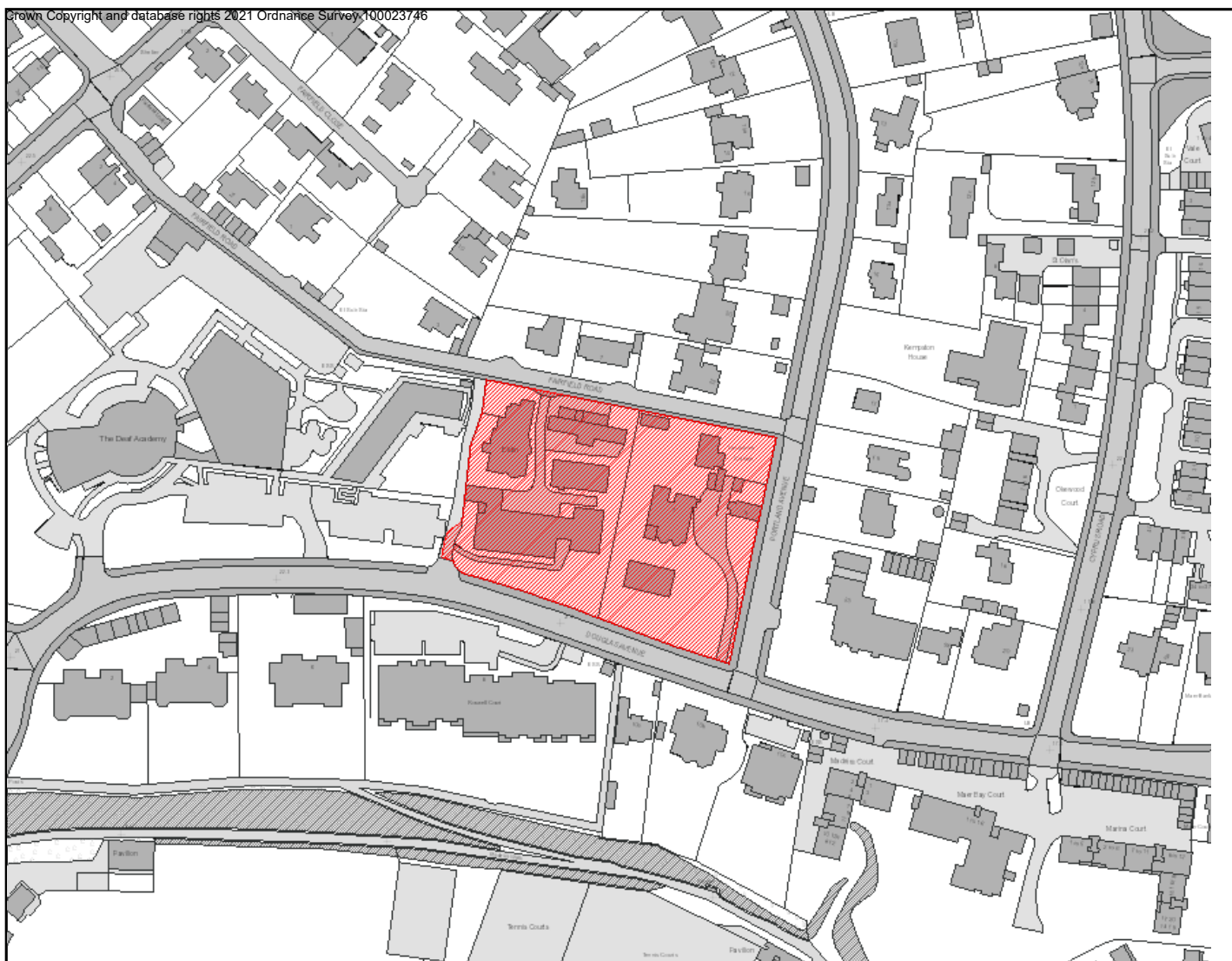


RECOMMENDATION 20/1839/LBC: Approve with conditions



		Committee Date: 10th March 2021
Exmouth Littleham (Exmouth)	20/1838/MFUL	Target Date: 11.12.2020
Applicant:	Acorn Property Group	
Location:	Land At The Former Rolle College Exmouth	
Proposal:	Demolition of existing buildings and the residential development of 33 new homes in a mix of 10 no. dwellings and 19 apartments and the conversion and refurbishment of Eldin House to create 4 apartments, partial demolition of potting shed and greenhouse and extensions to create dwelling, together with vehicle and pedestrian accesses, landscaping and associated infrastructure	

RECOMMENDATION:

- 1. Adopt the appropriate assessment within the report**
- 2. Approve with conditions**

		Committee Date: 10th March 2021
Exmouth Littleham (Exmouth)	20/1839/LBC	Target Date: 29.10.2020
Applicant:	Acorn Property Group	
Location:	Land At The Former Rolle College Exmouth	
Proposal:	Conversion and refurbishment of Eldin House into four self-contained flats, partial demolition of potting shed and greenhouse and extensions to create dwelling.	

RECOMMENDATION: Approve with conditions

EXECUTIVE SUMMARY

The applications are before Planning Committee because the officer recommendation differs from that of the ward councillors.

Planning permission and listed building consent is sought for the demolition of a number of vacant buildings on the former Plymouth University site and for the residential re-development of the site to provide 33 new homes in a mix of 10 no. dwellings and 19 apartments and the conversion and refurbishment of the grade II listed Eldin House to create 4 apartments.

This brownfield site occupies a sustainable location within the built-up area boundary of Exmouth and has a number of complex heritage constraints which include the setting of the grade II listed Eldin House and the Beacon and Louise Terrace Conservation Area as well as the constraints of a number of mature trees on the site which are protected by a Tree Preservation Order.

Through extensive negotiations with officers, the Council's Urban Designer, Landscape Officer, Tree Officer and Conservation Officer during the application process, the final design, layout, height, scale and form of the proposed development is now considered to be appropriate for the heritage and tree constraints of the site, its surroundings and its historic context.

It is accepted that a residential development of a new 3.5 storey apartment block and a small cluster of dwellings on this site would alter its visual amenity and the character of the site in terms of views from Douglas Avenue, Fairfield Road and Portland Avenue and it is accepted that introducing residential development in the form proposed coupled with the significant loss of tree canopy from the removal of less significant trees on the site would transform the character of the site.

Whilst this is the case, the existing site is vacant and run down and its number of derelict and vandalised buildings currently detract from the character and appearance of the area. On balance, it is considered that the proposed design, layout and form of development has been largely sensitive to the topography of the site whilst addressing the complex constraints posed by the retained trees. The development is considered to be acceptable in terms of its impact on the character and appearance of the area and the wider Conservation Area whilst being appropriate and sensitive in terms of its relationship and improving the setting of Eldin House.

The removal of a number of vacant and vandalised buildings on the site and its residential re-development in a sensitive layout and form also provides an opportunity to enhance the setting of Eldin House and to safeguard its future use which would be of benefit to both the listed building and the setting of the Conservation Area.

Officers are of the opinion that the proposals would result in less than substantial harm to the character of the Conservation Area and the setting of Eldin House where there are considered to be a number of heritage benefits arising from the proposal in terms of improving and enhancing the setting of Eldin House through demolition of existing unsightly buildings along with a number of public benefits that are considered to outweigh the less than substantial harm - a key test within the National Planning Policy Framework.

In the absence of any significant harm to the character and appearance of the area, the residential amenities of the occupiers of surrounding properties, trees, highway safety, ecology, or flood risk, it is considered that on balance, the proposed development is acceptable and would comply with both the strategic and development management policies contained within the East Devon Local Plan and the policies contained within the Exmouth Neighbourhood Plan.

It is recommended that planning permission and listed building consent are granted and accordingly these applications are both recommended for approval.

CONSULTATIONS

Local Consultations

Exmouth Littleham - Cllr Nick Hookway

While this development is to be welcomed on this site as it replaces a number of derelict buildings, there are a number of concerns over the suggested layout of the buildings on the site, especially the apartment block. Drawing A-P21-004 clearly shows that this block to be much too high as the red dotted lines show that it would be an entire storey higher than the existing block. The ridge height is up to the top of the chimney at Eldin house and considerably above the ridge height of the neighbouring Deaf Academy. A concern here is that residents on the fifth floor of these apartments could overlook the Deaf Academy. The Deaf Academy would therefore suffer Harm due to a loss of privacy, which would be of great concern considering the fact that The Deaf Academy is in essence, a school for vulnerable children.

I am also of the opinion that the apartment block is in the wrong place on this site. If an apartment block of this size is necessary for the viability of the site should it not be placed at the eastern end of the site next to Portland Avenue? The eastern side of the site is lower and therefore such a large block of apartments would be less dominating on the skyline. Doing that would prevent the blocking of Eldin house allowing it to be viewed from Douglas Avenue as was intended when Eldin House was originally built. It is unfortunate that, with the present plans the apartment block effectively screens out a grade II listed building.

There is also the question of Harm caused by the adverse visual impact of the apartment block, any apartment block of 5 storeys will dominate the western end of Douglas Avenue, it is out of proportion to other residential blocks on Douglas Avenue and will overlook such residential blocks on the southern side of Douglas Avenue. It may well be visible from the Exe Estuary and the Seafront and thereby impair the vista looking northwards from the seafront. This apartment block is also sited by the entrance to the site which also does not help the visual appeal.

The three houses to the east of the apartment block do seem to be in a most unenviable position due to the shading provided by the apartment block. Surely these houses should face south not west? Is it not essential that good levels of daylight and sunlight area allowed into and between buildings to minimise the need for powered light? This brings me onto the issue of Climate Change. How will the apartment block and the houses be heated and designed to minimise CO2 emissions?

Therefore I am objecting to this application due to the Harm that the apartment Block would cause in terms of Scale, Massing, and Height.

I notice that there is only one main entrance onto the site. This is bound to lead to issues at certain times of the day as well as causing disruption during construction. I would have expected that with a development of this size that an entrance onto Portland Avenue would have been provided. I'm glad to see that access to Fairfield Road has been restricted.

I am also concerned that no provision has been made for affordable housing. The proposed development seems to be designed for a premium market. Affordable housing developments have taken place in recent years in the Avenues, Why not here? I would expect that given the expected growth of the Deaf Academy that there would be a need for affordable housing for those who work in the Deaf Academy, at the very least.

In terms of the Exmouth Neighbourhood plan this application fails to meet the following objective "To ensure the conservation and/or enhancement of areas, buildings and other features which for historic or architectural reasons are distinctive parts of the built environment, including all.. listed buildings." The keyword here is "Enhancement", how does the application enhance Eldin house as a Grade II listed building?

The Avenues Design Statement is also relevant with this application. Although the Design and Access statement attempts to justify the application in terms of the Avenues Design Statement I don't feel that the mass, style and height of the Apartment Block meet the appropriate criteria. Please note that I have referred consistently to a "Block", that's what it is, a block. To meet the Avenues Design Statement the Apartment Block should "develop the richness of the existing built environment" which the proposed design does not do.

This is a major development in this locality which should be outstanding in every sense of the word. Exmouth is extremely fortunate in having the Deaf Academy relocate to its present site. I fully expect that The Deaf Academy will gain national recognition over time. Such recognition will be, in part, due to its outstanding location and thereby it will become a major asset to the Town. Any development next to the Deaf Academy will gain kudos, prestige and value for a long time to come. It's a pity that the design of the present application does not seem to reflect this and that the presence of a Grade II listed building has not been given the prominence that it deserves.

07/10/2020

Exmouth Littleham - Cllr Bruce De Saram

I understand from having read the submitted Design and Access Statement that this proposal is for Residential development of 39 new homes (including conversion and refurbishment of Eldin House and demolition of existing buildings), together with vehicle and pedestrian accesses, landscaping and associated infrastructure.

With associated infrastructure covering vehicle and cycle parking, refuse storage and surface water drainage.'

The new homes comprise of both new build apartments and detached houses as well as converted apartments within the refurbished Grade II Listed Eldin House.

As residents and members are aware, the application site is located within the built-up area boundary for Exmouth close to the Avenues area of Littleham, and there is therefore no 'in-principle' objection to additional residential development with Exmouth identified as a sustainable location for new development under the provisions of Strategy 6 (Development within Built-Up Area Boundaries), and Strategy 22 (Development at Exmouth) of the East Devon Local Plan including the Exmouth Neighbourhood Plan. I would suggest that the site could be considered to be particularly sustainable being located on a main transport route, with easy access to a range of services, shops and other facilities.

Having also had the opportunity to visit this site myself, along with Cllr Hookway just before lockdown began around February time I would argue that the proposal before planners looks to bring back a disused and vandalised site to life. This is because it's very clear to see that it's suffered from antisocial behaviour, vandalism and unmanaged vegetation growth for several years. It is regrettable that the site's previous owner the Exeter Royal Academy for Deaf Education has not been able to retain the entire site for future community or educational uses as was originally the intention. However the fact is that this proposal today will at least provide the benefit of utilising what is left of the site to provide a wide range of housing stock as is pointed out in the application whilst being supportive at the same time to the needs, comfort and safety of its nearest neighbours in the Academy with its young students whose needs are considered and respected.

I note that for Eldin House which is a Grade II Listed building the proposed layout should aim to improve and enhance the setting of the listed building. The applicant points out that the site lies partially within and alongside the Conservation Area. So as it says it will be important to ensure the character of the Avenues is preserved and enhanced through the development proposal.

Therefore I believe based on the proposal that this application conforms to Strategies 48 and 49 and Policy EN10 as well as The Avenues Design Statement.

Furthermore all dwellings are designed in line with National Space Standards. A total of 64 no. car parking spaces are provided (of which 5 no. are visitor spaces) are provided which again responds to the needs of the site.

In conclusion having visited the site and read through the Design Statement I would agree with the comment made that for this proposal generally, across the site, the site levels have been rationalised to ensure appropriate access to dwellings whilst ensuring the buildings sit comfortably within the site in relation to surrounding buildings and to ensure trees are retained and not impacted by the development which is in keeping with Policies D1 and D3.

So on balance based on the known facts I would as one of the Ward Members fully support this application for approval for the reasons as stated.

Planning Disclaimer: should this application come to Committee I do reserve an open mind on it as new information becomes available. I have not predetermined this

application but will examine it based on the known planning guidance made available to me.

14/10/2020

Adjoining Ward Member (Exmouth Town) Cllr Olly Davy

I am appalled by the number of trees proposed for removal. I note that most of these are category 2 and 3 trees, but I cannot accept the removal of trees to facilitate vehicle access. As a former employee and student at Rolle College, I recollect an existing access from Douglas Avenue towards Eldin House, and I cannot see why this cannot be used. It seems to me that in order to fit in the maximum number of units, the developers have been too willing to remove trees. I accept that some trees are now too close to each other, and shrubs have been allowed to become overgrown, and I realise that some removal of these will be required, but I cannot accept the loss of large, reasonably healthy category B mature trees, particularly T906. I reserve my final position on this application until I have seen all reports and heard all arguments.

Parish/Town Council
Meeting 28.09.2020

No objection to the application subject to comments and recommendations from the Exmouth Wildlife Group were considered (attached separately). It was noted that the proposal was contrary to Exmouth Neighbourhood Plan policy H2 and members expressed frustration that development rarely delivered the minimum affordable units.

Further comments:

No objection to the amended plans subject to previous comments and recommendation from the Exmouth Wildlife Group as before. Ward members felt it would be useful to meet with the developer regarding the CEMP to discuss access to the site and the lessons learnt members had learnt from previous development in the area.

Technical Consultations

20/10/2020

EDDC Urban Designer

The following comprises a design assessment of the redevelopment of the part of the former Rolle College site in the corner of Douglas Avenue, Portland Avenue and Fairfield Road. These comments will assess the development using EDDC Local Plan policy and recognised design guidance including Building for a Healthy Life, the latest version of the Building for Life series.

Context and site as existing

Douglas Avenue was built during the tourist heyday of Exmouth when wealthy visitors from London built large villas set within generous grounds as summer retreats. With Exmouth's tourist decline many of these villas have been replaced by retirement flats, hotels and care homes, some of which attempt Victorian pastiche but succeed only in

looking like concrete boxes in fancy dress. Other retirement flats and apartments are 1980's and 1990's brick boxes with mansard roofs, often with concrete garages along the road edge. It says a lot for the original architecture and design of the gardens and boundary walls that Douglas Avenue still remains attractive, tree-lined and tranquil. The streets around Douglas Avenue have not suffered as much and many original buildings have aged in place in their tree shaded gardens alongside more sensitive modern additions.

Immediately adjacent to the site is the campus of the Exeter Royal Academy for Deaf Education. This is still under construction but is mostly complete and already in use. The campus buildings are largely white or grey rendered but have a wide variety of forms, roof lines, façade and glazing designs, none of which really hang together to form any coherence on site (a shame given the proposals put forward in 2010 by DrMM). A dormitory building with a relatively traditional extruded pitch-roofed cross-section is closest to the site boundary with a gable facing Eldin House. Despite its relatively simple form, this building manages to maintain the incoherence seen in the rest of the campus having five different materials finishes to its elevations. There is little or nothing on this site that provides helpful design cues on how to work successfully with the context.

On the site itself, Eldin House is Grade 2 listed and is a typical stone-built house of its age with decorative timberwork. It is fairly substantial, having been built for a local clergyman and will become more attractive with sensitive refurbishment. Sadly, the boundary created between the college site and this development site separates the house from what would have been its driveway and access, condemning it to forever appear to be facing the wrong way. This, combined with the poorly judged architecture on the college site heavily compromises the setting of this building. The other smaller buildings on site, such as the glass house and Eldin Cottage, are soft red brick and while they may not be regarded as having design or architectural merit are still attractive in their own modest right including Eldin Cottage and the glass-house and potting shed.

The brick boundary wall along Douglas Avenue, Portland Avenue and Fairfield Road stands over 2m for most of its length. Although the main body of the wall is Victorian some parts along Portland Avenue have been raised, with the added bricks suggesting this happened during WW2. With openings in it and by forming part of the gable end of Eldin Cottage the wall has more animation than might be expected. This look of an 'inhabited wall' is a feature of this part of Exmouth with the boundary wall along the opposite side of Fairfield road being a good example. Softening by overgrowing vegetation completes an attractive environment.

There are three main entrances to the site, two onto Douglas Avenue with one next to the college site and the other on the corner of Douglas and Portland avenue. The other onto Fairfield Road gives access to Eldin House. The entrance on the corner Douglas and Portland avenue, is unused as a vehicular access and blocked with steel railings.

The main remaining former college building is a 1960s-70s three storey block running parallel to Douglas Avenue between 10m and 15m back from the back of the pavement where the boundary wall also forms a retaining wall as the site rises up from the road. The ground level at the building base is just over 2.2m above pavement level so this

set back helps reduce the perceived scale of the building. The building has a shallow pitched roof and extensive bands of windows on both long elevations (running East West). Since the college closed there has been extensive vandalism leaving the building with few, if any, intact windows.

Proposal

The proposal is to renovate and convert Eldin House into four flats, demolish all other buildings on site and replace them with ten houses and 25 apartments in a single block. The site layout places the apartments along Douglas Avenue, replacing the existing college building but much closer to the road edge. The houses are a mix of 1x 1 storey bungalow, 2x 1.5 storey bungalows and 7x 2 storey houses. These all look to be well designed and aimed at the upper end of the market, especially given the generous footprints these houses have where the ground floor area extends beyond the roofline providing more space while reducing the visual impact outside the site.

By contrast, the apartment building is five storeys with a footprint that is around double that of the existing building college building. It is 5m back from the road edge of Douglas Avenue, 10m closer to the road than the existing building. The fifth storey is set back to provide a perimeter balcony while all the flats on the floors below have balconies with railings. The elevations are otherwise plain with brick finish apart from two protrusions running up the east and west elevations that have hanging red tiles. The fifth storey is finished in bronze coloured rain-screen cladding.

