

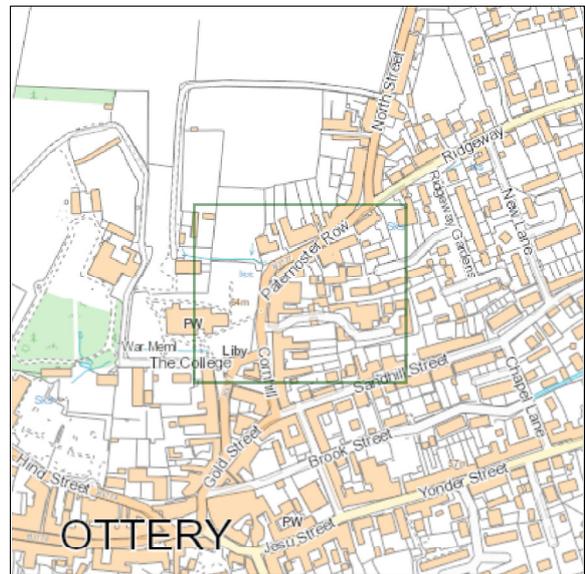
Ward Ottery St Mary Town

Reference 18/1585/FUL &
18/1586/LBC

Applicant Belfield Developments Ltd (Mr Justin Denno)

Location The Priory Paternoster Row Ottery St Mary
EX11 1DP

Proposal Conversion of former elderly care home into
8no. apartments incorporating modifications to
rear section of building



RECOMMENDATION:

18/1585/FUL

1. That the Habitat Regulations Appropriate Assessment within the Committee Report be adopted;
2. That the application be APPROVED subject to conditions

18/1586/LBC

That the application be APPROVED subject to conditions



		Committee Date: 30th April 2019
Ottery St Mary Town (OTTERY ST MARY)	18/1585/FUL	Target Date: 13.09.2018
Applicant:	Belfield Developments Ltd (Mr Justin Denno)	
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EXECUTIVE SUMMARY

These applications seeking planning permission and listed building consent are before Members as the officer recommendation differs from the view of a Ward Member.

The applications seek permission to convert The Priory, a Grade II* listed building, to 8 apartments. The applications propose a schedule of works, most notably including demolition of part of the rear extension, the construction of a first floor extension and lowering of internal floor levels. The Grade II*listed property has historic significance and considered a prominent feature in the street scene of Paternoster Row sitting opposite St Mary's Church. The building is particularly visible from the Church and plays an important role of the historic setting of the cluster of 18th century buildings in this part of Paternoster Road and the Ottery St Mary Conservation Area.

The application at submission stage was considered to amount to substantial harm to the significance of the heritage asset. Objection comments from the Conservation Officer and Historic England primarily related to the proposed alteration and extension to the rear wings. The proposed scale and fenestration of the extension and remodelling was considered to have an unacceptable impact upon the scale and historic legibility of the rear elevation. Two sets of revision were made during the timeline of the application to address these concerns.

Revisions were also made to reduce the scale and bulk of the rear extension and alter materials to break the elevation up to provide relief upon the rear amenity space of 8 Paternoster Row.

The proposed alterations are now considered to result in less than substantial harm to the significance of the designated heritage asset. The National Planning Policy Framework states that where development proposals lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. In this case it is considered that the residential use and proposed works have sought to make minimal changes to the external appearance of the original building and therefore retaining the heritage assets social importance, aesthetic merit and contribution to the group value of St Marys Church and adjoining terrace of Paternoster Row. Therefore it is considered that the optimum use is residential and that the proposed development would facilitate the long term conservation of a Grade II* listed building and its active role within the townscape.

Various third party objections have been raised with concerns over highway safety. Whilst it is appreciated that visibility north east of the site is limited upon exiting the site, the safety record of the access suggest that the access is not dangerous. The application proposes 8 parking spaces, one for each unit. Taking into consideration the sites proximity to local public transport links and Ottery St Mary Town Centre the proposed level of parking is acceptable.

In the planning balance the application is concluded to propose a viable use of the building whilst largely retaining the heritage assets aesthetic and group value. Whilst alterations to the north elevation and some of those internally would result in less than substantial harm to The Priory's significance, this is balanced against the wider benefits from securing the longer term conservation and future of the building in viable use.

The application is therefore considered to comply with policy set out within the National Planning Policy Framework, The East Devon Local Plan and The Ottery St Mary and West Hill Neighbourhood Plan.

CONSULTATION RESPONSES FOR 18/1585/FUL

Local Consultations

Ottery St Mary Town - Cllr P Faithfull

26.07.2018

Dear Planning Central Team.

