

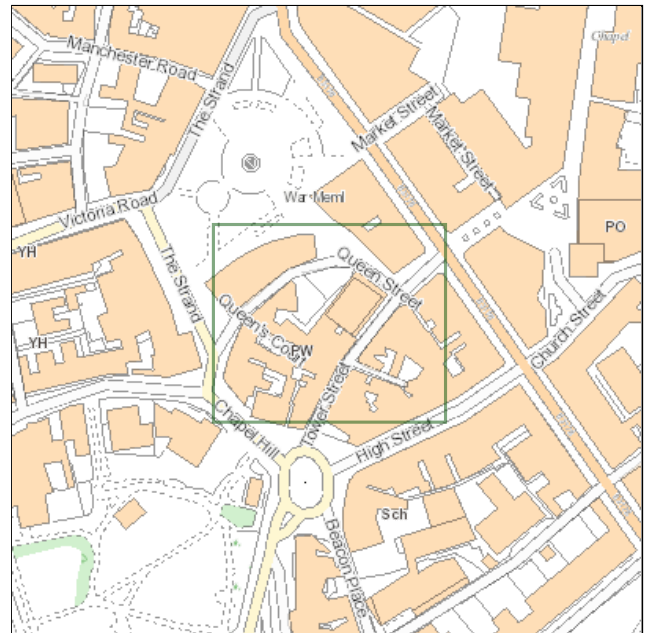
Ward Exmouth Town

Reference 19/2829/MFUL &
19/2830/LBC

Applicant Mr B Male (Hansard Ltd)

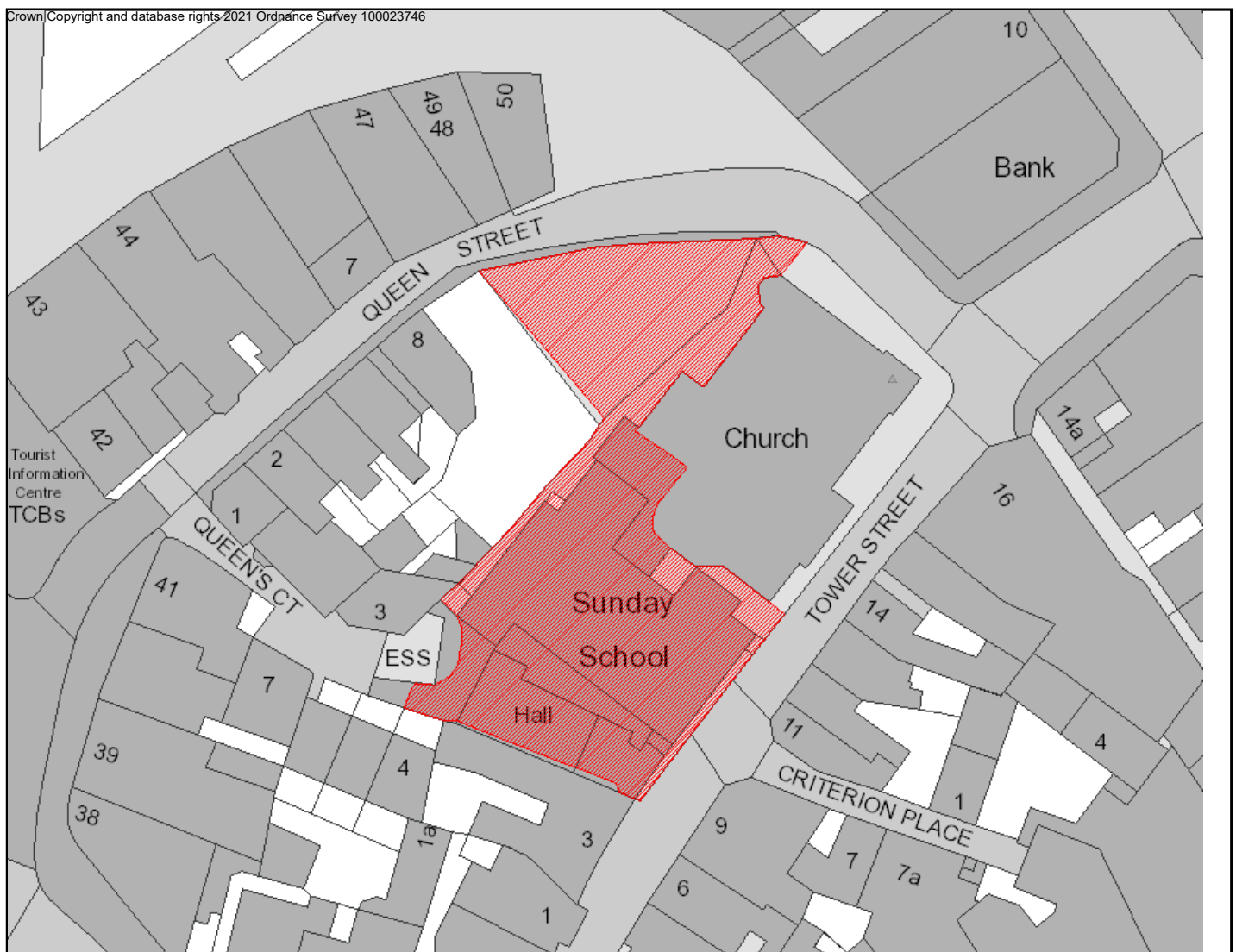
Location Tower Street Methodist Church Tower Street
Exmouth EX8 1NT

Proposal Part demolition and redevelopment and part
conversion of vacant buildings to create 19
residential units plus development to provide
two retail units



RECOMMENDATION:

1. Adopt the appropriate assessment attached to this report
2. Secure an overage clause through a Section 106 legal agreement.
3. Approve with conditions



		Committee Date: 10th February 2021
Exmouth Town (Exmouth)	19/2829/MFUL	Target Date: 09.04.2020
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EXECUTIVE SUMMARY

These two applications are before Members as the officer recommendation differs from that of Exmouth Town Council

These applications seek planning permission and listed building consent for the partial demolition of a number of curtilage listed buildings surrounding the rear of the grade II listed Tower Street Methodist Church and for the redevelopment of

the site to provide a total of 19 residential units and two new units of retail space split across the two proposed buildings.

The brownfield site occupies a highly sustainable and prominent position within the heart of Exmouth town centre and has a number of heritage constraints which include the setting of the grade II listed church and the Conservation Area.

Through the Council's pre-application process and through significant amendment during the application process, the final design, height, scale and form of the proposed development is now considered to be appropriate for the site, its surroundings and its historic context.

Removal of the curtilage listed buildings which surround the church and which make a neutral to negative contribution to its setting provides an opportunity to enhance the setting of the church whilst re-developing the site to provide a mixture of 1 and 2 bedroom units would help to meet an unmet need within the town. Whilst it is regretful that no affordable housing would be provided, the application of vacant building credit and viability testing have indicated that the applicant would be making a much reduced profit than that usually expected. Providing any affordable housing would make the scheme unviable and the proposal would therefore be unlikely to come forward and the heritage benefits would be lost. Furthermore the provision of two additional retail units would help contribute to the vitality and viability of the town centre.

The proposals would result in less than substantial harm to the character of the Conservation Area and the setting of the listed church where there are considered to be a number of heritage benefits arising from the proposal in terms of providing a much improved local setting for the church whose significance would be better revealed through demolition of a number of buildings along with a number of public benefits that are considered to outweigh the less than substantial harm - a key policy 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, highway safety, ecology, archaeology and 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

Parish/Town Council
Meeting 20.01.20

Objection, the proposal was considered to be out of keeping in terms of design and style and would not relate well to the surrounding properties. The proposal conflicted with the Neighbourhood Plan policies EB1 & 2 which stated that development should conserve Exmouth's heritage assets and be mindful of surrounding building styles. The proposal for 20 flats was considered overdevelopment for the size of the plot and would be harmful to the Conservation area and detract from the Grade II listed Church. Lack of parking was also a concern.

Further comments:

Meeting 01.09.2020

Objection sustained, the amended plans did not mitigate previous concerns raised.

Technical Consultations

Urban Designer 14/04/2020

Introduction

This report forms the EDDC's urban design response to submitted planning application documents and drawings alongside additional drawings received by EDDC after submission following feedback from the Council.

Design and response to site context

The site surroundings have been covered quite well in the Design and Access Statement so will not be described here all over again apart from where they relate to comments on the design response or where I have comments on the assessment within the D&A itself.

Context analysis within the D&A

I do not entirely agree with some of the conclusions of the Design and Access Statement, particularly where it states that buildings surrounding the site have 'no sense of order or cohesive design rationale'. The way in which the area has developed over a number of centuries is reflected in the diversity of design evident around the site. The buildings and architecture responded to their contemporary built, social, cultural and economic context. This has resulted in a coherent, if slightly eclectic, built environment where the urban blocks have particular characters that reflect their history. The development site sits within an urban block that is fairly consistently 18th and 19th century and low key in character. It has a working history that is relatively domestic and impoverished which is reflected in the scale and nature of the buildings as illustrated by the street elevations in the Design and Access Statement (p.24). Tower Street is narrow, pedestrian, and two storey with low floor to ceiling heights. It is made up of fishermen's cottages, shops and pubs to support these largely impoverished workers. Buildings around the site are taller, particularly bounding the public area of The Strand, reaching 3.5 storeys with mansard roofs being a common feature. These reflect the change in the fortunes of Exmouth brought by the arrival of the railways and the tourism boom that followed. Being around one of the main open spaces in the town centre, the architecture of these buildings is far more grand than that of the buildings in the urban blocks behind. The use of buildings around The

Strand as design precedent for the block behind in which the development sits is, therefore, mistaken.

Response to context – Apartment building

The two buildings that make up the submission have very different design languages reflecting, in part, the different locations on the site. However, the responses also demonstrate the different levels of design priority given to the buildings. This is natural, considering the direct impact the larger block has on a listed building, but the smaller building fronting Queen Street is highly visible and has an important role in creating a new urban space that opens directly off the main open area within Exmouth town centre, the Strand. The larger block is effectively tucked away and contained within the urban block completed by the Queen Street building. This building, to which a great degree of attention has been placed, needs to be well designed and competent, but not particularly flashy. The design cues must be taken from the urban block within which it sits, which means 18th and early 19th century buildings. Therefore, the submitted design with peaked roofs is a well-designed building whose materials and design fit well with the block itself and the church next to it. However, it is too tall and too intrusive on the skyline when viewed from the end of The Beacon or the top of Tower Street itself, as demonstrated by the images on page 57 of the D&A.

The revised design using a Mansard roof achieves the right scale and does not intrude on the skyline. However, the architecture does not work with the urban block in which it sits as it takes design cues from the Mansard buildings around The Strand making it appear very out of place. To be acceptable a design solution needs to marry together the design language of the former (or another using an understanding of the architecture within this urban block as starting point) and the scale and massing of the latter.

I am not sure that the use of standing-seam cladding is necessary. It may look like the materials palette is trying to look too 'designed'. Unless there is a practical reason otherwise a more ordinary material, such as a good silicone render or crisply detailed brickwork that can withstand the seaside environment, would be fine. The detailing will be what carries this off.

Response to context – Retail and apartment building

The smaller building on Queen Street does not appear to have had as much design attention and appears as an after-thought to the proposal. However, this building completes an urban space on Queen Street that could be intimate and attractive. What appears to have been thought of as a secondary building is actually much more important in terms of its visibility and setting up a successful townscape within Exmouth. It will be visible to people in The Strand and needs to do the job of inviting people into this smaller space and being the introduction to the smaller scale environment that this particular urban block represents. This building therefore needs significantly more design input than appears to have been given to it to date. The building needs to respond to the low-key architecture of the block in which it sits. The flat roof and almost Edwardian rhythm to the façade do not work in this context. The retail frontages need to be better articulated and appear narrower to fit with the scale of this block. The flat panels of wide glazing and the overall flat façade of the ground floor retail units also do not work with the context but this may be addressed in any revision to the design to address the articulation and appearance of the units themselves.

