RESPECT OF ALTERATIONS TO	LB (EXECUTION WORKS) APPROVAL	20 March 2002

Reference Number	Proposal	Decision	Decision Date
	BUILDING INCLUDING RE-ROOFING at SOUTH MOLTON TOWN HALL, 5 BROAD STREET, , SOUTH MOLTON, EX363AB	N WORKS) APPROVAL	
40701	LISTED BUILDING APPLICATION FOR INSTALLATION OF 3 EXTERNAL LIGHTS at BOUNDARY WALL TO FOOTPATH/ALLEY, MARKET STREET, SOUTH MOLTON, EX363DX	LB (EXECUTION WORKS) APPROVAL	20 December 2005
41133	LISTED BUILDING APPLICATION FOR EXTERNAL REPAIR & DECORATION at THE GUILDHALL, BROAD STREET, SOUTH MOLTON, EX363AB	LB (EXECUTION WORKS) APPROVAL	13 January 2006
41420	CONSTRUCTION OF VEHICLE LOADING PLATFORM WITH CANOPY (SOUTHLEY ROAD ELEVATION), REMOVAL OF PUBLIC PARKING, FORMATION OF PEDESTRIAN ENTRANCE WITH CANOPY (MARKET STREET ELEVATION) & LANDSCAPING TO SOUTHERN END OF SITE at SOUTH MOLTON PANNIER MARKET, BROAD STREET, SOUTH MOLTON, EX363AB	WITHDRAWN	19 January 2006
41421	LISTED BUILDING APPLICATION FOR CONSTRUCTION OF VEHICLE LOADING PLATFORM WITH CANOPY (SOUTHLEY ROAD ELEVATION), REMOVAL OF PUBLIC PARKING, FORMATION OF PEDESTRIAN ENTRANCE WITH CANOPY (MARKET STREET ELEVATION), LANDSCAPING TO SOUTHERN END OF SITE & INTERNAL ALTERATIONS at THE GUILDHALL & PANNIER MARKET, BROAD STREET, SOUTH MOLTON, EX363AB	WITHDRAWN	19 January 2006
42255	LISTED BUILDING APPLICATION FOR MODIFICATION & UPGRADE OF FIRE EXIT at SOUTH MOLTON & DISTRICT MUSEUM, THE GUILDHALL, SOUTH MOLTON, EX363AB	LB (EXECUTION WORKS) APPROVAL	21 November 2006
44769	LISTED BUILDING APPLICATION FOR DEMOLITION OF REDUNDANT PETROL PUMP HOUSE at TOWN HALL & PANNIER MARKET, BROAD STREET, SOUTH MOLTON, EX363AB	LB (EXECUTION WORKS) APPROVAL	13 September 2007
45973	LISTED BUILDING APPLICATION FOR INTERNAL WORKS at SOUTH MOLTON TOWN HALL, 5 BROAD STREET, SOUTH MOLTON, EX363AB	LB (EXECUTION WORKS) APPROVAL	12 May 2008