I am writing regarding the proposed development of The Priory. This development is in my ward and my view, based on the information presently available to me, is that this proposal should be refused.

First and foremost is that this development does not work. On the second floor plan the proposal shows a link corridor joining the original attic rooms to the proposed new attic apartments. The north elevation fails to show this link, maintaining the original profile. Also, the second floor plan shows the corridor running around the the face of the courtyard. The plan shows the higher side of the corridor as having a height of 1.8m and dropping to approximately 1.2m at its lower side. This is totally unacceptable in particularly as this is the main fire exit for the two rear top floor flats. The proposed link corridor and raised roof also remove two of the dormer windows which form a set of character features of the roof of the older part of the property. There is also inadequate headroom at the top of the proposed stairs between first and second floor. In conclusion, due to the inaccurate information presented in the plans and the failure of the plans to work, substantially more alterations would be needed to the listed building to make this proposal work.

Fire Safety

At present there are five flights of stairs, one down to the main basement and two between each of the floors. In the proposed development only two staircases provide access to the first floor at the rear and all of the second floor. Due to the proposed layout the two upper flats in the south wing need to travel past the north wing to reach the stairs, which are restricted in height. The south wing flat can be easily isolated by a fire in the north wing leaving no alternative route.

Outbuildings and parking

On page 4 of the application form, question 13 Vehicle Parking the number of parking spaces given is 3. This is incorrect. There is presently garaging for five cars with a further at least three parking spaces. However, if the four car garage is not included there are five marked parking spaces and the single garage. On page 6 of the Design and access statement in paragraph 4.2, the applicant describes the four car garage as an 'outhouse added during the time The Priory was an Elderly Care Home'. This is incorrect. In the lower map on page 5 of the Heritage Statement the four car garage is clearly visible, with the earlier map of 1880 showing a glass house. The garage was originally built with two double sliding doors, the wooden section now long since rotted out and most of the runners missing. The garage was possibly built for the Police Station soon after moving in. The garage was therefore in place before the building was listed in 1952. A number of surrounding neighbours have a right of access through the land included in the site. The proposed layout of the parking arrangements will cause an obstruction for the neighbour to the south of the site, who has a pedestrian right of way across the site.

Neighbourhood Plan

The neighbourhood plan for Ottery St Mary and West Hill demonstrates the lack of need for any further housing. At present there is a large number of sites with planning permission in and around the centre of Ottery St Mary. Of the houses completed and on the open market, there are quite a number that are standing unsold.

From the Ottery St Mary and West Hill neighbourhood Plan.

HOUSING REQUIREMENT

7.1 The period 2012 - 2015 saw many new homes consented in the Neighbourhood Plan Area, with around 600 dwellings concentrated in Ottery St Mary town and 70 dwellings in West Hill. This is well in excess of the level of development that was supported by the Town Council (up to 350 at Ottery). The consultation underpinning this Plan has identified widespread concern from residents that this represents overdevelopment of the town, placing significant pressure on the infrastructure of the Neighbourhood Plan Area.

7.2 In planning for the next 15 years, the Neighbourhood Plan is required to comply with the strategic policies of the adopted district Local Plan and that means reflecting and supporting the identified development strategy when planning for housing. In summary, the East Devon Local Plan (2013 - 2031) requires development of 17,100 homes in locations which reflect local needs, with particular focus on Cranbrook, Axminster and Exmouth. Villages in the district have been assessed and only those considered 'sustainable' having regard to accessibility and a good supply of services are proposed to accommodate new housing to meet local needs.

7.3 In the Parish of Ottery St Mary, the East Devon Local Plan does not include any further specific housing allocations for the town or villages for the period to 2031.

7.4 There is no requirement for the Neighbourhood Plan to identify specific sites for the delivery of housing. Allocations should only be made where there is a clear and justifiable need and community demand for this. Given the large numbers of consented homes in recent years, the consensus from the community is that no allocations should be made at Ottery St Mary Town, West Hill or Tipton St John. One

small housing allocation for the Neighbourhood Plan Area has been identified at Alfington and this is addressed in Chapter 11.

Over development of the site

This proposal is overbearing, oppressive and excessive. The planned increase in height will have a direct impact on the surrounding properties, in particular properties in the Lamb Court/Paxford House Square area.

Access and Viability

The only entrance to the rear of the site has a usable width of 2.3m or less. This will make it impossible for any larger commercial vehicles to enter the site. As the site will need scaffolding, this will reduce the entrance even further. Although a bridge can be built with the scaffolding it is still likely to leave a gap of 2m or less. A Ford transit type tipper truck has a width of 2.14m with wing mirrors folded in. This will increase the overall cost of construction. No viability report has been given to prove that the work will be completed, placing the whole listed building at risk. Any deliveries will need to be from an alternative location due to the narrow and dangerous location of the property, on a sharp corner on a B road.

