

Ward Exmouth Littleham

Reference 22/2030/FUL

Applicant Alice Johnson (Queen's Drive CIC)

Location Exmouth Beach Queens Drive Exmouth Devon
EX8 2GD

Proposal Construction of a single storey flexible
office/community hub building, single storey side
extension to existing bin store to provide 5 WCs
and installation of 23 x photovoltaic panels



RECOMMENDATION: Approval with conditions



		Committee Date: 31st January 2023
Exmouth Littleham (Exmouth)	22/2030/FUL	Target Date: 07.11.2022
Applicant:	Alice Johnson (Queen's Drive CIC)	
Location:	Exmouth Beach Queens Drive	
Proposal:	Construction of a single storey flexible office/community hub building, single storey side extension to existing bin store to provide 5 WCs and installation of 23 x photovoltaic panels	

RECOMMENDATION: Approval with conditions

EXECUTIVE SUMMARY

This application is before members as the officer recommendation is contrary to the views of the ward member.

The site lies to the west of the existing water sports centre on Queens Drive and the end of a triangular shaped piece of green open space, it also concerns the large bin store to the front of the water sports centre.

Permission is sought to erect a building to be used flexibly for commercial and community purposes, predominantly as the office space for the manager of the water sports centre but also for use by the community at agreed times of the day/week/month/year. Permission is also sought to extend the existing bin store to provide 5no additional toilets for use by the public and the provision of 23 no. photovoltaic panels on its associated roof.

When the watersports centre was built it was envisaged that the manager of the centre would have office space within the building, however, due to the limited size of the water sports element of the building and the restaurant and retail functions that are taking place there is no longer a suitable position with the building to accommodate the manager. When Officers were approach to provide informal pre-application advice to the applicant it was suggested that a standalone building some distance from the centre itself would not be supported unless it could be evidenced that there were no other suitable locations within the site to accommodate an extension or new building. The design and access statement submitted with the application details a number of potential locations to site a building/extension but these have been discounted for various planning and technical reasons. The most obvious place for a new building would be immediately to its west, however, this is where the underground attenuation

tanks are sited and access would be needed to these for maintenance, further west is a grassed area, however, this is an important outside gathering space/events space in the summer months. The application site has been chosen so that it does not take away any of the outdoor events space. On balance it is considered to be the most sensible location for a new building. The success of the water sports centre and its contribution to both the economy of Exmouth and its social importance means that a site for a manager to carry out their daily duties is essential for the long term success of the site.

In principle the provision of additional community meeting space would be supported, subject to securing meaningful community use, to this end it is suggested that a community use agreement is provided prior to first use of the building ensuring that it is use for long term community uses rather than simply being used by the manager of the water sports centre, and the impacts of the proposed development being acceptable in relation to other policies contained in the development plan.

The provision of additional public toilets in an area which witnesses high footfall especially in the summer months by local residents and tourists is welcomed and supported, the enhancement of the centre with additional renewable energy infrastructure is also welcomed, these elements of the proposal are acceptable in principle providing their impacts are acceptable in relation to other policies contained in the development plan.

The buildings would not have a detrimental impact on their surroundings, highway safety, flooding or archaeology (subject to conditions)

CONSULTATIONS

Local Consultations

Parish/Town Council

Meeting 26.09.22

No objection

Exmouth Littleham – Cllr Bruce De Sarem

I support this application because as it says.....

The provision of additional public toilets in an area which witnesses high footfall especially in the summer months by local residents and tourists is welcomed and supported, the enhancement of the centre with additional renewable energy infrastructure is also welcomed, these elements of the proposal are acceptable in principle providing their impacts are acceptable in relation to other policies contained in the development plan.

Therefore I am in support of the recommendation to approve as I have stated above.

Exmouth Littleham - Cllr Nick Hookway

Initial comments

My objection to this application concerns the Hub which is intended to be situated at the northern end of the site. The idea that this building is intended as a office for the Sideshore manger is risible, no manager, in my experience would want to be that far away from the enterprise that they are managing. An office for the manager should be found within the main Sideshore building. The idea that an office and community hub where other commercial activity could take place seems to be poorly argued here.