Treatment of entrances and access

This appears tidy and well thought through but the opportunity it provides has not been realised. It could be a pleasant space between the two proposed buildings and the church for residents and visitors. It would benefit from some well-designed planting incorporated within it, perhaps to create a courtyard garden, even with a bench or two. The rear elevation of the building proposed on Queen Street is poor, and does not provide a particularly attractive entrance to the flats it contains and has a work-a-day appearance that loses the opportunity to create an attractive outdoor space and entrance to both buildings. As currently designed the pre-cast concrete stairs and landings along with the galvanised balustrades and handrails will look cheap and utilitarian. The same materials could be used but landings extended and given some shading and privacy panels to make balconies that would be useful to the occupants of these units and help to make them more attractive and saleable in the more 'premium' market that this development is being pitched at.

Conclusion and summary

The current submission has clearly had a lot of design attention given to it and this shows in the results where the larger building is concerned. However, this building in the submitted design is too tall for the site, while being otherwise well-designed and attractive, while the revised building has an inappropriate design for the site but has appropriate massing.

The smaller building does not appear to have much design attention paid to it and needs to have the same level of attention to detail as the larger one. Both buildings need to respond to the architecture and design of the urban block within which they sit, that bounded by Tower Street and Queen Street.

Overall, the submission shows promise that with some changes could be realised. However, as submitted I cannot support the scale of the larger building or the design of the smaller one. In the revised submission I cannot support the design of the larger building as it is inappropriate to the context while the scale is fine and cleverly achieved. The smaller building needs revision that change of materials and detailing will not rectify.

Further comments 05/01/2021:

1 Introduction

This report forms EDDC's urban design response to revised drawings received 30.07.2020 following comments made by the council. This report will not cover context and other background that has been provided in previous comments and will concentrate on the current design as presented and whether they have covered previous design concerns.

2 Design and response to site context

Response to context – Apartment building behind the former Saint Martin's Church

Design comments about the previous submitted design of this building were mainly concerned about the scale in relation to the urban block in which it is sited between Tower Street and Queen Street. The initial submitted design was good, but too tall for the site and would have dominated this block and changed the nature of the

conservation area. However, the form that it took could be interpreted as a modern take on an 18th – 19th century warehouse, which would be in keeping. A subsequent revision changed the form of the roof to a mansard while retaining the same storey height. This used a design language totally at odds with this urban block having taken its cue from the buildings around The Strand which is from a different era and that originally served a totally different purpose and market.

The latest revised drawings have reduced the height of the proposed building while returning to the previous design language. This change has been very effective in enabling the building to fit the scale of its surroundings while also using a design that is appropriate and complimentary, though there has been a loss to the floor area. This is a design that if constructed with good materials, detailing and workmanship should be a welcome modern addition to this area, replacing the existing 1930's building that is tired and of little design merit.

Response to context – Retail and apartment building

The revised building fronting onto Queen Street and facing the Strand has been redesigned to follow the rhythm along this street of relatively low buildings and narrow frontages. The building footprint reverts back to following the site boundary following precedent set by neighbouring buildings. This revision successfully allows the building to fit with its context while the footprint helps to form the spaces around it so that there is a natural form to the street and a much more attractive setting to the former church. The rear access stairs and walkways are still utilitarian in appearance but in a way that is not incongruous while also now providing usable levels of outdoor space to future occupants of the flats. Again, with good material choices, crisp detailing and good workmanship this building will be a welcome addition to a small but important space at the heart of Exmouth, helping to draw people through from two sides of the centre where now there is only a rubble-floored car park.

Conclusion and summary

The revised designs for these two drawings have addressed the concerns raised about their architecture and relationship to the urban surroundings. Both respond well to their respective contexts taking design cues from their surroundings and producing a modern interpretation that is not intrusive. In doing so this design is successful and will help to improve a relatively neglected corner at the heart of Exmouth that has presented a challenging design context.

Conservation

CONSULTATION REPLY TO

LISTED BUILDING CONSENT/CONSERVATION AREA

PLANNING APPLICATION AFFECTING LISTED BUILDING

ADDRESS: Tower Street Methodist Church, Tower St, Exmouth.

GRADE: II & grade II curtilage APPLICATION NO: 19/2829/MFUL & 19/2830/LBC

CONSERVATION AREA: Exmouth.

PROPOSAL: Part demolition and redevelopment and part conversion of vacant buildings to create 20 residential units plus development to provide two retail units.

HOW WILL PROPOSED ALTERATIONS AFFECT HISTORIC CHARACTER OF BUILDING AND ITS SETTING:

There had been early discussions that included the Conservation Officer prior to the submission of these applications.

Comments are as follows;

- o In principle the redevelopment of the curtilage buildings is supported, although this should be supported by sufficient information.

- o In principle the development of the car park site is supported, in part due to historic maps showing buildings in this position. These will continue the built frontage along Queen Street.

- o Q: Will there be any heritage gains to the listed building as a consequence of this proposal?

- o Design and Access statement - there is some ambiguity regarding the context of the proposed design for the main apartment block (Ref 01). The ridge height of the proposed "01" block is compared to the spire of the church, rather than being subservient to the ridge height of the church itself. It would be better to just focus on the ridge height of the church and not the spire. The proposals do have a direct impact, as it directly affects the rear of the church and where the Boys Brigade building adjoins the South-Western boundary of the site and the wider character of the Conservation Area.

- o Q: Is there a requirement to make good/move any of the parts of the church organ?

- o Sustainability - it is recommended that more existing materials are re-used on site, such as the internal doors, roofing slate, brick and any metal rainwater goods etc. It would be interesting to have more information regarding the sustainability of the proposed materials. The photovoltaic panels appear to be well hidden.

- o Demolition - it is appreciated there is scope for some demolition. This is supported by the Structural Inspection Report. After a site inspection too, it was evident that the long term failure to maintain the rainwater goods and roof were one of the principle reasons for the present condition. The proposed demolition drawings submitted as part of these applications does not seem to follow the full extent of the proposed demolition on the "existing and proposed plans showing usages and level of proposed demolition" in the structural inspection. There is a greater retention of the historic fabric of the Sunday School walls, which is supported in principle. It would be useful to have more detail regarding how/if the smaller existing structures are connected to the apse of the church and also some small areas of investigation into the materials and condition of the Boys Brigade structural walls. This area was noted as "stable" and of "traditional solid masonry walls". This may also help to inform the works.

As it stands it would be appreciated to have more detailed investigation to better inform the proposed stage of the demolition. It would be preferred if more historic fabric was retained.

The structural report included the failing wall within the electricity sub station. It is appreciated that this may not be part of this application, but could have an impact on the land within the site boundary, should this wall fail.

- o Design - Block 01; its roof is still not subservient to the ridge height of the church (please do not include height of spire). When viewed from the principle elevation of the church its height and massing is still dominating the listed building. The recessed elevation of the Block 01, creates an over dominant and unnecessary edge detail. The proposed space/access at the rear of the church makes a positive impact on the full appreciation of the principle listed building.

The fenestration (as also in Block 02) is a little random and does not seem to respond in context to the local architecture. It could be more simplified, although it does have a vertical emphasis. All rooflights should be conservation type. There are too many rooflights on the remaining front section of the Sunday School. The front one at either side of the roof should be removed.

External fixings - will there be any vents, lighting, security, post boxes or utility meter boxes? It would be better if these did not obviously clutter the main elevations.

More details on how the metal gate fixed between the church and Block 02, specifically the impact on the church. Could it be not be directly fixed to the church? There is an opportunity to make this more decorative on this important elevation and as it has a central position within the Conservation Area.

Block 02 - this strengthens the historic street pattern on this corner. The flat roof needs to have a stronger detail to the parapet, although this allows a greater view of the church. It is a shame that the shopfronts appear a little "flat" on the elevation compared to the traditional set-in doorway, however, this should always be a contemporary interpretation of the local character.

- o Materials - in general the modern materials, specifically the external cladding is not supported. It is considered that this does not respond to the local vernacular and is not at all sympathetic. The colour scheme overall, Block 02 in particular seems to be a little too grey (mono tone). It would be helpful, if possible to see more details and colours of all of the proposed materials. This would include external hard landscaping.

- o Drawings - (observations) More details of the new brick North-West wall by the church for the new bin store.

- o Proposed plan AS17. 51 L.02.06 Rev 3 - does not show the lower flat roof and terraces and also the remaining existing buildings on Tower St.

- o Dormer window and door to South elevation is an awkward addition, this could be removed, but the window and door set within the roof structure.

- o Proposed plan AS17.51 L.02.06 Rev 3 - does not show the Southern side of the remain roof cutting into the central Sunday School roof pitch (as it does now?).

- o Proposed drawing AS17.51 L.09.00 Rev 1 (existing) - this drawing shows that there are 2 windows and a door missing on the side access.
- o Drawing AS17.51 L.04.11 Rev 3 - (West elevation) does not show the rear path and back of the Tower Street new bin access door.
- o Drawing AS17.51 L.02.15 Rev 3 - Apartment 14 & 16 - front window not shown on plan drawing. Although not supportive of this solution to put a panel over the dividing partition wall.
- o Apartment 4 - bedroom window too small.
- o Apartment 1 - main bedroom has wardrobe blocking up window.
- o Apartment 10 - bedroom double window plan drawing seems to have blocked panel across glazing. Unfortunate that the bathroom window needs to be obscured as it is a bathroom on the main elevation.
- o Apartment 13 - window to right of bathroom, has kitchen unit above the cill height.
- o Apartment 8 & 7 - bedroom window plan drawing seems to have blocked panel across glazing.
- o Apartment 14 & 15 - bedroom windows plan drawing seems to have blocked panel across glazing and not supportive of this solution to put a panel over the dividing partition wall.
- o Apartment 10 & 13 - on the front elevation the windows for the front 2nd floor, (Apartment 10 bathroom & Apartment 13 Kitchen unit) windows is not shown, however, it seems it is impossible to have windows in these positions due to the Sunday School roof.

In conclusion as it stands, it would be appreciated if there was now more investigative information regarding the structural condition of the curtilage buildings, specifically the Sunday School that could better inform the full extent of the demolition. In addition, due to the overbearing ridge height and massing of the main Block 01 to the listed building, the design and the unsympathetic materials, this proposal is not supported.

PROVISIONAL RECOMMENDATION - PROPOSAL UNACCEPTABLE

Further comments:

The following comments are based on the amended drawings should be considered along with any earlier comments submitted.

They are as follows;

- o In principle the redevelopment of the curtilage buildings is supported, although this should be supported by sufficient information.
- o In principle the development of the car park site is supported. These will continue the built frontage along Queen Street.

Block 1

- o The amendments made to the block 1 particularly to the front (East) and rear (West) elevations has simplified the new fenestration creating a more ordered rhythm that is more sympathetic to that of the church.
- o The reduction in the ridge height has long been an important point of concern and it has been addressed and appears subservient to the principle listed building.

- o The removal of the outside roof terraces removes the visual distraction and clutter from this setting.