Due to the above comments I recommend this application be refused.

The above comments are my views based on the information presently available to me. I reserve my right to change my view in the event that further information becomes available to me.

Further comments 01.02.2019:

Dear Planning Central team

This application is in my ward and my view, based on the information presently available to me is that it should be refused.

I am very concerned about the false and misleading statements within this application.

In the original application the total present floor area is stated as being 788 square metres, which after alterations would change to 958 square metres. In the Design Development Summary at paragraph 2.2 Comment: Affordable Housing Contributions the total floor area is stated as presently being 864.2 square metres to be reduced to 820 square metres. Either one or both sets of numbers are clearly wrong. My own approximate calculations, based on an earlier application by Devon County Council, give a floor area of 758.375 square metres. There is a clear increase in the floor area in both the first and second set of plans. In both the north and south wings of the present building there are only two floors with a single floor section at the far east end of the south wing. On both floors of the north wing there is an approximately 90cm void between the newer ceiling and the old classroom ceiling. This should not be considered a floor area.

To my mind, the presented Heritage Statement, Heritage Impact Assessment and Design Development Summary are wholly inadequate in assessing the significance

of the property. I would therefore like to highlight features I feel should be considered and recognised for their importance.

On the front and rear elevations of the older part of the property there are brick banding of four courses high between the ground floor and first floor. My understanding is that they are not simply for artistic show but form a space to incorporate the internal floor joists so that the load bearing walls are the front and rear walls, as is the central wall incorporating the two main chimneys, the central fan light and the double width doorway between the two north ground floor room. This assumption is supported by architects drawings supplied for Devon County Council in 1953 showing floorboards running from north to south at this part of the property. On the north elevation is a further short section of brick banding of three courses of bricks set in line with the central wall and at a lower level to that of the front and rear banding. This banding appears to match the height of the double doorway linking the two north ground floor rooms, suggesting that it is to allow for support for that part of the wall above the doorway. This would suggest to me that the double doorway is likely to be an original feature and should be protected.

Similarly the central fan light appears to me to be an original feature designed to allow light into an otherwise rather dark front corridor while acting as decoration to the arch incorporated into the central load bearing wall. Based on these observations I suggest that the ground floor layout is likely to be the original layout with only minor alterations being made such as the fitting of the lift. This is not to say that the function of the rooms has not changed over time, only that the structural layout does not appear to have changed.

Based on the sale particulars of October 1894, the ground floor layout is described as having the north front room as being the dining room [17ft 6in x 18' with marble mantel]. The room now has a wooden fire surround with the fire place relined with brick. The southern front rooms is described as [drawing room, 14ft x 17ft with marble mantel and solid panelling]. The marble mantel is still in place with a painting of a hunting scene set into the moulding above the fireplace. In the painting there are seven riders with long red coats, white trousers and tall military style black hats, apart from the lead rider, who has a white hat. The style and appearance of the painting suggest that it is original, from the period 1719, although this should be checked with an art expert. This would therefore suggest that the marble mantel is also original and should be given the appropriate level of protection. This room is fitted with Georgian period plain cornice which appears to be correct for the period. This feature may need to be checked for its age. The small doorway through to the kitchen is a new feature.

The south back room, presently fitted out a commercial kitchen, in the 1894 particulars is described as the library [14ft x 10ft 6in with partly panelled walls]. This room leads in the particulars to the school dining hall [28ft x 11ft] which occupied the main part of the ground floor of the two story section of the south wing. From the dining hall there was a [glazed way] lead from the dining hall to the kitchen and is presumed to have been located where what is now described as the lean to in the courtyard. What is not clear is whether the lean-to is an adaptation of the glazed way or is a complete replacement.

The north-east room on the ground floor in 1894 is described as the kitchen. It was fitted out with a Garton and King patent range with [coal cellar to hold 20 tons]. The fireplace is presently boxed in and may have been damaged to incorporate the lift, with the section containing the fireplace and lift being deeper than on previous plans. At ground level on the outside north elevation there is a low level blanked off archway. This is presumed to be the opening for the coal cellar.

In 1894 the basement was described as having an [arched, binned wine cellar and beer ditto]. Any arched features in the basement have been removed, with the whole floor over the basement area having been replaced with a cast concrete floor. This would explain the new style skirting boards in the ground floor rooms.

To the south of the dining hall and clearly shown on the 1880 map on page 5 of the Heritage Statement are the police cells. These cells have a history and heritage independent of the main part of the building, the Police Station or Police house having been originally located in what is now numbers 6 and 8 Paternoster Row (the Priory being number 10). The present steps and lower level linking doorway are a more recent alteration to the building, allowing the selling off of the remainder of the old Police station.