The proposed location of the site would have impacts upon the local environment and involve the destruction of historic remains. I would prefer to see such historic remains protected, perhaps even made into a feature to inform residents and visitors. Therefore, I do support calls for protection of archaeological deposits and artifacts with a written scheme of investigation should the application be approved. The impact upon the Exe Estuary must be considered, I would expect to see a report from the South East Devon Habitat regulation partnership as part of the application's documents.

I'm not struck by the design of the hub either, which I feel would constrain the fundamental character of the seafront and promenade at that point by creating a more closed in and street like appearance and feel. Such perceptions are very important in making Exmouth seafront attractive to residents and visitors alike and most not be damaged. Much of the appeal of Exmouth seafront is based around the sense of wide open space and the enjoyment and appreciation of the views across the Estuary towards Dawlish Warren that can be gained from the place where the Hub building may be located. In effect I feel that the Hub would have a significantly negative impact upon the distinctiveness of the area.

These are the facts as I see them. If I am presented with additional information I reserve the right to amend my views

Further Comments

In reviewing the executive summary in the officers' report for this application I'm afraid to say that I simply cannot agree with the interpretation that officers have given to this application. Whilst not wishing to reiterate the comments I've already made as a consultee, I do think that the idea of erecting a building on the western end of the triangular section of this site is an inappropriate use of the area.

The idea that a building which has the design appeal of a ramshackle shed on a local allotment would possibly be used as an office for a manager is unsound in my view if it were not a serious planning application. So, I don't think that the design of the building meets D1 of the local plan (design and local distinctiveness)

I am particularly scathing in my views about this idea of the building being used for community purposes, this may seem to be a good idea to the applicant but we already have a number of buildings on Exmouth sea front that can and area already being used for community purposes, the most obvious of these is the Ocean building where there is a large space on the top floor that is freely available. This space is not only being used by the District Council for various consultations but also by other

groups, Such as Coastwatch and Exmouth town council. There is another community space on the sea front as well, which was included as part of the approval for the planning application for the Premier Inn, this community space has hardly ever been used to my knowledge by any community groups, it doesn't even contain tables and chairs which makes it even more difficult for community groups to access. So, the idea that community groups would come along and use this building is in my view unsound, there is no information given as to which community groups would be likely to use this building and therefore no proven evidence of need. I also have to tell you that no community groups have approached me as a ward member to express interest in using this building. Exmouth is already well served by community buildings, there are over 20 in the town at the last count. So where does this application demonstrate the need for a new community building? Where does it show that there is demand or is this just a whim on the part of the applicant? I do not agree with your interpretation of strategy RC5.

Paragraph 25.8 defines what community facilities are permitted under RC5 and this application does not meet those criteria, as there is no evidence of need for such. RC5 refers to community buildings being added to residential developments, does it not?

I would ask you to look again at RC4 "recreational facilities in the countryside and on the coast" This application fails to meet the following sections "Planning permission will be granted for outdoor recreational facilities... on the coast...provided that the nature of the activities undertaken ..require...a ..coastal location" Clearly this application has failed to prove the need for a community building. There is no mention in the application that a coastal location is essential for this application. Also, the final paragraph "where indoor areas are required use should be made of existing buildings" clearly that's not happening with this application. Also "Any new buildings and necessary extensions should be limited in scale and be in close proximity to existing groups of buildings.." clearly that's not happening with this application either for reasons that are not readily apparent to me. The final paragraph continues.. "where it is proposed to extend or intensify an existing use the cumulative effect of the use will be considered in the interests of the character of the area." I can see no evidence in the report that officers have considered the impact of the application on the character of the area as a complete entity. The only mention of the of the surrounding area is limited to other F and B outlets. Where is the recognition of the beach? The Estuary? the Maer as a local nature reserve? the cricket ground? the QDS as an area for leisure and recreation? The promenade? I also think that as an office for a manager this is a completely inappropriate location, I understand that the manager needs an office but it's hard to believe that someone would want to be that far away from the centre of operations in the Watersports centre and still be able to manage what's going on.

I'm not at all satisfied but this application will stand on its own two feet over time and my concern is that there will be a change of use to probably a food and beverage outlet. I also expect that a licence to sell alcohol will be applied for because the site of the building is in an ideal place to provide such a service. It would indeed be in competition with the business that sells ice creams and coffees very close by as well as in competition with other food and beverage outlets that are not that far away on

the Seafront. It seems clear to me that would be a much more profitable exercise than a community centre that appears to have no need or demand.