<b>Reference Number</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision Date</b>
<b>46577</b>	LISTED BUILDING APPLICATION FOR DEMOLITION OF CONCRETE BLOCK WALL & REMOVAL OF 3 WOODEN DOORS at SOUTH MOLTON TOWN HALL & PANNIER MARKET, BROAD STREET, SOUTH MOLTON, EX363AB	LB (EXECUTION WORKS) APPROVAL	23 July 2008
<b>48258</b>	APPROVAL OF DETAILS RESERVED BY CONDITION 4 (REPAIR & DECORATION TECHNIQUES) ATTACHED TO LISTED BUILDING CONSENT 41133 at THE GUILDHALL, BROAD STREET, SOUTH MOLTON, EX363AB	Approved	8 May 2009
<b>50636</b>	LISTED BUILDING APPLICATION FOR REFURBISHMENT OF KITCHEN INCLUDING INSTALLATION OF ROOF MOUNTED EXTRACT DUCT at SOUTH MOLTON TOWN HALL, BROAD STREET, SOUTH MOLTON, DEVON, EX36 3AB	LB (EXECUTION WORKS) APPROVAL	16 August 2010
<b>51757</b>	LISTED BUILDING APPLICATION FOR REPLACEMENT OF LIFT & OTHER INTERNAL WORKS at SOUTH MOLTON TOWN HALL, 5 BROAD STREET, SOUTH MOLTON, DEVON, EX36 3AB	LB (EXECUTION WORKS) APPROVAL	28 March 2011
<b>52434</b>	LISTED BUILDING APPLICATION FOR REMOVAL OF CONCRETE WALL & 3 DOORS & FORMING A LEVEL FLOOR at TOWN HALL PANNIER MARKET, BROAD STREET, SOUTH MOLTON, DEVON, EX36 3AB	LB (EXECUTION WORKS) APPROVAL	1 August 2011
<b>52492</b>	LISTED BUILDING CONSENT IN RESPECT OF ERECTION OF CAFE KIOSK at PANNIER MARKET, 5 BROAD STREET, SOUTH MOLTON, DEVON, EX36 3AB	LB (EXECUTION WORKS) APPROVAL	16 August 2011
<b>59956</b>	LISTED BUILDING APPLICATION IN RESPECT OF CREATION OF MARKET HOLDER STORAGE UNITS at PANNIER MARKET, BROAD STREET, , , SOUTH MOLTON, DEVON, EX36 3AB	LB (EXECUTION WORKS) APPROVAL	9 November 2015
<b>60490</b>	LISTED BUILDING APPLICATION FOR REPAIR & PARTIAL REPLACEMENT OF ASSEMBLY ROOM ROOF TOGETHER WITH REPAIRS & WORKS TO MARKET HALL ROOF at PANNIER MARKET & ASSEMBLY ROOMS, BROAD STREET, , , SOUTH MOLTON, DEVON, EX36 3AB	LB (EXECUTION WORKS) APPROVAL	8 February 2016
<b>60792</b>	LISTED BUILDING APPLICATION FOR INSTALLATION OF NEW ENTRANCE	LB (EXECUTION	20 April 2016

Reference Number	Proposal	Decision	Decision Date
	GATES & ALTERATIONS TO WC'S at MARKET AND ASSEMBLY ROOMS, BROAD STREET, , , SOUTH MOLTON, DEVON, EX36 3AB	N WORKS) APPROVAL	
62132	APPROVAL OF DETAILS IN RESPECT OF DISCHARGE OF CONDITION 4 (LADDER DETAILS) ATTACHED TO PLANNING PERMISSION 60490 at PANNIER MARKET, BROAD STREET, , , SOUTH MOLTON, DEVON, EX36 3AB	DISCHARGE OF CONDITION APPROVE	29 November 2016
66422	SITING OF ONE INTERNALLY ILLUMINATED ATM FACIA, ONE INTERNALLY ILLUMINATED ATM SURROUND & ONE INTERNALLY ILLUMINATED FASCIA SIGN ABOVE ATM at PANNIER MARKET, BROAD STREET, , SOUTH MOLTON, , DEVON,	FULL PLANNING APPROVAL	28 June 2019
66425	LISTED BUILDING APPLICATION FOR THE INSTALLATION OF ONE ATM & ONE SECURITY PANEL at PANNIER MARKET, BROAD STREET, SOUTH MOLTON, , DEVON,	LB (EXECUTION WORKS) APPROVAL	28 June 2019

### **Constraints/Planning Policy**

Constraint / Local Plan Policy	Distance (Metres)
Adjacent to Conservation Area: 30 South Molton Adopted 09/12/2008;	Within constraint
Advert Control Area Area of Special Advert Control	Within constraint
Advert Control Area South Molton	Within constraint
Burrington Radar Safeguard Area consultation required for: All buildings, structures, erections & works exceeding 90 metres in height.	Within constraint
Conservation Area: 30 South Molton Adopted 09/12/2008;	Within constraint
Landscape Character is: 7 Main cities and towns	Within constraint
Listed Building Adjacent: 440.0 EH Ref 1106865 Nos. 2 and 3 (no. 3), Broad Street (south side), South Molton	14.03
Listed Building Adjacent: 441.0 EH Ref 1325703 4, Broad Street (south side), South Molton	3.48
Listed Building Adjacent: 442.0 EH Ref 1106866 Guild Hall (including Borough Museum), Broad Street (south side), South Molton	Within constraint
Listed Building Adjacent: 443.0 EH Ref 1317914 Public Market and Assembly Room, Broad Street (south side), South Molton	Within constraint
Listed Building Adjacent: 452.0 EH Ref 1106867 Nos. 6 and 7 (no. 6), Broad Street (south side), South Molton	Within constraint