Also on the ground floor the 1894 sale particulars describe a rear kitchen, dairy and pantry with a paved passageway. These would appear to have been within the ground floor of the north wing. In the tithe map, drawn up between 1836 and 1842, the Priory is shown to have a run of outbuildings in the location of the north wing, suggesting that they were located in that part of the property. On the first floor there is a description of a 44ft x 12 ft dormitory with staircase linking it to the dining hall on the south wing. This suggests that the link section between the north and south wings is possibly older than the present north wing.

The present north wing appears to be located on the footprint of the older buildings. This appears to be the newest part of the property and is formed of two large classrooms, one on each floor. The majority of the present windows are original with a small number of changes. The present internal layout was purpose made for the care home.

The first floor in the original house has had considerable amounts of changes. Of the rooms presently laid out bedroom 6 appears to fit with the details in the 1894 sale particulars. This implies that the south attic staircase has been in place before this time. Similarly, windows set into the north wall suggest that the north attic staircase has been in place for a considerable amount of time. Of the attic rooms, they appear to have been little changed apart from the removal of a staircase that lead up to the skylight to give access onto the flat lead roof.

Proposed alterations to the building.

Unit 1.

Within this unit a substantial amount of central wall which includes the chimneys is planned to be removed. Parts of the internal fan light and decoration are planned to be based in. The north east room is planned to be divided into smaller rooms. Bedroom

2 appears substandard with no clear view out due to the high set windows. In the north west room the fitting out of kitchen units seems out of keeping with the room. The proposed blocking off of the doorways in the rear hallway remove much of the character of the space.

Unit 2.

For this unit the proposal is to remove the original windows and replace them with much smaller windows. this will also require alterations to the brick work. this will alter the outward appearance of this part of the building.

Unit 3.

An important element of this unit is the cells. I have only recently become aware of their history and significance and am very much concerned about the major alterations to this part of the complex. The plan is to remove major sections of this block and will need further removal of the dividing wall between the cells and the main part of the building to allow for headroom in the planned access. The cells have a history in their own right and are originally part of numbers 6 and 8, which are also listed buildings.

Unit 4.

This unit includes the removal of the two attic staircases and the fitting of a new staircase in the north east corner of the building. This change will affect on the floor between the first and second floors which I would suggest are likely to include early or original floor structure. Within this unit the proposal is to fit kitchen units around windows wf8 and wf9. Window wf8 is a low level window located bellow the north attic staircase. This is an inappropriate location to have the units. To make this work would need the repositioning of the window, changing the structural brickwork of the wall. the proposed new lift includes the removal of a section of wall. this is possibly old, original wall and should be checked before removal.

Unit 5.

This unit is proposed to have the original windows removed, the replacement windows being positioned at a lower position than the present windows. This would have a substantial change to the appearance of the building. The replacement windows do not fit with the design of the building and look out of place within this building.

Unit 6.

This unit requires the extension of the first floor above the single story end room. Although the reduction in height has had an impact on the overbearing nature of the proposal, the proposal continues to be overbearing towards the surrounding properties. Between the kitchen and dining area this proposal is to remove a substantial section of the back wall of the original part of the property.

Unit 7.

This unit requires the removal of the two attic flights of stairs and a break in the floor to allow for the new stairs in the north east corner. At the point at which the proposed staircase ends the floor level is shown to be 38cm lower than the remainder of the floor. This will mean that the possibly original joists would need to be removed. The entire partition walls of the attic floor is proposed to be removed, including part of the south chimney. What is not clear is the true age of the walls and features to be removed. All the rooms have sloping ceilings that finish at a very low height. The ceilings drop to a lower height than standard kitchen units. This would make the proposed kitchen virtually unusable.

Unit 8.

This unit is set in an extra space created by the removal of the original ground and first floor classroom ceilings. The plans show the void above the first floor ceiling to be 'storage space'. I would suggest that this is misleading and, to the best of my knowledge, storage for the care home was mostly contained in the garages, with the basement, cells and the voids between the old and newer ceilings used to a limited degree. The upper attic is much more restricted for access. The proposal is for high level roof lights with the bottom of the glass at approximately 1.8m height. Only one window gives a proper view. This would seem to me to make the flat a substandard accommodation due to lack of any real view for the majority of this unit.

The plans show the total removal of the rear staircase, between the north and south wings. What has not been established is the true age of this part of the present building, with suggestions that it may be quite a lot older than has been suggested.

