

Application Report

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



Application No:	78753
Application Type:	Full Application
Application Expiry:	6 September 2024
Extension of Time Expiry:	6 September 2024
Publicity Expiry:	15 August 2024
Parish/Ward:	BARNSTAPLE/BARNSTAPLE CENTRAL
Location:	Bridge Chambers The Strand Barnstaple Devon EX31 1HB
Proposal:	Proposed refurbishment & alterations to the mixed use building to include the change of use of office space to ancillary food/ drink area on ground floor
Agent:	David Wilson Partnership
Applicant:	Gemma Williams
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 Part of the site is situated on NDDC owned Land

Site Description

The site is a prominent Grade II Listed Building situated adjacent to the river Taw and situated adjacent to the Grade I Listed Long Bridge which is the main vehicle route into Barnstaple Town Centre. The site is also adjacent to nearby listed buildings which include Barnstaple Museum to the south east and Bridge Buildings to the north east.

The building is set over 2 storeys with attic accommodation and part was originally used as the county court, for meetings auction sales. The building dates from 1872 and comprises of yellow brick with limestone detail, slate covered roofs with crested red ridge tiles, 4 chimneys and 2 internal courtyard areas. On the river facing elevation is a large canted bay window rising above the general roof line and with a hipped roof. Off-centre to left is a window set in a shallow projection with a dormer gable on top. Windows are mostly plain with moulded stone lintels, but those in the canted bay have pointed arches.

On the side wall, facing North is 4 similar windows in upper storey and 4 large segmental-headed windows in ground storey. On centre of roof ridge is an octagonal fleche with Gothic windows, gargoyle and a weather vane. The best feature of the rest of the building is a single-storeyed structure with a curved front, set into the SE corner facing the Square. It has a range of 5 pointed arches springing from square columns with foliated stone capitals, the feet of the arches decorated with a dragon and other creatures. Above it, set back, is a square turret with a steeply-pitched roof.

Lynton House, Commercial Road, Barnstaple EX31 1DG | www.northdevon.gov.uk

INTERIOR: very plain, including the staircases. The exception is the former hall which has an arch-braced roof with patterned ceiling, the trusses springing from gigantic carved stone corbels. Hooded stone chimneypiece in early medieval style.

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



North West Elevation



South West Elevation

Recommendation

Approved

Legal Agreement Required: No

Planning History

Reference Number	Proposal	Decision	Decision Date
78752	Listed Building application for proposed refurbishment & alterations to the mixed use building to include the change of use of office space to ancillary food/ drink area on ground floor at Bridge Chambers The Strand Barnstaple Devon		
13684	LISTED BUILDING APPLICATION PROPOSED REFURBISHMENT OF THE OLD COURT HALL INC. CONSTRUCTION OF MEZZANINE FLOOR. at CHANTER FERGUSON, BRIDGE CHAMBERS, THE STRAND, BARNSTAPLE, DEVON, EX31 1HB	FULL PLANNING APPROVAL	21 May 1991
21896	PROPOSED BLOCKING UP EXISTING EXTERNAL DOORWAY TOGETHER WITH INTERNAL ALTERATIONS (AMENDED ADDRESS) at BRIDGE CHAMBERS - CHANTER FERGUSON, THE STRAND, BARNSTAPLE, EX311HF	FULL PLANNING APPROVAL	17 May 1996