<b>Constraint / Local Plan Policy</b>	<b>Distance (Metres)</b>
Listed Building Adjacent: 453.0 EH Ref 1106867 Nos. 6 and 7 (no. 7), Broad Street (south side), South Molton	7.27
Listed Building Adjacent: 454.0 EH Ref 1164132 No. 8, Broad Street (south side), South Molton	13.80
Listed Building Curtilage (Adjacent to)	17.79
Listed Building Curtilage (within)	Within constraint
Listed Building: 442.0 EH Ref 1106866 Guild Hall (including Borough Museum), Broad Street (south side), South Molton	Within constraint
Listed Building: 443.0 EH Ref 1317914 Public Market and Assembly Room, Broad Street (south side), South Molton	Within constraint
Listed Building: 452.0 EH Ref 1106867 Nos. 6 and 7 (no. 6), Broad Street (south side), South Molton	Within constraint
Public Right of Way:Footpath 257FP33	0.87
Use Class: - A1a - Sale of goods (other than hot food)	Within constraint
Use Class: - A2a - Financial services (banks and building societies)	Within constraint
Use Class: - D1e - Museum	Within constraint
Use Class: - SG - Sui Generis	Within constraint
USRN: 27501557 Road Class:B Ownership: Highway Authority	4.92
USRN: 27502150 Road Class:R Ownership: Highway Authority/Private	14.11
USRN: 27504085 Road Class:G Ownership: Highway Authority	1.33
USRN: 27506247 Road Class:YFP Ownership: Highway Authority	0.87
Within adopted Development Boundary: South Molton Development Boundary DM04	Within constraint
Within Adopted District Centre: South Molton Town Centre	Within constraint
Within Adopted Unesco Biosphere Transition (ST14)	Within constraint
Within:Exmoor Heaths, SAC 10KM Buffer if agricultural development consider need for AQIA	Within constraint
SSSI Impact Risk Consultation Area	Within Constraint
Listed Building Grade: 2*	
Conservation Area: SOUTH MOLTON	
DM07 - Historic Environment	
DM08 - Biodiversity and Geodiversity	
ST15 - Conserving Heritage Assets	

### **Consultees**

<b>Name</b>	<b>Comment</b>
Councillor D Worden	No response received
Reply Received	
Councillor M Bushell	No comment received

Name	Comment
Reply Received	
Councillor P Bishop	No comment received
Reply Received	
DCC - Public Rights Of Way	No comment received
Reply Received	
Georgian Group	No comment received
Reply Received	
Heritage & Conservation Officer	This work is evidently necessary, and will not result in the loss of any historic fabric. The proposed new elements are better designed, and should have a longer lifespan than the existing system. I am therefore happy to support this application.
Reply Received 4 June 2024	
Historic England	No comment received
Reply Received 28 May 2024	
South Molton Town Council	The property referred to in this application belongs to South Molton Town Council therefore no resolution was made. However the Councillors did comment that the works are essential to preserve the fabric and safety of the building.
Reply Received 5 June 2024	
SPAB	No comment received
Reply Received	
The Twentieth Century Society	No comment received
Reply 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**

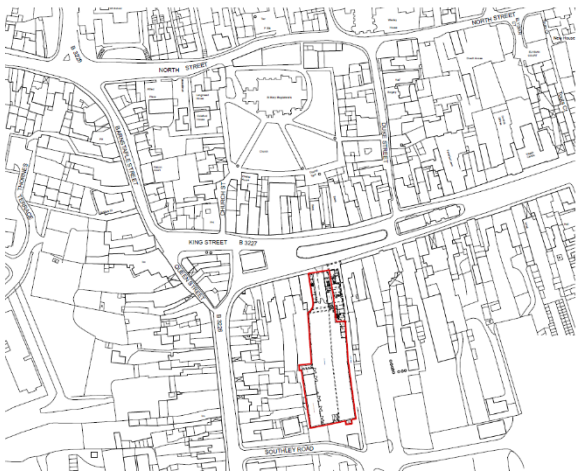
#### **Proposal Description**

This application seeks detailed Listed Building Consent for replacement of 4 roof lights & a ridge roof light together with replacement of 2 hoppers & downpipes.

