

Application Report

Strategic Development & Planning

Place Services

North Devon Council

Lynton House, Commercial Road,

Barnstaple, EX31 1DG



Application No:	66138	Application Expiry:	31 March 2020
Application Type:	Listed Building consent	Ext Of Time Expiry:	31 March 2020
		Publicity Expiry:	6 December 2019
Parish/Ward:	Barnstaple/Barnstaple Longbridge		
Location:	Oliver Buildings Taw Wharf Barnstaple Devon EX31 2AA		
Proposal:	Listed Building Consent For Conversion Of Building To 47 No. Residential Units & 1,220 Square Metres Of Floorspace Of Commercial Uses (A1, A2, A3, A4, A5, B1a, B1c, D1, D2) Conversion Of Existing Buildings Together With The Erection Of 4 No. New Buildings Along With Car & Cycle Parking, Landscaping, Refuse Storage & Other Associated Works & The Demolition Of Modern Extensions To The Existing Buildings (Amended Plans & Documents) (Further Amended Plans, Design Revisions Block 1 & 2)		
Agent:	Alder King Planning Consultants		
Applicant:	Acorn Property Group & Anchorwood Development Ltd		
Planning Case Officer:	Ms. J. Watkins		
Departure:	N		
EIA Development:	N	EIA Conclusion:	Development is outside the scope of the Regulations.
Decision Level/Reason for Report to Committee:	Design proposals generated significant public interest and detailed comments from Heritage advisors. Major scheme results in a regeneration of a prominent derelict heritage site.		

Site Description

The site is on the southern bank of the River Taw and was originally part of the Leaderflush Shapland site. The site is within the extended Barnstaple Conservation

Area which includes lower Sticklepath Terrace. The site also adjoins the Grade I listed Long Bridge and the Grade II listed Halfords building.

The Oliver Buildings are listed grade II, and are one of Barnstaple’s most visible and characteristic landmark buildings. They have a simple, very recognisable form which characterises the buildings as industrial structures, but which also links them to the town, through associative use, cultural history, local materials and relationship to workers’ housing adjacent in Sticklepath Terrace and surrounding streets.

Recommendation:

Approved

Legal Agreement Required:- No

Planning History

**Planning
66122**

Decision

Decision Date

Proposal: Conversion Of Building To 47 No. Residential Units & 1,220 Square Metres Of Floorspace Of Commercial Uses (A1, A2, A3, A4, A5, B1a, B1c, D1, D2) Conversion Of Existing Buildings Together With The Erection Of 4 No. New Buildings Along With Car & Cycle Parking, Landscaping, Refuse Storage & Other Associated Works & The Demolition Of Modern Extensions To The Existing Buildings (Amended Plans & Documents) (Further Amended Plans, Design Revisions Block 1 & 2)

See report re 66122 for more detailed site history

Constraints/Planning Policy

Constraint / Local Plan Policy

Distance (Metres)

Barnstaple Conservation Area
Listed Building Grade: II

BAR12 - Anchorwood Bank
DM07 - Historic Environment
ST15 - Conserving Heritage Assets

Consultees

Name	Comment
Barnstaple Town Council Reply Received 27 February 2019	Approval, subject to the developers addressing concerns on the following: -Access and availability of parking; is there enough there for residential and commercial use? -The design material of the ?-storey tower and visual impact of said tower to riverside -For the path/cycleway to be linked up to the Tarka Trail (a direct pathway into town)

Barnstaple Town Council Reply Received 11 July 2019	Need to increase the level of vegetation and tree planting between the A3125 / Sticklepath Terrace and the buildings. More cycle parking on the site. Electric car charging points and infrastructure within the parking area Improved pedestrian and cycle connectivity to the Town Centre
Barnstaple Town Council Reply Received 28 November 2019	Approval
Building Control Manager	See 66122
Councillor D Knight	No response
Councillor G Lofthouse Reply Received 13 November 2019	I have looked at the amended plans and in principle have no concerns about these. I do hope that the development can now move forward. I would ask that in the details of waste/litter that some 'hardy and very visible' bins be added to the river walkway as there are non at present
DCC - Historic Environment Team Reply Received 9 July 2019	The Historic Environment Team do not have any additional comments to make on this listed building consent application to those already made.
DCC - Historic Environment Team Reply Received 19 November 2019	The Historic Environment Team do not have any additional comments to make on this listed building consent application to those already made.
DCC - Historic Environment Team Reply Received 29 January 2019	The proposed re-development of the Oliver Buildings will have an impact upon the appearance and fabric of this grade II listed building that has only recently been listed. The construction of the new eight storey tower may have an impact upon the setting of the designated heritage assets in the surrounding landscape including the grade I listed Long Bridge, the Barnstaple Conservation Area and possibly Barnstaple Castle. In the light of the potential impact upon these and other designated heritage assets I would advise in the first instance that the Authority's Conservation Officer and Historic England are

	<p>consulted with regard to the impact of the development upon these assets and any comments they will have on the scheme.</p> <p>The following comments are provided without prejudice to any comments made by the Conservation Officer or Historic England.</p> <p>Given the impact upon the appearance and fabric of the historic building and in accordance with paragraph 199 of the National Planning Policy Framework (2018) I would advise that this application should be supported by the submission of a Written Scheme of Investigation (WSI) setting out a programme of historic building recording work to be undertaken in mitigation for the impact upon the historic fabric and appearance of this building. The WSI should be based on national standards and guidance and be approved by the Historic Environment Team.</p> <p>If a Written Scheme of Investigation is not submitted prior to determination the Historic Environment Team would advise, in accordance with Policy DM07 of the North Devon and Torridge Local Plan 2011 - 2031 and paragraph 199 of the National Planning Policy Framework (2018), 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 and English Heritage guidance as set out in 'Understanding Historic Buildings: Policy and Guidance for Local Planning Authorities - 2008',</p> <p>This pre-commencement condition is required to ensure that the archaeological works are agreed and implemented prior to any disturbance of archaeological deposits by the commencement of preparatory and/or construction works.</p> <p>I would envisage the programme of work as taking the form of an appropriate record of the historic building as well as any architectural features, fixtures and fittings affected by the development. This work would build upon the historic building assessment work already prepared and should be undertaken in advance of any conversion works and supplemented, if required, by observations made during the development. The results of the historic building recording work and any post-excavation analysis undertaken would need to be presented in an appropriately detailed and illustrated report, and the finds and archive deposited in accordance with relevant national and local guidelines.</p>
<p>Heritage & Conservation Officer</p> <p>Reply Received 28 February</p>	<p>I have had sight of the Historic England consultation response to this application and have to say that in general I agree with their views. The Oliver Buildings are listed grade II, and are one of Barnstaple's most visible and characteristic landmark buildings. They have a simple, very recognisable form which characterises the buildings as industrial structures, but which also links them to</p>