Block 2

- o The re-design to a "safe" solution suffers from becoming a pastiche within its context of setting and to the quality of architecture and materials that surrounds it. The principle elevation has too many different window styles (7 in total) not including the shopfronts. The East-side elevation that is seen in the same view as the church is disappointing and would be better to be simpler in style (as previous submission) rather than try to emulate the quality of materials and finishes of the church especially with modern equivalents.

- o The shopfronts have been improved, however due to the awkward symmetry of all of the window styles above them, they do not make such a successful contribution on the streetscene as they could.

- o The rear of the block is not as successful as the previous submission due to the overbearing and extensive staircases. Some of the landing areas could be shortened to reduce the visual impact and reveal the elevation better.

External landscaping

- o There are no details as yet with regards to external fixtures and fittings. This could be as a condition. It is recommended that external fittings are kept to minimum to reduce clutter and not to distract from the heritage assets. There should be no fixings to the listed building. Any letterboxes and utility boxes should be designed in hidden.

- o The loss of some of the path retaining wall that is on the West side of the church requires justification. It needs to be established if this is historic fabric or not. If it is not then this would be supported.

- o One of the main heritage gains to the project was the opportunity to reveal the rear (North) side of the church with its beautiful stained glass. The previous submission achieved this, however the placement of the 2 large bicycle stores (North & West) elevations is contrary to this gain. They harm the setting of the church, go against the heritage gains and would prevent maintenance and repair of the listed building.

o

Conclusion - there are benefits and losses to the overall design in this amended version. Overall, it is considered that there remains less than substantial harm to the listed building and conservation area, therefore it is disappointing to recommend that this is not supported.

Devon County Highway Authority

The site sits on the junction of Tower Street (V3702) and Queen street (L3911).

The site is within the vicinity of Exmouth town centre, which has various facilities and services, this together with the near train station, bus services to Exeter and afield, and the Exe-estuary trail makes this development ideal for non-car sustainable travel.

The layout allows for through-route travel by pedestrians to get out and in on either Tower Street or Queen street. Cycle storage is dedicated for on the Queen Street side together with easy access bin storage, I wonder whether due to the size of the site, another cycle storage facility would be worth placing next to the secondary bin store on the Tower Street side, this would assist in meeting the desire line.

I also recommend that a Construction and environment management plan (CEMP) is put together and submitted to the LPA, due to the amount of demolition and construction works and the location being in the busy centre of Exmouth.

Overall 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. 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 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.

Devon County Archaeologist
Application No. 19/2829/MFUL

Tower Street Methodist Church Tower Street Exmouth EX8 1NT - Part demolition and redevelopment and part conversion of vacant buildings to create 20 residential units plus development to provide two retail units: Historic Environment

My ref: Arch/DM/ED/35077b

I refer to the above application and your recent re-consultation. The Historic Environment Team has no additional comments to those already made, namely:

The proposed development lies in an area of high archaeological potential, within the historic core of the town and in an area that could contain evidence of the medieval settlement. Archaeological observations on a development site to the south-east recorded late medieval pottery amongst later material and the development site lies within an area that is suggested by the county Historic Environment Record to contain an early medieval ferry station. As such, groundworks for the construction of the proposed development have the potential to expose and destroy archaeological and artefactual deposits associated with the early settlement here. The impact of development upon the archaeological resource should be mitigated by a programme of archaeological work that should investigate, record and analyse the archaeological evidence that will otherwise be destroyed by the proposed development.

The Historic Environment Team recommends that this application should be supported by the submission of a Written Scheme of Investigation (WSI) setting out a programme of archaeological work to be undertaken in mitigation for the loss of heritage assets with archaeological interest. The WSI should be based on national standards and guidance and be approved by the Historic Environment Team.

If a Written Scheme of Investigation is not submitted prior to determination the Historic Environment Team would advise, for the above reasons and in accordance with paragraph 199 of the National Planning Policy Framework (2019) and Policy EN6 (Nationally and Locally Important Archaeological Sites) of the East Devon Local Plan, that any consent your Authority may be minded to issue should carry the condition as worded below, based on model Condition 55 as set out in Appendix A of Circular 11/95, whereby:

'No development shall take place until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation (WSI) which has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out at all times in accordance with the approved scheme, or such other details as may be subsequently agreed in writing by the Local Planning Authority.'

Reason

'To ensure, in accordance with Policy EN6 (Nationally and Locally Important Archaeological Sites) of the East Devon Local Plan and paragraph 199 of the National Planning Policy Framework (2019), that an appropriate record is made of archaeological evidence that may be affected by the development'

This pre-commencement condition is required to ensure that the archaeological works are agreed and implemented prior to any disturbance of archaeological deposits by the commencement of preparatory and/or construction works.

I would envisage a suitable programme of work as taking the form of:

- (i) the archaeological monitoring and recording of all groundworks associated with the proposed development to allow for the identification, investigation and recording of any exposed archaeological or artefactual deposits within the area occupied by the new buildings to the rear of the Sunday Hall on Tower Street, and
- (ii) a staged programme of archaeological works on the site of the new buildings on Queen Street, commencing with the excavation of a series of evaluative trenches to determine the presence and significance of any heritage assets with archaeological interest that will be affected by the development. Based on the results of this initial stage of works the requirement and scope of any further archaeological mitigation can be determined and implemented either in advance of or during construction works. This archaeological mitigation work may take the form of full area excavation in advance of groundworks or the monitoring and recording of groundworks associated with the construction of the proposed development to allow for the identification, investigation and recording of any exposed archaeological or artefactual deposits.

The results of both elements of fieldwork and any post-excavation analysis undertaken would need to be presented in an appropriately detailed and illustrated report, and the finds and archive deposited in accordance with relevant national and local guidelines.

I will be happy to discuss this further with you, the applicant or their agent. The Historic Environment Team can also provide the applicant with advice of the scope of the works required, as well as contact details for archaeological contractors who would be able to undertake this work. Provision of detailed advice to non-householder developers may incur a charge. For further information on the historic environment and planning, and our charging schedule please refer the applicant to: <https://new.devon.gov.uk/historicenvironment/development-management/>.

Stephen Reed

Senior Historic Environment Officer

Housing Strategy Officer Melissa Wall

This application is for the part demolition and conversion to create 20 residential units. Under strategy 34 this would require 25% on-site affordable housing (5 units).

The applicant is claiming Vacant Building Credit (VBC). Guidance states that where there is an overall increase in floorspace 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 floorspace 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 provided by the applicant in their planning statement applying VBC would reduce the requirement for affordable housing to 2.5 units or 12.84%. If the application of VBC is supported by the planning officer then a commuted sum rather than on-site provision would be more appropriate. With this being a 'flat scheme'

there is the risk that a registered provider would not be interested in on-site units and such a small number.

Therefore a commuted sum would be more appropriate and this would be £114,888. The applicant is also submitting viability evidence and this may result in no affordable housing or a commuted sum being viable.

Further comments:

The proposed amendments reduce the number of residential units to 19. This in turn results in a reduction in the number of affordable units required under strategy 34 (25% target) to 4.75 units.

If the application of vacant building credit is supported by the planning officer the revised floor areas will be required to calculate the 'credit' and reduced requirement for affordable housing. The applicants previously stated that they would be submitting viability evidence to reduce the requirement for affordable housing further. I have not seen any information regarding viability so cannot comment on this.

As per my previous comments if the application of VBC results in a low number of affordable units (1 or 2) then a commuted sum would be more appropriate.

Should it not prove viable to provide any affordable units or a commuted sum then an overage clause will be sought as per strategy 34.

The revised area results in 2.365 units or 12.45% affordable housing. We cannot use the commuted sum amount on the website as they assume a 25% or 50% provision (i.e. 25% or 50% of 1 unit). Therefore we need to amend the calculator to reflect the 12.45% (attached). This tells us that 1 unit with 12.45% AH provision is £5,780. Therefore $£5,780 \times 19 = £109,820$.

Development Delivery Project Manager 23/11/2020

I have now reviewed the Viability prepared by Herridge Property Consulting (Instructed by Bell Cornwall LLP) for the above mentioned site. I comment as follows:

The report appears to be of a robust nature, with a well-reasoned viability approach, with good relevant commentary, and a suitable amount comparable market evidence for both the residential (flats) and the ground floor commercial elements (Lock-up shop units) of the scheme.

I have reviewed the costs associated with the proposed scheme and agree with the build costs proposed. The residential rate is fair and corresponds with BCIS Estate Flats rates for East Devon. The build costs associated with Development elements of scheme have been evidenced against BCIS data, and a more detailed cost appraisal produced by the developers cost consultant, Randell Simmonds. This advice comprises the individual base build unit costs (including prelims) plus external works such as service infrastructure and roads. In addition it includes more site specific abnormal development costs including; demolition, foul and surface water drainage, utilities, conversion works associated with listed buildings and lower ground floors enabling works. These all seem reasonable and I have no reason to doubt the cost data provided by the Developers Cost Consultants.

Contingency percentage of 3% seems a bit low, taking into account this type of development. I would have preferred them using a higher contingency with them using the standard / typical market allowance of 5%.

S.106 contribution for Estuary Habitat Mitigation seems correct. The CIL Rate applied, taking into account Vacant Building Credit could not be checked due to the calculation not being included in the original report. Subsequently we have received this from Bell Cornwall and this now seem to be correct. Although I would ask that the original report be revised to include this calculation.

Professional fees of 8% is typical market allowance. The marketing, letting and disposal costs are within the normal parameters I would have expected.

Finance cost 6% is appropriate and the developers profit is within EDDC normal parameters.

I have also reviewed the GDV including the market evidence of residential sales values, commercial rental levels evidenced within the report. I have checked these against current market comparable evidence within a 3 mile radius of the site and these all seem to be within acceptable sale values and commercial / office market rental levels.

Environmental Health

These comments below set out the concerns we have about the above application. Some of these relate to fundamental design concerns and if these are not addressed there is a high likelihood of unacceptable noise transmission between the various units. As it stands at the moment we would not recommend that the application as submitted is approved.

I have assessed the application and have the following comments:

Residential units above commercial retail units

Drawing number AS17.51 L.02.01 revision 4 titled 'proposed lower ground floor plan' shows 2 proposed retail units. Drawing number AS17.51 L.02.02 revision 4 titled 'proposed ground floor plan' shows 2 proposed residential units (Apt 17 and Apt 18) directly above the proposed retail unit.

I am concerned about sound transmission from the retail to the residential units and consequently would recommend the following planning conditions:

Sound Insulation

Prior to the commencement of works a sound insulation scheme shall have been submitted to and approved in writing by the local planning authority. Such a scheme shall be designed to reduce the transmission of noise between the commercial premises and the residential development with the airborne sound insulation performance designed to achieve, as a minimum, a 10dB increase in the minimum requirements of Approved Document E. The standard must be applied to all transmission routes between all commercial and residential units, as well as floors and ceilings shared with the commercial premises. The scheme to be submitted shall also

provide for post construction testing certification to demonstrate that the sound insulation performance has met the required standard and where necessary set out what further mitigation measures will be employed to achieve the required levels. The sound insulation scheme shall be installed and maintained only in accordance with the details approved by the Local Planning Authority.

(Reason -To protect the amenity of future occupiers of the dwellings in accordance with policies D1 (Design and Distinctiveness) and EN14 (Control of Pollution) of the adopted East Devon Local Plan 2013 - 2031.)