Over all this new proposal fails to properly respect the history and heritage of the building. This proposal seems to aim for maximum profit without recognising the varied history and heritage of the property. While I do not argue with the comment by our conservation officer not to object to the basic principal of residential use, it does not mean that it has to be used for that. This proposal appears to cause substantial harm to the heritage and history of this building. Simply because parts of the history have been harmed does not justify continued removal of historic parts of the building. I therefore recumbent that this proposal be refused.

These are my views based on the information presently available to me. I reserve my right to change my views in the event that further information becomes available to me.

Further comments 21.02.2019

Dear Planning Central team

Further to my earlier comments and based on the information presently available to me, I continue to recommend this application be refused.

I am somewhat surprised that we have only now had the Heritage Appraisal and Impact Assessment delivered. On the back page is stated Date last edited: Aug 22 2018 12:06pm. We have had to make two request for this to be presented.

Having read this report I do not feel it is particularly accurate or reliable with regard to the information included in this document. I therefore consider that this document should be rejected.

In paragraph 2.3 the tithe maps are stated as showing two wings to the rear of the building. This is completely wrong. The two copies of the tithe map are from two separate maps which are held at the Devon Records Office, recorded as Ottery St Mary 1 and Ottery St Mary 2. Ottery St Mary 1 is a complete copy with features coloured in and plots all numbered. Ottery St Mary 2 is an incomplete copy which only covers the southern half of the parish. Many of the plots are not numbered with none of the features coloured in. Both Ottery St Mary 1 and 2 (as I am confident the author is fully aware) have the town centre added as a separate enlarged map at the bottom right corner of the map. Of the two maps presented in the Heritage assessment the top copy is from the main part of OSM1 while the second map is from the town centre enlargement in OSM2. The town centre enlargement of OSM1 (which has not been included) clearly shows the Priory numbered 273 with a north wing and no south wing. The map also shows numbers 6 and 8 Paternoster Row as plot 274 with 275 and 276 running east from 274 well clear of the priory and no buildings where the cells now exist.

Paragraph 2.4 states 'The 1888 First Edition OS map shows much the same arrangement as that appearing on the Tithe Map...'. This is incorrect. In the 1888 OS map the south wing has been added with further outbuildings added to the rear. A building appearing to be attached to the stone steps looks to be the same as in the tithe map. To the south of the Priory land the Police cells appear to have been built in the grounds of what is now 6 and 8 Paternoster Row. In the 1903 edition of the OS map much of the building detail has been omitted so that changes in roof height are not clear. From my own experience of using Ordnance Survey services in the provision of private maps their recommendation was that maps of the scale used in this Heritage appraisal should not be used for accuracy, only for the existence of the buildings and their approximate shape. In the 1903 copy the south wing is shown to be wider than the north wing. In the architects drawings for this application the north wing is clearly wider than the south. I therefore suggest that the details given in the 1903 map should not be used as a historical account of the parts of the building in question.

A pair of prints, described in paragraph 2.7, from a 1734 copper engraving by Samuel and Nathan Buck is suggested to include details of the Priory in the distance. The earlier of the two prints is the black and white version, printed from the engraving. The colour print is, as far as I am aware, from 1769 adaptation of the original. First I would like to point out that this is only an artists impression of a view, with the main subject being the church. Assuming that the building is an accurate interpretation of what was on view, I would suggest that the building highlighted in the image is very unlikely to be the priory, partly due to the angle of view (the Priory being further up the street) and by the appearance of the building drawn. A very similar artists image set at a later date shows what is now no. 2 Paternoster Row in the image. The building drawn in the engraving shows three first floor windows facing onto Paternoster Row, where as the Prior has five. There are also only two dormer windows rather than three. The building also shows four chimneys. A set of documents held at the Devon Records Office, listed under Ottery St Mary Police Station, record the transfer of a lease for the building at 6 and 8 Paternoster Row. These documents cover the period from 1741 to

1859. The paper for 1741 describes the surrender by Stephen Gill and Hannah his wife and the admission of Robert Long. Between 1765 and 1773 the building was consumed by fire and rebuilt by Gilbert Peck. This would imply that the earlier building would most likely have been in place in 1734 (six years before the surrender by Stephen Gill). This suggest to me that the building in the engraving is most likely to be on the corner of Paternoster Row and Lamb Court (what is now described as Paxford House Square). The original print shows a set of vertical lines suggesting a fence or railings along the east boundary of the church grounds. Along the north side, to the left of the church a random pattern suggests a stone wall as is in place today.

Paragraph 2.9 states that 'we know that the existing rear wings were built between 1888 and 1903...'. This, to my mind, is untrue. The 1888 map shows a building that matches what can be seen in Google satellite images as the two story section of the south wing. The bricks in the south wing look to be slightly more weathered than in the north wing. Both north and south wings look to be built with bricks from the old Ottery Brick works. The windows along the north side of the north wing are typical school windows of that period.