Vehicle and pedestrian access to the site uses two of the existing three entrances; the entrance at the corner of Douglas and Portland Avenue remains closed with the existing steel fence retained. All the houses on site have two parking spaces along with 15 of the flats in the main block and in Eldin House, the remaining flats having one space each. For the whole site there are 3 visitor parking spaces.

Relationship to context and site

Apartment building

The greatest storey height along Douglas Avenue is 4 storeys and although the precedent is hardly pretty it should be pointed out that these buildings are set back from the road and almost all are built on sites that are below the level of the road, reducing their visual impact to the equivalent of a three or two storey building.

The existing college building is 3 storeys and 10-15m back from the pavement and is still very prominent, especially as the site is above the level of the road. However, this prominence is considerably softened by the established trees around it that in most cases, certainly when seen from ground level, appear taller than the building.

At five storeys on elevated ground and only 5m back from the pavement the apartment building will have considerably more visual impact on its surroundings than any nearby building and far greater impact than the existing college building it replaces. As the application looks to remove many of the trees on site the visual softening they provide will no longer be there and the proposed building would dwarf the remaining trees anyway. It has a deep floorplate and much larger footprint than the existing building

making the east elevation facing up Douglas Avenue is also significantly wider than the current building.

The LVIA states that the apartment building is of ‘...better quality and aesthetic [than the existing building] improving the relationship with Eldin House so will not be a dominant feature’. Improved aesthetic and quality are unrelated to whether or not it is a dominant feature. It will be a dominant feature because what is relevant is that it is very much bigger than anything around and right next to the road. It is arguable whether it is of better quality and aesthetic as it is very poor design and aesthetic given where it is. I also do not see how it is improving the relationship with Eldin House unless Eldin House is masochistic.

- Any building replacing the college building should not go much beyond the existing visual massing from Douglas Avenue. To do so would be to fundamentally misread the nature of its context.
- Putting the proposed scale of building elsewhere on the site would simply move the problem to where it would affect more sensitive areas off Portland Avenue and Fairford Road. In addition, the site rises up from Douglas Avenue towards Fairfield Road so such a building would continue to dominate Douglas Avenue.
- The building itself, notwithstanding the scale and massing, has single aspect flats served off a spine corridor. This arrangement creates the large footprint of the building making its massing more problematic, especially as it rises in height.
- The flats, being single aspect, result in many being relatively deep plan and potentially needing artificial light in some of the living spaces during daytime throughout the year, particularly those facing north. The apartments will also not be able to benefit from cross-flow ventilation which will make them more dependent on mechanical ventilation.
- It is good that all flats above ground floor level have balconies that are meaningful in size but the choice of open railings may put some people off using them, particularly on the upper levels. Using a solid or perforated barrier would provide greater privacy and sense of safety.
- Flats at ground floor level should open directly onto private outdoor space. This would provide valuable outdoor space to the residents and create defensible space, reducing the chances of break-ins and other unwanted behaviour around the base of the building.
- The cycle store should be next to the entrance and ideally accessible internally from the entrance lobby. This would improve both user comfort and security.
- Reducing the scale of the building would reduce the parking load on the site freeing space for more accommodation, more green space, and allow a different arrangement that may help retain some of the established trees that are currently set to be cut down.

Housing

The houses are well designed and clearly intended for a more wealthy client base than average. They have fairly large footprints due to extended ground floors which helps to increase internal space while avoiding increased massing and height so reducing the visual impact for people seeing them over the wall. The ground floors would effectively be hidden by the angle of view relative to the height of the boundary wall around Fairfield Road and Portland Avenue.

The set-back from the wall of the houses varies from around 1.5m to upwards of 15m. This misses an opportunity to use the boundary more creatively, following the precedent set by Eldin Cottage and using the boundary wall as part of the structure of some of one or two of the houses or garages. Garage access could also be placed through the wall following the precedent set on Fairfield road. These moves would free space within the site overall. The 1.5m space between the wall and the houses along the Fairfield Road is not particularly usable so it may help to move it elsewhere. Garage access through the boundary wall would help reduce the amount of tarmac necessary within the site itself, perhaps not by much but in a constrained site every little helps.

Eldin House

This is all very sad as the division of the old college site has cut Eldin House off from its access, made it look like it is facing backwards and then, to add insult to injury, the residential block of the college peers at it like a curious and overfriendly ugly dog sniffing at a rather splendid old tortoise.

The decision to access Eldin House from Fairfield Road compounds this by making residents squeeze between the north elevation and the bin store to get to the entrances to the building. This really makes no sense apart from the house being nearer to Fairfield Road than Douglas Avenue. It would be far better to have access, certainly on foot, from the Douglas Road entrance to the site to there is a more open, attractive and natural approach. This would follow the more probable desire-line of people wanting to go to the town centre from the house and would remove the need to patch the grass that would be inevitable should a path not be made to the Douglas Road entrance.

Site Access and Layout

Most of the road access to the site is through the eastern Douglas Road entrance. Four parking spaces serving an Eldin House flat and the bungalow that replaces the potting shed open off the existing Fairfield Road entrance. A large area of parking serves the apartment building.

The decision to treat the site as one creates the long internal drive that makes it feel more urban and car dependent than it needs to. Separating the site into two, certainly for vehicle access, using the existing boundary would transform the way each side reads and create much more welcoming and intimate spaces. It may also reduce the amount of tarmac and earth movement. Site access would retained from the eastern Douglas Avenue entrance with a new entrance off Fairfield Avenue. The eastern and western halves of the site have very different characters and this vehicular separation would be a more natural, comfortable and convenient arrangement for both.

As mentioned above, using the precedent of living walls set by the boundary walls in the area, having elevations of garages or houses built as part of the boundary could free additional land within the site, could produce a more attractive and interesting end result and reduce the amount of space given over to vehicle circulation internally if garages doors open out of the wall. Garages could open off the Fairfield Road, as

seen in the wall opposite. This would not work on the Portland Avenue, but a house elevation forming part of the wall would.

Overall

The proposal is a mixture of very well designed, thoughtful houses and some really odd design decisions that don't work at all.

The apartment building has to be rethought in its entirety. The building is too big, too close to the road and creates too much parking pressure within the site. At a smaller scale, that of the existing building, and with more thoughtful elevations an apartment building would be fine. A reduced section could also enable the building to extend within the site, moving to accommodate what is already there.

The entry to Eldin house should move to give access from the Douglas Avenue entrance. Not doing so simply reinforces all the bad things that have happened to the building already.

Splitting the site in two along the existing north south wall would help it form two spaces with much better characters. It would create much more logical access that would reduce the feeling of it being a transplanted housing estate, albeit quite a nice one.

Using the precedent of the living boundary walls could create something really interesting and attractive while benefitting the spaces within the site.

Further comments:

The following comprises Urban Design comments for revised drawings submitted 18th December 2020.

MAIN POINTS

Apartment buildings

The revised scale and design of the apartment buildings are effective in addressing the comments made previously on massing and scale. The design is understated without being dull and does not revert to slavish pastiche while still referencing its Victorian context in the scale and rhythm of windows etc. The building is now well suited to the context and setting and does not, in my view, negatively affect the setting of Eldin House nor distract from it.

The floor-plans indicate that one cycle store can be accessed from the internal circulation and one can't. Is there a reason for this? Otherwise it would be better to see both accessible from inside or that they could perhaps be rearranged into a single store.

The ground floor flats with garden access would benefit from storage space in the gardens so that the tools and garden machinery can be stored securely.

Flats 11 and 14 have an odd entrance arrangement where people entering come through the most private areas of bedrooms and bathrooms rather than there being a public / semi-private transition. It makes for an awkward entry for anyone visiting.

Using the projecting part of the building to house an entrance and hallway would enable a better journey into these homes as it is more central.

It might be good to have balcony access from the bedrooms to the apartments on the third floor as although these face north it would still be good for occupants to have that choice. I sense it would be frustrating to be there and see the flat roof area immediately outside the bedroom window and not be able to access it.

Eldin House

Changes have addressed previous comments. No more to add.

Site Access and Layout

Reduced apartment units have reduced parking pressure allowing a far better site layout.

It would be good to see a detailed landscape design that enables the available spaces to be used by residents to socialise and relax, especially for occupants of units without their own outdoor spaces.

The applicant has explored options to provide new access points to Portland Avenue and these will not work technically. The site performs perfectly well.

There is a new pedestrian entrance using the existing gateway at the eastern end of the site at Douglas Avenue. This is a good addition.

Potting Shed Bungalow

The revised proposal does a lot to reference the existing potting shed and glass house in its design and makes good use of this in its architecture. This is a real improvement on the previous bungalow that was already attractive and well-designed but didn't reference the existing buildings.

I would prefer more of the height of the existing spine wall to be retained as a strong visual feature that would do more to carry the history of the site forward. It would also make a good visual play of the two sides of the new building, hiding each from view until rounding the wall.

The opening in the fin wall between the parking spaces is not necessary and it would be better removed. This only serves to allow people to see each others cars from their parking space and little else, while also being a fairly major intervention in the structure of the wall. Retaining a solid wall at this point would be preferred by the eventual occupants, certainly of the potting shed bungalow, as this opening is onto their private space. A solid wall gives greater privacy and ownership for the users of all parking spaces here.

The pitched roof might benefit from some reduction in height, perhaps by reducing the angle of either both pitches, or the one facing Fairfield Road. This would bring the overall height more in line with what exists at the moment on site.

Providing a glazed entrance structure that fills the space between the south façade facing into the car-port and the first timber element of said car port would strengthen visual and functional reference to the site history while also providing a useful utility space for future occupants.

The way the building meets the boundary wall appears well designed, though details are unavailable at the moment, reducing the visual impact without detriment to the internal spaces.

Conclusion

The landscaping element to the design is as yet unresolved but this will clearly evolve as work progresses on site and a more detailed knowledge of opportunities and constraints become apparent. It would be good to see spaces designed that would encourage residents to use them for socialising and relaxing, perhaps just sitting on the grass in landscape design that provides some enclosure.

In all, this revised design of the site and the buildings within it successfully addresses the comments made previously while making all attempts to explore any comments or suggestions that have not been taken up. From an urban design point of view there is little to criticise and much to praise in the approach taken and efforts made by the applicant and design team.

Conservation

20/1838/MFUL

This application relates to two aspects. The conversion and refurbishment of Eldin House into 4no. flats and the development of the remainder of the site for redevelopment for housing comprising 10no. new house and 25no. apartments. Detailed comments are set out under 20/1839/LBC relating specifically to the listed building. Within the context of the remainder of the site, the proposed development for housing is considered here. The site layout places the apartments along Douglas Avenue, replacing the existing college building but much closer to the road. The houses are a mixed development including 1no. bungalow, 1.5 storey dwellings and two storey houses.

There are a number of principal issues and comments as set out below:

- o The development is in two halves, east and west of the site. Whilst, the eastern side of the site is more domestic in scale and appearance, there are some minor issues, see below. However, the western side of the scheme appears to be less successful and has considerable impact on the setting of the listed building;
- o The overall scheme is dominated by the road layout with one main vehicular access from Douglas Avenue and a secondary access from Fairfield Road. Concerns have already been raised under 20/1839/LBC regarding the widening of the existing entrance and if this is to be acceptable, more should be done to minimise the harm by creating a more pedestrian orientated approach with stronger links to Eldin House from Douglas Avenue;

- o Is there scope to provide a third vehicular access into the eastern side of the site? It is appreciated that this is an awkward site, but currently the proposed road layout dominates the development giving a more urban feel rather than the intimate residential character of the housing design;
- o The proposed apartment block is out of scale, too high and too close to the road, having a detrimental visual impact. It is out of keeping with the character and appearance of the site, the setting of the listed building and the wider Conservation Areas. In addition, in the context of the streetscene. It is not just about views of Eldin House, but also about the site as a whole and how it fits in with the surrounding development;
- o In conjunction with this, the car parking to the north of the apartment block dominates the western side of the site and has a detrimental impact on the setting of the listed building. Eldin House has become isolated from the rest of the site by virtue of the parking, access road etc and needs better integration, landscaping etc to provide a more appropriate setting;
- o Re-thinking the apartment block, access and parking provides an opportunity to improve upon, not only the setting of the listed building, but also the site as whole, its appearance in the context of the streetscene and its contribution to the wider Conservation areas and surrounding development;
- o There is no pedestrian access to the eastern side of the development. Could this be provided by utilising the existing access on the corner of Douglas Avenue and Portland Avenue?
- o The potting shed/greenhouse is to be replaced by 1no. bungalow, see comments under 20/1839/LBC and it is already noted that they contribute to the building group and setting of the principal house. Their removal will result in some harm. It is considered that they could be utilised for bin store and cycle shed, but that this may not be the preferred option. Further discussion regarding their significance to the setting and therefore their retention or loss is required. Any discussion will need to consider harm, cumulative harm and any public benefits afforded by their use or removal.

Conclusion: whilst there is merit in the proposals for the repair and refurbishment of Eldin House, and scope to improve its setting and to develop the site for housing, there are a number of concerns, see above. The proposals are therefore not currently supported, but it is considered that further discussion and amendment will hopefully lead to a successful and acceptable scheme.

PROVISIONAL RECOMMENDATION - PROPOSAL
UNACCEPTABLE see comments above

Further comments:

Amended plans received 21st December 2020:

The comments below relate to the key relevant changes to the scheme as detailed in the Heritage Addendum:

- o Redesign of the scale, height and materiality of the apartment block addressing Douglas Avenue
- o New designs for the proposed new one storey dwelling on the site of the potting shed associated with Eldin House
- o Redesign of the soft and hard landscaping adjacent to the Eldin House resulting in the reduction of car parking close to the Listed Building

It is also noted that the site layout has been amended to include a footpath linking Eldin House to Douglas Avenue, shared surface detailing, a pedestrian access from Douglas Avenue on the eastern side of the site and minor amendments to the housetypes/reconfiguration of footprints etc.

20/1839/LBC

Greenhouse/Potting shed: the amended plans show new designs for the proposed new one storey dwelling on the site of the potting shed associated with Eldin House. It is appreciated that the potting shed is in poor condition and that it does not lend itself easily to conversion. It contributes to the setting of the principal heritage asset and its removal therefore needs sufficient justification.

The revised scheme has been carefully designed to retain the historic brick spine wall between the potting shed and later greenhouse and echoes the overall aesthetic of the original structure. The remaining concerns relate to the opening in the brick wall between the parking and pergola, is this necessary? and the view of the lower roof over Bedroom 1 & 2 from Fairfield Road. See also comments from Urban Design. However, it is accepted that this approach is justified.

The redesign of the soft and hard landscaping adjacent to the Eldin House resulting in the reduction of car parking close to the listed building and the footpath linking Eldin House to Douglas Avenue are an improvement to address previous concerns relating its isolation within the development and are welcomed;

Gate piers and boundary wall: no changes appear to have been made to this aspect of the scheme. It is still considered that this will result in some harm to the current domestic and intimate scale of the opening, which contributes to the approach and therefore the perceived experience of Eldin House.

20/1838/FUL

Apartment block: the amended plans show a redesign of the scale, height and materiality of the apartment block addressing Douglas Avenue. This addresses the considerable concerns previously raised and is much improved. Now sitting below the ridge line of Eldin House and in conjunction with the materials, subject to samples etc, and the revised parking/landscaping will have less detrimental impact on its setting;

Road layout: there is still only one main vehicular access from Douglas Avenue and a secondary access from Fairfield Road. However, the changes to create shared surface

detailing and the introduction of pedestrian accessibility to both Eldin House itself and the eastern side of the site help to mitigate this aspect;

The pedestrian access from Douglas Avenue on the eastern side of the site is welcomed.

Conclusion: there is considerable merit in the proposals for the repair and refurbishment of Eldin House, and scope to improve its setting and to develop the site for housing. Following discussion, the amendments have provided a more appropriate and acceptable scheme. Whilst there are still some minor concerns it is considered that overall the scheme has addressed the concerns raised and that the works will result in less than substantial harm to the listed building and the wider Conservation Areas.

Contaminated Land Officer

I have considered the application 20/1838/MFUL and I recommend approval with the following conditions in relation to contaminated land.

Where there's a risk of pollution/contamination being caused by the demolition of structures from the development site the developer must undertake a risk assessment identifying the potential risks for airborne nuisance, additional land/water contamination and/or the creation of additional contamination pathways either on the site or at adjacent properties/other sensitive receptors.

The demolition should be carried out in such a manner as to minimise the potential for airborne nuisance, additional land contamination and/or the creation of additional contamination pathways either on the site or at adjacent properties/other sensitive receptors.

Natural England

Thank you for your consultation.

Natural England has previously commented on this proposal and made comments to the authority in our letter dated 29 September 2020 (our ref: 328371).

The advice provided in our previous response applies equally to this amendment.

The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

Environmental Health

I have considered the application and note that this site is close to nearby residents who may be impacted during the construction process. I therefore recommend the following condition:

NO(B)2

A Construction and Environment Management Plan must be submitted and approved by the Local Planning Authority prior to any works commencing on site, and shall be implemented and remain in place throughout the development. The CEMP shall include at least the following matters : Air Quality, Dust, Water Quality, Lighting, Noise and Vibration, Pollution Prevention and Control, and Monitoring Arrangements. Construction working hours shall be 8am to 6pm Monday to Friday and 8am to 1pm on Saturdays, with no working on Sundays or Bank Holidays. There shall be no burning on site. There shall be no high frequency audible reversing alarms used on the site.

Reason: To protect the amenities of existing and future residents in the vicinity of the site from noise, air, water and light pollution.

EDDC Landscape Architect - Chris Hariades

1 INTRODUCTION

This report forms the EDDC's landscape response to the full application for the above site.

The report provides a review of landscape related information submitted with the application in relation to adopted policy, relevant guidance, current best practice and existing site context and should be read in conjunction with the submitted information.

2 LOCATION, SUMMARY PROPOSALS, SITE DESCRIPTION AND CONTEXT

2.1 Location and brief description of proposals and means of access

The site is situated within the centre of Exmouth on a relatively prominent, elevated site bounded by Douglas Avenue to the south, Portland Avenue to the east and Fairfield Road to the north. The western boundary abuts the Deaf Academy. The eastern part of the site lies within the Beacon and Louise Terrace Conservation Area. The proposals comprise demolition of a redundant teaching block and late 19th century villa and cottage together with a potting shed and other minor buildings; conservation and conversion of grade II listed Eldin House to four apartments; construction of a five storey apartment block, together with five bungalows and a further five detached two storey dwellings with associated infrastructure, parking and open space. Access is from existing entrances off Douglas Avenue and Fairfield Road.

The site has a southeasterly aspect and contains a number of large mature trees which are notable landscape features. It is contained within a part stone and part brick, high wall forming the boundary to the adjacent streets and which contributes positively to local character.

3 REVIEW OF SUBMITTED LANDSCAPE RELATED INFORMATION

3.1 Landscape and visual impact Assessment (LVIA)

3.1.1 Generally

The submitted assessment is difficult to follow, does not follow the usual sequence of stages set out in the industry standard Guidance for Landscape and Visual Impact Assessment 3rd edition (GLVIA3) and is missing some important detail. There is a lack of transparency as to how some of the results have been arrived at and its objectivity is questionable. While some elements of the proposal could be considered to have landscape and visual benefits such as conservation of Eldin House and demolition of the redundant teaching block, the overall finding that the scheme would have a beneficial effect on the character of the area is not justified.

3.1.2 Description of development

There is no description of the construction phase that would allow assessment of the likely landscape and visual effects of the proposal as outlined in GLVIA3 (4.17).

3.1.3 Baseline landscape data and evaluation of value, sensitivity and capacity

In consideration of landscape/ townscape sensitivity it is unclear how the assessment of **medium to low sensitivity** has been arrived at. Given the assessment of the site and its contribution to local character as being of **local value**, in accordance with the submitted methodology in Appendix A of the assessment this should give a **high to medium** value overall. Considering the overall increase in built form and increase in height by two additional storeys in comparison with existing buildings on and adjacent to the site the susceptibility to change of the type proposed should be considered **medium to high** rather than **medium to low** as stated.