Noise from the operation of the commercial premises / Hours of opening

No hours of opening have been given in the planning application, but we would suggest the following condition:

The commercial premises shall not be open for business except between the hours of 0900 and 18:00 Monday to Saturday and 10:00 and 16:00 on Sundays or Bank Holidays

Reason: to protect the amenity of residents living adjacent to the commercial units

Poor Internal arrangement of residential units

Page 25 of the BUILDING RESEARCH ESTABLISHMENT (BRE) and CIRIA. Sound control for homes, 1993 BR 238/CIRIA report 127 states:

Planning to control internal noise

Adjacent rooms should be compatible in terms of noise production and sensitivity. 'Habitable' rooms, such as bedrooms, living rooms and dining rooms, are noise sensitive. (Kitchens and bathrooms are not 'habitable' rooms.) Bedrooms are particularly sensitive to noise and should not be situated next to neighbours' living or dining rooms, kitchens, common circulation areas, bathrooms, lifts or other service areas

The proposed development has examples of good and poor internal arrangement and stacking. I have listed examples of poor internal arrangement and stacking below:

Ground Floor - Poor internal arrangement

- o Common parts area (corridor GF) next to bedroom (Apt 4)
- o Lift shaft adjacent to bedroom in Apt 5
- o Bedroom Apt 3 adjacent to staircase

First Floor - Poor stacking

- o Living room Apt 8 above bedroom Apt 1, Upper
- o Bathroom Apt 7 partially above bedroom Apt 2, Upper
- o Living room Apt 7 above bedroom Apt 5
- o Living room Apt 6 above bedroom Apt 4
- o Living room Apt 9 above bedroom Apt 3

First floor - Poor internal arrangement

- o Bedroom Apt 9 adjacent to staircase

Second floor - Poor internal arrangement

- o Bedroom Apt 13 adjacent to staircase

Third floor - Poor stacking

- o Apt 14 Living room / Kitchen is partially above bedroom in Apt 10

Third floor - Poor internal arrangement

- o Bedroom Apt 17 adjacent to staircase

I would therefore recommend that the internal arrangement is redesigned such that rooms and other areas are stacked 'like for like' (for example bedroom above bedroom) to reduce the likelihood of noise complaints from future residents complaining about everyday living noises. Furthermore, adjacent rooms should be compatible in terms of noise production and sensitivity, as per the aforementioned BRE / CIRIA report.

Other Internal Noise - Lift

As previously discussed, lifts should not be situated next to habitable rooms, in particular bedrooms. Furthermore noise and vibration from the electro-mechanical operation of the lift should also be considered and the following conditions are recommended:

Noise from the lift - Noise Rating Curves

Any plant (including lifts, ventilation, refrigeration and air conditioning units) or ducting system to be used in pursuance of this permission shall be so installed prior to the first use of the premises and be so retained and operated that noise generated within residential units within the development shall not exceed Noise Rating Curve 25, as defined in BS8233:2014 Sound Insulation and Noise Reduction for Buildings Code of Practice and the Chartered Institute of Building Service Engineers Environmental Design Guide.

Reason: To protect the amenity of local residents from noise.

Vibration from the lift

Any plant (including lifts, ventilation, refrigeration and air conditioning units) or ducting system to be used in pursuance of this permission shall be so installed prior to the first use of the premises and be so retained and operated that vibration generated within all rooms of the development shall not exceed the low probability of adverse comment as specified within BS 6472-1:2008 'Guide to evaluation of human exposure to vibration in buildings. Part 1: Vibration sources other than blasting.'

Reason: To protect the amenity of local residents from vibration.

Other matters - construction

Given the close proximity of the proposed development to other premises, and the potential impact on these premises during the construction phase, I would also recommend the following condition:

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.

Other matters - operation of building - servicing the retail units

Proposed planning condition - operation of building - servicing the retail units

No deliveries or collections (including waste disposal) shall be accepted or despatched to or from the site except between the hours of 0800 to 1800 Monday to Friday, or 0800 to 1300 on Saturdays, and not at all on Sundays or Bank Holidays.

Reason: to protect the amenity of adjacent residents

Further comments:

Further to the email from Bell Cornwall 10 Dec 2020 I am satisfied that the layout is not capable of full stacking but the architects are proposing SI measures to reduce the likely impact.

I am concerned about sound transmission from the retail to the residential units and consequently would recommend the following planning conditions:

Sound Insulation

Prior to the commencement of works a sound insulation scheme shall have been submitted to and approved in writing by the local planning authority. Such a scheme shall be designed to reduce the transmission of noise between the commercial premises and the residential development with the airborne sound insulation performance designed to achieve, as a minimum, a 10dB increase in the minimum requirements of Approved Document E. The standard must be applied to all transmission routes between all commercial and residential units, as well as floors and ceilings shared with the commercial premises. The scheme to be submitted shall also provide for post construction testing certification to demonstrate that the sound insulation performance has met the required standard and where necessary set out what further mitigation measures will be employed to achieve the required levels. The sound insulation scheme shall be installed and maintained only in accordance with the details approved by the Local Planning Authority.

(Reason -To protect the amenity of future occupiers of the dwellings in accordance with policies D1 (Design and Distinctiveness) and EN14 (Control of Pollution) of the adopted East Devon Local Plan 2013 - 2031.)

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Reason: to protect the amenity of residents living adjacent to the commercial units

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As previously discussed, lifts should not be situated next to habitable rooms, in particular bedrooms. Furthermore noise and vibration from the electro-mechanical operation of the lift should also be considered and the following conditions are recommended:

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

Other matters - operation of building - servicing the retail units

Proposed planning condition - operation of building - servicing the retail units

No deliveries or collections (including waste disposal) shall be accepted or despatched to or from the site except between the hours of 0800 to 1800 Monday to Friday, or 0800 to 1300 on Saturdays, and not at all on Sundays or Bank Holidays.

Reason: to protect the amenity of adjacent residents

Environment Agency

The proposed development will only meet the National Planning Policy Framework's (NPPF) requirements in relation to flood risk if the following planning condition is included. The reason for this position is also included below.

Condition - Implementation of Flood Risk Mitigation

The development shall be carried out in accordance with the submitted flood risk assessment (Clarkebond, 10/12/19) and the mitigation measures it details in section 5.3 "Building Construction and Flood Resilience and Resistance" to a level of 5.45m AOD.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason - To reduce the risk of flooding to the proposed development and future occupants.

Reason for position - The site is located partially within flood zone 3, identified by Environment Agency flood maps as having a high probability of flooding. We have reviewed Flood Risk Assessment (Clarkebond dated 10/12/19) and can agree with the summary and conclusions of this document. We note that the ground floor use of Block 2 on Queen Street (identified as block 2 in Drawing number AS17.51 L.02.00) is proposed to be commercial 'less vulnerable' usage. The improvements to the Exmouth flood defence scheme will also provide a greatly improved standard of protection to this development.

Advice to the LPA - The FRA states that pedestrian connectivity will be available for the residents of Block 2 (Queen Street) through the site itself to the rear of Queen Street apartments and in the ground surrounding Tower Street apartments. We highlight that this access/egress route should remain unfettered over the lifetime of the development as the effects of climate change may affect the severity of a flood event. We recommend that you consult with your emergency planners for further guidance. You may also find the ADEPT Guidance for flood risk emergency plans for new development helpful. This is available at the following link:
<https://www.adeptnet.org.uk/system/files/documents/ADEPT%20%26%20EA%20Flood%20risk%20emergency%20plans%20for%20new%20development%20September%202019....pdf>

Advice to the Applicant - Flood Resilience and Flood Plan

In view of the potential flood risks in this locality, we would advise that any developer of this site gives consideration to the use of flood resilient construction practices and materials in the design and build phase. Choice of materials and simple design modifications can make the development more resistant to flooding in the first place, or limit the damage and reduce rehabilitation time in the event of future inundation. Detailed information on flood proofing and mitigation can be found by referring to the CLG free publication 'Improving the Flood Performance of New Buildings'. Please see the link below:
http://www.planningportal.gov.uk/uploads/br/flood_performance.pdf

It would also be advisable for the applicant to prepare a flood plan which outlines how the business will respond to a flood. Further advice on this can be found in the following link:
<https://www.gov.uk/prepare-for-a-flood>

Further Comments:

Dear Sir/Madam

PART DEMOLITION AND REDEVELOPMENT AND PART CONVERSION OF
VACANT BUILDINGS TO CREATE 19 RESIDENTIAL UNITS PLUS DEVELOPMENT
TO PROVIDE TWO RETAIL UNITS.
TOWER STREET METHODIST CHURCH TOWER STREET EXMOUTH EX8 1NT

Thank you for re-consulting us on this application.

Environment Agency position

We have reviewed the additional information and consider that it does not change our position as set out in our previous letter dated 29th January 2020 in that we have no objection subject to the inclusion of a condition regarding Implementation of flood risk mitigation measures. Please refer back to our previous letter for further details.

South West Water

I refer to the above application and would advise that South West Water has no objection subject to surface water being managed in accordance with the submitted Flood Risk Assessment.

DCC Flood Risk Management Team

At this stage, we object to this planning application because we do not believe that it satisfactorily conforms to Policy EN22 (Surface Run-Off Implications of New Development) of the East Devon Local Plan (2013-2031). The applicant will therefore be required to submit additional information in order to demonstrate that all aspects of the proposed surface water drainage management system have been considered.

Observations:

Where brownfield sites are being developed, peak flow control should still be based on the greenfield runoff rate. The applicant must therefore attempt to match this greenfield rate in the first instance, but if this is robustly demonstrated to be unfeasible, the applicant should work backwards to achieve a runoff rate as close to the greenfield conditions as possible. Importantly, the applicant will be required to provide evidence of the calculations undertaken to achieve the proposed runoff rate.

The proposed off-site discharge rate is 5l/s which is higher than the derived greenfield runoff rates. Indeed, on small sites where the greenfield runoff rates are very low, we still wish to see discharge rates as close as possible to the greenfield performance, whilst also ensuring that a maintainable control structure can be provided. This is due to the fact that modern control structures can now facilitate discharge rates lower than 5l/s, and as a result the minimum 5l/s discharge rate recommendation is being phased out of national best-practice.

Majority of the new building development is proposed with blue roofs to attenuate the flows generated prior to discharge into the below ground drainage system. The external areas and the remaining roof areas will be drained to a below ground attenuation tank system. The applicant must submit details of the exceedance pathways and overland flow routes across the site in the event of rainfall in excess of the design standard of the surface water drainage management system.

Further comments:

The applicant is restricting the peak discharge rate to 2.0l/s for the 1 year event, 2.1l/s for the 30 year event and 3.0l/s for the 1 in 100 year event compared to the previously proposed 5l/s. The proposed orifice size is 70mm.

Our objection is withdrawn and we have no in-principle objections to the above planning application at this stage, assuming that the following pre-commencement planning conditions are imposed on any approved permission:

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

- (a) A detailed drainage design based upon the approved Flood Risk Assessment and Drainage Strategy and the results of the information submitted in relation to (a) and (b) above
- (b) A detailed assessment of the condition and capacity of any existing surface water drainage system/watercourse/culvert that will be affected by the proposals. The

assessment should identify and commit to, any repair and/or improvement works to secure the proper function of the surface water drainage receptor.

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

NHS Royal Devon & Exeter NHS Foundation Trust

This is a consultation response to the planning application ref: 19/2829/MFUL in relation to Part demolition and redevelopment and part conversion of vacant buildings to create 20 residential units plus development to provide two retail units

Introduction

Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The creation and maintenance of healthy communities is an essential component of sustainability as articulated in the Government's National Planning Policy Framework, which is a significant material consideration. Development plans have to be in conformity with the NPPF and less weight should be given to policies that are not consistent with the NPPF. Consequently, local planning policies along with development management decisions also have to be formulated with a view to securing sustainable healthy communities. Access to health services is a fundamental part of sustainable healthy community.