Reference Number	Proposal	Decision	Decision Date
21897	LISTED BUILDING APPLICATION PROPOSED BLOCKING UP EXISTING EXTERNAL DOORWAY TOGETHER WITH INTERNAL ALTERATIONS (AMENDED ADDRESS) at BRIDGE CHAMBERS - CHANTER FERGUSON, THE STRAND, BARNSTAPLE, EX311HF	FULL PLANNING APPROVAL	17 May 1996
22982	PROPOSED INSTALLATION OF CCTV CAMERA at BRIDGE TRUST, BRIDGE CHAMBERS, THE STRAND, BARNSTAPLE, EX311EU	FULL PLANNING APPROVAL	28 February 1997
22983	LISTED BUILDING APPLICATION PROPOSED INSTALLATION OF CCTV CAMERA at BRIDGE TRUST, BRIDGE CHAMBERS, THE STRAND, BARNSTAPLE, EX311EU	FULL PLANNING APPROVAL	28 February 1997
25411	LISTED BUILDING APPLICATION PROPOSED FIXING OF PERMANENT MOSAIC WITHIN BRIDGE HALL DEPICTING PERIODS OF HISTORY OF BARNSTAPLE at BRIDGE CHAMBERS, THE STRAND, BARNSTAPLE, EX311EU	FULL PLANNING APPROVAL	8 July 1998
26917	APPLICATION UNDER REGULATION 3 OF THE T & C P GENERAL REGULATIONS 1992 IN RESPECT OF PROPOSED CONVERSION OF EXISTING BUS STATION OFFICES TO FORM CAFE, TOILETS AND SHOP TOGETHER WITH FORMATION OF AMENITY AREA WITH ASSOCIATED WORKS (ADDITIONAL INFORMATION) at BUS STATION, THE STRAND, BARNSTAPLE, EX311EU	FULL PLANNING APPROVAL	14 September 1999
26918	LISTED BUILDING APPLICATION PROPOSED CONVERSION OF EXISTING BUS STATION OFFICES TO FORM CAFE, TOILETS AND SHOP TOGETHER WITH FORMATION OF AMENITY AREA WITH ASSOCIATED WORKS at BUS STATION, THE STRAND, BARNSTAPLE, EX311EU	G.O.S.W. APPROVAL	14 September 1999
26919	LISTED BUILDING APPLICATION PROPOSED WORKS IN CONNECTION WITH CONVERSION OF BUS STATION TO CREATE AMENITY AREA AND ASSOCIATED WORKS INCLUDING DELINEATION OF THE GREAT QUAY WITH ASSOCIATED HARD AND SOFT LANDSCAPING at BUS STATION &	G.O.S.W. APPROVAL	14 September 1999

Reference Number	Proposal	Decision	Decision Date
	LAND ADJ QUEEN ANNES WALK, THE STRAND, BARNSTAPLE, EX311EU		
29469	LISTED BUILDING APPLICATION IN RESPECT OF INTERNAL ALTERATIONS at THE RIVERFRONT CAFÉ, THE STRAND, , , BARNSTAPLE, EX311EU	LB (EXECUTION WORKS) APPROVAL	17 August 2000
29669	ERECTION OF 4 NO. NON-ILLUMINATED FASCIA SIGNS (AMENDED DESCRIPTION) at THE RIVERFRONT CAFÉ, THE STRAND, , , BARNSTAPLE, EX311EU	ADVERT APPROVAL	16 October 2000
29670	LISTED BUILDING APPLICATION IN RESPECT OF ERECTION OF 4 NO. NON-ILLUMINATED FASCIA SIGNS (AMENDED DESCRIPTION) at THE RIVERFRONT CAFÉ, THE STRAND, , , BARNSTAPLE, EX311EU	LB (EXECUTION WORKS) APPROVAL	16 October 2000
30611	RESITING OF EXTERNAL PIER, WALL & RAILINGS AT NW CORNER OF BUILDING at BRIDGE CHAMBERS, THE STRAND, , , BARNSTAPLE, EX311EU	FULL PLANNING APPROVAL	14 March 2001
30612	LISTED BUILDING APPLICATION IN RESPECT OF RESITING OF EXTERNAL PIER, WALL & RAILINGS AT NW CORNER OF BUILDING at BRIDGE CHAMBERS, THE STRAND, , , BARNSTAPLE, EX311EU	LB (EXECUTION WORKS) APPROVAL	14 March 2001
32020	LISTED BUILDING APPLICATION IN RESPECT OF REPLACEMENT & ALTERATIONS TO WINDOWS & FIRE PRECAUTION WORKS INCLUDING INSTALLATION OF FIRE ALARM SYSTEM & UPGRADING OF FIRE DOORS at BRIDGE CHAMBERS, THE STRAND, , , BARNSTAPLE, EX311EU	LB (EXECUTION WORKS) APPROVAL	11 December 2001
34569	LISTED BUILDING APPLICATION IN RESPECT OF INTERNAL ALTERATIONS TO FORM OFFICES at BRIDGE CHAMBERS, THE STRAND, , , BARNSTAPLE, DEVON, EX31 1EU	LB (EXECUTION WORKS) APPROVAL	10 March 2003
34655	CHANGE OF USE OF FIRST FLOOR OFFICES TO FORM TEACHING ROOMS TOGETHER WITH THE REMOVAL OF 2 NO. MODERN STUD WALLS at BRIDGE CHAMBERS, THE STRAND, , , BARNSTAPLE, DEVON, EX31 1HB	FULL PLANNING APPROVAL	20 March 2003
34656	LISTED BUILDING APPLICATION IN RESPECT OF CHANGE OF USE OF FIRST FLOOR OFFICES TO FORM	LB (EXECUTION	20 March 2003