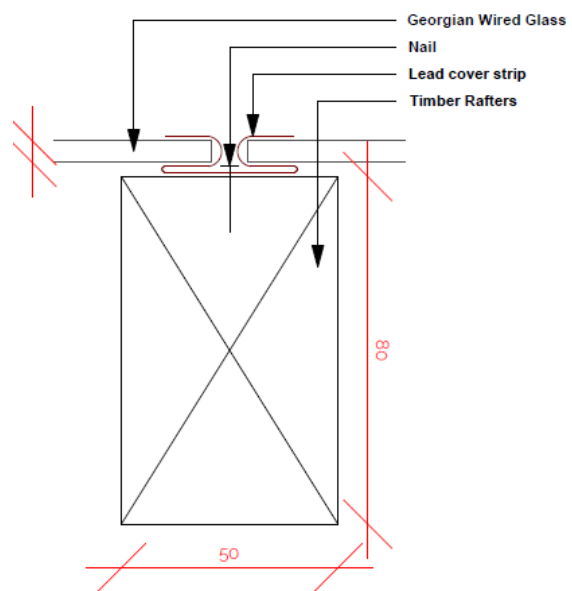
Lynton House, Commercial Road, Barnstaple EX31 1DG | [www.northdevon.gov.uk](http://www.northdevon.gov.uk)

The justification is set out in the submitted Design & Access Statement and include:

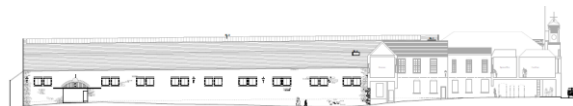
- The roof over the main market hall has been suffering from water ingress for some time and repair works have been undertaken in the past, most significantly in 2016, however the problem of water ingress has persisted, causing disruption to and anxiety amongst the market's traders.
- Goods and stalls being damaged by water leaks
- The existing hoppers and downpipes cannot cope with the amount of rain water run-off which then in turn deteriorates the external walls
- Proposed new hoppers and downpipes (these will be of same material but 100mm instead of 70mm)
- Patent glazing – renew full length of patent glazing roof lights along the length of the market hall. = The existing patent glazing is leaking badly and has reached the end of its life.