As the attached document demonstrates, University Hospitals of Leicester NHS Trust (the Trust) is currently operating at full capacity in the provision of acute and planned healthcare.

It is further demonstrated that this development will create potentially long term impact on the Trust ability provide services as required.

The Trust's funding is based on previous year's activity it has delivered subject to satisfying the quality requirements set down in the NHS Standard Contract. Quality requirements are linked to the on-time delivery of care and intervention and are evidenced by best clinical practice to ensure optimal outcomes for patients.

The contract is agreed annually based on previous year's activity plus any pre-agreed additional activity for clinical services. The Trust is unable to take into consideration the Council's housing land supply, potential new developments and housing trajectories when the contracts are negotiated. Further, the following year's contract does not pay previous year's deficit retrospectively. This development creates an impact on the Trust's ability provide a services required due to the funding gap it creates. The contribution sought is to mitigate this direct impact.

CIL Regulation 122 and 123

The Trust considers that the request made is in accordance with Regulation 122:

"(2) A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is—

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development."

S 106

S 106 of the Town and Country Planning Act 1990 (as amended) allows the Local Planning Authority to request a developer to contribute towards the impact it creates on the services. The contribution in the amount £28,652.00 sought will go towards the gap in the funding created by each potential patient from this development. The detailed explanation and calculation are provided within the attached document.

Without the requested contribution, the access to adequate health services is rendered more vulnerable thereby undermining the sustainability credentials of the proposed development due to conflict with NPPF and Local Development Plan policies as explained in the attached document (under "view associated documents" tab

Other Representations

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

- Overlooking and loss of privacy to properties on Queen Street, Queens Court and Tower Street
- Design of buildings is not appropriate for the site
- The building is too high
- Samples of materials are needed
- Lack of parking
- Retail units are not required- there are vacant retail units in the town
- Congestion and hazards from servicing retail units
- No amenity space for residents
- Over development of the site
- Loss of a private parking area
- Over bearing impact
- Design inappropriate for the historic area
- Capacity of the sewerage network
- Impacts from building work
- Contrary to the Exmouth Neighbourhood Plan
- Block will dominate the skyline and affect views of the church
- Retail block will affect visibility from an adjacent car park.
- Damage to Queen Street during construction

PLANNING HISTORY

Reference	Description	Decision	Date
19/1825/FUL	Change of use from church to gymnasium	Approval with conditions	25.10.2019
79/C1154	kitchen and toilets	Approval with conditions	09.11.1979

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 application site falls within the Exmouth Conservation Area and occupies an urban block that is rare in the town, being a largely intact part of the original commercial and industrial area from the 18th and early 19th centuries. This particular block has Tower Street to the east, Queen Street to the west and curving around the north and a short frontage onto Chapel Hill to the south. Tower Street rises from north to south to reach the highest point where the street meets Chapel Hill. Queen Street is level around the western and northern frontages of the block while the Northern frontage of the block rises sharply up Chapel Hill. At this southern end of Tower Street there are views down across the block with the roof-tops following the lie of the land.

The development site fronts onto both Tower Street and Queen Street, spanning the urban block bounded by these two short streets. The site currently includes a small area of derelict ground used as car parking that fronts onto Queen Street and partially visible from The Strand, and a larger area occupied by a former Sunday School building that was once an ancillary building of the former Saint Martin's church and shares its architecture. A 1930's addition to this building is larger than the original and is built off the back of it into the centre of the urban block. This 1930's addition is in poor condition and of little architectural or historic merit.

Of the two parts of the site, the most prominent is arguably the area facing Queen Street. This opens onto the entrance to The Strand, which forms one of the most important public areas in the town centre of Exmouth. At this point, Queen Street curves round to meet Tower Street, past the site, at the corner of the former church. Tower Street then extends to Rolle Street and links through to the main shopping area of Exmouth. As such this part of the site fronts what could be an important link from these two areas of the town.

The other area of the site, comprising the Sunday School, is larger, but is mostly set back from the street frontage and not very visible. The Sunday School frontage onto Tower Street, however, is particularly attractive, being a small-scale single storey stone façade that reflects the ecclesiastical origins of the building and the architecture of the church it was once part of.

The site is located within the built-up area boundary of Exmouth and falls within the Conservation Area. Immediately to the north east is the Tower Methodist Church, a grade II listed building which is now in use as a gym. The church occupies a relatively prominent corner position and is an attractive feature within the streetscene and the Conservation Area. It is constructed of stone under a slate roof. The site is located partially within flood zone 3, identified by Environment Agency flood maps as having a high probability of flooding.

Proposed Development

Planning permission and listed building consent is sought for the part conversion and part demolition of existing buildings and the redevelopment of the site to provide new residential accommodation and two new units of retail space. The application proposes a total of 19 residential units in the form of 10 no 1 bed apartments and 9 no 2 bed apartments split across the two proposed buildings. The proposal can be split into two distinctive parts:

Building 1 - Demolition of the 1930's Boys Brigade building, the rear block, the Sunday School link extension and partial demolition of the Sunday School building, the conversion of the retained section of the Sunday School building with its attractive façade onto Tower Street together with the construction of a new residential apartment block behind. Owing to the levels change across the site, the building would present itself in 4 storey form to Tower Street and in 5 storey form to the Queen Street side. The proposal would provide a total of 15 apartments within the building.

The submitted plans indicate that the building would be constructed using a palette of artificial materials which include buff coloured stone effect cladding panels, man-made slate hanging and white render for the walls under a zinc clad roof.

Building 2 - It is proposed to construct a new three storey building fronting onto Queen Street on the site of the existing private car park. The proposal would provide two retail units on the ground floor with 107 sqm of retail floor space with two stories of residential accommodation in the form of 4 apartments above.

The building would be constructed from a mix of render and grey brick under a man-made slate roof. The building would include brick lintel and stone window surrounds, brick soldier course bands and concrete parapet detailing. The shop fronts would be of aluminium construction with glazing and recessed door detailing over a brick plinth.

There would be two principal entrances into the site, through secured access via controlled gates, leading into the main building providing pedestrian access off Tower Street and Queen Street. The proposal is to be a car free development and does not make provision for on-site car parking. 29 secure, covered cycle parking spaces are proposed.

ANALYSIS

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 a Community/ Social Facility
- Affordable Housing Provision/ Vacant Building Credit/Viability
- Urban Design and Impact on the Character and Appearance of the Area
- Heritage Impact
- Residential Amenity
- Highway Safety and Parking Provision

- Ecological Impact
- Appropriate Assessment
- Archaeological Impact
- Flood Risk
- Surface Water Drainage

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 immediate 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 a Social/ Community Facility:

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 community gathering use, 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 community gathering, 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 the Women's Institute, the Boys and Girls Brigades and a dance school) has been vacant for over 10 years and therefore it is accepted that it hasn't contributed to social or community gathering opportunities for some time. Evidence has been submitted in support of the application that the buildings are generally in a state of disrepair and that it is not viable to retain and maintain the buildings in their current form which is the reason why they have been vacant for a number of years.

It is therefore accepted that the proposal does not conflict with the policy in so far as it does not harm social or community gathering 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).

In any event the applicant has provided evidence to show that the site and buildings have been marketed since 2012 but that no parties were found largely because of the poor condition of the buildings and their complicated layout which was not attractive to potential purchasers or tenants.

As will be discussed later within the report, the proposed re-development of the site and the demolition of existing buildings which have caused structural problems, damp and maintenance problems for the adjacent grade II listed church allows for the visual separation of the church from the adjoining buildings which would be of benefit to its setting and also enable maintenance and repair works to be carried out where they aren't currently accessible. The case is therefore being made that the re-development of the site would safeguard a listed building where current uses are detrimental to it and where it would otherwise not be afforded protection.

On balance, having regard for the overall condition of the buildings on the site, the fact that they have been vacant for over 10 years, coupled with the fact that evidence of marketing has been provided along with the suggested improvements that could be made to the grade II listed church, it is considered that the loss of the buildings in favour of re-development of the site would not harm social or community gathering opportunities within the town.

Affordable Housing/ Vacant Building Credit

This application is for the part demolition and conversion to create 19 residential units. 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 4.75 units. 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 floorspace 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 floorspace 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 provided by the applicant in their planning statement applying VBC would reduce the requirement for affordable housing to 2.365 units or 12.45%. The Council's Housing Enabling Officer has advised that a commuted sum rather than on-site provision would be more appropriate. With this being a 'flat scheme' there is the risk that a registered provider would not be interested in on-site units and such a small number.

Therefore it is considered that a commuted sum would be more appropriate and this would be £109,820 subject to viability.

Viability

The application is accompanied by a viability appraisal prepared by Herridge Property Consulting which has been considered by the Council's Development Delivery Project Manager. The report is considered to be of a robust nature, with a well-reasoned viability approach, with good relevant commentary, and a suitable amount comparable market evidence for both the residential (flats) and the ground floor commercial elements (Lock-up shop units) of the scheme.

The report and supporting viability appraisal demonstrate that the proposed re-development of the site can only be considered viable if there is no affordable housing provision either on site or through an offsite financial contribution.

In accordance with the provisions of Strategy 34 it is considered that the applicants have submitted sufficient evidence to demonstrate why an affordable housing contribution is not viable for this proposed development subject to an overage clause within the Section 106 agreement.

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).

It should be noted that the applicants have engaged in a number of detailed pre-application discussions prior to submission of this planning application. Through these discussions with the input of the Council's Conservation Officer, officers have been able to offer guidance on issues of design, scale, bulk and massing of the proposed development to minimise the impact it would have on the character and appearance of the area, the Conservation Area and the setting of heritage assets.

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 design of the buildings, their roof form, the bulk, scale and massing and materials etc. in order to achieve an overall design that would be best suited to the shape and configuration of the site as well as its streetscene and historic context. Concerns were raised about the height of the proposed apartment building and its intrusiveness on the skyline when viewed from the end of the Beacon or the top of Tower Street itself and how the

building would have dominated this block and changed the nature of the conservation area. Concern was also expressed about the design and form of the retail and apartment building to Queen Street which did not respond to the low key architecture of the block in which it would be sited and was generally of a poor design. Whilst the impact of both buildings is important to consider, the proposed retail and apartment building is considered to be very important in terms of its visibility and its contribution to the townscape of Exmouth.

The amended plans have sought to address these concerns by reducing the height of the proposed residential building which in the opinion of the Urban Designer has been very effective in enabling the building to fit the scale of its surroundings while also using a design that is appropriate and complimentary. This is a design that if constructed with good materials, detailing and workmanship should be a welcome modern addition to this area, replacing the existing 1930's building that is tired and of little design merit.

In terms of the revisions to the proposed retail building fronting onto Queen Street and facing the Strand, amended plans have been provided which have re-designed the building to follow the rhythm along this street of relatively low buildings and narrow frontages. The building footprint reverts back to following the site boundary following precedent set by neighbouring buildings. The Urban Designer is satisfied that this revision successfully allows the building to fit with its context while the footprint helps to form the spaces around it so that there is a natural form to the street and a much more attractive setting to the former church.

Whilst the rear access stairs and walkways would still be utilitarian in appearance, the revised design would ensure that this would be in a way that is not incongruous while also providing usable levels of outdoor space to future occupants of the flats. Subject to the use of good material choices, crisp detailing and good workmanship this well designed building would be a welcome addition to a small but important space at the heart of Exmouth, helping to draw people through from two sides of the centre where now there is only a rubble-floored car park which would be of wider benefit to the overall vitality and viability of the town.