<p>2019</p>	<p>the town, through associative use, cultural history, local materials and relationship to workers' housing adjacent in Sticklepath Terrace and surrounding streets.</p> <p>The retention and re-use of the Oliver buildings is to be welcomed in principle, but it needs to be achieved in a sympathetic manner which retains the key characteristics of the buildings, inside and out, and maintains the contribution they make to the significance of other assets, most notably the Barnstaple Town Centre Conservation Area, and the grade I listed Long Bridge adjacent, the setting of which the Oliver Buildings form an integral part.</p> <p>The two applications are related. Dealing with the LBC application first (66138), my views are as follows:</p> <ul style="list-style-type: none"> • There are various demolition proposals included within the plans. We need clear information as to why these elements are felt not to have significance, and why therefore their demolition can be justified. • It is proposed to use the Lower Ground floor for commercial and storage functions, and then convert the upper floors, including the roof spaces, to apartments. There are site sections provided but no detail, as far as I can see, on what implication this has for internal features such as floor structures and surfaces, ceiling beams, roof trusses, the fire protection system, or the implications of Building Regulation requirements. The internal features need to be retained and protected – a scheme which involves their removal or undue alteration is unlikely to be acceptable. • The extent of internal subdivision does not preserve the quality of the internal spaces, particularly the large open rooms in Blocks H and I. • The addition of dormers to the roofs will change the character both of these spaces and the overall building. It should be avoided, as recommended by the South-West Design Review Panel. • The design of the external stairwells seems to bear no relation to the host buildings or the local context. If these structures really are needed then more thought needs to be given to this. • The application proposes the replacement of all of the existing windows with double glazed composite windows. This is not likely to be acceptable. As with the other historic features, the principle should be to repair and retain the window <p>Application 66122 is the related planning application. This deals with the conversion of the listed buildings, and also the construction of new buildings around the site. Some new building is reasonable in the space between the Oliver Buildings and the river, however, in order to be acceptable, the new buildings should not harm the significance of nearby heritage assets. This is not the case with this application as the proposed new Block 1 will, at 6.5 storeys high, be an overly dominant feature in the immediate setting of the grade I listed Long Bridge, the grade II listed Oliver</p>
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	<p>buildings, and the Town Centre Conservation Area.</p> <p>The applicants have received advice from Historic England and the South-West Design Review Panel which, from the evidence of the plans as submitted, does not seem to have been heeded. In my view the effect of these combined applications is such that a high level of less than substantial harm, under the terms of paragraph 196 of the NPPF will arise from the proposals. This harm should therefore be weighed against the public benefits of the proposal, including securing the optimum viable use of the asset. The degree of harm caused to the Oliver Buildings arising from this proposal is such that the proposal in its current form cannot be said to be the optimum viable use. In terms of the statutory duty, the proposal does not, in my view, preserve the listed buildings or their settings, as is stated to be desirable under Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, neither does it preserve or enhance the character or appearance of the Barnstaple Town Centre Conservation Area under Section 72(1) of that Acts.</p>
<p>Heritage & Conservation Officer</p> <p>Reply Received 7 August 2019</p>	<p>In my consultation response to the original applications, made on 28.2.19, I raised concerns about many aspects of the proposals. Having compared the proposed floor plans and elevations, it seems that only minor amendments have been made to the proposed scheme. The majority of the amendments relate to the supporting documents.</p> <p>Some of the additional details are welcome, and are related to the comments made in my consultation response of 28.2.19. For example the LHC Listed Building Report of June 2019 is generally useful, and I do not have issue with the proposed treatment of floors and roofs. The retention in situ of the floorboards, joists, hangers and bowstrings in the floor structures, and the retention of sarking boards, queen post trusses and purlins in the roofs is welcomed.</p> <p>The condition of the central staircase has suffered due to the very poor condition of the roof above. Further information will need to be provided on the extent of replacement for structural elements but in principle I would support the approach for the lower storeys. As I have commented before the removal of the upper element is regrettable – this space would be better retained without conversion as it is where many of the original features – metal windows, hydrants, sprinkler system pipework and original iron sliding door and track on second floor are located.</p> <p>The additional documentation relating to the Sprinkler system is welcome but the precise intentions for this element are still not clear. Page 33 of the Revised Heritage Statement and Heritage Impact Appraisal July 2019 (RHSHIA) states that "Additional</p>

research and recording of the sprinkler system is required to ensure its careful in-situ conservation or its careful removal and representation and interpretation to the wider public. " It seems that the general aim is to retain the most historic elements in circulation spaces, but that other elements will be removed in the individual domestic units. Without knowing what this entails, it is difficult to comment on this aspect of the proposals.

The demolition plans are useful and I do not have issue with this aspect of the proposals.

A window strategy has been included with the plans. This proposes the retention and restoration of the metal windows, which is welcomed, but the metal windows should be identified on the plans and elevations. The strategy proposes the replacement of the existing timber windows (the majority) with double glazed units. The justification offered relates to the difficulty of upgrading the existing windows to allow fire escape and the desire for better thermal performance. The loss of this amount of historic fabric will result in harm to the significance of the heritage asset. This harm will need to be weighed in the balance against the benefits of the scheme. On a point of detail, in those exceptional circumstances where we do grant LBC for double glazed windows in listed buildings, the requirement is to have units separated by integral glazing bars, not applied glazing bars as proposed here.