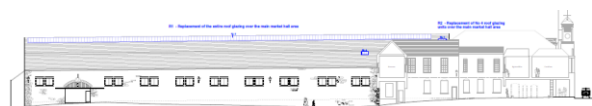
Location Plan



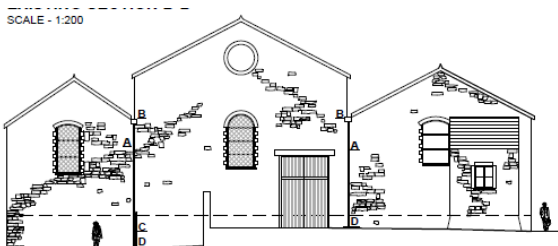
Existing patent glazing detail



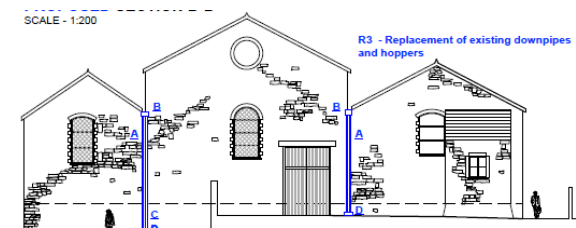
Existing East Elevation



Proposed East Elevation



Existing South Elevation



Proposed South Elevation

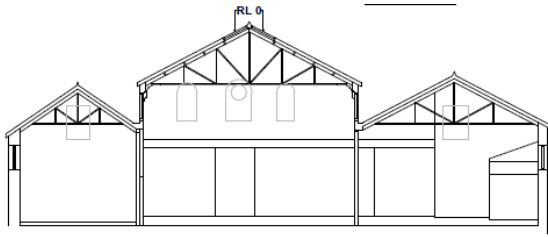




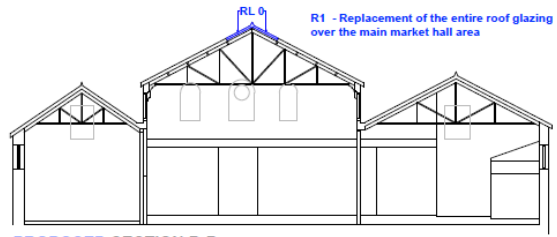
Existing Section AA



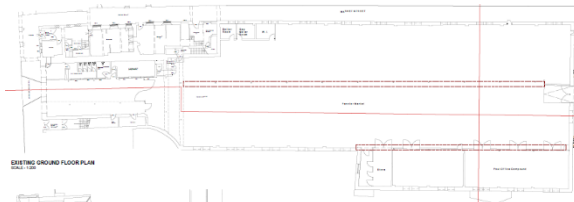
Proposed Section AA



Existing Section BB



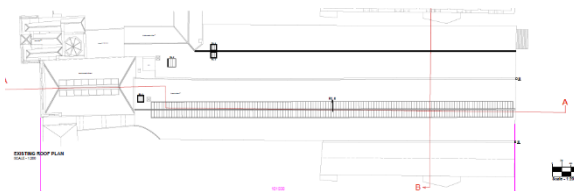
Proposed Section BB



Existing Ground Floor Plan



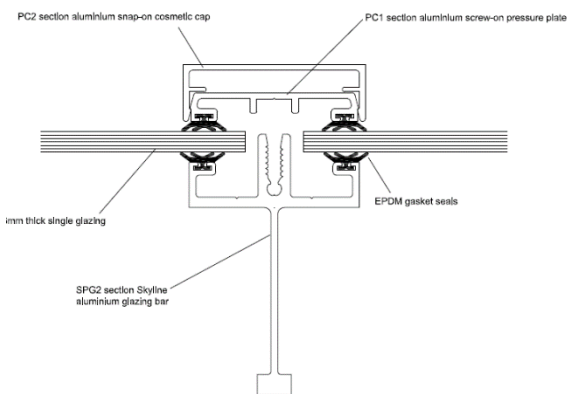
Proposed Ground Floor Plan



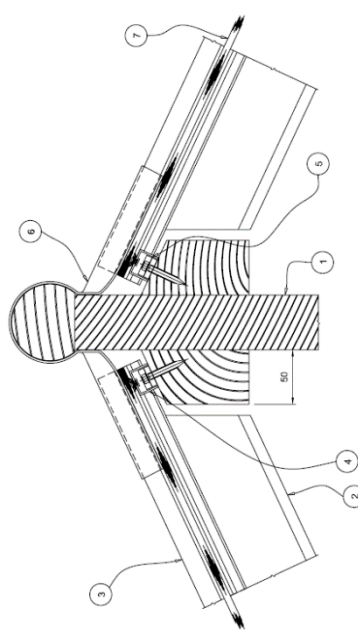
Existing Roof Plan



Proposed Roof Plan

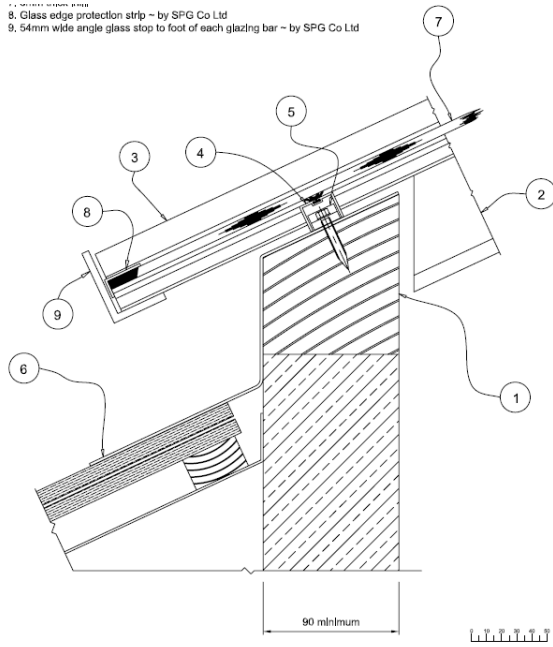


Skyline SPG2 type Glazing Bar Single Glazed

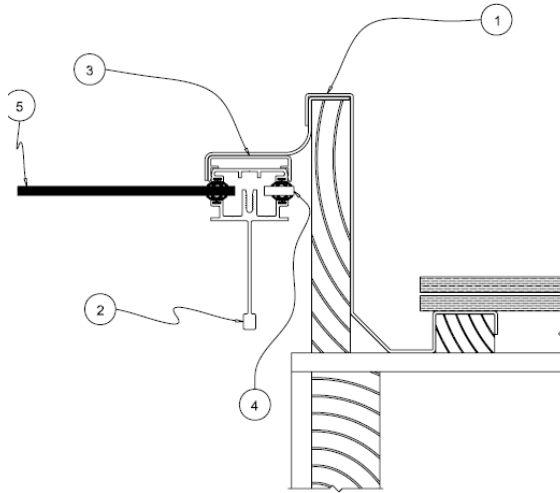


Skyline Single Glazing Ridge Detail 8

8. Glass edge protection strip – by SPG Co Ltd  
 9. 54mm wide angle glass stop to foot of each glazing bar – by SPG Co Ltd



Skyline Single Glazing Eaves Detail 12



Skyline Single Glazing Verge Detail 13



Front Elevation and internal Photographs



## **Planning Considerations Summary**

- Impact on Heritage Assets
- Ecology

## **Planning Considerations**

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.

## **Impact on Heritage Assets**

Policy DM07 (Historic Environment) of the NDTLP states 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 enhancement, then minimising and mitigating any harm.

Policy ST15 (Conserving Heritage Assets) of the NDTLP states great weight will be given to the desirability of preserving and enhancing northern Devon's historic environment by: conserving the historic dimension of the landscape; conserving cultural, built, historic and archaeological features of national and local importance and their settings, including those that are not formally designated; identifying and protecting locally important buildings that contribute to the area's local character and identity; and increasing opportunities for access, education and appreciation of all aspects of northern Devon's historic environment, for all sections of the community.

Conservation and Heritage Officer Comments:

*"This work is evidently necessary, and will not result in the loss of any historic fabric. The proposed new elements are better designed, and should have a longer lifespan than the existing system. I am therefore happy to support this application."*