Reference Number	Proposal	Decision	Decision Date
	TEACHING ROOMS TOGETHER WITH THE REMOVAL OF 2 NO. MODERN STUD WALLS at BRIDGE CHAMBERS, THE STRAND, , BARNSTAPLE, DEVON, EX31 1HB	N WORKS) APPROVAL	
35158	LISTED BUILDING APPLICATION IN RESPECT OF INTERNAL ALTERATIONS TO FORM DISABLED TOILET at BRIDGE CHAMBERS, THE SQUARE, BARNSTAPLE, EX311HB	LB (EXECUTION WORKS) APPROVAL	2 June 2003
35621	INTERNAL ALTERATIONS TO GROUND FLOOR TO REMOVE STUD WALL TO COMBINE 2 NO. ROOMS AND REMOVAL OF STUD WALL TO PROVIDE ACCESS TO KITCHEN at BRIDGE CHAMBERS, THE STRAND, BARNSTAPLE, DEVON, EX311HB	LB (EXECUTION WORKS) APPROVAL	21 July 2003
48824	LISTED BUILDING APPLICATION FOR SITING OF REPLACEMENT HERITAGE TRAIL PLAQUE at BRIDGE CHAMBERS, THE STRAND, BARNSTAPLE, EX311EU	LB (EXECUTION WORKS) APPROVAL	15 September 2009
49506	RETROSPECTIVE LISTED BUILDING APPLICATION FOR ERECTION OF BOILER FLUE & TV AERIAL at BRIDGE CHAMBERS, THE STRAND, BARNSTAPLE, DEVON, EX31 1HB	LB (EXECUTION WORKS) APPROVAL	3 February 2010
49627	APPLICATION FOR A CERTIFICATE OF LAWFUL DEVELOPMENT FOR AN EXISTING STAINLESS STEEL CHIMNEY FLUE at BRIDGE CHAMBERS, THE STRAND, BARNSTAPLE, DEVON, EX31 1HB	CERT. OF LAWFULNESS ISSUED	18 March 2010
50335	LISTED BUILDING APPLICATION FOR ERECTION OF SIGN at BRIDGE CHAMBERS, 6 THE STRAND, BARNSTAPLE, DEVON, EX31 1HB	LB (EXECUTION WORKS) APPROVAL	6 August 2010
53315	REPAIR OF UNSTABLE CHIMNEY STACK at BRIDGE CHAMBERS, BARNSTAPLE, DEVON, EX31 1HB	LB (EXECUTION WORKS) APPROVAL	3 February 2012

Constraints/Planning Policy

Constraint / Local Plan Policy	Distance (Metres)
Adopted Existing Strategic Footpath/Cycleway: Whiddon Drive	Within constraint
Advert Control Area Barnstaple	Within constraint