In summary, through the extensive input of the Urban Designer, the revised designs for the two buildings have addressed the concerns raised about their architecture and relationship to the urban surroundings. Both buildings now respond well to their respective contexts taking design cues from their surroundings and would produce a modern interpretation that would not be overly intrusive or harmful to the character and appearance of the area. In doing so this design and re-development of the site would remove a number of ugly buildings and would help to improve a relatively neglected corner at the heart of Exmouth that has presented a challenging design context.

Given the site's historic context, the materials and finishes of the proposed buildings will be key to ensuring they assimilate with the surrounding environment and the local vernacular. It is noted that materials shown on the approved plans are artificial which are not normally considered to be appropriate on sites with a historic environment and context. Therefore it is recommended that a condition is imposed that requires the submission of samples of all materials and finishes that can be agreed by officers

notwithstanding what is showing as being proposed on the submitted plans to ensure that the materials are appropriate both for the character and appearance of the area and to the setting of the listed building and conservation area.

On balance, it is considered that the proposals comply with the design policies contained within the Local Plan and ENP.

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

The Tower Street Methodist Church is grade II listed and the adjacent buildings at the rear fall within the definition of curtilage listed buildings and are therefore considered to be part of the principal listed building.

The application is accompanied by a detailed Heritage Statement which provides an assessment of the significance of the buildings to be demolished and their contribution to the setting of the church which include part of the Sunday School building, the Boys Brigade Building, the rear block and a single storey link extension.

It is accepted that the architectural and historic interest of the site is mixed, with the Tower Street elevation of the Sunday School clearly contributing most positively to the listing and the setting of the church and the conservation area. The Sunday School shares architecture and materials with the church and appears to have been built around the same time. The visibility of 3 sides of the church and the Tower Street elevation of the Sunday School are important in the overall streetscene and the understanding of the group with a clear hierarchy between the different parts and purposes of the building.

An important aspect of this scheme is that it includes retention of as much of the Sunday School as possible and to open it up and enhance the interior, enabling the fabric of the building to be better understood and the street frontage to be retained and enhanced. Internally, the front section of the Sunday School would be retained in full as a double height space, open to the roof with the corbelled arched trusses refurbished.

It is accepted that the remaining buildings make a neutral or negative contribution to the historic setting of the site. The quality and architecture of most of the buildings

proposed for demolition is poor and their contribution to the significance of the listed church is negligible. Removal of the buildings around the apse of the church will provide an improved local setting for the church allowing better space around the apse and the adjacent buildings to the south. It is accepted that there will be a loss of historic fabric however this is considered to be the less architecturally interesting elements of the buildings.

There is no doubt that through demolition alone, this would allow space around the church and for the protection of important elements of the building which would be of benefit to the heritage asset. The removal of the buildings surrounding the rear of the church, including the west gable and the apse will be an enhancement that will allow the listed building to be better appreciated from public vantage points outside of the site and for its long term repair and maintenance.

Impact on Setting

Being a prominent and important site within the Conservation Area and given the adjacent grade II listed church, re-development of the 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 is relevant to the assessment of the impact on both the setting of the church and Conservation Area insofar as the design, height, bulk and massing of both proposed buildings has been amended to address not only the constraints of the site but also the historic context within which the site sits and therefore the impact upon the both the setting of the listed church and the Conservation Area.

Pre-application discussions with the applicants established that buildings on the site that are curtilage listed structures are of varying importance in terms of the overall significance of the church. The key elements of the site's special architectural and historic interest are in terms of the elevation and detailing of the stone elements of the church and the Sunday School building, and the prominence of the church spire in the street scene. A significant successful element of this scheme is the retention of the attractive frontages onto Tower Street and retention of part of the Sunday School building and its incorporation into the design of the scheme. This would maintain the external appearance onto Tower Street and provide continuity in the streetscene.

The amendments that were made to main residential apartment building have addressed a number of concerns that were expressed by the Council's Conservation Officer in terms of:

- To the front (East) and rear (West) elevations has simplified the new fenestration creating a more ordered rhythm that is more sympathetic to that of the church.
- A reduction in the ridge height of block 1 which has long been an important point of concern has been addressed and would now appear subservient to the principle listed building.
- The removal of the outside roof terraces removes the visual distraction and clutter from this setting.

The amendments that were made to retail and residential apartment building have addressed a number of concerns that were expressed by the Council's Conservation Officer although it is noted that not all changes have been supported in terms of:

- The re-design to a "safe" solution suffers from becoming a pastiche within its context of setting and to the quality of architecture and materials that surrounds it. The principle elevation has too many different window styles (7 in total) not including the shopfronts. The East-side elevation that is seen in the same view as the church is disappointing and would be better to be simpler in style (as previous submission) rather than try to emulate the quality of materials and finishes of the church especially with modern equivalents.
- The shopfronts have been improved, however due to the awkward symmetry of all of the window styles above them, they do not make such a successful contribution on the streetscene as they could.
- The rear of the block is not as successful as the previous submission due to the overbearing and extensive staircases. Some of the landing areas could be shortened to reduce the visual impact and reveal the elevation better.

There are some remaining concerns expressed by the Conservation Officer, who considers there to be benefits and losses to the overall design in its amended version. Officers are however satisfied that whilst 4 stories in form, the main residential building has been designed to sit within the existing built form without being the dominant structure whilst allowing the church and its spire to retain its prominence within the streetscene and the Conservation Area. Furthermore the proposals allow for the key elements of the church's special architectural and historic interest to be preserved which include retention of the front façade of the Sunday School which contributes to its significance.

Whilst the concern about the more pastiche design approach to the retail and apartment building onto Queen Street are noted, it is considered that this approach is more suited to its urban context and the surrounding townscape. The building would help to enclose views from the Strand providing an improved backdrop over the existing car park and rear elevations of the buildings. This new building would also rebuilt the historic built footprint on this part of the site as evidenced by historic maps which show buildings historically in this position. Officers agree with the conclusions of the Conservation Officer in that overall it is considered that the proposals would result in less than substantial harm to the listed building and conservation area.

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 demolition of curtilage listed buildings and 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 Tower Street Methodist Church. 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 any

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 provision of new retail space for the town centre which would contribute to the vitality and viability of the town centre and provide additional jobs.
- The provision of a number of smaller units of accommodation in a highly desirable town centre location to meet an identified shortage and need.
- Removal of a number of unsightly buildings and the private car park which would better reveal the significance of the church and be on benefit in terms of public views of the area.

In addition to these public benefits it is considered that re-development of the site would also be of benefit to the setting of the listed church 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 unsightly buildings in close proximity to the grade II listed church would provide better separation and would improve its setting when viewed from the south.
- Removal of the buildings would also allow structural and damp issues to be dealt with that have arisen because of the building's proximity to the side of the church coupled with the inability to gain access for maintenance which has put the grade II church at risk.
- Retention of the Tower Street elevation of the Sunday School building contributes to the setting of the listed church.
- Removal of the car park at the rear which is at odds with the historic tight urban grain and rebuilding the historic footprint of a building fronting Queen Street.
- The opportunity to reveal the rear (North) side of the church with its stained glass window.

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 to the setting of both the Conservation Area and the grade II listed church.

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.

Owing to its town centre location, the area is already densely populated with a mixture of residential and commercial properties. There is a tight urban grain and the application site has a close relationship with a number of residential properties and

flats on both Tower Street, Queen Street and Queens Court. Each of these impacts will be addressed in turn:

Tower Street

The properties on the opposite side of the application site on Tower Street (no's 9, 11, 12 and 13) are those most likely to be impacted upon by the proposed development through the physical impact on the building, overlooking and loss of privacy. Whilst concern from local residents is noted and it is accepted that the proposed building would have an impact, the existing character of Tower Street is of properties on either side of the street of varying heights and window to window distances of less than 6.0 metres. The proposed elevation facing Tower Street at first floor level would be set back 12.0 metres from the properties on opposite side which would be a greater distance than the whole of the street. First, second and third floor windows on the Tower Street elevation would serve bedrooms and living spaces such that it is accepted that there will be an impact in terms of overlooking and loss of privacy to a degree however given the nature of the street and the surrounding urban context it is not considered that this relationship and impact would be so detrimental as to justify refusal of planning permission.

An outside amenity area for apartment 6 has been designed to sit behind the retained single storey element of the Sunday School Building where the mono-pitch roof is of a height (1.8 metres) that would prevent any overlooking from this space.

Queens Court

The rear part of the application site also shares a close relationship with properties on Queens Court which project away from the proposed building. Whilst a number of first and second floor windows will be on the elevation closest to the properties on Queens Court, they would mainly overlook a parking court, access and substation and therefore would not provide any direct overlooking. As there is already a large building in this position, it isn't considered that the proposal would give rise to any over bearing or over dominant impact.

Queen Street

The rear of the application site shares a close relationship with the rear elevations of properties 2, 4, 6 and 8 Queen Street which face the site. These properties are a mix of commercial and residential uses although residential uses are above the commercial units with a number of first floor windows facing the application site. Whilst the proposed apartment building would have a degree of impact where first, second, third and fourth floor windows serving bedrooms and living spaces, this would be at a distance of 14 metres which would not result in a relationship that would be unacceptable in a town centre environment especially given the density and close knit nature of properties in the area.

The proposed retail and residential building facing onto Queen Street would also have a degree impact through the introduction of a three storey building on an otherwise open and undeveloped part of the site. It would have its greatest impact on the

properties on the opposite side of Queen Street which has a number of first, second and third floor windows facing the site.

A number of bedroom and living space windows at first and second floor level would face across the street at a distance of 5 metres and whilst this would introduce a new relationship between the buildings, it would replicate the relationship that exists between buildings on Queen Street and would not be a relationship that would be unacceptable in a town centre environment given the close knit relationship between properties in the area. Furthermore, it appears as though the windows on Queen Street facing the site are secondary windows with larger windows facing onto the Strand.

Given the close proximity of the proposed development to other premises, and the potential impact on these premises during the construction phase the Environmental Health Officer has recommended that the submission of a Construction and Environment Management Plan is conditioned. In addition given the proximity of the proposed retail units to residential properties a condition controlling the hours of operation of the retail units in terms of deliveries or collections to between the hours of 0800-1800 Monday to Friday and 0800 to 1300 on Saturdays with no deliveries on Sundays or Bank Holidays is recommended.

Accordingly it is considered that the proposed development would not detrimentally impact on residential amenity to an unacceptable level that would justify refusal of planning permission. The proposal is considered to comply with policy D1 of the Local Plan.

Archaeological Impact

Policy EN6 (Nationally and Locally Important Archaeological Sites) states that development that would harm nationally important archaeological remains or their settings, whether scheduled or not, including milestones and parish stones, will not be permitted. Development that would harm locally important archaeological remains or their settings will only be permitted where the need for the development outweighs the damage to the archaeological interest of the site and its setting. There is a presumption in favour of preservation in situ in the case of nationally and locally important remains. Preservation of locally important remains by record will be required where the need for the development outweighs the need to preserve the remains in situ.

Policy EN7 (Proposals Affecting Sites which may potentially be of Archaeological Importance) states that when considering development proposals which affect sites that are considered to potentially have remains of archaeological importance, the District Council will not grant planning permission until an appropriate desk based assessment and, where necessary, a field assessment has been undertaken.

The County Council's Archaeologist has considered the application and advised that the proposed development lies in an area of high archaeological potential, within the historic core of the town and in an area that could contain evidence of the medieval settlement. Archaeological observations on a development site to the south-east recorded late medieval pottery amongst later material and the development site lies within an area that is suggested by the county Historic Environment Record to contain

an early medieval ferry station. As such, groundworks for the construction of the proposed development have the potential to expose and destroy archaeological and artefactual deposits associated with the early settlement here. The impact of development upon the archaeological resource should be mitigated by a programme of archaeological work that should investigate, record and analyse the archaeological evidence that will otherwise be destroyed by the proposed development.