This proposal is considered to improve the existing structure through the use of better design for the roof lights, hoppers and downpipes which will help preserve and enhance the historic asset.

In conclusion the proposal complies with Policies DM07 and ST15 of the North Devon & Torridge Local Plan.

### **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).

Policy DM08 (Biodiversity and Geodiversity) of the NDTLP requires development should conserve, protect and, where possible, enhance biodiversity and geodiversity interests and soils commensurate with their status and giving appropriate weight to their importance.

Policy ST14 (Enhancing Environmental Assets) of the NDTLP aims to protect and enhance northern Devon's natural environment by ensuring that development contributes to providing a net gain in biodiversity where possible.

The proposed works will have no impact on the existing ecology circumstances and therefore complies with DM08, ST14 of the North Devon & Torridge Local Plan.

### **Conclusion**

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

### **Human Rights Act 1998**

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

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

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

### **Recommendation**

Legal Agreement Required: No

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:

1553.01P1 Location Plan received on the 02/05/24

1553.05P1 Proposed Ground Floor, Sections And Elevations received on the 02/05/24

SS 1020 Skyline SPG2 Glazing Bar received on the 02/05/24

SS 2510 Single Glazing Ridge detail 8 received on the 02/05/24

SS3510 Single Glazing Eaves detail 12 received on the 02/05/24

SS5520 Single Glazing Verge detail 13 received on the 02/05/24

('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 development hereby approved shall be constructed in accordance with the following schedule of external finishing materials:

Roof light - Patent Glazing made with laminated glass units jointed with extruded aluminium glazing bars

Rainwater goods - Black Cast Iron

Reason:

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

## **Informatives**

1. 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>

2. 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.

<b>Recommendation Date</b>	<b>Case Officer</b>	<b>Lead Officer</b>	<b>Admin</b>	<b>Check</b>
		TB		