Constraint / Local Plan Policy	Distance (Metres)
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
Crown Estates Registered Title	3.11
Historic Landfill Buffer	Within constraint
Landscape Character is: 7 Main cities and towns	Within constraint
Listed Building Adjacent: 1478.0 EH Ref 1384979 Long Bridge, Barnstaple	2.77
Listed Building Adjacent: 1480.0 EH Ref 1385366 Bridge Chambers, including garden railings adjoining the river front, The Strand (south west side), Barnstaple	Within constraint
Listed Building Adjacent: 353.0 EH Ref 1385355 Nos. 1-7 (consecutive) Bridge Buildings (1), The Square (north west side), Barnstaple	10.16
Listed Building Adjacent: 3854.0 EH Ref 1385355 Nos. 1-7 (consecutive) Bridge Buildings (2), The Square (north west side)	11.32
Listed Building Adjacent: 3855.0 EH Ref 1385355 Nos 1-7 (Consecutive) Bridge Buildings (3), The Square (north west side)	10.16
Listed Building Adjacent: 3856.0 EH Ref 1385355 Nos 1-7 (consecutive) Bridge Buildings (4), The Square (north west side)	11.32
Listed Building Curtilage (Adjacent to)	Within constraint
Listed Building Curtilage (within)	Within constraint
Listed Building: 1480.0 EH Ref 1385366 Bridge Chambers, including garden railings adjoining the river front, The Strand (south west side), Barnstaple	Within constraint
Public Right of Way: Footpath 204FP32	1.11
Risk of flooding from: Wistlandpound, reservoir with risk level High-risk	Within constraint
USRN: 27501028 Road Class: R Ownership: Highway Authority	5.28
USRN: 27501146 Road Class:A Ownership: Highway Authority	11.46
USRN: 27501147 Road Class: C Ownership: Highway Authority	4.08
USRN: 27502140 Road Class:A Ownership: Highway Authority	9.93
USRN: 27504152 Road Class: G Ownership: Highway Authority	1.23
USRN: 27505368 Road Class: YFP Ownership: Highway Authority	1.12
Within adopted Development Boundary: Barnstaple North Development Boundary DM04	Within constraint
Within Adopted Unesco Biosphere Transition (ST14)	Within constraint

Constraint / Local Plan Policy	Distance (Metres)
Within Braunton Burrows Zone of Influence	Within constraint
Within Flood Zone 2	Within constraint
Within Flood Zone 3	Within constraint
Within Surface Water 1 in 1000	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: 2	
Conservation Area: BARNSTAPLE, TOWN CENTRE	
DM01 - Amenity Considerations DM04 - Design Principles DM05 - Highways DM06 - Parking Provision DM07 - Historic Environment DM08 - Biodiversity and Geodiversity DM19 - Town and District Centres ST12 - Town and District Centres ST14 - Enhancing Environmental Assets ST15 - Conserving Heritage Assets	

Consultees

Name	Comment
Barnstaple Town Council Reply Received 11 July 2024	RECOMMENDATION: To approve this application but wished to raise concern about the lack of parking management and enforcement in the "No Stopping" area along the Strand. This a particular problem outside the Bridge Chambers, where parked cars force pedestrians into the carriageway and asked that measures to mitigate this matter be explored with the Highway Authority, such as bollards to prevent parking. (5 for 1 abstain).
Councillor S Jusef Reply Received 13 August 2024	No comments received.
DCC - Development Management Highways Reply Received 18 July 2024	PLANNING APPLICATION – HIGHWAY CONSULTATION REPLY APPLICATION NUMBER: 78753 APPLICANT: Gemma Williams DETAILS OF APPLICATION: Proposed refurbishment & alterations to the mixed use building to include the change of use of office space to ancillary food/ drink area on ground floor LOCATION: Bridge Chambers The Strand Barnstaple Devon EX31 1HB