The intended site of the building in my view does not compliment the Vista of Exmouth of sea front, one of the most important features of Exmouth Seafront is the sense of wide open space and sea breezes that residents and visitors alike enjoy for their health and wellbeing. There have already been planning applications over the previous years that have put in buildings that have detracted from the overall Vista on the sea front. Mention has been made in the report about views from the Trefusis terrace conservation area, I have talked to residents in this area, and they are not happy about yet another building being placed on the sea front having an impact on the Vista from this conservation area.

I'm also concerned that the proposed building will sit upon a historic site, I still think that the remains of a former Fort would be much more attractive and interesting to visitors than the proposed building, I'm also very concerned though that the proposed conditions regarding the archaeology of the site will not protect the archaeological remains but hastened their destruction.

Why is there no mention on the officers' report on the impact of this application on the Exe Estuary? As a specially protected area immediately adjacent to the application I expected this. Applications for residential properties nearby have to consider this and pay CIL.

Why is there no CIL payable on this application? Please explain that decision to me and the committee.

There seems to be no mention in the officers' report or acknowledgement that the EDDC tourism strategy is now in place. As this application does not seem to link in with the tourism strategy it fails to meet the 4 core themes of natural diversity, food and drink, active nature and visual arts and festivals. I have to say that I would be more disposed to accept this application if it did meet one of these core themes. I have already mentioned that I expect that a variation of use would follow this application later on to a food and beverage outlet, why does this applicant not be honest about it's intentions and say that at the outset? Does the applicant intend to subsidise the use of the new building by community groups? Isn't there a profit motive here?

I expect to hear that costs for this development will be met by the Queen's Drive CIC. I am not happy about this as it is adding further debt to this CIC and prolonging the time when that particular CIC can stand on its own, financially speaking.

Surely Officers are aware that the Watersports centre has changed considerably from the original application, No one in Exmouth expected to see an F and B outlet like "Mickey's Bar" on that site. Indeed, the intention of the Watersports centre providing Watersports facilities and training to an Olympic standard seems to have gone by the wayside here, much to the disappointment of residents.

In conclusion I continue to object to this application for the following reasons.

I do not agree that the manager office/community room meets the design and local distinctiveness standards required by D1 of the Local Plan.

There is no proven need for a community room on this site. RC5 is not met. RC4 applies here.

I would like to see the following conditions added should approval be given

- The community room should be suitably equipped with tables, chairs and display equipment.
- That the manager's office/community room does not provide or sell Food and Beverages to community groups in order to protect the existing Food and Beverage outlets on Seafront
- That no change of use will be permitted to the manager's office/community room for 15 (fifteen) years.

Technical Consultations

Police Architectural Liaison Officer - Kris Calderhead

Thank you on behalf of Devon and Cornwall Police for the opportunity to comment on this application. I have no objection to the proposal but would like to make the following comments and recommendations for consideration.

o External doors and easily accessible windows should be certificated to a national recognised security standard.

o The hub should be fitted with a monitored intruder alarm. For a police response, the system must comply with the requirements of the Security Systems policy, which can be found at www.securedbydesign.com under the 'Group Initiatives' tab.

Devon County Highway Authority

Observations:

I believe this site will predominantly serve the existing visitors to the area and therefore do not anticipate a large addition to the trip generation network within this vicinity.

Parking numbers is a policy for the LPA to administer however I am satisfied that this parking area, together with other public parking areas in the area and sustainable travel options such as the train and bus services, will provide for any additional trip generation from this hub building.

Recommendation:

THE HEAD OF PLANNING, TRANSPORTATION AND ENVIRONMENT, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, HAS NO OBJECTION TO THE PROPOSED DEVELOPMENT

DCC Historic Environment Officer

The location of the new office/community hub lies on the site of the 19th century fort shown on the historic maps of this area. The fort was demolished in the early 20th century, though elements of the fort have been exposed by storm damage to the beach in the early 21st century and it is highly likely that below ground structural and artefactual deposits associated with the fort survive within the footprint of the new building here. As such, groundworks for the construction of the proposed development have the potential to expose and destroy archaeological and artefactual deposits associated with the historic fort. 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 205 of the National Planning Policy Framework (2021) 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 as 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 205 of the National Planning Policy Framework (2021), 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.