3.1.4 Baseline data on site visibility and evaluation of visual sensitivity

A Zone of Theoretical Visibility extending to a 2m radius from the centre of the site and based on the height of the proposed apartment block should have been provided as the basis for assessment of likely visual receptors. Consequently it is possible that the full visual extent of the proposal has not been adequately considered.

The assessment of visual receptors should have included residents along each of the adjacent roads.

GLVIA3 para 6.33 states that residents at home are amongst the most susceptible to change.

3.1.5 Identification of effects on landscape receptors

The statement in section 4.3, 5th bullet point that the 5 storey apartment block '*will not be a dominant feature*' despite being two storeys taller and 5m closer to the boundary than the existing teaching building is disputed and contradicts the Constraints Plan appended to the Assessment which states '*The existing college building in this location currently presents a prominent and dominant element within the site presenting a detracting feature in the street scene.*' The Heritage Statement also acknowledges that the new building will have some detrimental effect on local character and the setting of Eldin House.

Existing trees and vegetation contribute positively to the character of the site. While key trees are to be retained removal of lesser quality trees and other vegetation will open up views into the site particularly from Douglas Avenue and Portland Avenue and the impact of this should be assessed more thoroughly.

It is stated in section 4.3 of the Assessment that new trees and planting will be characteristic of the area. However new trees are entirely fastigate which are not characteristic features of the locality.

The assessment should have also considered the likely effects on the existing boundary wall.

3.1.6 Identification of effects on Visual Receptors (those using or living/ passing by the site)

The assessment should include a map showing the locations of viewpoint photographs.

The magnitude of change experienced by residents is likely to be least for those living along Portland Avenue and highest for those along Douglas Avenue and Fairfield Road who are likely to experience a moderate to high adverse visual effect as a result of the proposal.

There is a lack of clarity as to how the assessment of **negligible magnitude** of change for people along the sea front has been determined.

Given the scale and potential impact of the apartment block in particular, accurate photomontages should be provided from key viewpoints to demonstrate the visual impact of the proposals.

Viewpoints that should be included are 1B, 2B and 4 from the LVIA. A further photomontage should be provided from a viewpoint midway along the southern boundary looking northwest, the exact location to be agreed with the LPA. All photomontages should be Type 4 to AVR level 2 prepared in accordance with Visual Representation of Development Proposals, Landscape Institute, Technical Guidance Note 06/19 17.9.2019 and be based on good quality photographs taken in winter using a 50mm lens (or equivalent) to provide a 49 degree horizontal field of view and should be presented as a single shot image on a full A3 page. Photomontages should show the scheme at completion (year 0) and after 15 years from completion when mitigation planting will have had time to develop.

3.1.7 Mitigation measures

In section 4.2 of the assessment it is not clear what the difference between primary and secondary measures signifies. Under GLVIA3 primary mitigation measures are those that are incorporated into the final scheme proposals while secondary measures are those that are off site or have not been incorporated into the proposals.

There is no assessment of the residual effects of the development that would be evident once the primary mitigation is implemented.

3.2 Reports and surveys

3.2.1 Ecological survey

a) The ecological assessment includes the following mitigation and enhancement measures which should be included in detail landscape and building plans should the application be approved:

Mitigation measures

- ☐ Compensatory artificial nest sites will be provided within the development.

- Vegetation in the north-east corner of the site will be cleared under an ecological watching brief to avoid potential disturbance to reptiles. A log pile will be provided as compensatory habitat.
- Non-native invasive plants will be eradicated from the site prior to vegetation clearance.
- The landscaping scheme will retain a band of trees and shrubs on the south and east boundaries and include small copses, street trees and areas of wildflower grassland to compensate for vegetation removal and also enhance habitat diversity and connectivity.

Enhancement measures

Positive measures to enhance biodiversity will be included in the scheme to achieve an overall net gain for biodiversity, including:

- Using plant species in the landscaping scheme which are beneficial to pollinators and other invertebrates, so enhancing foraging opportunities for bats, birds and other wildlife.
- Providing additional bat and boxes in trees and new housing which supplement the required compensatory bat roosts and bird nest sites; these will enhance habitats for protected species throughout the development.
- Installing bee bricks within the fabric of the new dwellings to improve habitat for pollinators.
- Maintaining hedgehog access to gardens by creating a 13cm x 13cm gap in garden fencing at ground level.

b) In respect of the proposed log pile this is currently indicated to be in the rear garden of plot 6 and should be moved into an area of public open space where its maintenance will be the responsibility of the site management company.

c) In its conclusion the report states that the proposals result in a bio-diversity net gain although this is not quantified. The percentage improvement and details of how net gain has been calculated should be provided prior to determination of the application.

3.2.2 Design and Access Statement (DAS)

The visualisations contained within the DAS are of very dubious accuracy especially the before and after images of Douglas Avenue as shown on page 30, where the proposed five storey apartment actually appears lower than the existing three storey building it is replacing. Superimposing the before and after images at correct scale (see figure 1 below) shows much more accurately the before and after effects of the proposal in this view. The representation of proposed trees which are shown at mature height and larger than the existing 100+ year old conifers and holm oaks on site are also highly misleading.

3.3 Layout and landscape details

3.3.1 Proposed levels

There is no clear information provided on proposed site levels. Given the extent of level changes across the site a detailed proposed levels plan is essential to developing an effective site layout and to demonstrate that the proposals meet accessibility standards without compromising root protection areas and site features to be retained and avoiding creation of unnecessary/ visually intrusive retaining structures. In relation to the perimeter wall to Portland Avenue this is part retaining and part free standing and clarity is needed as to how existing and proposed site levels work adjacent to it.

3.3.2 Car parking

Due to the proposed density of development the internal site layout is dominated by car parking which would have an adverse impact on the setting of Eldin House and greatly restricts opportunities for creation of incidental open space and structure planting that is required to soften the built form of the development generally and break up and screen parking areas.

The design of the small parking court accessed from Fairfield Road is space inefficient. Grouping the four parking bays it serves together against the western boundary of the adjacent bungalow would reduce the extent of hard paving required and enable wider planting beds and a better path alignment to the west of the main car park.

3.3.3 Public Open Space and pedestrian circulation

a) Public open space provision within the site is heavily compromised by over development of the site, the only space of any size being under the canopy spread of the large holm oak in the centre of the site where it will be heavily shaded at all times and is surrounded by car parking. Access to the central open space is also awkward and uninviting, and the narrow grass paths indicated are unlikely to withstand regular trampling.

b) The proposed seating area to the south of Eldin House is unlikely to have much appeal and should be reduced/ omitted.

c) A pedestrian link is provided between the apartment block and Fairfield Road that is indirect and which compromises the privacy for occupants of the ground floor bay window to Eldin House. Redesign of the Fairfield Road parking court will allow the path to be straightened and moved further away from Eldin House at its northern end.

3.3.4 Soft Landscape

a) As noted above opportunities for planting within the centre of the site are heavily constrained by car parking and many proposed planting beds are unfeasibly narrow to sustain vigorous, healthy plant growth. Particularly bad examples of this are:

- ☐ Proposed planting strip to the west side of the main car park and rear of parking bays 38/39 which are less than 1m wide. Allowing for haunching to pavings to either side the effective bed width in these locations is likely to be only 500mm.

- ☐ Awkward strip to northwest corner of apartment block.

- ☐ Ultra narrow strips between parking bays 29/26 and 26/V.

- ☐ Side accesses to detached dwellings appear to be shown as grass. This is not practical and these accesses should be paved. The extent of rear paved patio areas should also be shown.

b) Proposed trees are all very narrow columnar varieties. While the use of such fastigate species could be acceptable as part of the overall design, larger canopy trees should also be provided where space permits such as to either side of the main car park entrance and to the eastern side of the development.

c) Planting design should seek to create a more unified frontage to the Douglas Avenue boundary.

d) Beds to front of the apartment block should have be planted rather than grassed.

3.3.5 Play provision

There is no indication in the submitted details of how play and open space requirements in accordance with Strategy 43 (Open Space Standards) of the Local Plan will be met and this should be clarified.

3.3.6 Perimeter boundary walls

a) It is recognised by all parties that the perimeter boundary walls to Douglas and Portland Avenues and Fairfield Road are a key element of the site/ local character and their retention is important. The LVIA makes reference to a wall condition survey that has been undertaken but this does not appear to be included in the submitted details. The report should be provided together with detailed information on any proposed works to it which should include details of how demolition of the gable end of Langstone Cottage will be made good and how existing openings onto Fairfield Road will be treated.

b) The proposed bricking up of the attractive historic gateway to the southeast corner of the site is unjustified and would have a negative impact on the streetscape and site heritage.

3.4 Green Infrastructure

☐ Cycle parking: The provision of suitably located cycle stores for the flats/ apartments is welcome. Provision should be made for electric bike charging points.

☐ Rainwater collection – all private dwellings should be provided with water butts to collect roof rainwater.

☐ Green roofs – A detailed specification for proposed green roofs should be required as a condition of any approval.

☐ Renewable energy – The proposals should include provision for solar panels.

☐ Bio-diversity – The landscape strategy should include biodiversity mitigation/ enhancement measures as identified in the ecological assessment.

4 CONCLUSIONS & RECOMMENDATIONS

There is likely to be little dispute that the application site is suitable for redevelopment for residential use and that the sensitive conversion of Eldin House and removal of the ugly and prominent redundant teaching block and its replacement with an appropriate and sensitively designed building would improve the quality of the site.

In terms of landscape and visual impact and design the key issues of concern in the submitted proposals are the scale of the proposed apartment block, its impact on local character and the loading it places on the site in order to accommodate the required number of parking spaces. The resultant layout, particularly to the western side of the site, is dominated by car parking, provides poor amenity for residents and limits opportunities for tree planting that would help to integrate the development with its surroundings. These issues can only be addressed through a down scaling of the apartment block.

Further issues with the submitted information are noted in section 4 above and should also be satisfactorily addressed prior to determination of the application. Otherwise the application should be refused as contrary to NPPF paragraph 127 especially items a), b), c) and e) and Local Plan policies: Strategy 5 (Environment), Strategy 43 (Open space standards), D1 (Design and local distinctiveness) and D2 (Landscape requirements).

Further comments:

1 INTRODUCTION

This report forms the EDDC's landscape response to amended landscape related information recently submitted for the above application.

The report provides a review of landscape related information submitted with the application in relation to adopted policy, relevant guidance, current best practice and existing site context and should be read in conjunction with the submitted information and previous response.

2 REVIEW OF AMENDED/ ADDITIONAL DETAILS

The reduced height and greater set back of the apartment block is a big improvement from the original proposal and overall the landscape and visual impact of the amended scheme is considered acceptable.

The amended site plan is generally acceptable but some refinement and further detail is required which could be secured by condition.

The amended drainage plan still shows new foul and storm sewers passing through the RPA of tree T908. While this is covered in the Arboricultural Method Statement there is no mention of the storm flow control chamber which is also sited within the RPA. Preferably the control chamber should be re-sited outside of the RPA extent, which seems possible by moving the attenuation tanks slightly. Alternatively an arboricultural method statement for it should be provided for approval.

The proposed levels plan, drawing no. 2401 rev. P03, shows significant level changes proposed within the RPAs of trees T908 and G3.6. This does not appear to be covered by the arboricultural method statement and further details for this should also be submitted.

The proposed cycle and bin store should have green roofs to provide additional bio-diversity value and charging points should be provided for e-bikes.

3 LANDSCAPE CONDITIONS

Should the application be approved it is recommended that the following conditions are imposed:

1 Notwithstanding the submitted details no development work shall commence on site until the following information has been submitted and approved:

- a) A full set of hard landscape details covering proposed earthworks, walls, retaining structures, fencing and railings, pavings and edgings, site furniture and signage.
- c) Details of locations, heights and specifications of proposed external lighting including wall mounted fittings.
- d) Detailed elevations and sections of existing external boundary walls showing the extent of repairs and alterations proposed together with samples of proposed brick types for any infill/ repair and details of proposed mortar mixes which should closely match existing.
- e) Detailed plans and elevations of proposed bin and cycle stores.
- f) Locations and details of proposed water butts to collect roof water for garden irrigation.
- g) Details and locations of proposed bio-diversity enhancement and mitigation measures.
- h) A soil resources plan which should include:

☐ a plan showing topsoil and subsoil types, and the areas to be stripped and left in-situ.

☐ *methods for stripping, stockpiling, re-spreading and ameliorating the soils.*

☐ *location of soil stockpiles and content (e.g. Topsoil type A, subsoil type B).*

☐ schedules of volumes for each material.

☐ *expected after-use for each soil whether topsoil to be used on site, used or sold off site, or subsoil to be retained for landscape areas or used as structural fill.*

☐ identification of person responsible for supervising soil management.

i) A full set of soft landscape details including:

i) Planting plan(s) showing locations and number of new trees, amenity planting, type and extent of new grass/ wild flower areas, existing vegetation to be retained and removed.

ii) Plant schedule indicating the form, size, numbers and density of proposed planting.

iii) Soft landscape specification covering soil quality, depth, cultivation and amelioration; planting, sowing and turfing; mulching and means of plant support and protection during establishment period and 5 year maintenance schedule.

iv) Tree pit and tree staking/ guying details and soil volume calculations for proposed trees within/ adjacent to hard paving.

2 The works shall be executed in accordance with the approved drawings and details and shall be completed prior to first use of the proposed buildings with the exception of planting which shall be completed no later than the first planting season following first use.

3 No development shall take place until a landscape management plan for a minimum period of 15 years has been submitted and approved in writing by the Local Planning Authority which should include the following details:

☐ Extent, ownership and responsibilities for management and maintenance.

☐ *Details of how the management and maintenance of open space/ communal areas will be funded for the life of the development.*

☐ Inspection and management arrangements for existing and proposed trees.

☐ *Management and maintenance of amenity planting, grass and wildflower areas in communal space.*

☐ Management and enhancement of biodiversity value.

☐ *Management and maintenance of any boundary structures, drainage swales and other infrastructure/ facilities within public areas.*

Maintenance shall be carried out in accordance with the approved plan.

4 Any new planting or grass areas which fail to make satisfactory growth or dies within five years following completion of the development shall be replaced with plants of similar size and species to the satisfaction of the LPA.

(Reason - In the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Strategy 3 (Sustainable Development), Strategy 4 (Balanced Communities), Strategy 5 (Environment), Strategy 43 (Open Space Standards), Policy D1 (Design and Local Distinctiveness) and Policy D2 (Landscape Requirements) of the East Devon Local Plan. The landscaping scheme is required to be approved before development starts to ensure that it properly integrates into the development from an early stage.)

South West Water

I refer to the above where amended plans have been submitted and would advise that South West Water has no objection.

Devon County Highway Authority

The proposed site layout indicates dedicated off-carriageway parking, turning heads and a footway along the primary link road, with a shared space format for the rest of the site.

The site sits on the junction with Douglas Avenue, C595 and Portland Avenue L3917, the site is also proposed to have a minor access from Fairfield Road L3919, this link however will be limited to four vehicle parking spaces with no vehicular link through to the rest of the site.

The site is a brownfield site with a permitted former residential use, though this layout slightly increases the amount of residencies. Exmouth is a sustainable transport town with regular bus services, the train station and the Exe-estuary trail, to make the most of this trail, I would recommend that a secure cycle storage facility is provided on the site, either as a whole or individual basis.

It is however due to the built-up location that I would recommend, a construction and environment management plan is produced in order to mitigate the construction process impact upon the surrounding community as much as possible.

The access will be widened slightly even though it is an existing established access. The application has come with with long and cross-sections of the internal carriageway and they do conform with our latest design guide, as do the proposed parking spaces.

Therefore the County Highway Authority has no objection to this planning application.

Recommendation:

THE HEAD OF PLANNING, TRANSPORTATION AND ENVIRONMENT, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, MAY WISH TO RECOMMEND CONDITIONS ON ANY GRANT OF PLANNING PERMISSION

1. No development shall take place until details of secure cycle/scooter storage facilities have been submitted to and approved in writing by the County Planning Authority. The development shall be implemented in accordance with the approved details.

REASON: To promote sustainable travel to in accordance with the East Devon local plan 2013-2031.

2. Prior to commencement of any part of the site the Planning Authority shall have received and approved a Construction Management Plan (CMP) including:

- (a) the timetable of the works;
- (b) daily hours of construction;
- (c) any road closure;
- (d) hours during which delivery and construction traffic will travel to and from the site, with such vehicular movements being restricted to between 8:00am and 6 pm Mondays to Fridays inc.; 9.00am to 1.00pm Saturdays, and no such vehicular movements taking place on Sundays and Bank/Public Holidays unless agreed by the planning Authority in advance;
- (e) the number and sizes of vehicles visiting the site in connection with the development and the frequency of their visits;
- (f) the compound/location where all building materials, finished or unfinished products, parts, crates, packing materials and waste will be stored during the demolition and construction phases;
- (g) areas on-site where delivery vehicles and construction traffic will load or unload building materials, finished or unfinished products, parts, crates, packing materials and waste with confirmation that no construction traffic or delivery vehicles will park on the County highway for loading or unloading purposes, unless prior written agreement has been given by the Local Planning Authority;
- (h) hours during which no construction traffic will be present at the site;
- (i) the means of enclosure of the site during construction works; and
- (j) details of proposals to promote car sharing amongst construction staff in order to limit construction staff vehicles parking off-site
- (k) details of wheel washing facilities and obligations
- (l) The proposed route of all construction traffic exceeding 7.5 tonnes.
- (m) Details of the amount and location of construction worker parking.

Housing Strategy Officer

If the principle of residential development is accepted on this site, strategy 34 sets the policy target for affordable housing provision and for Exmouth a target of 25% affordable housing is required. This equates to 9.75 dwellings.

The applicants in their planning statement are claiming that because the site contains vacant buildings then vacant building credit should be applicable. To support the re-use of brownfield land, national policy permits the reduction of affordable housing contributions where vacant buildings are being reused or redeveloped, known as 'vacant building credit' (VBC). In such cases, the affordable housing requirement should be reduced by a proportionate amount, equivalent to the existing gross floor space of existing buildings. If the total floor space of existing buildings to be reused or redeveloped is equal to or exceeds the total floor space created, then no affordable housing would be required.

Based on the floor areas provided by the applicant the GIA of the existing buildings totals 3,180 sq m and the proposed floor area following redevelopment is 3,802 sq m.

This results in a reduction of the affordable housing provision to 1.6 units or 4.09%. The existing and proposed floor areas should be checked to confirm accuracy.

The applicant goes on to say that providing 1 or 2 units on site will be difficult as there is unlikely to be a registered provider (RP) willing to take on 1 or 2 units. I tend to agree with the applicant on this. Whilst there is a pressing need for affordable homes in Exmouth there needs to be a provider to actually deliver them. Having only 1 or 2 units on a site is not costs effective for a RP.

The applicant is instead proposing to pay a commuted sum towards the provision of affordable housing. The commuted sum payable is £71,507. This commuted sum takes into account the reduction in affordable housing due to the application of VBC and the areas detailed above. Should the areas of the existing or proposed accommodation change then this may affect the commuted sum payable.

EDDC Trees

Tree Retention/Loss

The retained trees concur with those discussed as being the key trees on the site during pre-app meetings. However, on initial review the proposed site layout might seem to have taken little account of the identified root protection areas (RPA) of these trees.

There is a the potential impact on the RPA of the following trees:-

- o T 903 Holm Oak. The RPA of this tree is encroached on by the construction of units 9 and 10 along with the car parking spaces to the west and south.
- o T908 Monterey Pine. The RPA of this tree is offset to the north, south and west and is significantly encroached on by the proposed construction of units 5, 6 and 7 along with the associated access and landscaping.
- o T 912 Austrian Pine (?) The RPA of this tree is encroached on by the proposed construction of the apartment block, unit 8 and the car parking to the north.
- o G 3.6 Holm Oak. The RPA of this tree is offset to the north and is encroached on by the proposed construction of units 6 and 7.