Name	Comment
	<p>Observations:</p> <p>The Strand is subject to Traffic Regulation Order prohibiting traffic from using this one way road between 10am and 4pm, and also between 10pm and 3am. Parking is also banned at all times, however this does allow deliveries and 'blue badge holders' to park, at times when it is allowed to drive along the road.</p> <p>The proposal will result in an increase in deliveries for food/drinks and also those associated with performances, such as band equipment. Deliveries will have to be planned to be only between 4pm and 10pm or 3am and 10am, or organised for vehicles to park elsewhere and walk the delivery to the site.</p> <p>While there are often issues illegal parking on The Strand, the proposal will not make this worse, and the applicant can not be held responsible for illegal activities of drivers who choose to disobey the Traffic Regulation Order.</p> <p>The proposed level of use is not likely to be significantly more than the extant use, or result in an unacceptable impact on highway safety.</p> <p>Recommendation: THE DIRECTOR OF CLIMATE CHANGE, ENVIRONMENT AND TRANSPORT, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, HAS NO OBJECTION TO THE PROPOSED DEVELOPMENT</p>
<p>DCC - Public Rights Of Way</p> <p>Reply Received 13 August 2024</p>	<p>No comments received.</p>
<p>Environmental Health Manager</p> <p>Reply Received 10 July 2024</p>	<p>I have reviewed this application in relation to Environmental Protection matters.</p> <p>I have no objection.</p> <p>Advisory Note: Asbestos</p> <p>The existing building is of an age where asbestos containing materials (ACMs) may be present. The building should be surveyed for the possible presence of ACMs by a suitably qualified person prior to commencing any works that might disturb these materials. Where present, ACMs must be dealt with in accordance with asbestos regulations and health and safety guidance.</p>
<p>Heritage & Conservation Officer</p>	<p>Reply Received 15 July 2024</p> <p>We have discussed the various proposals for this significant grade II listed building at some length, during the pre-application phase, and I am happy to say that the plans reflect those discussions.</p> <p>There are some alterations which do involve some loss of historic fabric, but these are not in the most significant areas, and the changes will allow the building as a whole to be far better used and appreciated than it is at present, so there is considerable public</p>

Name	Comment
	<p>benefit attached. The proposed alterations have been carefully considered and designed to respect the fabric wherever possible, which is welcomed.</p> <p>It is worth noting that the Heritage Statement is well researched and evidenced, and is fully informative without being overly wordy. Thank you for this!</p> <p>We will need to see further details of some areas as the scheme progresses. These will include section drawings for the new windows and doors on the NW elevation, a long section through the ground floor area under the main chamber showing how the floor levels are to be altered, a detail of the jib door, and details of any attachments (i.e. ramp/steps, railings) to the listed building on the area adjacent the cafe.</p> <p>15/08/2024</p> <p>Thank you for sending through the amended drawings. I confirm that they do provide the information I was seeking, and I have no further issues with this scheme.</p>
<p>Natural England</p> <p>Reply Received 13 August 2024</p>	<p>No comments received.</p>
<p>Sustainability Officer</p> <p>Reply Received 3 July 2024</p>	<p>No comment</p>

Neighbours / Interested Parties

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

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

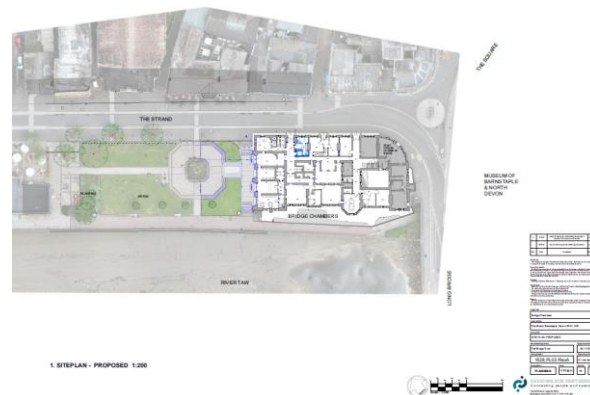
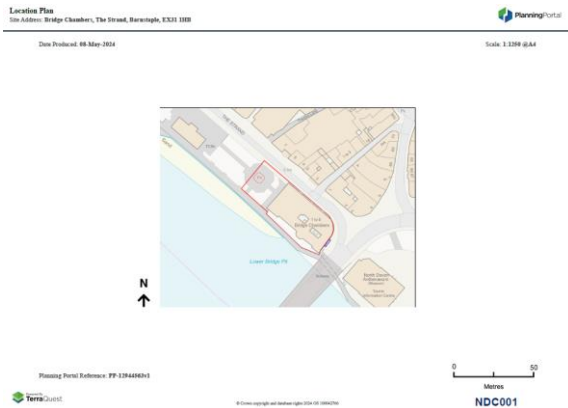
Considerations