Due to the serious questions regarding the accuracy of this report I am compelled to question the accuracy and reliability of paragraph 2.10. While it is true that fire doors have been fitted I question the suggestion of a full replacement of the ceiling with fireproofing. The ceiling does not look to be replaced. I would therefore like clarification as to whether the ceiling was removed or simply had fire proofing inserted above it (which is the easier process). Although there is a brick wall in the north basement room, there are no brick piers in the basement. The normal practice for Georgian period houses is to build the first floor in brick to form the load bearing walls with upper floors in timber. This suggests that the ground floor brick walls are correct for that period. I would therefore suggest that all the ground floor walls are likely to be original.

The author of this document seems, in paragraph 2.11, to have had difficulty researching the history of Policing in Ottery despite the fact it is a well documented organisation. For a simple account of a history of a Police Station, the earliest record I have been able to find is in the Slaters Directory of 1852 - 53, which records a Police Station at Market Place (described in the tithe map as Market House under Sir John Kennaway) and is occupied by Superintendent William Davey. This is the site of the present old Town Hall, built in 1859. In the same year of 1859 the property of 6 and 8 Paternoster Row was sold and suggest that is when the Police Station was located next door to the Priory. This is the likely time when the cells were built and matches with the County and Borough Police Act 1856 and the formation of the Devon Constabulary in that same year. In the Whites Trade Directory 1878/79 Sergeant William Ford is recorded as at the Police Station, Corn Hill. In the same directory the Rev. W.C. Frost is recorded as proprietor of the Priory House School. In a local book 'Ottery St Mary Through Time' by Nigel Sadler, on page 28 there is a photograph showing the Priory and the Police station in 1905 from a collection by Peter Harris. The Police Station appears to have a sign above the porch to identify it as such. In the Devon Records Office is a plan for alterations to the cells. The plan, dated 1929 and drawn up by Percy Morris FRIBA, County Arcitect, 97 Heavitree Road, Exeter, shows the fitting of a toilet in the western most cell and beds in the other two cells. There is also the fitting of the heating pipe around the entire cell block. A further plan dated 1953 shows both the Priory and the old Police Station with the police Station still

located at nos. 6 and 8 Paternoster Row. This suggest that the Police Station moved after 1953, when the cut through the wall was made and the fitting of the steel gate in the wall. The cells appear to have been built in about 1860 with the south wing of the Priory between 1860 and 1888.

The name of 'The Priory' appears to have originated as the Priory School, identified in the Whites Directory of 1878/79. This appears to have been a parochial school run separately to the Kings School. The Priory School seems to have been run by the clergy while the Kings School was overseen by the Church governors. Due to the very poor structural state of the Kings School and lack of pupils, it joined with the Priory School to become a single school in the Priory building.

I continue to recommend refusal for this application. This report is misleading and, in places factually wrong. There are no photographs of the internal features to back up what is written. I therefore do not consider it acceptable as an accurate account for a Heritage Appraisal and Impact Assessment.

This is my view based on the information presently available to me. I reserve my right to change my views in the event that further information becomes available to me.

Further comments 18.03.2019:

Dear Planning Central Team

Regarding the issue of viability, my understanding is that planning permission should not be given simply for the financial benefit of a developer. The present owner purchased the property, fully aware of the relevant issues relating to a grade II* listed building. The long delay in the purchase of the property was not, to the best of my knowledge, due to a shortage of potential buyers, of which I have been advised were approximately 15 other parties. The time delay has been due to the high price required by the receivers acting for the previous owners and the conditions laid down with the purchase. There is no shortage of potential buyers, of which as far as I am aware at least two parties would have made little or no changes of any significance.

The Priory was originally offered for sale, as far as I am aware, through an informal tender with the asking price in the region of £500 000, with the winning bid being for £450 000. The sale then fell through due to the bidder failing to acquire the necessary funding. It was then placed back onto the market whit the asking price remaining at £500 000. The property was listed as a going concern as a care home, with much of the equipment left in place. The property finally sold for £355 000. The time period should not be considered to be due to a lack of interest, but a lack of willingness on the part of the seller to accept a substantially lower price than the original asking price. There is no shortage of interested parties around the community, many of whom did not bother to bid due to the overly high price being asked.

Further to my earlier comments regarding a fire resistant ceiling in the ground floor, there appears to be a fire resistant perspex lining in the kitchen, which is a fully equipped commercial kitchen. The lining is possibly to class 1 or class 0 fire resistance. The lining is fitted to the plaster walls and ceiling, only in the kitchen and has had little

impact on the historical structure of the building. This lining is likely to be removed in the event of any change to the internal layout of the building.