RPA issues aside the proximity of the building on plot 8 to the canopy of the retained pine T912 might give rise to additional concerns. Similarly the proximity of the building on plot 6 to the canopy of T908 appears less than optimal. I would recommend that prior to occupation of this property that the branches of the tree have the cones removed in order to improve the safety of future occupants.

The above issues have been addressed within the arboricultural impact assessment (AIA) submitted with the application. The relevant section is 5.4

5.4 Encroachment into the Root Protection Areas of Arboricultural Features

This is a complex Site with trees intimately linked with historic structures, changes in ground levels, installation of underground services and asymmetrical rooting due to planting close to retaining walls around the Sites boundaries.

On this basis a precautionary approach has been adopted by the design team. Root Protection Areas have been offset to represent theoretical rooting area of retained trees. Where development is proposed within these enhanced root protection areas, tree sensitive construction measures have been adopted.

The main access onto the Site utilises the position of the historic access to Eldin House and the footprint of the former college building to minimise impact on the adjacent Atlantic cedar T905. To establish the principle of development and the reduction in ground levels necessary to achieve this; two 5 metre root investigation trenches were excavated (Appendix 3). Both trenches found little rooting from the adjacent Atlantic cedar and evidence of extensively made up ground. The methodology for excavating within root protection areas to install the main access can be found in the Arboricultural Method Statement (1054-AMS-SB).

The road and parking areas have then been designed to be constructed using no dig methodology, such as to the west of the Monterey pine T908. To ensure that the roots remain undisturbed and the rooting medium is not compacted, the hard surfacing within the root protection areas shall be constructed to a permeable, no-dig specification. The final specification for the permanent surfacing will be provided by a structural engineer but will adhere to the following principles:

- o The new surface should not require excavation or lowering of levels beyond that of removing the turf/vegetation layer which should only be undertaken using hand tools.
- o The new surfacing should avoid localised compaction of the rooting medium beneath by distributing weight evenly over its surface e.g. CellWeb TRP cellular confinement system or similar three dimensional support structure.
- o The surface should be permeable and incorporate a geotextile membrane capable of preventing potentially polluting contaminants reaching the rooting medium below.
- o The new surface should be resistant to deformation from tree roots and be no closer than 500mm to the tree stem and buttress to allow adequate room for future growth.
- o Traditional kerbing that requires excavation should be avoided. Non-invasive edge treatments e.g. pinned wooden sleepers or gabions should be used.

Finished floor levels and gardens have been adjusted to reflect the average ground level within the root protection area of retained trees with minor cuts and fills to achieve flat useable garden surfaces.

Where buildings fall within the offset Root Protection Areas of retained trees, the building footings shall be constructed to a no-dig specification. The final specification

for the building footings will be provided by a structural engineer and will accord to chapter 4.2 of the NHBC guidelines. In addition, the footings will also adhere to the following principles:

- o Traditional trench foundations should be avoided.
- o Use of piled foundations, the optimal location of which (whilst avoiding tree roots) is determined following on site investigation works.
- o The piles should be installed using hand tools or a compressed air soil displacement system to a minimum depth of 600mm. The smallest practical pile diameter should be used thus reducing the potential of damaging major roots and reducing the size of rig required to install the piles.
- o The beams attached to the piles should be at or above ground level.
- o The floor slab should be constructed with a ventilated air space between the slab and existing soil surface. A specialist irrigation system should be implemented to maintain the hydrological regime at the soil surface beneath the new structure.

Service runs through the Root Protection Areas of Arboricultural Features

This issue is partially addressed within section 5.5 of the AIA:-

5.5 Routing of Services and Utilities

The storm water drainage strategy has been designed to avoid the root protection area of retained trees. The installation of pipework within the root protection area of the stone pine T912 shall be undertaken under the supervision of the project arboriculturalist. The methodology for undertaking such excavations can be found in the arboricultural method statement (1054-AMS-SB). Further details of the routing of services have not been provided at this stage. When details of the routing of services become available, they will be reviewed by the project arboriculturalist. The arboriculturalist shall then confirm to the local authority arboricultural officer either that no works will be carried out within root protection areas, or provide details of the methodology required to ensure the works are carried out in accordance with NJUG Vol. 4 'Guidelines For The Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees' and BS5837: 2012.

However, the indicative drainage strategy drawing shows the both the surface water and foul water drains for the site, crossing through the middle of the root protection area (RPA) of the trees T908 and 909. Whilst the lower section of the foul water drain already exists, the need for remedial work to this pipe is suggested in the drainage strategy. There is no arboricultural method statement (AMS) to explain how this work or the laying of the new surface water drain is going to be implemented in order to avoid severe damage to the roots and rooting environment of these trees.

In the absence of information to the contrary it is appropriate to apply the precautionary principle and assume that these trees are likely to be lost through

damage to their roots. Such damage and loss will not be acceptable in arboricultural terms.

Conclusion

The retained trees concur with those discussed as being the key trees on the site during pre-app meetings. The AIA describes the principles of how the apparent impact of the proposed development on the RPA's of these retained trees will be addressed and mitigated. These methods are all recognised industry standard. However, there are no specific details provided to ensure appropriate implementation and construction is carried out. Therefore, I recommend that the following conditions are applied to any forthcoming planning consent.

TR02 Full details of the method of construction of hard surfaces in the vicinity of trees to be retained shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of any works on site (including demolition). The method shall adhere to the principles embodied in BS 5837:2012 and AAIS Arboricultural Practice Note 1 (1996) and involvement of an arboricultural consultant and engineer is recommended. The development shall be carried out strictly in accordance with the agreed details.

(Reason - To ensure retention and protection of trees on the site during and after construction in the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Policies D1 - Design and Local Distinctiveness and D3 - Trees and Development Sites of the Adopted New East Devon Local Plan 2016.)

TR05 Prior to the commencement of any works on site (including demolition and site clearance or tree works), a detailed Construction Specification / Method Statement for footings and floor slabs shall be submitted to and approved in writing by the Local Planning Authority. This shall provide for the long term retention of the trees and detail the means by which any necessary root severance and soil disturbance is minimised by providing a specification for root pruning in accordance with BS 3998: 2010. No development or other operations shall take place except in complete accordance with the approved Construction Specification / Method Statement.

(Reason - To ensure retention and protection of trees on the site during and after construction in the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Policies D1 - Design and Local Distinctiveness and D3

TR07 No trees, shrubs or hedges within the site which are shown as being planted or retained on the approved plans shall be felled, uprooted, willfully damaged or destroyed, cut back in any way or removed without the prior written consent of the Local Planning Authority. Any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased within five years from the occupation of any building, or the development hereby permitted being brought into use shall be replaced with trees, shrubs or hedge plants of similar size and species unless the Local Planning Authority gives written consent to any variation.

(Reason - In the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Policies D1 - Design and Local Distinctiveness

Mitigation/landscape Tree Planting

Significant numbers of lesser quality, but none the less significant trees, are proposed for removal. Collectively, the removal of these trees represents a considerable loss of canopy. The current proposal does not provide suitable mitigation in either numbers, form or size of trees.

Overall, there is too much use of fastigate trees and a lack of diversity in species. If fastigate trees are to be considered a design theme on the Douglas Road frontage, then space needs to be provided for the planting of fastigate forms of larger canopy species such as Quercus, Carpinus, Pinus, Acer, Cupressus, Taxus, Ginkgo, etc. Smaller canopy species such as Liquidamber, Crataegus and Sorbus along with lower shrubs can be used to complement and add diversity to a strong and coherent road frontage landscape. The presence of evergreen species is characteristic of this locality.

There is a need to replace the P. radiata which is being removed from the SW corner of the site with a species of similar stature not only to mitigate the removal of the existing tree but also to provide succession for the nearby Cedar.

Internally there is a need to provide far greater shade canopy around the parking courts. The two fastigate Oaks to the south of the main parking court should be replaced with species that can deliver full canopy large trees. Appropriate soil volumes for rooting can be provided by the use of rootcells under the parking areas. These could be incorporated into a local SUDS for the parking court areas. <https://greenblue.com/gb/product-category/stormwater-management/>

Within the internal landscape fastigate trees should only be used as accent planting or where there is genuine constricted space.

Further comments:

The updated documents have addressed the issues discussed at our meeting of the 18th Feb.

On the basis of these updates I am satisfied that the previously outstanding arboricultural concerns have been addressed. The AIA and AMS correctly identify the underlying arboricultural reasoning, the potential impact, and the appropriate mitigation measures for the proposed development. Through the use of appropriate and defined mitigation measures, the implementation and construction of the proposed development will have minimal impact on the important retained trees.

Some points of detail remain outstanding and I have already given you my suggested conditions that should be attached to any decision.

Contaminated Land Officer

We note that a Phase 1 Desk Study has been included with the application and that several potential sources of contamination have been identified. Therefore, to ensure the site is fully investigated and any appropriate remedial measures taken, we recommend that condition CT3 is applied to any permission granted.

DCC Flood Risk Management Team

No development hereby permitted shall commence until the following information has been submitted to and approved in writing by the Local Planning Authority:

(a) Soakaway test results in accordance with BRE 365 and groundwater monitoring results in line with our DCC groundwater monitoring policy.

(b) A detailed drainage design based upon the approved Flood Risk Statement Land Off Douglas Avenue, Exmouth and the approved Drainage Strategy Plan 1001 Rev P03 and the results of the information submitted in relation to (a) above.

(c) Detailed proposals for the management of surface water and silt runoff from the site during construction of the development hereby permitted.

(d) Proposals for the adoption and maintenance of the permanent surface water drainage system.

(e) A plan indicating how exceedance flows will be safely managed at the site. No building hereby permitted shall be occupied until the works have been approved and implemented in accordance with the details under (a) - (e) above.

Reason: The above conditions are required to ensure the proposed surface water drainage system will operate effectively and will not cause an increase in flood risk either on the site, adjacent land or downstream in line with SuDS for Devon Guidance (2017) and national policies, including NPPF and PPG. The conditions should be pre-commencement since it is essential that the proposed surface water drainage system is shown to be feasible before works begin to avoid redesign / unnecessary delays during construction when site layout is fixed.

Observations:

Following my previous consultation response FRM/ED/1838/2020, dated 8/10/2020, the applicant has submitted additional information in relation to the surface water drainage aspects of the above planning application, for which I am grateful.

- Micro Drainage Output 010_DO1_FEH dated 11/06/2020
- Email from SWW to Sands Consulting Ltd dated 13/05/2020

The applicant has rerun the hydraulic model using more up to date rainfall dataset. The results indicate that the drainage strategy is robust and does not need upsizing in light of the updated rainfall dataset.

The applicant has confirmed that SWW are acceptable to a connection into their 375 mm dedicated surface water sewer in Douglas Avenue which will remove runoff from the existing combined system.

We would require that the applicant fully explores infiltration at the detailed design stage in line with the principles of the surface water management hierarchy. We are also keen that the green roofs are secured through to the detailed design stage. In conclusion the proposed surface water strategy will provide a betterment to the existing scenario at the site in line with best practice.

Although we have no in-principle objection to the above planning application at this stage, the applicant must submit additional information, as outlined below, in order to demonstrate that all aspects of the proposed surface water drainage management system have been considered.

Observations:

The applicant has produced a feasible surface water drainage strategy which will provide a betterment compared to the existing scenario where runoff drains to the combined sewer. The applicant is proposing to attenuate runoff in an underground tank with a restricted discharge into a nearby surface water sewer.

We are delighted to see that sedum roofs are being proposed on some of the buildings providing source control at the site. We would require the following information:

- The applicant should revise the attenuation calculation to be based on FEH dataset rather than FSR.
- The applicant should provide evidence that South West Water are happy with the connection into their network at a rate of 17 l/s.

We would be happy to provide another review if additional information is submitted to the local planning authority.

Other Representations

36 letters of objection have been received at the time of writing this report raising concerns which can be summarised as:

- Removal of several healthy and mature protected trees is unacceptable and will change character of the area. Tree removal will set a precedent
- Lack of parking and visitor parking spaces
- Greenhouse/ potting shed should be retained
- The dwellings would be out of character with surrounding properties
- Apartment block is too high
- Impact on wildlife and ecology
- Highway safety and safety concerns for students of the Deaf Academy
- Impact of construction traffic on Fairfield Road
- Consideration should be given to the privacy of students of the Deaf Academy
- No affordable housing
- A disused and vandalised site is not a reason to support this application
- Too high density of housing
- Increased pressure on foul and surface water drainage

PLANNING HISTORY

Reference	Description	Decision	Date
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15/2778/LBC	Removal of potting shed and greenhouse, widening of existing breach in boundary wall, alteration of entrance on Douglas Ave	Refusal	16.02.2016
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POLICIES

Adopted East Devon Local Plan 2013-2031 Policies

Strategy 1 (Spatial Strategy for Development in East Devon)

Strategy 6 (Development within Built-up Area Boundaries)

Strategy 22 (Development at Exmouth)

Strategy 34 (District Wide Affordable Housing Provision Targets)

Strategy 49 (The Historic Environment)

D1 (Design and Local Distinctiveness)

EN5 (Wildlife Habitats and Features)

EN6 (Nationally and Locally Important Archaeological Sites)

EN7 (Proposals Affecting Sites which may potentially be of Archaeological Importance)

EN9 (Development Affecting a Designated Heritage Asset)

EN10 (Conservation Areas)

EN14 (Control of Pollution)

EN21 (River and Coastal Flooding)

EN22 (Surface Run-Off Implications of New Development)

TC2 (Accessibility of New Development)

TC7 (Adequacy of Road Network and Site Access)

TC9 (Parking Provision in New Development)

Exmouth Neighbourhood Plan (Made)

Government Planning Documents

NPPF (National Planning Policy Framework 2019)

National Planning Practice Guidance

Site Location and Description

The site is situated within the centre of Exmouth on a relatively prominent, elevated site bounded by Douglas Avenue to the south, Portland Avenue to the east and Fairfield Road to the north. The western boundary abuts the Deaf Academy. The eastern part of the site lies within the Beacon and Louise Terrace Conservation Area. The site was formerly used as an educational campus and since the campus closure, the brownfield site has fallen into disrepair.

On the site itself, Eldin House is Grade 2 listed and is a typical stone-built house of its age with decorative timberwork. The other smaller buildings on site, such as the glass house and potting shed and Eldin Cottage, are soft red brick and while they may not be regarded as having design or architectural merit are still attractive in their own modest right as curtilage listed buildings to Eldin House.

The main remaining former college building is a 1960s-70s three storey block running parallel to Douglas Avenue between 10m and 15m back from the back of the pavement where the boundary wall also forms a retaining wall as the site rises up from the road. The ground level at the building base is just over 2.2m above pavement level so this set back helps reduce the perceived scale of the building. The building has a shallow pitched roof and extensive bands of windows on both long elevations (running East West). Since the college closed there has been extensive vandalism leaving the building with few, if any, intact windows.

The site has a south easterly aspect and contains a number of large mature trees which are notable landscape features and are subject to Tree Preservation Orders. The site is contained within a part stone and part brick, high wall forming the boundary to the adjacent streets and which contributes positively to local character.

There are three main entrances to the site, two onto Douglas Avenue with one next to the college site and the other on the corner of Douglas and Portland Avenue. The other onto Fairfield Road gives access to Eldin House. The entrance on the corner Douglas and Portland Avenue, is unused as a vehicular access and blocked with steel railings.

The site is located within the built-up area boundary of Exmouth and falls within the Beacon and Louise Terrace Conservation Area.

Proposed Development

Planning permission and listed building consent is sought for the demolition of a redundant teaching block and late 19th century cottage together with the partial demolition and extension of the potting shed to form a bungalow, the conversion of the grade II listed Eldin House into four apartments and for the construction of a 3.5 storey apartment block together with five bungalows and a further 5 detached two storey dwellings with associated infrastructure, parking and open space. The application proposes a total of 33 residential units across the site in a mix of 23 apartments and 10 no dwellings.

The proposal is to demolish a total of 10 derelict buildings on the site which include the greenhouse / potting shed; Langstone House; Langstone Cottage; the outhouse to the cottage; two buildings which operated as offices for the College; a garage for the site; a building which operated as a classroom for the College; and two teaching buildings – one of which is in the form of a substantial three storey block. The proposals can be broken down into the following:

Apartment Block

The proposed apartment block would be 3.5 stories in height constructed in predominantly buff brick for the main façade. It would provide 19 apartments across the 3.5 floors and would be set back from Douglas Avenue running parallel to the front boundary of the site. The building would have a stepped back mansard style roof design and form.

Eldin House Conversion

Planning permission and listed building consent is sought for the proposed conversion of the grade II listed Eldin House into 4 apartments with 2 apartments being provided on each floor. With the exception of unblocking some existing window openings, the external elevations would remain the same. Internal alterations would be made to facilitate the sub-division of the building into 4 apartments. Four car parking spaces would be provided for future occupiers along with a bun store and cycle store to the north of the building.

Potting Shed

Planning permission and listed building consent is sought for the demolition of the potting shed building and the greenhouse and the retention of the dividing fin wall which sits between them. The proposal is to construct a new bungalow off of the fin wall with a pitched roof design to replicate the existing potting shed with a number of mono-pitched extensions to provide additional living space. A timber pergola structure would be constructed to replicate the massing of the existing greenhouse.

Residential Dwellings

It is proposed to re-develop the eastern part of the site with houses in a mix of 1 x 1 storey bungalow, 2 x 1.5 storey bungalows and 7 x 2 storey houses providing a mix of 2 and 3 bedroom properties. These dwellings would be arranged around a new estate road that would run through the site from the existing vehicular access on Douglas Avenue. The dwellings would be a contemporary interpretation of architecture in the area being of traditional pitched roof design with feature gables and dormer windows incorporating features such as steeper roof pitches, clay tile hanging and brick detailing. Flat sedum roofs would also be features on some of the dwellings and garages on this part of the site. The dwellings would be constructed from a selection of materials which include cream brick and clay hanging and slate tiles.

Vehicular Access

The primary vehicular access into the site would be via the existing entrance off Douglas Avenue. Planning permission and listed building consent is sought for the widening of this access which would include the re-positioning of a stone pier. An existing secondary access off Fairfield Road would also be utilised which is also proposed to be widened.

Issues and Assessment

Having regard for the Strategic and Development Management policies within both the East Devon Local Plan and the made Exmouth Neighbourhood Plan (ENP), the main issues to consider in determining this application are as follows:

- Principle of Development
- Loss of Employment
- Affordable Housing Provision/ Vacant Building Credit
- Urban Design and Impact on the Character and Appearance of the Area
- Heritage Impact

- Residential Amenity
- Highway Safety and Parking Provision
- Arboricultural Impact
- Ecological Impact
- Appropriate Assessment
- Surface Water Drainage

ANALYSIS

Principle of Development

The site lies within the built-up area boundary of Exmouth where the principle of residential development is supported under the provisions of Strategy 6 (Development within Built-up Area Boundaries) of the East Devon Local Plan. Strategy 22 (Development at Exmouth) has an expectation that Exmouth will see larger scale development as a Local Plan strategy which seeks to promote:

1. New Homes - Moderate new housing provision
2. Jobs - significant new employment provision in the town.
3. Town Centre - significant investment in new retail and commercial facilities in the town centre.

Policy EN1 of the ENP states that proposals for development within the built-up area boundary will generally be supported. Development will only be permitted where it would not harm the distinctive landscape, amenity and environmental qualities within which it is located.

The site is located within the heart of the town in a highly sustainable location with good access to shops, services and everyday facilities all of which are accessible on foot as well as excellent public transport links again accessible on foot. The principle of development in location terms is considered to be acceptable and in compliance with the Strategic policies within the Local Plan and the ENP.