Proposal Description

This application seeks detailed planning permission for the erection of a paved access ramp adjacent to the north west facing elevation of a grade II listed building which is proposed to provide level access into the building. The ramp will be situated approximately 0.5 metres in height and will extend along most of the length of the north west elevation providing steps from the north and south with simple chrome handrails fitted and a paved sloped ramp from the landscaped area to the west which will join the ramp to

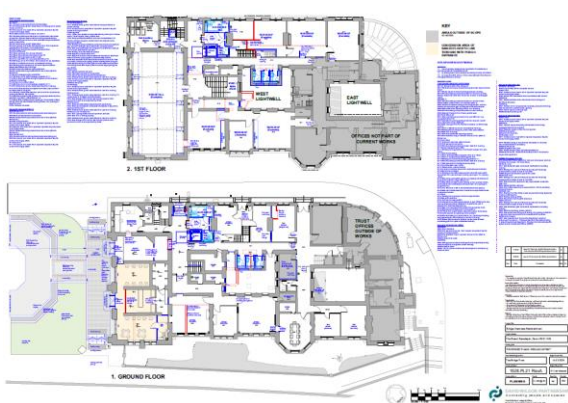
provide full access. The sloped ramp will have a width measuring 3.80 metres with a masonry edge and the ramp adjacent to the building will have a width of 3.30 metres.

All internal and external works proposed to the building will be considered under 78752 Listed Building Consent for the site which seeks to modify the building to provide rentable office space and a café/bar on the ground floor and bookable workshop space and hall on the first floor and in so doing will improve greater community use of the prominent listed building.

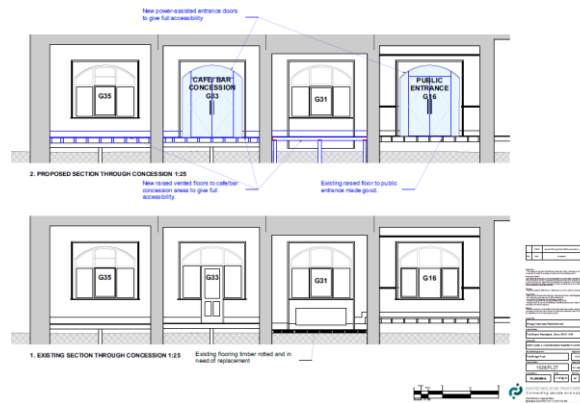


Location Plan

Site Plan Proposed



Proposed Floors



Proposed West Elevation

Principle of Development

The site is situated within Barnstaple Town and is a prominent Grade II listed building. The proposal seeks to carry out internal alterations to the site with some minor external additions. Consideration will be given to the proposal with specific regard to the impact of the proposed works on the heritage asset and its setting within the Barnstaple Conservation Area where Policies ST15 and DM07 apply together with Design – DM04, Amenity DM01 and Ecology – DM08 and ST14.

Policies ST12 and DM19 seeks to increase the vitality of town centre locations and will support leisure, community and residential proposal which seek to encourage such.

Planning Considerations Summary

- Design and Heritage
- Town Centre Impact
- Amenity
- Ecology
- Flood Risk and Drainage
- Highways and Parking

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.

Design and Heritage

The external alterations proposed to the grade II listed building include a raised pedestrian access with steps and a linked sloped access. More significant works are proposed internally with the removal of modern partitions and insertion of new dividing walls and openings and lift shaft.