In addition, the Historic Environment Team would advise that the following condition is applied to ensure that the required post-excavation works are undertaken and completed to an agreed timeframe:

'The development shall not be brought into its intended use until the post investigation assessment has been completed in accordance with the approved Written Scheme of Investigation. The provision made for analysis, publication and dissemination of results, and archive deposition, shall be confirmed in writing to, and approved by, the Local Planning Authority.'

Reason

'To comply with Paragraph 205 of the NPPF, which requires the developer to record and advance understanding of the significance of heritage assets, and to ensure that the information gathered becomes publicly accessible.'

I would envisage a suitable programme of work as taking the form of the archaeological supervision of all 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 the 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/>.

Other Representations

Nine letters of objection have been received raising the following concerns:

- Development for developments sake
- There is ample space in the existing building
- Will lead to pressure to build on the remainder of the green space
- Views of the sea from the land should be protected
- Goes against why the development was put there in the first place
- Another random building on the seafront
- Toilets welcomed but access should not be time limited
- How will disabled users get the key for the disabled toilet?
- Retail has spread, there is no need for retail here.

PLANNING HISTORY

Reference	Description	Decision	Date
18/0376/MFUL	Construction of new water sports centre including various facilities for water sports users, a cafe, restaurant and retail plus car parking and open space together with associated infrastructure including new stepped and ramped access to the beach and landscaping	Approval with conditions	07.06.2018

19/2136/VAR	Variation of condition 2 (approved plans) of planning permission 18/0376/MFUL (Construction of new water sports centre including various facilities for water sports users, a cafe, restaurant and retail plus car parking and open space together with associated infrastructure including new stepped and ramped access to the beach and landscaping) to allow relocation, reorientation and redesign of plant room (including size increase and addition of pitched roof).	Approval with conditions	10.12.2019
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20/0324/VAR	Variation of condition 2 (approved plans), planning permission 18/0376/MFUL (watersports centre, cafe, restaurant and retail) to allow addition of glass canopy with retractable walls and roof over first floor terrace, fenestration changes, changes to parking arrangements and the addition of 2 no. electric car charging points.	Approval with conditions	24.07.2020
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POLICIES

Adopted East Devon Local Plan 2013-2031 Policies

Strategy 6 (Development within Built-up Area Boundaries)

D1 (Design and Local Distinctiveness)

D2 (Landscape Requirements)

EN14 (Control of Pollution)

EN21 (River and Coastal Flooding)

EN9 (Development Affecting a Designated Heritage Asset)

EN10 (Conservation Areas)

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

RC5 (Community Buildings)

TC7 (Adequacy of Road Network and Site Access)

TC9 (Parking Provision in New Development)

Neighbourhood Plan
Exmouth Neighbourhood Plan (Made)
Policy EB2 - Design

Government Planning Documents
NPPF (National Planning Policy Framework 2021)

ANALYSIS

Site Location and Description

The site lies to the west of the existing water sports centre on Queens Drive and the end of a triangular shaped piece of green open space, it also concerns the large bin store to the front of the water sports centre.

The land to the north is in use as a car park, to the south is the promenade and sea and to the east is the watersports centre with Queens Drive further east.

The site is accessed by an existing access off the highway.

The land is designated as flood zones 2 and 3.

Proposed Development

This application seeks full planning permission for the erection of a building to be used flexibly for commercial and community purposes, predominantly as the office space for the manager of the water sports centre but also for use by the community at agreed times of the day/week/month/year.

Permission is also sought to extend the existing bin store to provide 5no additional toilets for use by the public and the provision of 23 no. photovoltaic panels on its associated roof.

Assessment

The main considerations in the determination of this application relate to:

- The principle of the proposed development
- Impact of the proposals on their surroundings
- Impact on highway safety
- Flooding and drainage
- Conservation and archaeology

Principle

The site lies within the built up area boundary of Exmouth close to essential services and infrastructure and within walking distance of the town centre and public transport links to further afield settlements; the site can be easily accessed on foot and by bicycle.