On block K the new doors and windows in the apertures revealed by the demolition of the northwest extension should be shaped to match the openings, which if I remember have cambered heads?

Aside from these comments, the wider concerns I have raised previously about the proposals have not been addressed by the amended information The RSHIA has evidently been prepared with the purpose of justifying the proposals, and I do not generally agree with the assessment of significance of the various elements of the buildings, or the conclusions it draws. The RSHIA refers several times to the economics and viability of the scheme: paragraph 8.8 on page 36 deals with the installation of balconies, dormer windows and roof-lights:.

"The provision of these elements has formed part of the Business Plan for the site to ensure that the proper market price is achieved on selling the residential units so that the conservation of the site can be achieved.

The introduction is often controversial, as it is considered that the conversion of a historic building should be achieved with minimum external alterations so that it retains its original character and appearance. The Oliver Buildings should, therefore, still read as large factory structures and not have the character of the larger residential blocks to the west.

	<p>...Like the balconies, dormers are not always considered suitable in the conversion of historic buildings as they introduce a residential character and appearance to industrial and agricultural buildings detracting from their historic character and appearance. The introduction of dormers to the Oliver Buildings allows for the creation of comfortable residential spaces in the upper floors which increases the value of the units helping to reduce the developers deficit and make the conversion sustainable."</p> <p>On Page 40, in paragraph B dealing with "The potential impact that any development would have on the significance of the setting of the neighbouring grade I listed Longbridge" the text reads; "...Block 1... sits within the scale and form of the other proposals and has been designed to have an interrupted roofline to minimise any imposition on the character and appearance of the Oliver Buildings. As a necessary component of the development to ensure its sustainability, it is considered that any visual impact (or harm) to the heritage assets has been minimised and is justified in securing the long term conservation of the Oliver Buildings and the economic regeneration of the wider site"</p> <p>Both Historic England and myself, in previous consultation responses, have identified that the proposed scheme, whilst having some benefit in securing the repair of the listed Oliver Buildings, will also cause harm to the significance of various heritage assets – the Oliver Buildings, the Conservation Area, and the other nearby listed buildings including the grade I listed Longbridge and the grade II listed Halfords building. In purely heritage terms, it is my view that the harm is not outweighed by the benefits. The scheme is being presented as the only viable option for the site, based on the 'Business Plan' referred to by the agents above. If this Business Plan is intended to be used to justify the proposal then it should be subject to robust interrogation by an independent assessor and the results made public. If this assessment concludes that the benefits can be achieved by a less intensive scheme which does not include the most harmful elements currently proposed, then the justification put forward as part of the application for the current proposals does not succeed.</p>
<p>Heritage & Conservation Officer</p> <p>Reply Received 24 December 2019</p>	<p>I have previously commented on this application on 28.2.19, 16.5.19 and 22.5.19. These comments relate to the re-consultation issued on 12.11.19.</p> <p>As can be seen from my previous comments on the application for Listed Building Consent, I have been supportive of the proposals to repair the Oliver Buildings, and generally supportive of proposals to convert the structures to residential and commercial use, provided that this could be achieved without harm to the character or fabric of the buildings. In previous comments I raised concern both about structural interventions to the buildings and consequent harm to the character, and also lack of detail about certain aspects of the proposals. In relation to the latter, rather more detail has now been</p>

provided in the form of updated documentation and strategies, and detailed drawings.

The reasoning behind the various proposals for demolition has been outlined, and I have no issue with this. There is now a strategy for dealing with the sprinkler system, which I can support in principle, on the basis that more detailed investigation and a final solution can be agreed once the building is cleaned and opened up. Ideally we should have floor plans of the buildings with the historic sprinkler fittings and fire hydrants agreed for retention marked up. This can be conditioned. Similarly, I think that we can agree a practical solution for the windows - again we need marked up plans showing exactly which windows can be retained - I welcome the proposal (p.39 of the updated Heritage Statement) to retain some of the historic timber windows . We will need to see sections and detailed drawings for the proposed replacement windows. The roof trusses and purlins can all be retained, it seems, as can the sarking boards. The new partitions and sound and heat insulations can be incorporated around them. This is welcome news.

As stated before, I do not have a particular issue with the new lift towers, as these are to the 'rear' of the buildings and I can understand the rationale. I do, however, still have concerns about the other new additions, primarily the rows of dormers on each of the principal roof spaces. In my view these will not maintain the very simple and industrial character of the Oliver buildings particularly in relation to the roofscape.. The updated Heritage Statement does at page 37 acknowledge that "dormers are not always considered suitable in the conversion of historic buildings as they introduce a residential character and appearance to industrial and agricultural buildings detracting from their historic character and appearance." I would agree with this statement. The paragraph goes on to say, "The introduction of dormers to the Oliver buildings allows for the creation of comfortable residential spaces in the upper floors which increases the value of the units helping to reduce the developers deficit and make the conversion sustainable." This really is the only justification provided to balance against the harm to significance caused by the dormers, and is not adequate, or substantiated, as far as I am aware. The proposal for conversion has included dormers in the attics since it was initiated. This has always been a contentious element, but despite consistently suggesting that the dormers be omitted, we have never been presented with alternative proposals showing how the attics could be used with, for example, roof-lights instead of dormers, which would be less damaging. I am not aware that we have evidence that there will be a developers deficit, or, indeed, that the provision of dormers as opposed to roof-lights would tip the balance in favour of viability. I am aware that the pitch of the roof-lights has been altered slightly, but this does not alter the main