The Historic Environment Team recommends that this application should be supported by the submission of a Written Scheme of Investigation (WSI) setting out a programme of archaeological work to be undertaken in mitigation for the loss of heritage assets with archaeological interest. The WSI should be based on national standards and guidance and be approved by the Historic Environment Team.

Subject to a pre-commencement condition that requires the submission of a WSI it is considered that the proposal would comply with the provisions of paragraph 199 of the National Planning Policy Framework (2019) and Policy EN6 (Nationally and Locally Important Archaeological Sites) of the East Devon Local Plan.

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.

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 policy does however state that in town centres where there is access to public car parks and/or on-street parking lower levels of parking and in exceptional cases where there are also very good public transport links, car parking spaces may not be deemed necessary.

The site is within the vicinity of Exmouth town centre, which has various facilities and services, this together with the near train station, bus services to Exeter and afield, and the Exe-estuary trail makes this development ideal for non-car sustainable travel. This proposal does not make provision for any car parking spaces on the basis that it is within the heart of the town within easy access of a number of services and facilities and links to public transport. In this case, it is considered that a car free development in this location would be acceptable.

The layout allows for through-route travel by pedestrians to get out and in on either Tower Street or Queen street. Cycle storage is dedicated for on the Queen Street side and Tower Street side of the development together with easy access bin storage.

Subject to a condition that requires the installation of the cycle storage prior to occupation of the residential units and the submission of a Construction and

environment management plan (CEMP) that controls traffic associated with the amount of demolition and construction works and its location within in the busy centre of Exmouth the proposal is considered to be acceptable. The County Highway Authority has no objection to the application.

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 Richard Green Ecology who carried out a preliminary ecological appraisal consisting of a daytime visual inspection for bats and nesting birds and a bay emergence survey. The reports conclude that no bats were found within the building and therefore a European Protected Species Licence would not be required. Herring gulls and pigeons were nesting on the site and the ecologist has advised that a check should be made for nesting birds prior to any works commencing on the site.

Subject to a condition requiring the development being carried out in accordance with the mitigation and ecological enhancement measures (the installation of a bird nest box on the new building) 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. This report represents the Appropriate Assessment.

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.

Flooding and Sequential Test

Policy EN21 (River and Coastal Flooding) of the East Devon Local Plan states that a sequential approach will be taken to considering whether new developments excluding minor developments and changes of use will be permitted in areas subject to river and coastal flooding.

The site is located partially within flood zone 3, identified by Environment Agency flood maps as having a high probability of flooding. The Environment Agency have raised no objections on the basis that they have reviewed Flood Risk Assessment prepared by Clarkebond and agree with the summary and conclusions of the document. In particular the EA note that the ground floor use of Block 2 on Queen Street (identified as block 2 in Drawing number AS17.51 L.02.00) is proposed to be commercial 'less vulnerable' usage. They have also advised that the improvements to the Exmouth flood defence scheme will also provide a greatly improved standard of protection to this development.

In accordance with guidance in the National Planning Policy Framework (NPPF) development should be directed to areas with a lower risk of flooding (flood zone 1) unless it can be demonstrated, through a sequential test, that there are no other suitable sites in flood zone 1. It is usual practice to set the areas of search for the sequential test as the whole of East Devon's administrative area and clearly there would be a number of sites available in flood zone 1 to accommodate 19 no. apartments, however, as indicated in the following text from the National Planning Practice Guidance, the area of search can be reduced where there is an overriding need to certain developments.

'For individual planning applications where there has been no sequential testing of the allocations in the development plan, or where the use of the site being proposed is not in accordance with the development plan, the area to apply the Sequential Test across will be defined by local circumstances relating to the catchment area for the type of development proposed. For some developments this may be clear, for example, the catchment area for a school. In other cases it may be identified from other Local Plan policies, such as the need for affordable housing within a town centre, or a specific area identified for regeneration. For example, where there are large areas in Flood Zones 2 and 3 (medium to high probability of flooding) and development is needed in those areas to sustain the existing community, sites outside them are unlikely to provide reasonable alternatives.'

When applying the Sequential Test, a pragmatic approach on the availability of alternatives should be taken. For example, in considering planning applications for extensions to existing business premises it might be impractical to suggest that there are more suitable alternative locations for that development elsewhere. For nationally or regionally important infrastructure the area of search to which the Sequential Test could be applied will be wider than the local planning authority boundary.'

Any development proposal should take into account the likelihood of flooding from other sources, as well as from rivers and the sea. The sequential approach to locating development in areas at lower flood risk should be applied to all sources of flooding, including development in an area which has critical drainage problems, as notified to the local planning authority by the Environment Agency, and where the proposed location of the development would increase flood risk elsewhere'.

For this proposal, the need for 1 and 2 bedroom properties in Exmouth is an important consideration and one that should be taken into account when determining the area of search for a sequential test. The table below (taken from Devon Home Choice) indicates the current level of need in Exmouth, this is where the greatest need is in the district.

3.Areas in East Devon	Exmouth
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Count of Bedroom	Bedroom					
Band	1	2	3	4	5	Grand Total
Band B	27	13	6	3	2	51
Band C	31	51	40	10	1	133
Band D	160	45	14	3	1	223
Grand Total	218	109	60	16	4	407

Given this high demand for one and two bedroom properties in excess of 300 units, it is considered that a reduced area of search for a sequential test could be justified in principle.

Furthermore, the re-development and regeneration of this site and the benefits that would derived from the scheme in terms of heritage are considered to outweigh the fact that 4 of the 19 proposed residential properties would be constructed on the first and second floors of the retail building in the flood zone. Less vulnerable retail uses are proposed for the ground floor. This is a unique opportunity to re-develop the site, in the centre of the town and would provide a number of identified benefits to the setting of grade II listed church whilst helping to meet demand for 1 and 2 bedroom properties. There are very limited available sites in close proximity to the town centre that can accommodate the 19 units proposed which weighs in favour of developing this site. In the absence of any objections from the EA and based on appropriate flood risk and mitigation measures contained within the submitted Flood Risk Assessment, it is considered that a reduced area of search can be justified.

Whilst a small part of block 2 would be located within the flood zone, it has been designed with rear accesses to the residential units above the retail units that are above the flood level to ensure safe access and egress in times of flooding so occupants have a safe refuge through the access to block 1 into Tower Street.

Subject to a condition that requires the development to be carried out in accordance with the submitted flood risk assessment and the mitigation measures it details in section 5.3 "Building Construction and Flood Resilience and Resistance" to a level of 5.45mAOD the EA have advised that the proposed development will meet the National Planning Policy Framework's (NPPF) requirements in relation to flood risk and would comply with the provisions of policy EN21 of the Local Plan.

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

An objection was originally raised by the County Council's Flood Risk Management Team on the basis that the proposed off-site discharge rate was 5l/s which is higher than the derived greenfield runoff rates. DCC requirement, on small sites where the greenfield runoff rates are very low, are to see discharge rates as close as possible to the greenfield performance, whilst also ensuring that a maintainable control structure can be provided. This is due to the fact that modern control structures can now facilitate discharge rates lower than 5l/s, and as a result the minimum 5l/s discharge rate recommendation is being phased out of national best-practice.

The preliminary drainage strategy is that the development and external areas will be attenuated in a below ground attenuation tank to manage the increased directly contributing flows. The originally proposed blue roofs to attenuate the run off have been removed due to design changes that were made to address other concerns. The applicant's drainage consultant has advised that the attenuation tank will necessitate a new office connection to the combined sewer within Queen Street as opposed to reusing the existing onsite sewers.

The County Council have now removed their objection on the basis that the drainage scheme now proposes restricting the peak discharge rate to 2.0 l/s for the 1 year event, 2.1l/s for the 30 year event and 3.0l/s for the 1 in 100 year event compared to the previously proposed 5l/s.

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 along with a detailed assessment of the condition and capacity of any existing surface water drainage system/watercourse/culvert that will be affected by the proposals the proposal is considered to be acceptable.

Planning Obligations

NHS England has requested a contribution towards the cost of care of new residents for 1 year following occupation of each dwelling as there is a lag between housing completions and receiving NHS funding - at this point in time, the request for funding on non-allocated sites is justified in principle but the evidence behind the amount requested from the NHS is not in sufficient detail to ascertain how the money will be spent and if the amount requested is correct given that different patients would require care others would not. Accordingly, for both reasons the NHS England request for £28,652.00 is not justified at the present time and does not meet the tests for securing a financial contribution

Whilst the proposal does not make provision for either on-site affordable housing or an off-site contribution because of viability, in accordance with the Council's Planning

Obligations SPD and Strategy 34, it is considered necessary to secure through a Section 106 agreement that any 'super profit' above the level of profit indicated the viability assessment is shared on a 50/50 basis with the Council to provide affordable housing in the area (overage clause).

Planning Balance and Conclusions

These applications propose the demolition of a number of curtilage listed buildings which are considered to detract from, and offer little positive contribution to, the historic and architectural character and setting of the grade II listed church and the wider Conservation Area. This 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 proposed re-development of this site would introduce new buildings and activity to the site on a brownfield site within the heart of the town centre which would allow for an environmentally friendly car free scheme in a highly sustainable location where the proposed retail space would contribute positively to the vitality and viability of the town centre.

The design, form, height and scale of the proposed buildings has been the subject of much discussion and negotiation however it is now considered that the proposals are appropriate for both the site, its urban and historic context.

The lack of affordable housing provision within the scheme is regrettable however the applicant has robustly demonstrated through the application of vacant building credit and through a viability appraisal, that it would not be viable to provide affordable housing on site or even an off-site contribution. The proposal would however provide much needed 1 and 2 bedroom accommodation within the town for which there is an identified need.

On balance, it is considered that the proposals would positively contribute to the town centre environment and that any less than substantial harm to heritage assets that its derived from the demolition of existing building and from the development itself would be outweighed by the public benefits and in terms of the benefits to the setting of the grade II listed church and the wider Conservation Area.

The proposals are therefore recommended for approval.

RECOMMENDATION 1

For the **19/2829/MFUL** planning application:

- 1. Adopt the appropriate assessment attached to this report**
- 2. Approve subject to the following matters to be secured by a Section 106 legal agreement:**

- Overage clause

- 3. 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 buildings 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.)

Hard landscaping:

4. Prior to commencement of any hard landscaping works, a hard landscaping scheme to include samples and finishes of the materials to be used in the construction of the hard surfaces shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall also give details of any proposed walls, fences and other boundary treatment including details of materials and finishes. The development shall thereafter be carried out in accordance with the approved details.
(Reason - To ensure that the materials are sympathetic to the character and appearance of the area in accordance with Policies D1 (Design and Local Distinctiveness), EN9 (Extension, Alteration or Change of Use of Buildings of Special Historic or Architectural Interest) and EN11 (Preservation and Enhancement of Conservation Areas) of the Adopted and emerging East Devon Local Plan.)

Surface water drainage:

5. No development hereby permitted shall commence until the following information has been submitted to and approved in writing by the Local Planning Authority:
 - (a) A detailed drainage design based upon the approved Flood Risk Assessment and Drainage Strategy and the results of the information submitted in relation to (a) and (b) above
 - (b) A detailed assessment of the condition and capacity of any existing surface water drainage system/watercourse/culvert that will be affected by the proposals. The assessment should identify and commit to, any repair and/or improvement works to secure the proper function of the surface water drainage receptor.