When the waterspouts centre was built it was envisaged that the manager of the centre would have office space within the building, however, due to the limited size of the water sports element of the building and the restaurant and retail functions that are taking place there is no longer a suitable position within the building to accommodate the manager. When Officers were approached to provide informal pre-application advice to the applicant it was suggested that a standalone building some distance from the centre itself would not be supported unless it could be evidenced that there were no other suitable locations within the site to accommodate an extension or new building. The design and access statement submitted with the application details a number of potential locations to site a building/extension but these have been discounted for various planning and technical reasons. The most obvious place for a new building would be immediately to its west, however, this is where the underground attenuation tanks are sited and access would be needed to these for maintenance, further west is a grassed area, however, this performs an important outside gathering space/events space in the summer months. The application site has been chosen so that it does not take away any of the outdoor events space. On balance it is considered to be the most sensible location for a new building. The success of the watersports centre and its contribution to both the economy of Exmouth and its social importance means that a site for a manager to carry out their daily duties is essential for the long term success of the site.

The application has been submitted as a dual use to provide some benefit to the community, Policy RC5 - Community Buildings of the EDDC Local Plan does support new community buildings in and adjacent to built up area boundaries stating the following:

“Facilities such as schools, libraries, halls, health and sports centres and Places of Worship fulfil an important role as a focus for social activities taking place in the local community. Community centres and village halls are already established in many settlements in East Devon, and wherever possible the Council will encourage the further development of these existing facilities. The demand for a community centre has been established in Exmouth and centres have been built recently in Sidmouth and Honiton.”

In principle the provision of additional community meeting space would be supported, subject to securing meaningful community use, to this end it is suggested that a community use agreement is provided prior to first use of the building ensuring that it is used for long term community uses rather than simply being used by the manager of the water sports centre, and the impacts of the proposed development being acceptable in relation to other policies contained in the development plan.

The provision of additional public toilets in an area which witnesses high footfall especially in the summer months by local residents and tourists is welcomed and supported, the enhancement of the centre with additional renewable energy infrastructure is also welcomed, these elements of the proposal are acceptable in principle providing their impacts are acceptable in relation to other policies contained in the development plan.

Impact on surroundings

This application proposes a single storey modular type building built of varying materials including wildlife boxes, reclaimed driftwood, aluminium door/windows and timber panels/trellis to encourage plants to grow up them. The point of the triangular shaped piece of land to the west of the water sports centre is elevated above the promenade immediately to its south such that the proposed building would be approximately 0.5-0.75 metres higher than the land to its seaward side. It is proposed to provide a ramped access for less able bodied/disabled visitors.

This part of the seafront has various buildings on the seaward side of the promenade including the tourist information building, ice cream parlour and cafe/takeaway building such that a further building would not appear at odds with the more historic form of the esplanade further east of the water sports centre. Furthermore, opposite the site to the north there are various temporary uses and food vans (seasonal) which would-be of a similar height and scale to the proposed building. With appropriate landscaping and the fact that the building would be clad with timber and wildlife boxes (akin to bug hotels) it is considered that the proposed building would assimilate well into its surroundings.

The extension to the large bin store would be relatively minor in nature and single storey in form such that it would not be readily discernible given the backdrop of the water sports centre immediately to its south, the photovoltaic panels on the roof of the bin store would match those already in existence on the water sports centre.

Accordingly, it is considered that the design, materials and form of the proposed buildings and extensions proposed would not have a detrimental impact on the surroundings and would be acceptable in relation to Policy D1 of the EDDC Local Plan.

Impact on highway safety

The proposals do not represent high traffic generating uses and the primary uses on site already exist, the water sports centre has its own public car park and there is a further East Devon operated car park to the north of the application site. The community use of the building would be limited due to its modest size such that the existing car parks could accommodate any associated car use and the additional toilets would serve the pedestrians already in the area.

Devon County Highway Engineer raises no objections stating the following:

'I believe this site will predominantly serve the existing visitors to the area and therefore do not anticipate a large addition to the trip generation network within this vicinity.

'Parking numbers is a policy for the LPA to administer however I am satisfied that this parking area, together with other public parking areas in the area and sustainable travel options such as the train and bus services, will provide for any additional trip generation from this hub building.'

The proposal is therefore considered to be acceptable in relation to Policies C7 and TC9 of the EDDC Local Plan.