It is considered that the external alterations proposed will not be impactful nor detrimental to the heritage asset due to their minor nature and as such accords with Policy DM04.

The site is situated within the Barnstaple Conservation Area and is in close proximity to other grade II listed buildings. 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.

The main planning issue is therefore whether the proposed alterations to the site achieve these aims.

The Heritage and Conservation officer has been consulted regarding this proposal and the comments made are as follows:

Lynton House, Commercial Road, Barnstaple EX31 1DG | www.northdevon.gov.uk

“We have discussed the various proposals for this significant grade II listed building at some length, during the pre-application phase, and I am happy to say that the plans reflect those discussions. There are some alterations which do involve some loss of historic fabric, but these are not in the most significant areas, and the changes will allow the building as a whole to be far better used and appreciated than it is at present, so there is considerable public benefit attached. The proposed alterations have been carefully considered and designed to respect the fabric wherever possible, which is welcomed. It is worth noting that the Heritage Statement is well researched and evidenced, and is fully informative without being overly wordy. Thank you for this!

We will need to see further details of some areas as the scheme progresses. These will include section drawings for the new windows and doors on the NW elevation, a long section through the ground floor area under the main chamber showing how the floor levels are to be altered, a detail of the jib door, and details of any attachments (i.e. ramp/steps, railings) to the listed building on the area adjacent the cafe.

15/08/2024

Thank you for sending through the amended drawings. I confirm that they do provide the information I was seeking, and I have no further issues with this scheme.”

It is considered the proposal will secure community use of the building with minimal impact on the fabric of the property and as such will not be detrimental to the heritage asset and its setting within the conservation area and nearby listed buildings. The proposal is considered to meet the heritage policies and statutory duties detailed above preserving the heritage asset.

Town Centre Impact

The proposal seeks minor external works and more significant internal works to enable an improved and diverse community space. The site is situated within the town centre of Barnstaple.

Barnstaple is recognised as the largest centre delivering the greatest range of convenience and service options in northern Devon which reflects its status as a Sub-regional Centre. Policy ST12, to which the site is adjacent, seeks to ensure that the role of Barnstaple is sustained and enhanced with retail, leisure, office and cultural facilities being supported and residential, community and health services will be encouraged to achieve a mix of facilities for active town centres.

Policy DM19 seeks to increase the viability and vitality of town centres and will support leisure, community and residential proposals subject to:

- a. The retention and enhancement of the Town and District Centre historic character;
- b. the proposed development being readily accessible by sustainable transport modes, and;
- c. the effective use of the upper floor is maintained and secured.

The proposal will not have a significant impact upon the external appearance of the site with most changes being of a minor internal nature. Being situated within Barnstaple Town

Centre the site is in a sustainable location and is accessible by public transport and safe walking and cycling routes.

The use of the site will provide a diverse range of community uses and will likely attract people into the town centre during the day and evening which is seen as beneficial to the town as a whole given it will support existing retail/leisure uses and as such meets the requirements of Policies ST12 and DM19 as detailed above

Amenity

The site is situated within Barnstaple Town Centre area with nearby buildings comprising of Bridge Buildings with flats at first floor and above and also neighbouring restaurant and fast food takeaway with accommodation above situated on the opposite side of The Strand.

The works external to the site are minor which include the development of a low level access ramp. The site is a tall, prominent building which exceeds the height of neighbouring buildings and it is not considered that the proposal will lead to any overlooking, privacy or harm. The use will continue a community function and could lead to attracting more visitors to the site however, restaurants, a public house takeaway food outlets and cafes are all situated in close proximity which attract visitors during the day and into the evening and as such the community use and café/bar proposed will not differ significantly to the current uses in the area and as such will not significantly impact upon the amenity of neighbouring occupiers and as such the proposal is considered to meet the requirements of Policy DM01.

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).

The Sustainability Officer has been consulted however, no formal comments of concern have been raised. The proposal consists of mainly internal works with only the proposed north west access ramp forming development. The ramp will be situated over an existing hard surface and the proposal will include upgrading the existing hard and soft landscape but retaining the design and layout as existing with no loss of soft landscaping.