Loss of Employment/Community facilities

Strategy 32 (Resisting Loss of Employment, Retail and Community Sites and Buildings) states that in order to ensure that local communities remain vibrant and viable and are able to meet the needs of residents we will resist the loss of employment, retail and community uses. This will include facilities such as buildings and spaces used by or for job generating uses and community and social gathering purposes, such as pubs, shops and Post Offices.

Permission will not be granted for the change of use of current or allocated employment land and premises or social or community facilities, where it would harm social or community gathering and/or business and employment opportunities in the area, unless:

1. Continued use (or new use on a specifically allocated site) would significantly harm the quality of a locality whether through traffic, amenity, environmental or other associated problems; or

2. The new use would safeguard a listed building where current uses are detrimental to it and where it would otherwise not be afforded protection; or
3. Options for retention of the site or premises for its current or similar use have been fully explored without success for at least 12 months (and up to 2 years depending on market conditions) and there is a clear demonstration of surplus supply of land or provision in a locality; or
4. The proposed use would result in the provision or restoration of retail (Class A1) facilities in a settlement otherwise bereft of shops. Such facilities should be commensurate with the needs of the settlement.

As the site and buildings constitute a former educational use which would have been an employment generator, Strategy 32 of the Local Plan is engaged which requires justification for the loss of such facilities and in the event that the loss would harm employment opportunities, up to date marketing information is required together with identification of surplus of land provision for such a use in the locality.

It is understood that the buildings on the application site (previously used by Plymouth University) have been vacant for over 12 years since 2008 when Plymouth University put the site to market. In 2016 the Exeter Royal Academy for Deaf Education purchased the site and following re-development of the adjacent site the application was surplus to their requirements. The site has been vacant for a number of years and is falling into a state of disrepair, attracting anti-social behaviour and as it has been vacant for over 10 years it is accepted that it hasn't contributed to employment opportunities for some time.

It is therefore accepted that the proposal does not conflict with the policy in so far as it does not result in the loss of an existing employment site and as such it is not necessary to consider the development against the remaining four criteria set out within Strategy 32 of the Local Plan- a position that has been supported by a Planning Inspector at a recent appeal for the Doyle Centre (ref APP/U1105/W/18/3201622).

Furthermore, and as discussed later in this report, there are a number of heritage benefits to be derived from the re-development of the site and from the restoration and conversion of Eldin House and the removal of the unsightly education buildings which affords additional protection and safeguarding of the listed building which weigh in favour of re-development of the site within the overall planning balance.

Affordable Housing/ Vacant Building Credit

This application would provide 33 new residential units across the site through conversion and new build. Under strategy 34 (District Wide Affordable Housing Provision Targets) of the Local Plan there is a requirement to provide 25% on-site affordable housing which equates to 8.25 dwellings. This is supported by ENP policy H2 which seeks 25% affordable housing on housing developments within the built-up area boundary on sites of more than 10 properties.

The applicant is claiming Vacant Building Credit (VBC). Guidance states that where there is an overall increase in floor space in the proposed development, the local planning authority should calculate the amount of affordable housing contributions required from the development as set out in their Local Plan. A 'credit' should then be

applied which is the equivalent of the gross floor space of any relevant vacant buildings being brought back into use or demolished as part of the scheme and deducted from the overall affordable housing contribution calculation. This will apply in calculating either the number of affordable housing units to be provided within the development or where an equivalent financial contribution is being provided.

Based on the floor areas proposed, applying VBC would reduce the requirement for affordable housing to 2.25 units or 6.82%. The Council's Housing Enabling Officer has advised that a commuted sum rather than on-site provision would be more appropriate as providing 1 or 2 units on site will be difficult as there is unlikely to be a registered provider (RP) willing to take on 1 or 2 units within the wider scheme. Whilst there is a pressing need for affordable homes in Exmouth there needs to be a provider to actually deliver them. Therefore it is accepted that having only 1 or 2 units on a site is not cost effective for a RP and that a commuted sum that takes into account the reduction in affordable housing due to the application of VBC is more appropriate. In this case the affordable housing contribution would equate to £25,098 and has been secured through a Unilateral Undertaking.

Urban Design and Impact on the Character and Appearance of the Area

Strategy 6 of the Local Plan states that within the boundaries development will be permitted if:

1. It would be compatible with the character of the site and its surroundings and in villages with the rural character of the settlement.
2. It would not lead to unacceptable pressure on services and would not adversely affect risk of flooding or coastal erosion.
3. It would not damage, and where practical, it will support promotion of wildlife, landscape, townscape or historic interests.
4. It would not involve the loss of land of local amenity importance or of recreational value;
5. It would not impair highway safety or traffic flows.
6. It would not prejudice the development potential of an adjacent site.

Policy D1 (Design and Local Distinctiveness) of the Local Plan states that proposals will only be permitted where they:

1. Respect the key characteristics and special qualities of the area in which the development is proposed.
2. Ensure that the scale, massing, density, height, fenestration and materials of buildings relate well to their context.
3. Do not adversely affect:
 - a) The distinctive historic or architectural character of the area.
 - b) The urban form, in terms of significant street patterns, groups of buildings and open spaces.
 - c) Important landscape characteristics, prominent topographical features and important ecological features.
 - d) Trees worthy of retention.
 - e) The amenity of occupiers of adjoining residential properties.
 - f) The amenity of occupants of proposed future residential properties, with respect to access to open space, storage space for bins and bicycles and prams and other uses;

these considerations can be especially important in respect of proposals for conversions into flats.

Policy EB2 of the ENP requires new developments to be designed to be mindful of surrounding building styles and to ensure a high level of design as exemplified in the Avenues Design Statement (2005).

In conjunction with advice from the Council's Urban Designer and the Conservation Officer as part of this application, a number of amendments have been made to the submitted scheme to address concerns that were expressed about the scale and design of the originally proposed 5 storey apartment block and its impact on the visual amenity of the site, the character and appearance of the area and the setting of Eldin House, the impact of car parking and hard landscaping adjacent to Eldin House, the unjustified loss of historic fabric through the demolition of the potting shed and its replacement with a new bungalow as well as concerns about the impact of the proposals on the health and well-being of a number of mature trees on the site.

Amended plans have been received in an attempt to address the concerns raised by officers through the following changes:

- A reduction in the height of the apartment building from 5 to 3.5 storeys and the massing reconfigured with the southern projection removed. This has resulted in a reduction in the number of apartment units from 25 to 19. The reduction in height to 3.5 storeys includes the loss of a typical floor with a mansard roof form applied to the top floor to lower the eaves. The massing of the building has been reconfigured with the southern projection removed to improve the relationship with Douglas Avenue. The building alignment has been adjusted to run alongside Douglas Avenue to provide more of a consistent setback.
- The reduction in the amount of apartment units requires fewer parking spaces which in-turn has allowed for the amount of parking to the east of Eldin House to be reduced and reconfigured with the addition of a grasscrete surface and additional trees and planting between parking spaces. A footpath has been added to the south of Eldin House, providing pedestrian access to and from Douglas Avenue. Increased planting and a grassed area in front of Eldin House, including the introduction of additional trees between parking spaces;
- Where previously the existing listed potting shed was to be completely demolished and replaced by a new bungalow it is now proposed to retain the key historic element of the existing building in the form of the fin wall with the addition of extensions around it which take cues from the extant building on the site, including the re-creation of its pitched roof form and linearity of the potting shed as one section of an articulated three section building.
- Additional footpaths throughout the proposed layout to improve circulation and connectivity as well as an increase in the amount of shared surface areas with space for additional planting.

- Minor alterations to house types including building footprints avoiding being located under tree canopies that will improve the relationship between these properties and ensure the retention of existing mature trees on site.

Apartment Block

Concerns were raised about the height, bulk and massing of the 5 storey apartment block and the impact it would have on the character and appearance of the area. The greatest storey height along Douglas Avenue is 4 storeys however these buildings are set back from the road and almost all are built on sites that are below the level of the road, reducing their visual impact to the equivalent of a three or two storey building.

The existing college building is 3 storeys and set 10-15m back from the pavement and is still very prominent in the streetscene especially as the site is above the level of the road. However, this prominence is considerably softened by the established trees around it that in most cases, certainly when seen from ground level, appear taller than the building.

At five storeys on elevated ground and only 5m back from the pavement officer's raised serious concerns about the originally proposed apartment building that would have had considerably more visual impact on its surroundings than any nearby building and far greater impact than the existing college building it is intended to replace.

The amended plans have significantly reduced the height, bulk and massing of the proposed building from 5 to 3.5 stories which is considered to be a significant improvement to the overall scheme in terms of reducing its visual impact and dominance within the site and in terms of its reducing its impact in views from Douglas Avenue, the Conservation Area and the setting of Eldin House.

Whilst the apartment block would still be a dominant feature in the streetscene, it would replace an existing building that has been vandalised and is an eyesore in views from Douglas Avenue. The revised scale and design of the apartment building is considered to address the concern raised about the massing and scale. The Urban Designer has advised that the design is understated but not pastiche whilst still referencing its Victorian context in the scale and the rhythm of windows. On balance, following its re-design, having regard for the existing building it is intended to replace, the apartment building is considered to be better suited to the context of the site and its setting and more sensitive in its size and scale to the setting of Eldin House (discussed later in the report).

Housing

The eastern half of the site is proposed as a cluster of 9 dwellings in a mix of two storey dwellings and chalet bungalows. This part of the site was originally a separate property to Eldin House, the old stone boundary wall of which still runs through the centre of the site from north to south. The ground level is substantially lower in this part of the site and the site is sensitive in terms of views from both Portland Avenue and Fairfield Road owing to its corner plot position at the junction of these two roads and being in the Conservation Area.

The proposed layout has been designed to work with the existing ground levels where possible to reduce the amount of earth movement. The proposed dwellings are designed to work with the site context and the site itself, especially working with the boundary wall surrounding the site so that they are not visually intrusive. Many of the houses have been designed with a flat-roofed extended ground floor to gain the desired internal floor area without resulting in more visual massing and intrusiveness in terms of views from outside the site. This is considered to be a successful element of the scheme and the use of sedum on the flat-roofed areas will gain some, albeit limited, bio-diversity benefit.

The architecture of the housing is clearly modern but does successfully reflect the context in material choice, roof pitches and proportions. The dwellings would be a contemporary interpretation of architecture in the area being of traditional pitched roof design with feature gables and dormer windows incorporating features such as steeper roof pitches, clay tile hanging and brick detailing. The dwellings would be constructed from a selection of materials which include cream brick and clay hanging and slate tiles.

The construction of the bungalow around the retained historic fin wall of the potting shed has been the subject of particular attention to historic and site context, where plans have been amended so as to retain as much of the existing potting shed and glass house as possible and referencing this in the final design of the building. This is discussed in more detail in the heritage section of this report.

The layout of the housing is fairly conventional and will have a feel of a secluded cluster of houses. It has had to respond to the topography, the existing trees that will be retained and their rooting areas, which are extensive, that all constrain how the site can be developed. It should be noted that a higher density of houses in this conservation area would have been difficult to achieve especially given the site history and precedent and re-positioning the apartment block to the Portland Avenue side would have been significantly more intrusive than what is being proposed.

The layout of the dwellings have, for the most part, been set back from the site boundary which further reduces the visual impact from the road and beyond the boundary wall. In doing so, the proposals partly reflect the nature of what was on site originally and the character that the conservation area aims to maintain, which is of well-designed houses set back within landscaped areas with mature trees. Internally, the front gardens of the houses have been shaped and planted to reduce the visibility of car parking, where possible and to maintain the impression of a relatively green site.

It is accepted that a residential development of new 3.5 storey apartment block and a small cluster of dwellings on this site would alter its visual amenity and the character of the site in terms of views from Douglas Avenue, Fairfield Road and Portland Avenue and it is accepted that introducing residential development in the form proposed coupled with the significant loss of tree canopy would transform the character of the site. Whilst this is the case, the existing site is run down and its number of derelict and vandalised buildings do detract from the character and appearance. On balance, it is considered that the proposed design, layout and form of development is largely sensitive to the topography of the site whilst addressing the complex constraints posed by retained trees on the site. The development is considered to be acceptable in terms

of its impact on the character and appearance of the area and the wider Conservation Area whilst being appropriate and sensitive in terms of its relationship and improving the setting of Eldin House.

Issues regarding landscaping of the site have been adequately dealt with and will result in a suitable layout subject to details secured by condition.

Heritage Impact

In determining this application under the statutory duty of section 66(1) and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 the LPA has to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. Furthermore, there is a requirement to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Paragraphs 193-196 of the NPPF deal with the assessment of harm to designated heritage assets and which advises that great weight should be given to an asset's conservation and this should be proportionate to the importance of the asset. The NPPF requires that any development within a conservation area should look to preserve or better reveal the significance of the affected heritage assets (Para 200).

Relevant policies for an assessment of the impact of proposals from the East Devon Local Plan and the ENP are considered to be:

Policy EN10 (Conservation Areas) of the Local Plan which states that proposals for development, including alterations, extensions and changes of use, or the display of advertisements within a Conservation Area, or outside the area, but which would affect its setting or views in or out of the area, will only be permitted where it would preserve or enhance the appearance and character of the area. Favourable consideration will be given to proposals for new development within conservation areas that enhance or better reveal the significance of the asset, subject to compliance with other development plan policies and material considerations. Loss of a building or other structure that makes a positive contribution to the significance of a Conservation Area will be considered against the criteria set out in Policy EN9.

Policy EN9 (Development Affecting a Designated Heritage Asset) of the Local Plan which states that the Council will not grant permission for developments involving substantial harm or total loss of significance of a designated heritage asset unless it can be demonstrated that it is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site.
 - b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation.
 - c) conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible.
 - d) the harm or loss is outweighed by the benefit of bringing the site back into use.
- Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest

significance should be wholly exceptional. Where total or partial loss of a heritage asset is to be permitted the Council may require that:

- e) A scheme for the phased demolition and redevelopment of the site providing for its management and treatment in the interim is submitted to and approved by the Council. A copy of a signed contract for the construction work must be deposited with the local planning authority before demolition commences.
- f) Where practicable the heritage asset is dismantled and rebuilt or removed to a site previously approved.
- g) Important features of the heritage asset are salvaged and re-used.
- h) There is an opportunity for the appearance, plan and particular features of the heritage asset to be measured and recorded.
- i) Provision is made for archaeological investigation by qualified persons and excavation of the site where appropriate.

Where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, the harm will be weighed against the public benefits of the proposal, including securing its optimum viable use. Favourable consideration will be given for new development within the setting of heritage assets that enhance or better reveal the significance of the asset, subject to compliance with other development plan policies and material considerations.

Listed Building Consent

Eldin House

Eldin House is a Gothic Revival house built in the mid-C19. The architect is unknown but likely to be John Hayward. Constructed of square uncoursed rubble limestone with Beer stone dressings, it has a steeply pitched slate roof. The two storey house is a roughly square block with a former service range to the north. It was built for the unbeneficed Rev'd Henry Clarke who lived at the property until the early C20. The house then became a dormitory for Southlands School which was made up of three buildings, Fairfield House, Brockhurst House and Eldin House. The two other buildings have been demolished. Eldin House then became the social club for Rolle College which was inherited by the University of Plymouth.

Eldin House is designated at Grade II for the following principal reasons: Competently designed mid-C19 Gothic Revival house with three principal elevations and a largely intact interior demonstrating a quality and thoroughness to the treatment of the whole building * Rich stone carving particularly to the capitals to the windows and porch * Richly detailed and unusual fittings such as the doors, doorcases and principal staircase which demonstrate careful consideration and craftsmanship of a high quality * Up-to-date use of materials such as plate glass and the round arch fireplace.

The proposed conversion of Eldin House would provide four flats, with two on the ground floor and two on the first floor of the building. Overall it is considered that the proposed conversion would be sensitive to the architectural and historic character and appearance of the building requiring minimal external changes to the building which would preserve its character. Bringing the building into a residential use would help to

safeguard its future use which would be of benefit to the long term future of the building as a heritage asset.

The revised landscaping designs that have been submitted have significantly reduced the amount and position of parking away from the listed building thereby providing an area of soft landscaping adjacent to the former principal south and eastern rooms of the house. This coupled with additional soft landscaping would allow the building to sit within a larger soft green space and would be a significant enhancement to the current setting of the building which is mainly tarmacked.

Potting Shed

The structures subject to the listed building consent application are considered curtilage as they are ancillary to the principal building and were in the same ownership at the time of listing. The potting shed and greenhouse are very close to the rear corner of Eldin House and the potting shed is constructed in Flemish-bonded brick with timber windows and doors. The greenhouse backs onto this and is a mid C20 replacement of a former greenhouse which is evident on the 1890 OS map but on the original footprint. While these structures are utilitarian in nature officers are of the opinion that they do contribute to the building group and setting of the principal house.

The Heritage Assessment accompanying the application describes the significance of the potting shed and greenhouse structure as being mainly related to the contribution it makes to the historic interest of Eldin House, as a structure which assists in understanding and interpreting the history of the building. The assessment is clear that it has no architectural or artistic value in its own right due to the functional appearance of the plain potting shed, and the fact that the extant greenhouse is a modern replacement of the former 19th century greenhouse.

The existing building is made up of primarily 3 elements, the potting shed building (pitched roof), the greenhouse lying to the south and the dividing fin wall which sits between them. Of these elements only the fin wall is suitable for retention.

The potting shed has been the subject of considerable discussion with the applicant as it does contribute to the setting of the principal heritage asset and therefore its removal requires sufficient justification. It was previously proposed to demolish the building in its entirety however amended plans have been submitted which have demonstrated to the satisfaction of the Conservation Officer and Urban Designer that the building is not suitable for conversion and that the existing construction in terms of the building's size and dimensions does not lend itself to conversion into a dwelling. This has been confirmed by a detailed inspection of the building by officers.

Instead of complete demolition, the amendments now seek to retain a greater aspect of the Potting Shed to ensure the essence of the building is respected and maintained. It is proposed to demolish the existing structures and retain the historic brick spine wall which is to be incorporated into the new design. The new building has been designed to reference the existing potting shed building through the recreation of its pitched roof form and its linearity as one section of an articulated three section building. The greenhouse form is also recreated through the construction of a pergola structure which would link to the fin wall which is to be retained. The construction would seek to

re-use the existing red brick which would allow for a new dwelling to be created which in terms of its design, form and massing would result in a building that would be appropriate for the site and the context of Eldin House itself.

Whilst the loss of the potting shed is regrettable it is accepted that the potting shed is in poor condition and that it does not lend itself easily to conversion. The revised scheme has been carefully designed to retain the historic brick spine wall between the potting shed and later greenhouse and echoes the overall aesthetic of the original structure whilst retaining the original historic fabric of the building. The Conservation Officer accepts that this approach has now been justified however the loss of the historic structure does result in some heritage harm which needs to be weighed against the public benefits that would be derived from the scheme as a whole which is discussed in the next section of the report.

Alterations to gate piers and boundary wall

The existing entrance onto Douglas Avenue is formed by a curved splayed limestone wall with stone gate piers of a design relating to the Gothic C19 architecture of Eldin House. The design and workmanship of this access is of high quality and is visually prominent within the streetscene. Much of the stone boundary wall is to be retained and repaired. However, it is proposed to widen the opening of the original entrance on Douglas Avenue by re-locating the eastern pier.

The proposed alterations to the original entrance to Eldin House would have a material impact in addition to a visual impact upon the proportions and character of the entrance. It is therefore accepted that the widening of the opening will result in some harm to the current domestic and intimate scale of the opening, which contributes to the approach and therefore the perceived experience of Eldin House.

The proposed widening of the access has been the subject of much discussion with the applicant and further justification for why this particular entrance needs to be widened and why other alternative accesses to the site are unsuitable or have been discounted has been requested.