Flooding and drainage

The site lies within flood zones 2 and 3 as defined by the Environment Agency's mapping system, and is therefore at high risk of flooding from the sea, and some risk of fluvial flooding. A flood risk assessment was submitted with the original outline application (13/1819/MOUT) for the wider regeneration site (which encompasses this site) which concluded that the proposed development consists of 'water compatible' and 'less vulnerable' development and would therefore be an acceptable use of the site subject to carrying out the development in accordance with the flood risk assessment and appropriate conditions.

The water sports centre application (18/0376/MFUL) provided further detailed flood risk information which the Environment Agency concluded was acceptable and that development was built out in accordance with the recommendations of the report. This application proposes a less vulnerable use on the regeneration area where the wider flood risk of any development of this type has already been accepted such that the proposed development is considered to be acceptable.

Accordingly, the proposal is considered to be acceptable in relation to Policy EN21 (River and Coastal Flooding) of the East Devon Local Plan.

Conservation and archaeology

There are no listed buildings in the vicinity of the site, and although not adjacent to the Exmouth Conservation Area, views from it across to the existing water sports centre and sea will be available. In this respect it is considered that the outlook will inevitably be altered by any development on this seafront site.

It is recognised that the proposed building and associated development will be visible, given it adds to the existing development around it, however its position is such that it has been set back from the beach and promenade and it is not considered that it would substantially or unacceptably disrupt long-distance views from within the conservation area, or that it would have any unacceptable heritage impact.

The proposal is considered to be acceptable in relation to Policies EN9 and EN10 of the EDDC Local Plan.

In terms of archaeology, the County Archaeologist has reviewed the application and has the following comments to make:

The location of the new office/community hub lies on the site of the 19th century fort shown on the historic maps of this area. The fort was demolished in the early 20th century, though elements of the fort have been exposed by storm damage to the beach in the early 21st century and it is highly likely that below ground structural and artefactual deposits associated with the fort survive within the footprint of the new building here. As such, groundworks for the construction of the proposed development have the potential to expose and destroy archaeological and artefactual deposits associated with the historic fort. 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 205 of the National Planning Policy Framework (2021) 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.

It is understood that the applicant and County Archaeologist have been progressing matters whilst the application is being considered and that a 'piled' foundation design is being produced to create the least disturbance to the ground, discussions are ongoing, therefore the two conditions recommended by the archaeologist remain relevant.

RECOMMENDATION

APPROVE subject to the following conditions:

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).
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.)
3. 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 as 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 205 of the National Planning Policy Framework (2021), 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.)

4. The building for commercial management and community use hereby approved shall not be occupied until a community use agreement has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the use of the building by third parties and include details of pricing policy, hours of use, access by users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

(Reason: To secure well managed safe community access to the building and to ensure sufficient benefit to the community in accordance with Policy RC5 (Community Buildings) of the East Devon Local Plan.)

5. The development shall not be brought into its intended use until the post investigation assessment has been completed in accordance with the approved Written Scheme of Investigation. The provision made for analysis, publication and dissemination of results, and archive deposition, shall be confirmed in writing to, and approved by, the Local Planning Authority.

(Reason: To comply with Paragraph 205 of the NPPF, which requires the developer to record and advance understanding of the significance of heritage assets, and to ensure that the information gathered becomes publicly accessible.)

NOTE FOR APPLICANT

Informative: Confirmation - No CIL Liability

This Informative confirms that this development is not liable to a CIL charge.

Any queries regarding CIL, please telephone 01395 571585 or email cil@eastdevon.gov.uk.

Informative:

In accordance with the aims of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 East Devon District Council works proactively with applicants to resolve all relevant planning concerns; however, in this case the application was deemed acceptable as submitted.

Plans relating to this application:

0393-SID-EX-1.0	Location Plan	12.09.22
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0393-SID-PL-1.1 : site/roof	Proposed Combined Plans	12.09.22
0393-SID-PL-2.0 : office	Proposed Floor Plans	12.09.22
0393-SID-PL-2.1 : proposed WC	Layout	12.09.22
0393-SID-PL-3.0	Proposed Elevation	12.09.22
0393-SID-PL-3.1 : WC	Proposed Elevation	12.09.22

List of Background Papers

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