	<p>concern. I am also aware that the design of the balconies has been altered. This is more helpful, as it makes the balconies less of an imposition on the elevation of the building.</p> <p>I would very much welcome some movement from the applicant on the issue of the dormers. As has been pointed out many times, the Oliver buildings are real landmark buildings in Barnstaple, and their historic, architectural and communal value combine to make them hugely significant for the town. It would be a real achievement, and testament to the input and work of many people, to reach agreement on a repair and conversion scheme that we can all support.</p>
<p>Historic England Reply Received 28 February 2019</p>	<p>Summary Whilst Historic England welcomes the retention of the Oliver Buildings and their incorporation into a larger development and regeneration scheme, we have strong concerns about some elements of these applications. The Information provided within the applications does not adequately assess the impact of the proposed development on the significance of the grade I listed Long Bridge or Barnstaple's conservation area, in particular where that significance derives in part from their settings. We believe that the addition of a 6.5 storey tower block with associated detached elevator block, the inclusion of dormer windows, external walkways, balconies and external stairwells to the Oliver Buildings themselves, the removal of the internal sprinkler system, and some elements of the design of the development cause unjustified harm to the heritage assets. We believe that an alternative, more respectful scheme would enhance the site and this area of Barnstaple, fulfilling the housing, economic and urban design aspirations of the application in a less harmful manner, and that therefore this scheme does not comply with national or local planning policies.</p>
<p>Historic England Reply Received 24 July 2019</p>	<p>Summary Historic England continue to have strong concerns about this development proposal, despite amendments to the scheme and clarification on some areas of detail. Whilst the retention and reuse of the Oliver Buildings within a regeneration and development scheme is welcomed, we find that some aspects of the scheme cause harm to both the Oliver Buildings themselves and to other local heritage assets, in particular the grade I listed Long Bridge and Barnstaple conservation area.</p> <p>We remain of the opinion that a more respectful scheme would enhance the site and this area of Barnstaple, fulfilling the housing, economic and urban design aspirations of the application in a less harmful manner. Because there are likely to be alternative and less harmful ways of delivering similar benefits, we do not believe that the harm caused by the current proposal is justified. It therefore does not comply with the policies of the National Planning Policy</p>

	Framework (NPPF).
<p>Historic England Reply Received 10 January 2020</p>	<p>Historic England have previously provided comments on this application on two occasions (28 February 2019, and 24 July 2019) in which we outlined the significance and special interest of the various heritage assets affected by the development proposal and our concerns about the harm that could be caused to them by the scheme as then submitted. In our letter we also outlined our involvement in a Design Review Panel held in July 2018 specifically relating to this project. We would ask your authority to consider this letter in conjunction with our previous correspondence.</p> <p>The applicant has submitted revised drawings, the principle change of which is the reduction in height of block 1 to a ridge level in line with the existing Oliver Buildings. The block is detached from, but linked to, the Oliver buildings and its roof is now of a more traditional dual pitch design. Historic England believe that this change is a major improvement on the previous submissions. The building is now of scale and height that does not create harm to the significance of the Grade I listed Long Bridge where a part of that significance stems from its setting, nor does it create a harmful blocking and dominant effect in views along the bridge towards Sticklepath. In our opinion the relationship of block 1 with the public footpath is also of a less imposing scale, and the impact on views from the south-east/Seven Brethren area is also reduced. Your authority may wish to consider the form of the ground floor shop front in block 1, and any associated signage and lighting schemes in greater detail within this application, or as part of subsequent more detailed proposals at a later date.</p> <p>Historic England continue to find that the proposed new buildings located between the Oliver Buildings and the river are acceptable and create an open public space of quality and interest. We fully support the principle of the reuse and retention of the Oliver Buildings in ways that protect their special interest and heritage values. However, Historic England would refer you to the expert advice of your own conservation officer in relation to the specific changes proposed to the Oliver Buildings. We continue to highlight to you the reasons why the Oliver Buildings were given listed status and the contribution that they make to Barnstaple. They are worthy of careful and considered treatment that does not cause harm or diminish their special interest through the loss or obscuration of features of note such as the sprinkler system, the fire proof flooring, the repetitive pattern of windows and the linear form of the factory buildings and their roofs. Too many subdivisions or additions through pushing the building to accommodate a high number of units will inevitably erode their reasons for being listed as buildings of special architectural or historic interest.</p>

	<p>Whilst Historic England now believe that the scheme is at a stage where we will no longer need to be involved, there is likely to be further need for detailed examination of the above mentioned issues, along issues such as the materials palette for new interventions and the impact of the building regulation requirements. We consider that these need to be given significant weight in any decision making to ensure a scheme of quality. The NPPF states in paragraph 193 that great weight should be given in decision making to the conservation of heritage assets. Paragraph 194 of the NPPF states that any harm (no matter the level) should be clearly and convincingly justified. Where harm is caused, it is for the local planning authority to decide if that harm is outweighed by public benefits of the proposal, including securing its optimum viable use (NPPF 196).</p> <p>Recommendation Historic England no longer has heritage concerns relating to this scheme that would require our continued engagement. We welcome the positive reuse of the Oliver Buildings and encourage detailed consideration of the physical impacts proposed to them by your authority, to reduce and mitigate any harm caused.</p>
North Devon Archaeological Society	No response
Planning Policy Unit	See 66122

Neighbours

Comments	No Objection	Object	Petition	No. Signatures
1	<u>0.00</u>	<u>23</u>	<u>0.00</u>	<u>0.00</u>

The application has been the subject of three rounds of public consultation.

Comments have been received from residents as well as Groups such as the Victorian Society and Barnstaple Buildings Preservation Trust. The points made include:

- Height of Block 1 too high and inappropriate in design
- New buildings between the Oliver Buildings and river are inappropriate and result in the listed building/river being obscured from view
- Some appropriately designed building based on historic principles may be acceptable.
- Impact on adjacent listed buildings/Conservation Area
- Impact of views/historic setting from all directions towards the site
- Industrial functionality of building should be retained (no dormers/balconies)
- Window detailing is critical and retaining historic fabric is essential

- Value of elements to be removed requires reassessment/no objections to removal of the identified elements
- Supporting statements do not justify the works
- Supports the provision of a landmark building
- Support the principle of conversion
- Need a commercially viable scheme to ensure site is redeveloped
- Developer should explore partnership opportunities with BBPT to draw down heritage finance to enable the scheme to be reduced in impact
- No liaison has occurred with the Museum to display artefacts

Considerations

Proposal Description

This application seeks listed building consent (LBC) for the works proposed as part of planning application 66122. The Oliver Buildings were listed Grade II on the 17-Aug-2015 and hence consent is required for any works of alteration to them.