The applicant has explored the potential to create an additional vehicular access from Portland Avenue however the difference in levels between the site and Portland Avenue meant that this would have only been possible if Category A tree T908 were removed. Given the importance of this tree to the Conservation Area and wider area, and the fact that the proposed access arrangements are supported by the Highway Authority, it is accepted that a further access point could not be introduced without additional significant impact.

As the primary access into the site, it is accepted that the widening of the access is critical to the re-development of the site and that other options have been discounted. The widening of the access would result in the loss of the current domestic and intimate scale of the opening onto Douglas Avenue and would therefore result in a degree of harm to the setting of Eldin House. This harm needs to be weighed against the public benefits that would be derived from the scheme as a whole which is discussed in the next section of the report.

Impact on Setting

Being a prominent and important site within the streetscape, the eastern portion of which is within the Conservation Area and given the grade II Eldin House, re-development of this brownfield site has the potential to impact on heritage assets and this needs to be carefully assessed. The previous detailed section and assessment of the impact on character and appearance of the area and listed building consent assessment is relevant to the assessment of the impact on both the setting of the Eldin House and Conservation Area insofar as the amended proposals have been put forward to address concerns about the height, bulk and massing of the proposed apartment building, how to better incorporate the potting shed into the scheme and the hard surfacing and parking around Eldin House in an attempt to minimise the impact the proposals would have on both the setting of Eldin House and the Conservation Area.

Officers are of the view that there is considerable merit in the proposals for the repair and refurbishment of Eldin House, and the scope to improve its setting and to develop the site for housing. Following extensive discussions with the applicant, the Conservation Officer and Urban Designer are of the view that the amendments have provided a more appropriate and acceptable scheme for the heritage constraints of the site. Whilst there are still some minor concerns it is considered that overall the scheme has addressed the concerns raised and that the proposals would result in less than substantial harm to the listed building and the wider Conservation Area when viewed in the round of the overall scheme.

When considering the impacts of a proposed development on the significance of a designated heritage asset paragraph 193 of the NPPF states that great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

In this case, it is considered that the proposed re-development of the site would result in less than substantial harm to both the setting of the Conservation Area and the grade II listed Eldin House. In these circumstances under the provisions of paragraph 196 of the NPPF, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

It is considered that there are a number of public benefits that would be derived from this proposal which include:

- The site is currently vacant and has attracted anti-social behaviour and vandalism. Re-development of this brownfield site and introducing a residential use would stop this.
- The existing buildings are in a state of disrepair and the site is an eyesore. This sensitively designed residential proposal would significantly improve the visual amenity of the site from public vantage points outside of the site and would be

of benefit to the character and appearance of the area and adjacent Conservation Area.

- The proposal would make a small financial contribution towards affordable housing.
- The proposal would provide residential accommodation on a windfall site within the built-up area boundary of the town in a sustainable location helping to contribute to the Council's 5 year housing land supply.
- The proposal would safeguard the future use of the listed building and would improve the setting for the public to enjoy in terms of views within and outside of the site.

In addition to these public benefits it is considered that re-development of the site would also be of some benefit to the setting of the grade II listed Eldin House and the wider Conservation Area meeting the provisions of para 200 of the NPPF that requires that any development within a conservation area should look to preserve or better reveal the significance of the affected heritage assets (Para 200). It is considered that the proposal would be of benefit to heritage assets in terms of the following:

- Removal of the former campus buildings and other vacant vandalised buildings on the site would significantly improve the setting of Eldin House and better reveal its significance.
- Removal of the former campus building the site would better reveal the significance of Eldin House and improve its setting.
- The sensitive conversion of Eldin House would help to restore the listed building and safeguard its future use.
- Redevelopment of this brownfield site and the design and layout of the scheme in the immediate vicinity of Eldin House would enhance its setting whilst creating extra green space within the site to enjoy the building within its new setting.
- The main historic fabric of the potting shed would be retained and incorporated into the proposed bungalow.

On balance, and having regard for the above, it is considered that the public benefits that would be derived from the proposal and the benefits to heritage assets would outweigh the less than substantial harm that would be caused by the proposal to the setting of both the Conservation Area and the grade II listed Eldin House.

Residential Amenity

Policy D1 of the Local Plan states that proposals should not adversely affect the residential amenity of existing residents. It also states that the amenity of occupants of proposed future residential properties with respect to open space, storage space for bins and bicycles etc.

The site is surrounded by residential properties on all its north (Fairfield Road), east (Portland Avenue) and southern (Douglas Avenue) sides with its western side being the new Deaf Academy development. Whilst the site is separated from surrounding properties by intervening public highways, it is accepted that bringing the site back into re-use and for residential purposes has the potential to impact on the residential amenities of the occupiers of surrounding properties and therefore careful assessment is required as follows:

Douglas Avenue

The properties on the opposite side of the site on Douglas Avenue most likely to be affected by the proposals are the flatted scheme at Roswell Court, the flatted scheme at 10 Douglas Avenue and no 10A Douglas Avenue which is a residential dwelling. These properties are all south of the application site and are set back from Douglas Avenue by varying amounts.

The proposal would introduce a substantial 3.5 storey apartment building and three detached dwellings onto the southern part of the site which would have a degree of impact on the occupiers of the properties on the opposite side of the road which have windows facing in this direction. Views from these properties and their outlook would therefore change. However the proposed apartments and dwellings would be set well back from the boundary of the site where it is considered that this coupled with the intervening Douglas Avenue and the set back of the properties on Douglas Avenue would result in a distance of over 30 metres between properties which would result in an acceptable relationship between them even with the apartment windows, balconies and the first floor windows of dwellings facing toward them. Whilst there will be a degree of noticeable change in the character of the site for residents on Douglas Avenue, it isn't considered that there would be any significant harm in terms of the physical impact from the new buildings, loss of light or loss of privacy to sustain an objection. The development on the southern side of the site would not result in a relationship that would be unacceptable in planning terms for a built-up environment.

Portland Avenue

The properties on the eastern side of the site separated by Portland Avenue most likely to be affected by the proposals are the flatted property at 23 Portland Avenue, and no's 21 and 19 Portland Avenue as single dwellings. The properties are all to the east of the application site and are set back from Portland Avenue by at least 15 metres and the boundary of the site by at least 25 metres.

The proposal would introduce three dwellings on the eastern side of the site, one of which would be a full two stories in height and the others detached chalet style bungalows. Owing to their modest height and single storey form and because of the separation between the buildings and the properties on the opposite side of Portland Avenue, it isn't considered that there would be any significant harm in terms of an overbearing or over dominant impact or through loss of light. The bungalows would have large first floor windows in the gable ends facing Portland Avenue which would serve a bedroom however at a distance of over 30 metres between properties it isn't considered that this would result in an unacceptable level of overlooking or loss of privacy in a built-up area. The two storey dwelling would also have a first floor gable

window facing Portland Avenue but at a similar distance and with the window serving a bedroom (i.e. a room not in use at all times of the day), it isn't considered that this would result in any significant harm to residential amenity.

Fairfield Road

The properties on the northern side of the site, separated by Fairfield Road, most likely to be affected by the proposals are the flatted property at 22 Portland Avenue, and no's 7 and 5 Fairfield Road as detached bungalows. The properties to the north of the application site are set back from the site by approximately 6.0 metres with no's 5 and 7 having ground floor windows on their front elevations facing towards the site. No 22 Portland Avenue has a number of ground and first floor windows on its southern elevation which face the site.

The proposal would see the conversion of Eldin House into 4 apartments and the construction of a new single storey dwelling in place of the potting shed, a two storey dwelling and a bungalow constructed close to the northern boundary of the site all of which would have a degree of impact on the occupiers of the properties on the opposite side of Fairfield Road.

The Eldin House conversion would utilise the existing building which has a number of small first floor windows on the northern elevation facing towards Fairfield Road. The windows nearest the road would serve a bedroom and a bathroom and as non-habitable rooms would not give rise to any significant levels of overlooking from a residential use. The first floor window on the part of the building which is recessed back would be a secondary window to a living room however given its set back and size, it isn't considered that this window facing over Fairfield Road would give rise to any significant overlooking or loss of privacy.

Similarly, the modest size and height of the building proposed to replace the potting shed would not be significantly harmful in terms of being overbearing or over dominant owing to its single storey form where the roof of property would slope away from the brick boundary wall. Ground floor windows would be positioned behind the wall and would not create any overlooking issues.

The part of the scheme that would have its greatest impact is the two properties that would be positioned at the eastern end of the application site; a chalet bungalow and a two storey dwelling which would have their rear elevations facing towards no 22 Portland Avenue, a large villa style property sub-divided into 4 flats which occupies a prominent and elevated position on the opposite side of Fairfield Road with a number of ground and first floor windows facing the site serving a ground and first floor flat within the building.

The two storey dwelling would be positioned in front of the southern elevation of no 22 and owing to its height and form would have a degree of impact on the rooms these windows serve for the flats at ground and first floor level. Outlook from these windows would be significantly changed where they would face towards the rear elevation of the two storey dwelling. Whilst this would be the case the dwelling would be positioned around 12 metres from the southern elevation of no 22 separated by Fairfield Road and it would be set down within the site such that only the first floor of the dwelling

would be visible above the boundary wall. This coupled with the fact that no 22 is already in an elevated position would ensure that the physical impact of the dwelling would not be so significant in terms of an overbearing or over dominant impact to sustain an objection. The chalet bungalow would be positioned adjacent to the front parking area of no 22 and would not result in any significant amenity harm.

Both the two storey dwelling and chalet bungalow have been designed such that the first floor windows facing Fairfield Road would serve bathrooms and a stairwell. The bathroom windows would be fitted with obscure glass and the other first floor windows would serve a stairwell i.e. not a habitable room that would not give rise to any overlooking or privacy issues notwithstanding the distance between the development and no 22.

Deaf Academy

The recently constructed halls of residence to the west of the site are three stories with south and east facing windows. Eldin House has a number of first floor windows that would serve bedrooms and bathrooms and a living room to the apartment. These are existing window which face towards the Deaf Academy site. Whilst introducing a residential use into the building and these rooms would have a degree of impact, at a distance of over 20.0 metres window to window with the residence block, it isn't considered that there would be any significant amenity to the residents to sustain an objection.

The proposed apartment block would be positioned over 40 metres at its nearest point from the halls of residence and whilst there would be windows on all floors on the northern elevation of the building, these would be facing into the application site allowing only oblique views back towards the Deaf Academy site. Windows on the west elevation would be smaller openings and would face towards a parking area on the adjacent site.

Having regard for the distance, orientation and relationship with the Deaf Academy site, it isn't considered that the proposals would give rise to any significant harm in terms overlooking, loss of privacy or in terms of the physical impact of the buildings and loss of light.

On balance, it is considered that the proposed residential development would intensify the use of this vacant site but that it has been designed to be set back from the boundaries on all sides so as not to significantly harm the amenities of the occupiers of surrounding properties. Local residents will also benefit from re-development of this vacant brownfield site which has historically attracted vandalism and anti-social behaviour.

Given the proximity of the site to residential properties it is accepted that construction and construction traffic could give rise to noise, dust and traffic issues such that it is considered necessary to impose a condition that requires the submission of a Construction Environment Management Plan (CEMP) and a Construction Traffic Plan (CTP) prior to commencement of any development on the site.

Highway Safety and Parking Provision

Policy TC7 (Adequacy of Road Network and Site Access) states that planning permission for new development will not be granted if the proposed access, or the traffic generated by the development, would be detrimental to the safe and satisfactory operation of the local, or wider, highway network.

The County Highway Authority have raised no objections to the proposal on the basis that the site is a brownfield site with a permitted former educational use, though it is acknowledged that this proposal would increase the number of traffic movements to and from the site.

The CHA are satisfied that the proposed site layout indicates dedicated off-carriageway parking, turning heads and a footway along the primary link road, with a shared space format for the rest of the site. The site sits on the junction with Douglas Avenue, C595 and Portland Avenue L3917, the site is also proposed to have a minor access from Fairfield Road L3919, this link however will be limited to four vehicle parking spaces with no vehicular link through to the rest of the site.

The access will be widened slightly even though it is an existing established access. The application has been submitted with long and cross-sections of the internal carriageway which conform with the County Highway's latest design guide, as do the proposed parking spaces.

Therefore the County Highway Authority has no objection to this planning application.

Policy TC9 (Parking Provision in New Development) states that spaces will need to be provided for parking of cars and bicycles in new developments. As a guide at least 1 car parking space should be provided for one bedroom homes and 2 car parking spaces per home with two or more bedrooms. At least 1 bicycle parking space should be provided per home.

The proposal makes provision for a total of 55 car parking spaces within the site. Whilst this doesn't strictly comply with the policy requirement of policy TC9 of the Local Plan that requires as a guide two car parking spaces per 2 bedroom dwelling, having regard for the site's proximity and accessibility to the town centre and wide choice of public transport, coupled with the fact that there are no parking restrictions on the surrounding roads, it isn't considered that the failure to provide 66 car parking spaces would give rise to any highway safety concerns.

The CHA have recommend that as a result of the built-up nature of the area that a condition is imposed that requires the submission of a construction and environment management plan to mitigate the impact of the construction process upon the surrounding community.

Arboricultural Impact

The application site contains a number of trees, all of which are protected by a Tree Preservation Order (TPO). Additionally, those trees which sit within the east portion of the site are afforded protection as a result of being situated within the Conservation Area.

Policy D3 - Trees and Development Sites states that permission will only be granted for development, where appropriate tree retention and/or planting is proposed in conjunction with the proposed nearby construction. The council will seek to ensure, subject to detailed design considerations, that there is no net loss in the quality of trees or hedgerows resulting from an approved development. The development should deliver a harmonious and sustainable relationship between structures and trees. The recommendations of British Standard 5837:2012 (or the current revision) will be taken fully into account in addressing development proposals.

In order to inform the layout, the applicant has engaged with the Council's Tree Officer prior to the submission of the application and a detailed Arboricultural Assessment has been submitted alongside the application. The report outlines the quality of trees on the site and provides details on the trees to be removed and the justification for their removal. It outlines that a total three category B trees (T904, T906, and T907), part of one (G3) and one whole category B tree group (G1), two category C trees (T902 and T911), part of two category C tree groups (G2 and G4) and three whole category C tree groups (G5, G6 and G8) are to be removed to facilitate the development.

The removal of the Monterey pine T906 and Atlantic cedar T904 are considered to be the most significant individual tree removals. The Council's tree officer agrees that the removals are proposed on the basis on their sensitivity to disturbance and their intertwined relationship with the existing site structures. Both trees show reduced vigour and low vitality; the Monterey pine has chlorotic foliage and the Atlas cedar a thin, weak crown. It is accepted that even with sensitive demolition and construction methods these trees are unlikely to adapt to changes in their growing environment.

The removal of the mixed species tree group G1, part removal of the holm oak group G3 and the mixed species tree groups G4 and G5 will have the greatest short-term visual impact on the site and surrounding area as they are prominent from Douglas Avenue and Portland Avenue as vertical green mass. It is accepted that individually the trees within these groups are poor quality overgrown evergreen boundary plantings at a relatively large scale, due to a lack of positive management over many years.

It is accepted that removal of such a number of trees will alter the character of the site. Collectively, the removal of these trees will represent a considerable loss of canopy and the opening up of the site has the potential to impact on the setting of the Conservation Area. Therefore justification for tree removal and for the applicant to demonstrate that the proposals will not adversely affect the rooting environment of trees that are to be retained in the site has to be robust.

The arboricultural constraints of this site are complex with trees intimately linked with historic structures, changes in ground levels, installation of underground services and asymmetrical rooting due to planting close to retaining walls around the sites boundaries. The Council's Tree Officer is satisfied that the retained trees concur with those discussed as being the key trees on the site during pre-app meetings. The Arboricultural Impact Assessment submitted with the application describes the principles of how the apparent impact of the proposed development on the RPA's of these retained trees will be addressed and mitigated. These methods are all recognised industry standard and include a no dig methodology for the access road

and parking areas where encroaching into the RPA's of trees, adjusting finished floor levels and gardens with minor cuts and fills to achieve usable garden areas, and where buildings fall within the offset RPA's of retained trees no dig specification for the building footings.

Some initial concerns raised by the tree officer with regards to the indicative drainage strategy which showed both the surface water and foul water drains for the site crossing through the middle of the RPA of trees and changes to levels for some of the plots has been addressed through the submission of amended plans which have re-positioned these drainage features outside of the rooting environment of the trees and reduced the level changes to reduce the impact.

On balance, trees are a significant constraint to development on this site however having worked closely with the Council's tree officer and subject to the imposition of a condition that requires detailed construction and method statements for various aspects of the development that will encroach into the RPA's of retained trees on the site, it is considered that the proposals are acceptable on arboricultural grounds. Furthermore, the removal of the trees will also be compensated by the implementation of a tree replacement strategy that will be the subject of a soft landscaping condition and landscape management plan which will be important to the successful enhancement of the visual amenity of the site following its residential re-development.

Ecological Impact

Policy EN5 (Wildlife Habitats and Features) of the Local Plan states that wherever possible sites supporting important wildlife habitats or features not otherwise protected by policies will be protected from development proposals which would result in the loss of or damage to their nature conservation value, particularly where these form a link between or buffer to designated wildlife sites. Where potential arises positive opportunities for habitat creation will be encouraged through the development process.

The application is accompanied by an Ecological Survey prepared by Tamar Ecology which concludes that the majority of the application site is of low ecological value. Habitats are dominated by buildings and hardstanding, including older properties at Eldin House and Langstone House. The site also has amenity grassland, scattered exotic shrubberies and trees and a small area of native scrub. The trees on site are protected by a Tree Preservation Order.

The application site does however support legally protected bats and nesting birds, and low numbers of reptiles may also be present. Further bat surveys of the buildings confirmed three small roosts of one or two individuals, located in Eldin House (grey long-eared and brown long-eared bats), Langstone House (brown long-eared bat) and a modern educational buildings (common pipistrelle bats). It is accepted that the proposal will involve the renovation of Eldin House, demolition of the remaining buildings and vegetation clearance, all of which will cause the direct loss of, and disturbance to, habitats which support legally protected bats and nesting birds. A bat mitigation licence will be required before any building works commence.

The following mitigation and compensation measures have been put forward by the ecologist to minimise impacts to important ecological features which include:

- A European Protected Species bat mitigation licence will be obtained from Natural England before any building works commence. The licence will include a detailed Method Statement which will outline appropriate construction methods and timing of works to minimise disturbance, and also how roosting bats will be accommodated during the construction phase. In the long-term, a permanent roost for long-eared bats will be designed into part of the roof space in Eldin House and integral bat boxes will be provided for common pipistrelle bats in new buildings.
- A Construction Environmental Plan will be prepared to demonstrate how ecological impacts will be avoided or reduced during the construction phase.
- Demolition and vegetation clearance will be timed to avoid disturbance to nesting birds (or carried out under an ecological watching brief). Compensatory artificial nest sites will be provided within the development.
- Vegetation in the north-east corner of the site will be cleared under an ecological watching brief to avoid potential disturbance to reptiles. A log pile will be provided as compensatory habitat.
- Closure of a fox earth in the north-east corner of the site will be carried out under ecological supervision.
- A lighting plan will be prepared in consultation with a bat ecologist to avoid disturbance to the new roost sites and vegetation along the south and east boundaries.

In addition a number of measures to enhance biodiversity have been put forward to achieve an overall net gain for biodiversity which include:

- Using plant species in the landscaping scheme which are beneficial to pollinators and other invertebrates, so enhancing foraging opportunities for bats, birds and other wildlife.
- Providing additional bat and boxes in trees and new housing which supplement the required compensatory bat roosts and bird nest sites; these will enhance habitats for protected species throughout the development.
- Installing bee bricks within the fabric of the new dwellings to improve habitat for pollinators.
- Maintaining hedgehog access to gardens by creating a 13cm x 13cm gap in garden fencing at ground level.