Over all I do not consider that the changes made in the latest document, dated 7 March 2019, go far enough in protecting and restoring the historic parts of the building. There are no changes to any of the proposals relating to the early part of the building. The proposal involves structural alterations to the historic section of the building. Paragraph 194 (b) of the February 19, 2019 edition National Planning Policy Framework states that 'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: (b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and grade II* listed buildings, grade I and grade II* parks and gardens, and World Heritage Sites should be wholly exceptional. The proposal to convert the Priory into flats is not an essential development, but an opportunistic proposal. Any changes to the structure of the building should aim to restore and compliment the historic significance of the building. The present proposal further harms the heritage and historic significance of the building.

I continue to recommend this development be refused.

This is my view, based on the information presently available to me. I reserve my right to change my views in the event that further information becomes available to me.

Parish/Town Council

Town Council Comments: The Council does not support this application because '

- 1) It would have an adverse impact on a Conservation Area.
- 2) It would have an adverse impact on adjacent listed buildings and other properties.
- 3) It is in a very sensitive location - opposite the historic church of St Mary's, Ottery St Mary.

The Town Council supports this application as it is happy with the changes proposed but subject to the Conservation Officer's report

Further comments:

Ottery St Mary Town Council supports this application subject to the Conservation Officer's approval

Technical Consultations

Environmental Health

I have considered the application and note that this site is close to nearby residents who may be impacted during the construction process. We would request the applicant to consult and follow the council's Construction Sites Code of Practice prepared by Environmental Health and adopted by the council in order to ensure that any impacts are kept to a minimum. This is available on the council's website: <http://eastdevon.gov.uk/noise/noise-guidance-and-advice/guidance-and-advice-for-developers-builders-and-contractors/>

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.

County Highway Authority

Observations:

The proposed development is for the conversion of the former care home into 9 number apartments.

The existing and proposed vehicular access from the B3174 Paternoster Row, which is the main through road for Ottery St Mary, is somewhat short in visibility to the northeast, however to the southwest the visibility is acceptable.

I have examined the Devon Collision Map for this area and although there are two number slight accident records in the area. One at The College - Silver Street (31/03/2014) to the south of the site, and the other at the junction of Paternoster Row and Ridgeway (30/08/2014) to the north of the site. From the records to hand I do not think that the access has a particularly bad safety record considering its lack of visibility to the northeast.

The proposed conversion is likely to create less traffic movements than would have been expected with its use as a care home. Therefore despite the poor visibility in one direction at the vehicular access, I do not raise any highway safety concerns with this application.

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

Conservation

ADDRESS: The Priory, Paternoster Row, Ottery St Mary

GRADE: II* APPLICATION NO: 18/1586/LBC & 18/1585/FUL

Amended plans received 9th August 2018:

This application relates to the conversion of a former elderly care home into nine apartments incorporating modifications and extensions to the rear of the building. A meeting was held on site on Friday 20th July with the applicant and Historic England (HE). Following the meeting comments have been received from Historic England which reflect the concerns raised and discussed on site. The comments set out below re-iterate those concerns and should be read in conjunction with those from HE:

Heritage Statement: a more detailed assessment is required, see comments in HE letter. Particular attention should be given to the historical development of the building, and in turn their significance. In addition, more consideration of its historic context and the relationship to the surrounding Ottery St Mary Conservation Area;

Justification: in association with the above, insufficient justification for the proposals has been provided, see HE letter;

West elevation: no changes envisaged, but note that 'existing fabric to be refurbished to match existing where practicable'. This does not provide sufficient information or detail of the repairs and refurbishment works and a full Schedule of Repairs/works is required to ensure that historic fabric is retained and works carried out in an appropriate manner;

North elevation: it is appreciated that the existing situation relating to floor levels, ceiling, windows etc is awkward. However, there is a major concern relating to lowering the first floor windows in order to accommodate the second floor and this part of the scheme needs considerable revision to work within the constraints of the existing building;

East elevation: the current arrangement shows a hierarchy of development and whilst it is appreciated that the lean-to infill is in poor condition and its removal allows access to the internal courtyard which is welcomed, the introduction of the three storey element is unacceptable and detracts from the overall character and appearance of the listed building and any sense of its former development. The more informal grouping and hierarchy of development has been replaced with a uniform and regular form of architecture with the introduction of top heavy Juliet balconies at odds with the fenestration and proportions of the existing building;