The Oliver Buildings comprise Blocks H, K and I and the proposal is to convert them into 39 residential units (36x 2bed, 2x 1bed and 1x3bed). On the ground floor of Block H and K will be commercial floor space as well as bin storage/cycle storage and general residential storage. Block 1 will physically attach to the listed building which requires LBC. The freestanding buildings and the works within the curtilage of the listed building need to be assessed in respect of their impact on the setting of the listed building and other heritage assets and this is addressed within the report for application 66122.

As part of the information package required to support the LBC application, the applicant needs to provide information (a Statement of Significance) which describes the significance of the listed building and its component parts, and describes the contribution that this building makes to the significance of other relevant heritage assets. Paragraphs 189 and 190 of the revised NPPF provide guidance and include the statement that “the level of detail should be proportionate to the asset’s importance and no more than is sufficient to understand the potential impact of the proposal on their significance.”

The Buildings are considered to be of national importance by Historic England for their following qualities: -

- Architectural - Designed by WC Oliver, local and regional architect whose work is characterised using polychromatic materials and good detailing which is evident in these buildings
- Technological - as employing an innovative combination of fireproof and fire-retardant construction, compartmentalisation and a sprinkler system (because of previous factory being lost in a fire)
- Historic - as the principal buildings where Shapland & Petter produced high-quality mass-produced Arts and Crafts furniture using technologically-advanced machinery imported from the US for the initial stages of production, combined with detailed, hand-crafted and applied elements and finishing; their work which

is now highly sought after, represents part of the democratisation of the style which saw its popularity spread throughout society.

This application is supported by:

1. Listed Building Report (which contains a Structural Inspection Report)
2. Revised Heritage Statement & Heritage Impact Appraisal Revision 1 November 2019 (which includes a Statement of Significance, Sprinkler Inventory and Strategy for Window Repair and Replacement)

The Oliver buildings were formerly industrial buildings with large horizontal open spaces arranged around a central stair between blocks H and I and a northern stair in block K.

Where harm to significance is identified, then this needs to be detailed, and ways of avoiding this harm need to be explored. The individual components are important, as the whole is the sum of the parts and the scheme will be judged on the totality of its effect on the significance of the heritage asset.

Listed Building Considerations Summary

- Acceptability of the works of demolition
- Acceptability of the works of alteration

Listed Building 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.

Policy DM07: Historic Environment of the NDTLP requires all proposals affecting heritage assets to be accompanied by a Heritage Statement, to enable the impact of the proposal on the significance of the heritage asset and its setting to be properly assessed

Historic England advise *'We fully support the principle of the reuse and retention of the Oliver Buildings in ways that protect their special interest and heritage values. However,*

Historic England would refer you to the expert advice of your own conservation officer in relation to the specific changes proposed to the Oliver Buildings.

Whilst there is generalised 'in principle' support for the repair and conversion of these buildings, there are range of issues that have been raised within the assessment of the impact on heritage assets and these are discussed below.

- **Acceptability of the works of demolition**

A detailed set of demolition plans has been provided along with details of why these elements are felt not to have significance, and why therefore their demolition/removal can be justified.

A) the early C20 longitudinal extension on the NW elevation of Block K

This extension was constructed shortly after Block K was finished. It has some qualities of the earlier structure on its SE elevation, discolouration of the lower levels of brickwork suggest that an early single storey ground floor building existed here. It has a structural crack running between the later brickwork on its NW elevation. The windows and other openings of this elevation having been much altered over time to allow for the construction of loading bays and security doors and windows. The loss of this element will allow for the structure to be secured and the original elevation to be revealed.

B) C20 concrete stair tower on the SE elevation of Block K

This later poor quality concrete block stair tower is not suitable for reuse for a residential conversion. Its demolition will allow for the reinstatement of the SE gable which will enhance the Conservation Area view from the extended Conservation Area from Sticklepath Terrace towards Long Bridge.

C) the linking structures between Block K and Block I

These are of poor quality and in a poor and dangerous state of repair. Their loss will allow for the creation of new circulation elements within new structures rather than disrupting the fabric of the historic elements. They will also allow for the enhancement of the external public spaces.

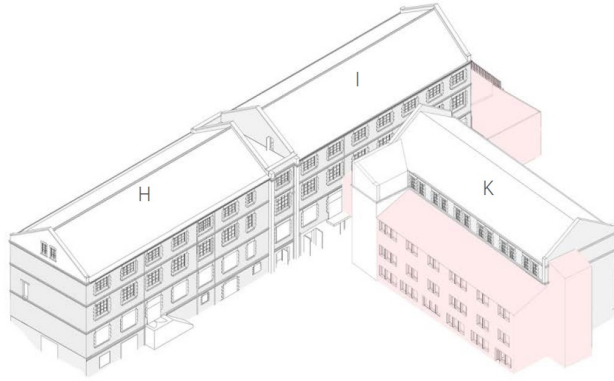
D) the structure on the SE gable of Block I

This single storey structure is a modern extension an extremely poor state of repair. It is excluded from the listing . Its removal has the potential to enhance not just the character and appearance of the Oliver Buildings but also the wider Conservation Area. It is proposed to construct a new Block 1 on the part of the site.

E) the removal of C20 office partitions, suspended ceilings and the removal of blockwork infill to original doorways and openings

The office partitions are specifically excluded from the listing. The removal of the blockwork infill to the original elevations should be welcomed to allow for the reestablishment of the rhythm of the original fenestration patterns.