As the proposal includes no loss of habitat and the works are of a minor nature it is considered that no formal net gain is required.

Flood Risk and Drainage

The site is within flood zone areas II and III. The building will be retained as existing with the addition of an access ramp to the north west elevation. The ramp will be situated over an existing area of hardstanding and as such the proposal will not impact upon the existing risk associated with the site overall. The use will not change overall and will not increase the vulnerability of the site, therefore flood risk and drainage is not considered to be a constraint.

Highways and Parking

There are no highways impacts with the proposal which includes minor works which is within a pedestrianised area of the town.

A letter of representation has been received from a neighbour concerned that users of the site, particularly visiting students who already use the building will need to access/egress the building from The Strand which is considered to be dangerous.

Concern has also been raised by Barnstaple Town Council who have commented as follows:

“The committee resolved to approve this application but wished to raise concern about the lack of parking management and enforcement in the "No Stopping" area along the Strand. This a particular problem outside the Bridge Chambers, where parked cars force pedestrians into the carriageway and asked that measures to mitigate this matter be explored with the Highway Authority, such as bollards to prevent parking”

Devon County Highways have raised no objection to the proposal and stated as follows:

“The Strand is subject to Traffic Regulation Order prohibiting traffic from using this one way road between 10am and 4pm, and also between 10pm and 3am. Parking is also banned at all times, however this does allow deliveries and 'blue badge holders' to park, at times when it is allowed to drive along the road.

The proposal will result in an increase in deliveries for food/drinks and also those associated with performances, such as band equipment. Deliveries will have to be planned to be only between 4pm and 10pm or 3am and 10am, or organised for vehicles to park elsewhere and walk the delivery to the site.

While there are often issues illegal parking on The Strand, the proposal will not make this worse, and the applicant cannot be held responsible for illegal activities of drivers who choose to disobey the Traffic Regulation Order.

The proposed level of use is not likely to be significantly more than the extant use, or result in an unacceptable impact on highway safety.”

The Strand does benefit from having a Traffic Regulation Order in place which restricts traffic movement past The Strand side of the building and the site also benefits from having pavements which surround it on all elevations. It is not considered that the proposal will put users at risk when accessing and egressing the site. The main public entrance is on the north west facing elevation which is away from the road.

The site is in a sustainable location which offers a choice of sustainable transport options. Car parking is also available in public car parks in the Town and as such parking is not considered to be a constraint.

In accordance with DCC Highways comments the proposal is considered to meet the requirements of Policy DM05.

Conclusion

The application is considered to accord with the adopted development plan and duty detailed above. 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. 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:
NDC001 Location Plan received on the 08/05/24
1528 PL03B Site Plan Proposed received on the 14/08/24
1528 PL20 Floors and Roof Proposed received on the 08/05/24
1528 PL21B Ground and First Floor Proposed received on the 14/08/24
1528 PL22 Second Floor and Roof Proposed received on the 08/05/24
1528 PL23 Elevations Proposed received on the 08/05/24
1528 PL24A Sections Proposed received on the 13/08/24
1528 PL25 Sections, Floor and Roof Proposed received on the 08/05/24
1528 PL29 Existing - Proposed SE Hallway Elevations received on the 13/08/24
1528 PL28A Existing - Proposed Access Railings received on the 14/08/24
1528 PL27 Existing - Proposed Elevations through Concession Area received on the 13/08/24
(‘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:

Ramp - concrete with paved surface
Hand rail - stainless steel.

Reason:

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

Informatives

1. The building is of an age where materials containing asbestos may have been used in its construction or subsequent modification. The building should be surveyed for such materials prior to conversion by a suitably qualified person. Where found, materials containing asbestos should be removed and disposed of in accordance with current legislation and guidance.
2. Deliveries will have to be planned to be only between 4pm and 10pm or 3am and 10am, or organised for vehicles to park elsewhere and walk the delivery to the site. In the interest of highway safety.
3. 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>
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.