Subject to a condition requiring the development being carried out in accordance with the mitigation and ecological enhancement measures contained within the ecology report, it is considered that the proposal complies with the provisions of policy EN5 (Wildlife Habitats and Features) of the Local Plan.

Appropriate Assessment

Natural England has advised that an Appropriate Assessment must be carried out as the site lies within close proximity of the Exe Estuary and Pebblebed Heaths, this assessment must consider whether the proposal will adequately mitigate any likely significant effects of the aforementioned areas. The Appropriate Assessment is attached to this report.

The delivery of SANGS is critical within East Devon, Exeter and Teignbridge; they are required to deliver a genuine alternative to visiting the Exe Estuary and Pebblebed Heaths for local residents to exercise, walk dogs, etc.

In protecting land for SANGS, it is critical to ensure that it is deliverable and provides the best use of resources. Work has taken place on delivery of such SANGs across the three authorities. The joint strategy between the authorities proposes 4 SANGS across the area these being at the following locations:

- o Dawlish Warren
- o South West Exeter
- o Cranbrook
- o Exmouth

The delivery of the mitigation strategy is overseen by the South East Devon Habitat Regulations Partnership which includes representatives from East Devon, Exeter and Teignbridge Councils. Significant progress is being made with delivery of the first two of these spaces with monies having been identified for purchase of these sites and in the case of the Dawlish Warren SANGS work is understood to be underway for its delivery. Negotiations are on-going with the Cranbrook consortium regarding the third SANGS area but it is envisaged that the necessary SANGS area will be delivered as part of the expansion areas. This just leaves the Exmouth SANGS, however Natural England are content that the required mitigation is being delivered across the wider area through the partnership and acknowledge that the Exmouth SANGS can come forward later in the plan period. It is considered to be the least significant of the 4 in mitigation terms because of the relatively modest levels of housing development proposed in the Local Plan for Exmouth compared to the other areas where SANGS are required. This is not however to diminish its importance in terms of delivery of the overall strategy.

The site itself is not considered to be a suitable area for SANGS due to its restricted size and interconnectivity with other such areas.

Given that SANGS is being provided within the area to mitigate development, and given that the development will contribute financially to the provision of these area through CIL payments, it is considered that the proposal adequately mitigates any impacts upon the Pebblebed Heaths and Exe Estuary and will not result in any likely significant effects.

Natural England have advised that, on the basis of the appropriate financial contributions being secured to the South-east Devon European Sites Mitigation Strategy (SEDESMS), they concur with the authority's conclusion that the proposed development will not have an adverse effect on the integrity of Dawlish Warren SAC,

the Exe Estuary SPA and Exe Estuary RAMSAR site. The appropriate financial contributions have been secured through the submission of a Unilateral Undertaking that has been submitted with the application.

Surface Water Drainage

Policy EN22 (Surface Run-Off Implications of New Development) of the East Devon Local Plan requires that:

1. The surface water run-off implications of the proposal have been fully considered and found to be acceptable, including implications for coastal erosion.
2. Appropriate remedial measures are included as an integral part of the development, and there are clear arrangements in place for ongoing maintenance over the lifetime of the development.
3. Where remedial measures are required away from the application site, the developer is in a position to secure the implementation of such measures.
4. A Drainage Impact Assessment will be required for all new development with potentially significant surface run off implications.
5. Surface water in all major commercial developments or schemes for 10 homes or more (or any revised threshold set by Government) should be managed by sustainable drainage systems, unless demonstrated to be inappropriate.

A Flood Risk Statement and Drainage Strategy has been submitted as part of the application which proposes that the surface water will be collected into an attenuation tank before being fed into the existing public surface water system. Foul drainage would be discharged into the existing network.

The County Council's Flood Risk Management Team has considered the drainage strategy and has advised that it is feasible surface water drainage strategy which will provide a betterment compared to the existing scenario where runoff drains to the combined sewer. The applicant is proposing to attenuate runoff in an underground tank with a restricted discharge into a nearby surface water sewer.

DCC are satisfied that the applicant has rerun the hydraulic model using a more up to date rainfall dataset and that the results indicate that the drainage strategy is robust and does not need upsizing in light of the updated rainfall dataset. The applicant has confirmed that SWW are acceptable to a connection into their 375 mm dedicated surface water sewer in Douglas Avenue which will remove runoff from the existing combined system.

Subject to a pre-commencement condition that requires the submission of a detailed drainage design based upon the approved Flood Risk Assessment and Drainage Strategy the proposal is considered to be acceptable.

Planning Balance and Conclusions

These applications propose the demolition of a number of vacant buildings on a brownfield site within the centre of Exmouth which makes little positive contribution to the character and appearance of the area, the wider Conservation Area or the setting of the grade II listed Eldin House. The proposed re-development of the site would

make re-use of this brownfield site, within the built-up area boundary of Exmouth in a sustainable location and would contribute to the Council's 5 year housing land supply.

It is accepted that a residential development of a new 3.5 storey apartment block and a small cluster of dwellings on this site would alter its visual amenity and the character of the site in terms of views from Douglas Avenue, Fairfield Road and Portland Avenue and it is accepted that introducing residential development in the form proposed coupled with the significant loss of tree canopy from the removal of less significant trees on the site would transform the character of the site.

Whilst this is the case, the existing site is vacant and run down and its number of derelict and vandalised buildings do detract from the character and appearance of the area. It is considered that the proposed design, layout and form of development has been largely sensitive to the topography of the site whilst addressing the complex constraints posed by the retained trees. In doing so, the proposals partly reflect the nature of what was on site originally and the character that the conservation area aims to maintain, which is of well-designed houses set back within landscaped areas with mature trees. The development is considered to be acceptable in terms of its impact on the character and appearance of the area and the wider Conservation Area whilst being appropriate and sensitive in terms of its relationship and improving the setting of Eldin House.

The removal of a number of vacant and vandalised buildings on the site and its residential re-development in a sensitive layout and form also provides an opportunity to enhance the setting of Eldin House and to safeguard its future use which would be of benefit to both the listed building and the setting of the Conservation Area.

The proposals would result in less than substantial harm to the setting for heritage assets where there are considered to be a number of both heritage and public benefits that weigh in favour of the scheme.

The lack of on-site affordable housing provision within the scheme is regrettable however in line with national planning guidance, the applicant has demonstrated through the application of vacant building credit that affordable housing provision should be reduced taking into account the existing floor space of buildings on the site. Registered Providers are unlikely to take the reduced number of affordable units on the site such that a financial contribution towards affordable housing is considered to be appropriate.

On balance, it is considered that the proposals would provide a well-designed and well thought out residential scheme that would be positively contribute to the character and appearance of the area whilst safeguarding the future use of Eldin House. Any less than substantial harm to heritage assets that is derived from the development itself would be outweighed by the public benefits and from the benefits to the setting of the Eldin House and the wider Conservation Area. The proposals are therefore recommended for approval.

RECOMMENDATION 1

For the 20/1838/MFUL planning application:

- 1. Adopt the appropriate assessment attached to this report**
- 2. Approve subject to the following conditions:**

Time Limit:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission and shall be carried out as approved. (Reason - To comply with section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

Approved Plans:

2. The development hereby permitted shall be carried out in accordance with the approved plans listed at the end of this decision notice. (Reason - For the avoidance of doubt.)

Materials:

3. Notwithstanding the submitted details, no development above foundation level shall take place until samples of the materials to be used in the construction of the external surfaces of the dwellings, apartment block and garages hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (Reason - To ensure that the materials are considered at an early stage and are sympathetic to the character and appearance of the area and the setting of the grade II listed building in accordance with Policies D1 - Design and Local Distinctiveness, EN9- Development Affecting a Designated Heritage Asset and EN10- Conservation Areas of the Adopted East Devon Local Plan 2013-2031.)
4. Notwithstanding the submitted details, no development above foundation level of the bungalow in place of the greenhouse/ potting shed (plot 1 House type HT-D) shall take place until samples of the materials to be used in the construction of its external surfaces have been submitted to and approved in writing by the Local Planning Authority. The greenhouse/potting shed, excluding the brick fin wall shall be removed as agreed as part of this approval and the reclaimed bricks and other salvageable materials shall be re-used in the construction of the building. Development shall be carried out in accordance with the approved details. (Reason - To ensure that the materials are considered at an early stage and are sympathetic to the character and appearance of the area and the setting of the grade II listed building in accordance with Policies D1 - Design and Local Distinctiveness, EN9- Development Affecting a Designated Heritage Asset and EN10- Conservation Areas of the Adopted East Devon Local Plan 2013-2031.)

Construction Management Plan:

5. Prior to commencement of development on any part of the site a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority which shall include the following information:
- (a) the timetable of the works;
 - (b) daily hours of construction;
 - (c) any road closure;
 - (d) hours during which delivery and construction traffic will travel to and from the site, with such vehicular movements being restricted to between 8:00am and 6pm Mondays to Fridays inc.; 9.00am to 1.00pm Saturdays, and no such vehicular movements taking place on Sundays and Bank/Public Holidays unless agreed by the planning Authority in advance;
 - (e) the number and sizes of vehicles visiting the site in connection with the development and the frequency of their visits;
 - (f) the compound/location where all building materials, finished or unfinished products, parts, crates, packing materials and waste will be stored during the demolition and construction phases;
 - (g) areas on-site where delivery vehicles and construction traffic will load or unload building materials, finished or unfinished products, parts, crates, packing materials and waste with confirmation that no construction traffic or delivery vehicles will park on the County highway for loading or unloading purposes, unless prior written agreement has been given by the Local Planning Authority;
 - (h) hours during which no construction traffic will be present at the site;
 - (i) the means of enclosure of the site during construction works; and
 - (j) details of proposals to promote car sharing amongst construction staff in order to limit construction staff vehicles parking off-site
 - (k) details of wheel washing facilities and obligations
 - (l) The proposed route of all construction traffic exceeding 7.5 tonnes.
 - (m) Details of the amount and location of construction worker parking.
- The development shall thereafter be carried out in accordance with these details.
- (Reason: To protect the amenities of existing and future residents in the vicinity of the site from noise, air, water and light pollution in accordance and in the interests of highway safety in accordance with policies D1 (Design and Distinctiveness) and EN14 (Control of Pollution) and TC7 (Adequacy of Road Network and Site Access) of the adopted East Devon Local Plan 2013 - 2031.)

CEMP:

6. A Construction and Environment Management Plan shall be submitted to and approved by the Local Planning Authority prior to any works commencing on site, and shall be implemented and remain in place throughout the development. The CEMP shall include at least the following matters: Air Quality, Dust, Water Quality, Lighting, Noise and Vibration, Pollution Prevention and Control, and Monitoring Arrangements. Construction working hours shall be 8am to 6pm Monday to Friday and 8am to 1pm on Saturdays, with no working on Sundays or Bank Holidays. There shall be no burning on site. There shall be no high frequency audible reversing alarms used on the site.
- (Reason: To protect the amenities of existing and future residents in the vicinity of the site from noise, air, water and light pollution in accordance with policies

D1 (Design and Distinctiveness) and EN14 (Control of Pollution) of the adopted East Devon Local Plan 2013 - 2031.)

Hard and Soft Landscaping:

7. Notwithstanding the submitted details and prior to the commencement of any soft or hard landscaping works the following information shall be submitted to and approved in writing by the Local Planning Authority:

- a) A full set of hard landscape details covering proposed earthworks, walls, retaining structures, fencing and railings, pavings and edgings, site furniture and signage.
- b) Details of locations, heights and specifications of proposed external lighting including wall mounted fittings.
- c) Detailed elevations and sections of existing external boundary walls showing the extent of repairs and alterations proposed together with samples of proposed brick types for any infill/ repair and details of proposed mortar mixes which should closely match existing.
- d) Detailed plans and elevations of proposed bin and cycle stores.
- e) Locations and details of proposed water butts to collect roof water for garden irrigation.
- f) Details and locations of proposed bio-diversity enhancement and mitigation measures.
- g) A soil resources plan which should include:
 - a plan showing topsoil and subsoil types, and the areas to be stripped and left in-situ.
 - methods for stripping, stockpiling, re-spreading and ameliorating the soils.
 - location of soil stockpiles and content (e.g. Topsoil type A, subsoil type B).
 - schedules of volumes for each material.
 - expected after-use for each soil whether topsoil to be used on site, used or sold off site, or subsoil to be retained for landscape areas or used as structural fill.
 - identification of person responsible for supervising soil management.
- i) A full set of soft landscape details including:
 - i) Planting plan(s) showing locations and number of new trees, amenity planting, type and extent of new grass/ wild flower areas, existing vegetation to be retained and removed.
 - ii) Plant schedule indicating the form, size, numbers and density of proposed planting.
 - iii) Soft landscape specification covering soil quality, depth, cultivation and amelioration; planting, sowing and turfing; mulching and means of plant support and protection during establishment period and 5 year maintenance schedule.

iv) Tree pit and tree staking/ guying details and soil volume calculations for proposed trees within/ adjacent to hard paving.

8. The hard landscaping works approved shall be carried out in accordance with the approved drawings and details and shall be completed prior to first occupation of on the site. The approved planting shall be carried in the first planting season after commencement of the development unless otherwise agreed in writing by the Local Planning Authority and shall be maintained in accordance with the approved landscape management plan.

(Reason – To ensure that the details are planned and considered at an early stage in the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Policies D1 – Design and Local Distinctiveness and D2 – Landscape Requirements of the Adopted East Devon Local Plan 2013-2031).

Landscape Management Plan:

9. Notwithstanding the submitted details and prior to the commencement of any soft or hard landscaping works a landscape management plan for a minimum period of 15 years shall be submitted to and approved in writing by the Local Planning Authority which should include the following details:

- Extent, ownership and responsibilities for management and maintenance
- Details of how the management and maintenance of open space/ communal areas will be funded for the life of the development.
- Inspection and management arrangements for existing and proposed trees.
- Management and maintenance of amenity planting, grass and wildflower areas in communal space.
- Management and enhancement of biodiversity value.
- Management and maintenance of any boundary structures, drainage swales and other infrastructure/ facilities within public areas.

Maintenance shall be carried out in accordance with the approved plan.

Ecology:

10. The development hereby approved shall be carried out in accordance with the recommendations and mitigation, compensation and enhancement measures contained within the ecological report prepared by Tamar Ecology ref TE 702/20/02 dated August 2020.

(Reason: In the interests of ecology and biodiversity in accordance with policy EN5- Wildlife Habitats and Features) of the East Devon Local Plan 2013-2031).

Trees:

11. Full details of the method of construction of hard surfaces in the vicinity of trees to be retained shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of any works on site (including demolition). The method shall adhere to the principles embodied in BS 5837:2012 and AAIS Arboricultural Practice Note 1 (1996) and involvement of an arboricultural consultant and engineer is recommended. The development shall be carried out strictly in accordance with the agreed details.

(Reason - To ensure retention and protection of trees on the site during and after construction in the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Policies D1 – Design and Local Distinctiveness and D3 – Trees and Development Sites of the Adopted New East Devon Local Plan 2013-2031)

12. Prior to the commencement of any works on site (including demolition and site clearance or tree works), a detailed Construction Specification / Method Statement for footings and floor slabs shall be submitted to and approved in writing by the Local Planning Authority. This shall provide for the long term retention of the trees and detail the means by which any necessary root severance and soil disturbance is minimised by providing a specification for root pruning in accordance with BS 3998: 2010. No development or other operations shall take place except in complete accordance with the approved Construction Specification / Method Statement.

(Reason - To ensure retention and protection of trees on the site during and after construction in the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Policies D1 – Design and Local Distinctiveness and D3 – Trees and Development Sites of the Adopted New East Devon Local Plan 2013-2031)

13. No trees, shrubs or hedges within the site which are shown as being planted or retained on the approved plans shall be felled, uprooted, willfully damaged or destroyed, cut back in any way or removed without the prior written consent of the Local Planning Authority. Any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased within five years from the occupation of any building, or the development hereby permitted being brought into use shall be replaced with trees, shrubs or hedge plants of similar size and species unless the Local Planning Authority gives written consent to any variation.

(Reason - In the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Policies D1 – Design and Local Distinctiveness and D3 – Trees and Development Sites of the Adopted New East Devon Local Plan 2013-2031)

14. Prior to the commencement of any works on site (including demolition and site clearance or tree works), a Tree Protection Plan (TPP) and an Arboricultural Method Statement (AMS) for the protection of all retained trees, hedges and shrubs, shall be submitted to and approved in writing by the Planning Authority. The development shall be carried out in accordance with the approved details.

The TPP and AMS shall adhere to the principles embodied in BS 5837:2012 and shall indicate exactly how and when the trees will be protected during the development process.

Provision shall be made for the supervision of the tree protection by a suitably qualified and experienced arboriculturalist and details shall be included within the AMS.

The AMS shall provide for the keeping of a monitoring log to record site visits and inspections along with: the reasons for such visits; the findings of the inspection and any necessary actions; all variations or departures from the approved details and any resultant remedial action or mitigation measures. On completion of the development, the completed site monitoring log shall be signed off by the supervising arboriculturalist and submitted to the Planning Authority for approval and final discharge of the condition.

(Reason - To ensure retention and protection of trees on the site during and after construction in the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Policies D1 – Design and Local Distinctiveness and D3 – Trees and Development Sites of the Adopted New East Devon Local Plan 2016.)

Surface Water:

15. No development hereby permitted shall commence until the following information has been submitted to and approved in writing by the Local Planning Authority:

(a) Soakaway test results in accordance with BRE 365 and groundwater monitoring results in line with our DCC groundwater monitoring policy.

(b) A detailed drainage design based upon the approved Flood Risk Statement Land Off Douglas Avenue, Exmouth and the approved Drainage Strategy Plan 1001 Rev P03 and the results of the information submitted in relation to (a) above.

(c) Detailed proposals for the management of surface water and silt runoff from the site during construction of the development hereby permitted.

(d) Proposals for the adoption and maintenance of the permanent surface water drainage system.

(e) A plan indicating how exceedance flows will be safely managed at the site.

No building hereby permitted shall be occupied until the works have been approved and implemented in accordance with the details under (a) - (e) above.

(Reason: The above conditions are required to ensure the proposed surface water drainage system will operate effectively and will not cause an increase in flood risk either on the site, adjacent land or downstream in line with SuDS for Devon Guidance (2017) and national policies, including NPPF and PPG. The conditions should be pre-commencement since it is essential that the proposed surface water drainage system is shown to be feasible before works begin to avoid redesign / unnecessary delays during construction when site layout is fixed in accordance

with policy EN22- Surface Water Run-Off Implications of New Development) of the East Devon Local Plan 2013-2031).

Permitted Development Rights:

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no works within the Schedule Part 1 Classes A, B, C or D for the enlargement, improvement or other alterations to the dwellings hereby permitted, other than works that do not materially affect the external appearance of the buildings, shall be undertaken.

(Reason - The space available would not permit such additions with detriment to the character and appearance of the area or to the amenities of adjoining occupiers in accordance with Policy D1 – Design and Local Distinctiveness and EN10- Conservation Areas of the Adopted New East Devon Local Plan 2013-2031.)

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no works within the Schedule Part 1 Class E for the provision within the curtilages of the dwellinghouses hereby permitted of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouses as such.

(Reason - To protect the character and appearance of the area in accordance with Policy D1 – Design and Local Distinctiveness and EN10- Conservation Areas of the Adopted New East Devon Local Plan 2013-2031)

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected within the curtilage of any dwellinghouse.

(Reason - In the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Policies D1 – Design and Local Distinctiveness, D2 – Landscape Requirements, EN9- Development Affecting a Designated Heritage Asset and EN10- Conservation Areas of the Adopted East Devon Local Plan 2013-2031).