The key external elements to be removed relate later additions as illustrated below:



As required by the legislative framework the reasoning behind the various proposals for demolition has been outlined, and the Conservation Officer has confirmed that the assessment provides a reasoned justification about why these elements can be removed with limited harm resulting to the listed building. There are now no issues with the demolition and removal of the identified elements. .

- **Acceptability of the works of alteration**

The works of alteration should not cause harm or diminish the special interest through the loss or obscuration of features of note within the building. The Listed Building report provides a detailed schedule of how specific architectural elements are to be repaired e.g. where brickwork is missing or damaged, the treatment of the roofs, gutter and downpipes. The report establishes where repairs will occur (damaged eaves etc). Architectural elements will be salvaged for reuse wherever possible (e.g. floor boards, windows etc). Much of the internal historic fabric will be retained including the principal structural elements, roof trusses, sarking boards, 3rd floor boards and fire partitioning. The works will be required to be undertaken in accordance with these details.

Linear form of the factory buildings.

It is proposed to use the Lower Ground floor for commercial and storage functions, and then convert the upper floors, including the roof spaces, to apartments. It is recognised that the extent of internal subdivision to create the residential units does not preserve the quality of the internal spaces, particularly the large open rooms in Blocks H and I.

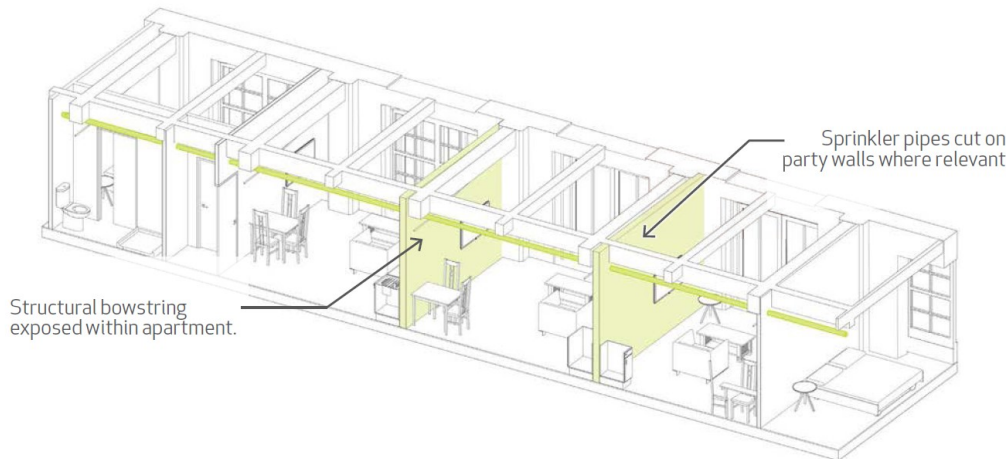
It is recognised that too many subdivisions to accommodate a high number of residential units will inevitably erode the reason for the Oliver Buildings being listed as buildings of special architectural or historic interest. However it is also recognised that without securing an acceptable alternative use that the buildings will continue to deteriorate. The commercial spaces on the ground and lower ground floors will retain an openness which will illustrate the former form of the floor above.

As set out in the report re application 66122 the implications of Building Regulation requirements have now been addressed.

Sprinkler system/ the fire proof flooring/hydrants

The factory was constructed from 1888 onwards following a fire at previous works in March 1888. The replacement complex was made up of 11 separate large factory buildings. These incorporated the latest machinery and used principles of assembly with furniture flowing through the building complex until the process was complete. As well as efficiency of production, it was also inherent in the brief that the buildings incorporated fire protection elements including compartmentation and a sprinkler system. As set out above this technological innovation was one of the reasons behind the listed status.

There is now a strategy for dealing with the sprinkler system, which the Conservation Officer can support in principle, on the basis that more detailed investigation and a final solution can be agreed once the building is cleaned and opened up. Ideally there should be floor plans of the buildings with the historic sprinkler fittings and fire hydrants agreed for retention marked up. This can be conditioned.



The repetitive pattern of windows

The response from the Victorian Society to that application states:

“the windows are an extremely important aspect of the elevations and contribute strongly to the buildings’ character. Good treatment of these windows is crucial to the success of any redevelopment scheme and the applicant should provide full details of both the existing windows and proposals for their repair. The historic window frames should be replaced only where absolutely necessary and in matching materials.”

The elevation drawings show that the existing window pattern is retained. It is proposed to conserve and re-glaze the stairwell windows which are essentially in good condition. Proper and carefully specified metal conservation techniques should be used. The timber casements to all other areas are generally in reasonable condition, although much of the glass is broken. They essentially 4 components separated by a central timber mullion. The casements have a horizontal central hinge which allows the windows to open inwards onto a curved bracket. While original to the building they are not well proportioned as the windows in the now demolished blocks which maintained a traditional vertical emphasis and have a horizontal emphasis.

The centrally hinged casement presents a problematic approach to the conversion of the site as they do not allow for heat and noise insulation as the integration of secondary glazing is not possible as the casements project past the face of the internal wall when open. In addition they do not provide a safe means of escape from the upper floors in the case of a fire.

It is proposed that a new window design is achieved which matches the original proportions and detailing but with a re-designed method of opening. This could be through the introduction of sliding sashes set against a central mullion or casements which open onto the central mullion. Glazing bar details can be replicated with a slightly deeper section to allow for the accommodation of double glazed units. Appendix G discusses a detailed methodology of approach in this respect.

The Conservation Officer confirms that a practical solution for the windows can be agreed and that again marked up plans showing exactly which windows can be retained are required. The proposal (p.39 of the updated Heritage Statement) to retain some of the historic timber windows is welcomed. Conditions will be applied to agree sections and detailed drawings for the proposed replacement windows.