No building hereby permitted shall be occupied until the works have been approved and implemented in accordance with the details under (a) - (b) 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 Implications of New Development) of the East Devon Local Plan 2013-2031)

Flood Risk Assessment:

6. The development hereby permitted shall be carried out in accordance with the submitted flood risk assessment prepared by Clarkebond, ref E05217 dated 10/12/19 and the mitigation measures it details in section 5.3 "Building Construction and Flood Resilience and Resistance" to a level of 5.45m AOD. These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

(Reason - To reduce the risk of flooding to the proposed development and future occupants in accordance with policy EN21- River and Coastal Flooding) of the East Devon Local Plan 2013-2031).

Amenity of Future Occupiers:

Sound Insulation:

7. Prior to first occupation of the residential units in Block 2, a sound insulation scheme shall have been submitted to and approved in writing by the local planning authority. Such a scheme shall be designed to reduce the transmission of noise between the commercial premises and the residential development with the airborne sound insulation performance designed to achieve, as a minimum, a 10dB increase in the minimum requirements of Approved Document E. The standard must be applied to all transmission routes

between all commercial and residential units, as well as floors and ceilings shared with the commercial premises. The scheme to be submitted shall also provide for post construction testing certification to demonstrate that the sound insulation performance has met the required standard and where necessary set out what further mitigation measures will be employed to achieve the required levels. The sound insulation scheme shall be installed and maintained only in accordance with the details approved by the Local Planning Authority.

(Reason -To protect the amenity of future occupiers of the dwellings in accordance with policies D1 (Design and Distinctiveness) and EN14 (Control of Pollution) of the adopted East Devon Local Plan 2013 - 2031.)

Noise:

8. Any plant (including lifts, ventilation, refrigeration and air conditioning units) or ducting system to be used in pursuance of this permission shall be so installed prior to the first use of the premises and be so retained and operated that noise generated within residential units within the development shall not exceed Noise Rating Curve 25, as defined in BS8233:2014 Sound Insulation and Noise Reduction for Buildings Code of Practice and the Chartered Institute of Building Service Engineers Environmental Design Guide.

(Reason: To protect the amenity of local residents from noise in accordance with policies D1 (Design and Distinctiveness) and EN14 (Control of Pollution) of the adopted East Devon Local Plan 2013 - 2031.)

Vibration from the lift:

9. Any plant (including lifts, ventilation, refrigeration and air conditioning units) or ducting system to be used in pursuance of this permission shall be so installed prior to the first use of the premises and be so retained and operated that vibration generated within all rooms of the development shall not exceed the low probability of adverse comment as specified within BS 6472-1:2008 'Guide to evaluation of human exposure to vibration in buildings. Part 1: Vibration sources other than blasting.'

(Reason: To protect the amenity of local residents from vibration in accordance with policies D1 (Design and Distinctiveness) and EN14 (Control of Pollution) of the adopted East Devon Local Plan 2013 - 2031.)

Amenity of Existing Residents:

10. The area to the rear of apartment 5 labelled as no general access on drawing no AS17.51 L.02.02 REV 6 (Proposed ground floor plan) shall not be used as an outside amenity space.

(Reason: To protect the amenities of adjoining residents in accordance with policy D1 (Design and Distinctiveness) of the adopted East Devon Local Plan 2013 - 2031.)

Construction Management Plan:

11. Prior to commencement of development on any part of the site the Planning Authority shall have received and agreed in writing a Construction Management Plan (CMP) 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:

12. 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.)

Retail Units:

13. No deliveries or collections (including waste disposal) for the retail units in block 2 shall be accepted or despatched to or from the site except between the hours of 0800 to 1800 Monday to Friday, or 0800 to 1300 on Saturdays, and not at all on Sundays or Bank Holidays.

Reason: to protect the amenity of adjacent residents in accordance with policies D1 (Design and Distinctiveness) and EN14 (Control of Pollution) of the adopted East Devon Local Plan 2013 - 2031.)

14. The retail units in block 2 hereby approved shall not be open for business except between the hours of 0900 and 18:00 Monday to Saturday and 10:00 and 16:00 on Sundays or Bank Holidays.

(Reason: to protect the amenity of residents living adjacent to the commercial units in accordance with policies D1 (Design and Distinctiveness) and EN14 (Control of Pollution) of the adopted East Devon Local Plan 2013 - 2031.)

Archaeology:

15. No development shall take place until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation (WSI) which has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out at all times in accordance with the approved scheme, or such other details as may be subsequently agreed in writing by the Local Planning Authority. This pre-commencement condition is required to ensure that the archaeological works are agreed and implemented prior to any disturbance of archaeological deposits by the commencement of preparatory and/or construction works.

(Reason 'To ensure, in accordance with Policy EN6 (Nationally and Locally Important Archaeological Sites) of the East Devon Local Plan and paragraph 199 of the National Planning Policy Framework (2019), that an appropriate record is made of archaeological evidence that may be affected by the development).

Bin and Cycle Storage:

16. Notwithstanding the submitted details and prior to first occupation of the development hereby approved, in accordance with details of the design, materials and finishes that shall have first been submitted to and approved in writing by the Local Planning Authority, the cycle and bin stores shall be provided in accordance with the details shown on the proposed lower ground and ground floor plans (ref AS17.51 L.02.01 REV 6 and AS17.51 L.02.02 REV 6). The bin stores and cycle stores shall thereafter remain in perpetuity for their intended use.

(Reason: To ensure that adequate facilities are provided for future occupiers of the development and to encourage sustainable modes of travel in accordance

with policies D1 (Design and Distinctiveness) and TC2 (Accessibility of New Development) of the adopted East Devon Local Plan 2013 - 2031.)

Ecology:

17. The development hereby approved shall be carried out in accordance with the recommendations and mitigation measures contained within the ecological report prepared by Richard Green Ecology dated July 2019.

(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).

Plans relating to this application:

July 2019	Ecological Assessment	23.12.19
L.01.00 rev 1	Location Plan	23.12.19
E05217	Flood Risk Assessment	23.12.19
L.01.20 rev 2 : demolition lower ground	Other Plans	23.12.19
L.01.21 rev 2 : demolition ground floor	Other Plans	23.12.19
L.01.22 rev 2 : demolition first floor	Other Plans	23.12.19
L.01.23 rev 1 : demolition roof	Other Plans	23.12.19
L.03.10 rev 1 : existing	Sections	23.12.19
L.03.11 rev 1 : demolition	Sections	23.12.19
L.04.02 rev 1 : demolition north/east elevations	Other Plans	23.12.19
L02.04 rev 4 : second floor	Proposed Floor Plans	14.08.20
L02.05 rev 4 : third floor	Proposed Floor Plans	14.08.20

L02.06 rev 4	Proposed roof plans	14.08.20
L04.12 rev 04 : block 01 n/s	Proposed Elevation	14.08.20
L02.03 rev 04 : first	Proposed Floor Plans	14.08.20
L02.02.06 ground floor	Proposed Floor Plans	12.01.21
L02.01.06 lower ground floor	Proposed Floor Plans	12.01.21
L01.00.04 site plan	Proposed Site Plan	12.01.21
L04.13.04 block 02 elevations	Proposed Elevation	12.01.21
L04.11 rev 05 : block 01 west	Proposed Elevation	12.01.21
L04.10 rev 04 : block 01 east	Proposed Elevation	12.01.21
L03.12 rev 3	Sections	12.01.21
L.04.02 rev 1 : demolition north/east elevations	Other Plans	23.12.19

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.)

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 buildings 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. Samples of the proposed roofing materials for the Sunday School and church if damaged during construction including slates, tiles or ridge tiles and details of the method of fixing shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works to the roof, and no other materials shall be used without consent.
(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.)

Safety and Stability:

5. Before any work is undertaken to demolish 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, and
 - d) in the case of cob buildings, the details of cob repairs.
(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.)

External Works:

6. All external works of alterations in the existing fabric of the building shall be carried out in matching stonework or brickwork, as appropriate, and all work shall be made in matching stonework or brickwork. A trial area or a sample panel of a minimum 1 sq.m. shall be constructed on site for inspection and approval by the Local Planning Authority prior to commencement of the works. The works as may be agreed shall be carried out and completed in full in line with any specification or other written instructions from 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 East Devon Local Plan 2013-2031.)

Rooflights:

7. The rooflights indicated on the approved plans shall be of a conservation design flush with the roof, the model specification of which shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of 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.)

Rainwater Goods:

8. Details of replacement and new rainwater goods including profiles, materials and finishes shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of works. The works shall be carried out in accordance with the approved details.

(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.)

Partitions:

9. 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 with Policy EN9 – Development Affecting a Designated Heritage Asset of the Adopted East Devon Local Plan 2013-2031.)

10. 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 East Devon Local Plan 2013-2031.)

11. Rooms with cornices, moulded skirtings etc which are to be divided, shall have new lengths of cornice, and skirtings to match existing unless otherwise agreed in writing by 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 East Devon Local Plan 2013-2031.)

Other Works:

12. No works shall commence until the following details and specification have been submitted to and approved in writing by the Local Planning Authority.

- Roof ventilation systems.
- Replacement 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.
- Replacement windows including sections, mouldings, profiles and paint colour. Sections through casements, frames and glazing bars should be at a scale of 1:2 or 1:5.
- Eaves and verge details including construction and finishes.
- External vents, flues and meter boxes.
- A scheme for the protection of the stained glass windows in the church during demolition and construction

The works as agreed shall be carried out in accordance with the approved details.

(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 New East Devon Local Plan 2013-2031).

Plans relating to this application:

L.01.00 rev 1	Location Plan	23.12.19
L.01.20 rev 2 : demolition lower ground	Other Plans	23.12.19
L.01.21 rev 2 : demolition ground floor	Other Plans	23.12.19
L.01.22 rev 2 : demolition first floor	Other Plans	23.12.19

L.01.23 rev 1 : demolition roof	Other Plans	23.12.19
L.03.10 rev 1 : existing	Sections	23.12.19
L.03.11 rev 1 : demolition	Sections	23.12.19
L.04.02 rev 1 : demolition north/east elevations	Other Plans	23.12.19
L02.03 rev 04 first	Proposed Floor Plans	14.08.20
L02.04 rev 04 : second	Proposed Floor Plans	14.08.20
L02.05 rev 04 : third	Proposed Floor Plans	14.08.20
L02.06 rev 04	Proposed roof plans	14.08.20
L04.12 rev 04 :block 01 n/s	Proposed Elevation	14.08.20
L.04.02 rev 1 : demolition south/ west elevations	Other Plans	23.12.20
L04.10 rev 04 : block 01 east	Proposed Elevation	12.01.21
L04.11 rev 05 : block 01 west	Proposed Elevation	12.01.21
L01.00.04 site plan	Proposed Site Plan	12.01.21
L02.02.06 ground floor	Proposed Floor Plans	12.01.21
L02.01.06 lower ground floor	Proposed Floor Plans	12.01.21
L03.12 rev 3	Sections	12.01.21

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	19/2829/MFUL	
Brief description of proposal	Part demolition and redevelopment and part conversion of vacant buildings to create 19 residential units plus development to provide two retail units	
Location	Tower Street Methodist Church, Tower Street, 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		
<p>Is the proposal likely to have a significant effect, either 'alone' or 'in combination' on a European site?</p>	<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 Tower Street Methodist Church 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. 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 19 (the additional number of units)= £6,726
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 £6,726 <i>here</i> has been secured by Unilateral Undertaking	
The Integrity Test	Adverse impacts on features necessary to maintain the integrity of the Sam's Funhouse, Exmouth 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-Calliargon 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)