Plans relating to this application:

1003 P03 : flood routing plan	Other Plans	18.12.20
micro drainage File 010_D02.MDX	Specifications or technical data	18.12.20
A-P10-001	Location Plan	18.12.20
A-P10-006 : Eldin House	Proposed Combined Plans	18.12.20

A-P19-APT P2 : apartments	Proposed Combined Plans	18.12.20
A-P19-ELD : Eldin House	Proposed Combined Plans	18.12.20
A-P19-GAR P2 : garage	Proposed Combined Plans	18.12.20
A-P19-HTA-01 P2 : house type A-01	Proposed Combined Plans	18.12.20
A-P19-HTA-02 P2 : house type A-02	Proposed Combined Plans	18.12.20
A-P19-HTB P2 : house type B	Proposed Combined Plans	18.12.20
A-P19-HTC-01 P2 : house type C	Proposed Combined Plans	18.12.20
A-P19-HTD- P2 : house type D	Proposed Combined Plans	18.12.20
A-P19-HTE- P2 : house type E	Proposed Combined Plans	18.12.20
A-P19-HTF- P2 : house type F	Proposed Combined Plans	18.12.20
A-P19-ST : refuse+recycling store	Other Plans	18.12.20
PS-01-P2 : parking schedule	Other Plans	18.12.20

A-P19-ST P1	Proposed Combined Plans	04.09.20
A-P19-HTC 02 P1	Proposed Combined Plans	04.09.20
A-P19-ELD P1	Proposed Combined Plans	04.09.20
A-P21-010 P3 : ground	Proposed Floor Plans	11.02.21
A-P19-HTD-P3 : potting shed housetype D	Proposed Combined Plans	11.02.21
2401 P04 : external levels	Other Plans	22.02.21
1001 P05: drainage strategy	Other Plans	22.02.21
2101 P04 : highway	Layout	22.02.21
2201 P04 : highway long	Sections	22.02.21
2402 P01 : root protection area sections	Sections	22.02.21
1054-AI SB rev C	Arboriculturist Report	22.02.21
1054-AMS-SB rev B	Arboriculturist Report	22.02.21
A-P21-001 P3 : proposed site	Layout	22.02.21

A-P21-002 P5 : proposed site	Sections	22.02.21
A-P21-003 P4 : proposed site	Sections	22.02.21
A-P21-004 P4 : proposed	Street Scene	22.02.21
A-P21-010 P4 : ground	Proposed Floor Plans	22.02.21
A-P21-011 P3 : first	Proposed Floor Plans	22.02.21

List of Background Papers

Application file, consultations and policy documents referred to in the report.

RECOMMENDATION 2

For the 19/2830/LBC listed building consent application:

Approve subject to the following conditions:

Time Limit:

1. The works to which this consent relates must be begun not later than the expiration of three years beginning with the date on which this consent is granted.
(Reason - To comply with Sections 18 and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.)

Approved Plans:

2. The development hereby permitted shall be carried out in accordance with the approved plans listed at the end of this decision notice.
(Reason - For the avoidance of doubt.)

Partitions:

3. Where partitions are to be removed, the work shall be made good to match the original.

(Reason - To safeguard the architectural and historic character of the building in accordance Policy EN9 – Development Affecting a Designated Heritage Asset of the Adopted New East Devon Local Plan 2013-2031.)

4. Where new partitions are constructed they shall be scribed around (not cut into) existing cornices, skirtings or other features.

(Reason - To safeguard the architectural and historic character of the building in accordance with Policy EN9 – Development Affecting a Designated Heritage Asset of the Adopted New East Devon Local Plan 2013-2031.)

Damage:

5. Any damage caused by or during the course of the carrying out of the works hereby permitted shall be made good after the works are complete in accordance with a specification to be submitted to approved in writing with the Local Planning Authority. (Reason - To safeguard the architectural and historic character of the building in accordance with Policy EN9 – Development Affecting a Designated Heritage Asset of the Adopted New East Devon Local Plan 2013-2031.)

Safety and Stability:

6. Before any work is undertaken to remove any part of the building, the applicant shall take such steps and carry out such works as shall, during the process of the works permitted by this consent, secure the safety and the stability of that part of the building which is to be retained. Such steps and works shall, where necessary, include, in relation to any part of the building to be retained, measures as follows:-
 - a) to strengthen any wall or vertical surface;
 - b) to support any wall, roof or horizontal surface;
 - c) to provide protection for the building against the weather during the progress of the works.

(Reason - To safeguard the architectural and historic character of the building in accordance with Policy EN9 – Development Affecting a Designated Heritage Asset of the Adopted East Devon Local Plan 2013-2031.)

Repairs:

7. Details of any additional necessary repairs required as a result of the works, including methodology, specification or schedule shall be submitted to and approved in writing by the Local Planning Authority before continuing with the works.

(Reason - To safeguard the architectural and historic character of the building in accordance with Policy EN9 – Development Affecting a Designated Heritage Asset of the Adopted East Devon Local Plan 2013-2031.)

Greenhouse/ Potting Shed:

8. The greenhouse/potting shed, excluding the brick fin wall shall be removed as agreed as part of this approval and the reclaimed bricks and other salvageable materials stored under cover (or in a location approved in writing by the Local Planning Authority) for re-use in the building as part of the works permitted in this consent or in a location to be agreed by the Local Planning Authority.

(Reason - To safeguard the architectural and historic character of the building in accordance Policy EN9 – Development Affecting a Designated Heritage Asset of the Adopted East Devon Local Plan 2013-2031.)

Widening of Access:

9. A Method Statement for the widening of the entrance opening onto Douglas Avenue and the re-location of the distinctive Eldin entrance gates and stone walling and for the widening of the access onto Fairfield Road shall be submitted and approved in writing by the Local Planning Authority prior to the work commencing. All stonework repointing shall be carried out using a lime based mix, the specification of which shall be submitted to and approved in writing by the Local Planning Authority. The colour, texture, type of bond and joint, and finish shall match original work, and a small trial area shall be prepared in a non-prominent location for inspection and approval by the Local Planning Authority prior to commencement of the works.

(Reason - To safeguard the architectural and historic character of the building in accordance with Policy EN9 – Development Affecting a Designated Heritage Asset of the Adopted East Devon Local Plan 2013-2031.)

Schedule of Works:

10. A detailed Schedule of Works including repairs, renovation and restoration of both the external and internal structure of Eldin House shall be submitted and agreed in writing by the Local Planning Authority prior to the commencement of any works.

(Reason - To safeguard the architectural and historic character of the building in accordance with Policy EN9 (Development Affecting a Designated Heritage Asset) of the Adopted East Devon Local Plan 2013-2031.)

Other Works:

11. Before the relevant parts of the works begin on the items specified below, the following details and specification for these items shall be submitted to and approved in writing by the Local Planning Authority:

- New doors including sections, mouldings, profiles and paint colour. Sections through panels, frames and glazing bars should be at a scale of 1:2 or 1:5.
- Section (elevation/vertical) to show the dividing wall and details of the doors between the Living/Dining Room & Kitchen in Flat 1
- New lobby/screen at first floor.
- External vents, flues and meter boxes.

The works shall be carried out in accordance with the approved details and specification.

(Reason - In the interests of the architectural and historic character of the building in accordance with Policy EN9 – Development Affecting a Designated Heritage Asset of the Adopted East Devon Local Plan 2013-2031.)

Exploratory Works:

12. Only exploratory opening up is to be carried out of the closed/boarded fireplaces in Living/Dining Room Flat 1, Bedroom 2 & Living Room Flat 2, Living/Dining Room & Bedroom 2 Flat 3, and Kitchen/Dining & Living Room Flat 4 as shown on Drawing No. A-P19-ELD Rev 1 before obtaining further written approval of the Local Planning Authority for the completion of the works.

(Reason - To safeguard the architectural and historic character of the building in accordance with Policy EN9 – Development Affecting a Designated Heritage Asset of the Adopted East Devon Local Plan 2013-2031.)

Plans relating to this application:

A-P10-001	Location Plan	18.12.20
A-P10-006 : Eldin House	Proposed Combined Plans	18.12.20
A-P19-ELD : Eldin House	Proposed Combined Plans	18.12.20
A-P21-001 P3 : proposed site	Layout	22.02.21
A-P21-002 P4 : proposed site	Sections	22.02.21

A-P21-003 P4 : proposed site	Sections	22.02.21
A-P21-004 P4	Street Scene	22.02.21
A-P21-010 P4 : ground	Proposed Floor Plans	22.02.21
A-P19-HTD P3 : housetype D	Proposed Combined Plans	11.02.21

List of Background Papers

Application file, consultations and policy documents referred to in the report.

Appropriate Assessment		
The Conservation of Habitats and Species Regulations 2017, Section (63)		
Application Reference	20/1838/MFUL	
Brief description of proposal	Demolition of existing buildings and the residential development of 33 new homes in a mix of 10 no. dwellings and 19 apartments and the conversion and refurbishment of Eldin House to create 4 apartments, partial demolition of potting shed and greenhouse and extensions to create dwelling, together with vehicle and pedestrian accesses, landscaping and associated infrastructure	
Location	Land at Former Rolle College, Exmouth	
Site is:	<p>Within 10km of Dawlish Warren SAC and the Exe Estuary SPA site</p> <p>Within 10km of the Exe Estuary SPA site alone (UK9010081)</p> <p>Within 10km of the East Devon Heaths SPA (UK9010121)</p> <p>Within 10km of the East Devon Pebblebed Heaths SAC (UK0012602)</p> <p>Within 10km of the Exe Estuary Ramsar (UK 542)</p> <p>(See Appendix 1 for list of interest features of the SPA/SAC)</p>	
Step 1 Screening for Likely Significant Effect on Dawlish Warren SAC, Exe Estuary SPA or Pebblebed Heaths SPA/SAC or Exe Estuary Ramsar sites		
Risk Assessment		
<p>Could the Qualifying Features of the European site be affected by the proposal?</p> <p>Consider both construction and operational stages.</p>	<p>Yes - additional housing within 10km of the SPA/SAC will increase recreation impacts on the interest features.</p>	
Conclusion of Screening		

Is the proposal likely to have a significant effect, either 'alone' or 'in combination' on a European site?	<p>East Devon District Council concludes that there would be Likely Significant Effects 'alone' and/or 'in-combination' on features associated with the proposal at land at the former Rolle College in the absence of mitigation.</p> <p>See evidence documents on impact of development on SPA/SAC at: East Devon District Council - http://eastdevon.gov.uk/media/369997/exe-overarching-report-9th-june-2014.pdf</p> <p>An Appropriate Assessment of the plan or proposal is necessary.</p>	
Local Authority Officer		Date:

Step 2

Appropriate Assessment

NB: In undertaking the appropriate assessment, the LPA must ascertain whether the project would adversely affect the integrity of the European site. The Precautionary Principle applies, so to be certain the authority should be convinced that no reasonable scientific doubt remains as to the absence of such effects.

In-combination Effects

Plans or projects with potential cumulative in-combination impacts. How impacts of current proposal combine with other plans or projects individually or severally.	<p>Additional housing or tourist accommodation within 10km of the SPA/SAC add to the existing issues of damage and disturbance arising from recreational use.</p> <p>In –combination plans/projects include around 29,000 new dwellings allocated around the estuary in Teignbridge, Exeter and East Devon Local Plans.</p> <p>This many houses equates to around 65,000 additional people contributing to recreational impacts.</p>
Mitigation of in-combination effects.	<p>The Joint Approach sets out a mechanism by which developers can make a standard contribution to mitigation measures delivered by the South East Devon Habitat Regulations Partnership.</p> <p>Residential development is also liable for CIL and a proportion of CIL income is spent on Habitats Regulations Infrastructure. A Suitable Alternative Natural Green Space (SANGS) has been delivered at Dawlish and a second is planned at South West Exeter to attract recreational use away from the Exe Estuary and Dawlish Warren.</p>

Assessment of Impacts with Mitigation Measures

Mitigation measures included in the proposal.	<p>Joint approach standard mitigation contribution required</p> <ul style="list-style-type: none"> Residential units £354 x 33 (the additional number of units)= £11,682
Are the proposed mitigation measures sufficient to overcome the likely significant effects?	Yes - the Joint Approach contribution offered is considered to be sufficient.

Conclusion		
List of mitigation measures and safeguards	Total Joint Approach contribution of £11,682 <i>here</i> will be secured through a Unilateral Undertaking	
The Integrity Test	Adverse impacts on features necessary to maintain the integrity of Dawlish Warren SAC, Exe Estuary SPA or Pebblebed Heaths SPA/SAC or Exe Estuary Ramsar sites can be ruled out.	
Conclusion of Appropriate Assessment	East Devon District Council concludes that there would be NO adverse effect on integrity of Dawlish Warren SAC, Exe Estuary SPA or Pebblebed Heaths SPA/SAC or Exe Estuary Ramsar sites provided the mitigation measures are secured as above.	
Local Authority Officer		Date:
21 day consultation to be sent to Natural England Hub on completion of this form.		

Appendix 1. List of interest features:

Exe Estuary SPA

Annex 1 Species that are a primary reason for selection of this site (under the Birds Directive):

Aggregation of non-breeding birds: Avocet *Recurvirostra avosetta*

Aggregation of non-breeding birds: Grey Plover *Pluvialis squatarola*

Migratory species that are a primary reason for selection of this site

Aggregation of non-breeding birds: Dunlin *Calidris alpina alpina*

Aggregation of non-breeding birds: Black-tailed Godwit *Limosa limosa islandica*

Aggregation of non-breeding birds: Brent Goose (dark-bellied) *Branta bernicla bernicla*

Wintering populations of Slavonian Grebe *Podiceps auritus*

Wintering populations of Oystercatcher *Haematopus ostralegus*

Waterfowl Assemblage

>20,000 waterfowl over winter

Habitats which are not notified for their specific habitat interest (under the relevant designation), but because they support notified species.

Sheltered muddy shores (including estuarine muds; intertidal boulder and cobble scars; and seagrass beds)

Saltmarsh NVC communities: SM6 *Spartina anglica* saltmarsh

SPA Conservation Objectives

With regard to the SPA and the individual species and/or assemblage of species for which the site has been classified (the 'Qualifying Features' listed below), and subject to natural change;

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;

☐ ☐ **The extent and distribution of the habitats of the qualifying features**

☐ ☐ **The structure and function of the habitats of the qualifying features**

- ☐ ☐ The supporting processes on which the habitats of the qualifying features rely
- ☐ ☐ The population of each of the qualifying features, and,
- ☐ ☐ The distribution of the qualifying features within the site.

Dawlish Warren SAC

Annex I habitats that are a primary reason for selection of this site (under the Habitats Directive):

Annex I habitat: Shifting dunes along the shoreline with *Ammophila arenaria* ('white dunes'). (Strandline, embryo and mobile dunes.)

SD1 *Rumex crispus-Glaucium flavum* shingle community

SD2 *Cakile maritima-Honkenya peploides* strandline community

SD6 *Ammophila arenaria* mobile dune community

SD7 *Ammophila arenaria-Festuca rubra* semi-fixed dune community

Annex I habitat: Fixed dunes with herbaceous vegetation ('grey dunes').

SD8 *Festuca rubra-Galium verum* fixed dune grassland

SD12 *Carex arenaria-Festuca ovina-Agrostis capillaris* dune grassland

SD19 *Phleum arenarium-Arenaria serpyllifolia* dune annual community

Annex I habitat: Humid dune slacks.

SD15 *Salix repens-Calliergon cuspidatum* dune-slack community

SD16 *Salix repens-Holcus lanatus* dune slack community

SD17 *Potentilla anserina-Carex nigra* dune-slack community

Habitats Directive Annex II species that are a primary reason for selection of this site:

Petalwort (*Petalophyllum ralfsii*)

SAC Conservation Objectives

With regard to the SAC and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change; Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;

- The extent and distribution of qualifying natural habitats and habitats of qualifying species
- The structure and function (including typical species) of qualifying natural habitats
- The structure and function of the habitats of qualifying species
- The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely
- The populations of qualifying species, and,
- The distribution of qualifying species within the site.

List of interest features:

East Devon Heaths SPA:

A224 Caprimulgus europaeus; European nightjar (Breeding) 83 pairs (2.4% of GB population 1992)

A302 Sylvia undata; Dartford warbler (Breeding) 128 pairs (6.8% of GB Population in 1994)

Objectives:

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;

- The extent and distribution of the habitats of the qualifying features
- The structure and function of the habitats of the qualifying features
- The supporting processes on which the habitats of the qualifying features rely
- The population of each of the qualifying features, and,
- The distribution of the qualifying features within the site.

East Devon Pebblebed Heaths SAC:

This is the largest block of lowland heathland in Devon. The site includes extensive areas of dry heath and wet heath associated with various other mire communities. The wet element occupies the lower-lying areas and includes good examples of cross-leaved heath – bog-moss (*Erica tetralix* – *Sphagnum compactum*) wet heath. The dry heaths are characterised by the presence of heather *Calluna vulgaris*, bell heather *Erica cinerea*, western gorse *Ulex gallii*, bristle bent *Agrostis curtisii*, purple moor-grass *Molinia caerulea*, cross-leaved heath *E. tetralix* and tormentil *Potentilla erecta*. The presence of plants such as cross-leaved heath illustrates the more oceanic nature of these heathlands, as this species is typical of wet heath in the more continental parts of the UK. Populations of southern damselfly *Coenagrion mercuriale* occur in wet flushes within the site.

Qualifying habitats: The site is designated under article 4(4) of the Directive (92/43/EEC) as it hosts the following habitats listed in Annex I:

H4010. Northern Atlantic wet heaths with *Erica tetralix*; Wet heathland with cross-leaved heath

H4030. European dry heaths

Qualifying species: The site is designated under article 4(4) of the Directive (92/43/EEC) as it hosts the following species listed in Annex II:

S1044. *Coenagrion mercuriale*; Southern damselfly

Objectives:

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;

- The extent and distribution of qualifying natural habitats and habitats of qualifying species
- The structure and function (including typical species) of qualifying natural habitats
- The structure and function of the habitats of qualifying species
- The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely
- The populations of qualifying species, and,
- The distribution of qualifying species within the site.

Exe Estuary SPA

Qualifying Features:

A007 *Podiceps auritus*; Slavonian grebe (Non-breeding)

A046a *Branta bernicla bernicla*; Dark-bellied brent goose (Non-breeding)

A130 *Haematopus ostralegus*; Eurasian oystercatcher (Non-breeding)

A132 *Recurvirostra avosetta*; Pied avocet (Non-breeding)
A141 *Pluvialis squatarola*; Grey plover (Non-breeding)
A149 *Calidris alpina alpina*; Dunlin (Non-breeding)
A156 *Limosa limosa islandica*; Black-tailed godwit (Non-breeding)
Waterbird assemblage

Objectives:

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;

- The extent and distribution of the habitats of the qualifying features
- The structure and function of the habitats of the qualifying features
- The supporting processes on which the habitats of the qualifying features rely
- The population of each of the qualifying features, and,
- The distribution of the qualifying features within the site.

Exe Estuary Ramsar

Principal Features (updated 1999)

The estuary includes shallow offshore waters, extensive mud and sand flats, and limited areas of saltmarsh. The site boundary also embraces part of Exeter Canal; Exminster Marshes – a complex of marshes and damp pasture towards the head of the estuary; and Dawlish Warren - an extensive recurved sand-dune system which has developed across the mouth of the estuary.

Average peak counts of wintering water birds regularly exceed 20,000 individuals (23,268*), including internationally important numbers* of *Branta bernicla bernicla* (2,343). Species wintering in nationally important numbers* include *Podiceps auritus*, *Haematopus ostralegus*, *Recurvirostra avosetta* (311), *Pluvialis squatarola*, *Calidris alpina* and *Limosa limosa* (594).

Because of its relatively mild climate and sheltered location, the site assumes even greater importance as a refuge during spells of severe weather. Nationally important numbers of *Charadrius hiaticula* and *Tringa nebularia* occur on passage. Parts of the site are managed as nature reserves by the Royal Society for the Protection of Birds and by the local authority. (1a,3a,3b,3c)