Dormer Windows:

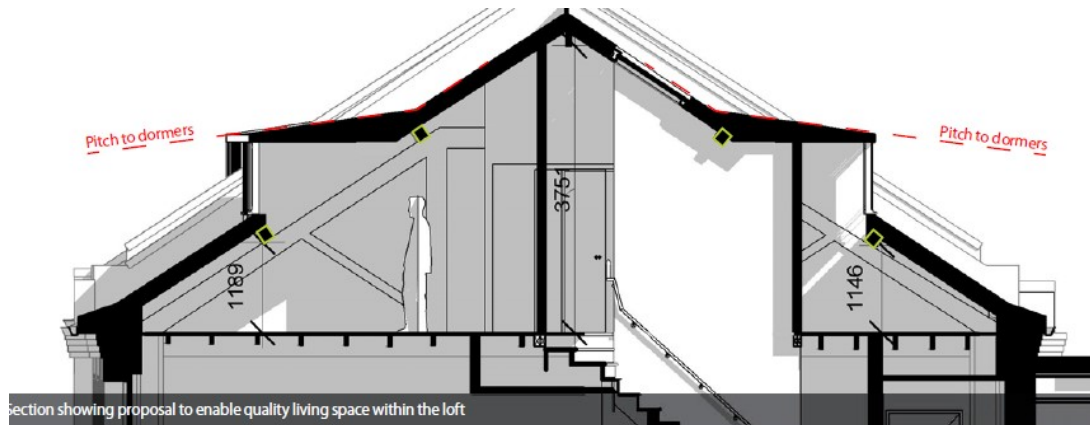
The Conservation Officer considers that 'the addition of the dormers will not preserve the existing simple character and form of the listed buildings, and will result in a rather incongruous domestic addition. The dormers on the north-eastern and south-eastern elevations of the Oliver Buildings will be particularly apparent in views from other heritage assets - such as the Conservation Area, the grade II listed Halfords building, and the grade I listed Longbridge, where they will lessen the contribution that the Oliver Buildings currently make, in their existing unaltered form, to the significance of other heritage assets. This view is shared by the Victorian Society'.

The updated Heritage Statement does at page 37 acknowledge that "*dormers are not always considered suitable in the conversion of historic buildings as they introduce a residential character and appearance to industrial and agricultural buildings detracting from their historic character and appearance*" and "*The introduction of dormers to the Oliver buildings allows for the creation of comfortable residential spaces in the upper floors which increases the value of the units helping to reduce the developers deficit and make the conversion sustainable.*"

The decision to be taken is whether the justification provided balances against the harm to significance caused by the dormers. The proposal for conversion has included dormers since it was initiated. This was discussed by the DRP and has always been a contentious element. The Conservation Officer has requested alternative proposals showing how the attics could be used with roof-lights instead of dormers, which would be less damaging.

The Conservation Officer is concerned about whether it has been proven that the provision of dormers as opposed to roof-lights would tip the balance in favour of viability. This is discussed in length in the report relating to application 66122.

The pitch of the roof-lights has been altered slightly, but this does not alter the Conservation Officer's main concern.



Balconies and Lift Towers

The recreation of external stair and walkways aims to '*complements the original design concept of the Oliver Buildings and has the advantage of ensuring the maximum surviving of historic fabric and floors internally and the removal of some of the later unsightly C20 stairwells*'.

The towers and walkways are located on the "rear" of the buildings on elevations that were judged of less significance. While they have an impact on the architecture of these elevations, this needs to be weighed against the relative advantages of retaining historic fabric internally. The contemporary approach that has been taken to their design results in a clear understanding of what are old and new parts of the buildings and that they are "of their time" while allowing for the new use, conversion and sustainable reuse of the Oliver Buildings.

As stated as part of 66122 the Conservation Officer and Historic England do not have a particular issue with the new lift towers, as these are to the 'rear' of the buildings and the design rationale is justified.

The design of the balconies has been altered by ensuring that balconies are restricted to key larger units in the central parts of Blocks H & I. Doors are created only in windows which access these balconies. The design of the balconies is light and contemporary in character using a metal mesh – so retaining an industrial. The metal mesh balconies are also reminiscent of the iron railings which once existed on Long Bridge. These 1st floor balconies will become obscured by the planting in the public area to the N, further minimising their impact on these elevations. Block K has a single balcony on the SW elevation.

The Conservation Officer considers these design changes are more helpful, as it makes the balconies less of an imposition on the elevation of the building.



Materials

The roof trusses and purlins can all be retained as can the sarking boards. The new partitions and sound and heat insulations can be incorporated around them. Materials generally can be conditioned.

Whilst Historic England have concluded that the design changes overall mean that they will no longer need to be involved, but they recommend that the materials palette for new interventions and the impact of the building regulation requirements be considered (see above).

Other Matters

- **Recording**

Given the impact upon the appearance and fabric of the historic building and in accordance with paragraph 199 of the National Planning Policy Framework (2018) the submission of a Written Scheme of Investigation (WSI) setting out a programme of historic building recording work should be undertaken in mitigation for the impact upon the historic fabric and appearance of this building. The WSI should be based on national standards and guidance and be approved by the Historic Environment Team.

The programme of work as taking the form of an appropriate record of the historic building as well as any architectural features, fixtures and fittings affected by the development. This work would build upon the historic building assessment work already prepared and should be undertaken in advance of any conversion works and supplemented, if required, by observations made during the development. The results of the historic building recording work and any post-excavation analysis undertaken would need to be presented in an appropriately detailed and illustrated report, and the finds and archive deposited in accordance with relevant national and local guidelines

The applicant advises that 'The relocation and preservation of original fixtures and fittings which are to be removed as part of the proposal should be retained within the public and commercial areas of the site – including in the proposed Raleigh Works Unit.

Where this is not possible they should be donated to the Barnstaple and North Devon Museum as part of their exhibition and display on the Oliver Buildings’.

A condition requiring a WSI is recommended.

Conclusion

The applicants Revised Heritage Statement concludes:

- A) The character and significance of the Oliver Buildings, including their value as a group and the value of their component parts and the need to ensure that any proposal does not impact on this significance:

Conclusion: the proposals allow for the conservation and re-use of much of the original fabric of the Oliver Buildings, conserving the primary elements which form its significance, and elements which are judged of the highest significance in the Statement of Significance which forms part of this report, including historic floors, fire partitioning, sarking boards and roof structures, central metal windows. It also allows for the removal of a number of poor quality later alterations allowing for the original character of the buildings to be re-presented.

- B) The potential impact that any development would have on the significance of the setting of the neighbouring Grade I listed Longbridge.

Conclusion: the significance of Long Bridge is formed from its early origins which survive beneath the current construction, and its striking line cutting across the Taw, joining the two parts of the town, together with its cultural importance to the town. It is of high aesthetic significance for the changing landscape element that it brings to the centre of Barnstaple.

- C) The potential impact that the development would have on the character and appearance of the Conservation Area including views both to and from the S bank of the River Taw and views south to Sticklepath Terrace.

Conclusion: the proposals will have a positive impact on the character and appearance of the Conservation Area through the conservation and re-use of 3 significant listed buildings which are currently at severe risk, removing their current isolated atmosphere and reintroducing public and commercial activity to the site. This is further enhanced by the associated improvements to the boundaries and open spaces around the buildings.

- D) The potential impact that the proposal, and conversion into residential and commercial units, has to secure the future of the Oliver Buildings, including re-emphasising the historic character and legibility of the site, which during the late C19 to the mid C20 was a bustling manufacturing area.

Conclusion: this is clearly achieved not just through the conservation and re-use of the buildings themselves but also through the re-introduction of other new elements to the site making the original surviving buildings appear less isolated. External alterations to the Oliver Buildings have been minimised to allow for their comfortable and economically sustainable conversion only including the introduction of carefully integrated dormer window and a minimum number of balconies. The new stair towers

and walkways are in the spirit of Oliver's original design concept and allow for the removal of many of the unsightly later extensions, reunifying the buildings in a clear and coherent way. Both the subdivisions of the internal spaces and the external walkways and balconies are arguably reversible and present no permanent damage to or loss of fabric to the assets, therefore meeting the criteria of less than substantial impact in paragraphs 193 & 194 of the NPPF 2018.

It is agreed that the retention of elements of the buildings that give them their essential historic significance internally including: original fire partitioning (floor boards, sprinkler systems, stairways, sarking boards) and externally: slate roofs, restored brickwork, uniformity of window design, loss of poor quality later extensions minimises the harm to the listed building. It is also recognised that any scheme of conversion will change the character and form of the listed building which was once in an industrial use.

Historic England consider that the detail needs to be given significant weight in any decision making to ensure a scheme of quality. The NPPF states in paragraph 193 that great weight should be given in decision making to the conservation of heritage assets. Paragraph 194 of the NPPF states that any harm (no matter the level) should be clearly and convincingly justified. Where harm is caused, it is for the local planning authority to decide if that harm is outweighed by public benefits of the proposal, including securing its optimum viable use (NPPF 196).

The overall conclusion of the Conservation Officer is that *'it is my view that those aspects of the proposals outlined above will result in less than substantial harm to the significance of both the Oliver Buildings and other heritage assets, therefore under the terms of paragraph 196 of the NPPF, the public benefits of the proposal should be taken into account when the decision is made'*.

Asset out within the report relating to application 66122 the scheme will secure a high quality development and a high standard of amenity resulting in the creation of a new and publicly assessable public realm next to the River and on the Tarka Trail which is a nationally renowned cycle route. There is public benefit to delivering a comprehensive mixed-use proposal on this site by way of securing the viable long-term future of this designated heritage asset whilst also delivering a sustainable form of development on the edge of Barnstaple town centre, including 50 residential units that will contribute to housing supply and the choice of homes in the District as well as additional commercial uses with their associated jobs and economic investment. Approval of this listed building application is therefore recommended as the public benefit is considered to outweigh the less than substantial harm to the heritage asset. The recommendation is 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

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 approved plans as listed out on the Drawing Issue Sheet P0.10 and the recommendations contained within the following documents

Listed Building Report (which contains a Structural Inspection Report)
Revised Heritage Statement & Heritage Impact Appraisal Revision 1 November 2019 (which includes a Statement of Significance, Sprinkler Inventory and Strategy for Window Repair and Replacement)

('the approved plans and details').

Reason:

To ensure the work is carried out in accordance with the approved plans in the interests of delivering a scheme which safeguard the character and appearance of the listed building and the setting of heritage assets.

3. No works to which this consent relates shall commence until an appropriate programme of historic building recording and analysis has been secured and implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out at all times in strict accordance with the approved scheme, or such other details as may be subsequently 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 199 of the National Planning Policy Framework (2018), that an appropriate record is made of the historic building affected by the development.

4. Once the building is cleaned and opened up but before works of conversion are undertaken a more detailed investigation and recording of the sprinkler system in the form of floor plans of the buildings identifying the position of all historic sprinkler fittings and fire hydrants along with a schedule of those fixtures to be

retained/restored, those fixtures identified for future display in the building or elsewhere as agreed shall be submitted to an agreed in writing by the Local Planning Authority and thereafter the works shall be carried out as agreed.

Reason:

The strategy for dealing with the sprinkler system is supported in principle but additional detail is required to record the fixtures (see also WSI) and to ensure that they are retained within the conversion scheme to ensure that their historic significance is not lost.

5. Once the building is cleaned and opened up but before works of conversion are undertaken a detailed schedule of the windows to be repaired or replaced along with the submission of detailed sections and detailed drawings for the proposed replacement windows shall be submitted to an agreed in writing by the Local Planning Authority and thereafter the works shall be carried out as agreed.

Reason:

The marked up plans showing exactly which windows can be retained needs to be supported by a detailed schedule of repairs. The proposal (p.39 of the updated Heritage Statement) to retain some of the historic timber windows is welcomed.

6. No work shall commence on the conversion of the buildings hereby permitted beyond site clearance and site preparation until a detailed finishes schedule which shows full details (including samples) of the materials to be used in the construction of the proposed dormer windows, fascia panels, balconies and stairwells have been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in accordance with the approved materials.

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.

And any other conditions recommended by the Conservation Officer

Inserts

Location Plan
Representations received