South elevation: the 'Existing' Plan is incomplete, please provide full survey of this elevation. There is considerable concern over the extent of the development and in particular the scale, massing and height of the proposed extensions. This will significantly alter the prominence of the main house and its relationship with the adjoining buildings and structures. This does not appear to accord with the assessment of the Impact of the Development as detailed in section 4.2 of the Heritage Statement;

Elevations to courtyard: there do not appear to be any internal elevations (existing & proposed) to the courtyard, please supply;

Internal Layout: there is a general concern that there are too many units overall within the scheme and that further consideration should be given to working within the existing arrangement and constraints of the original layouts. It is appreciated that many of the original features have been lost but this is an opportunity to reveal and enhance those historic features that remain and to restore the building in a sympathetic manner. There is no objection in principle to a residential use, but this must not be to the detriment of the overall character and appearance of this important Grade II* listed building;

Ground floor: Unit 1 - this comprises two of the original main rooms on the ground floor and the introduction of partitions to create a kitchen, WC and staircase in the rear room (living room) result in unacceptable division. In addition, there is no assessment of the existing floors (historic or otherwise) and whilst it is noted that there has been some previous structural intervention, there is also no justification for breaking through the floors to insert a new staircase. This needs further consideration. This also applies to Unit 2.

Unit 2 - this includes the original cells to be converted to bedrooms and ensuite with some outdoor space. A revised Heritage Statement will allow better assessment and justification for the works. The flagstone floors and brick arches to the cells are a particular feature. Is additional light by sunpipe? Please clarify.

Hallway to Units 1 & 2 - where doorways are to be blocked, details of how this is to be achieved whilst retaining any historic joinery will be required;

First Floor: see floors/staircase above. Concerns over the extent of new build elements, see above. Both the rear wings may need further consideration in relation to accommodation, layout and floor/ceilings, see comments relating to elevations above;

Second Floor: see floors/staircase above. Concerns over the extent of new build elements, see above. Both the rear wings may need further consideration in relation to accommodation, layout and floor/ceilings, see comments relating to elevations above. Units 8 & 9 have French doors with Juliette balconies, see East elevation above. These will look directly into dwellings to east;

Fenestration/Glazing: see comments by HE regarding the use of double glazing. As suggested a comprehensive Window Schedule is requested and this should include not only the existing age, condition etc but any necessary repairs and or proposed glazing treatment. Secondary glazing may be an alternative to double glazing where the retention of historic joinery and glass is required;

Parking: there is no objection in principle to the removal of the open fronted garage/carport at the rear of the property. However, it was noted on site that there is a set of stone steps in the rear corner of the site which must have led up to the higher ground, possibly when it was Kings School. These are shown on the historic OS map dating from 1889/1912 attached and should form part of any assessment of the site. It was also noted that there are 2no. windows, one blocked, which look out over these steps and would be revealed once the garage/carport is removed. As suggested on site it would be more appropriate to include the steps in any revisions to the scheme.

**PROVISIONAL RECOMMENDATION - PROPOSAL
UNACCEPTABLE**

The application requires considerable additional information and amendment.

Further comments on amended plans received 2nd January 2019:

Heritage Statement & Justification: a more detailed Statement has now been provided dated September 2018 by Nils White and a supplementary heritage Impact assessment dated 26th November 2018. This is a vast improvement on the original

submission and has enable a better understanding and appreciation of the building itself and the current/revised proposals;

West elevation: no changes envisaged, but note that 'existing fabric to be refurbished to match existing where practicable'. This still does not provide sufficient information or detail of the repairs and refurbishment works and a full Schedule of Repairs/works is required to ensure that historic fabric is retained and works carried out in an appropriate manner. However, it is considered that this could be conditioned;

North elevation: it is still appreciated that the existing situation relating to floor levels, ceiling, windows etc is awkward and it is noted that the dormers have been removed and rooflights inserted as an alternative. However, the revised plans now include the re-positioning of both the ground and first floor windows resulting in an uncomfortable elevational treatment with a large proportion of brickwork above the first floor window. Whilst this elevation is seen mostly from oblique views, the strong line of windows, their proportions and their relationship to the solid brickwork aswell as the relationship to the more significant front part of the building is still significant. It is considered that there is a better solution to this part of the project which needs to be explored further;

East elevation: this is a far better design solution and retains the hierarchy of buildings currently experienced at the rear of the building and now allowing views into the courtyard. The Juliet balconies have been removed and a more traditional timber sash inserted at second floor;

South elevation: again, this is certainly an improvement on the previous proposal for this elevation and the hierarchy still apparent. The 'Existing' Plan is now complete;

Elevations to courtyard: internal elevations (existing & proposed) to the courtyard, now supplied. Removal of the large flue welcomed. Revisions to windows noted, but will require details, see below;

Internal Layout: as previously suggested, there is no objection in principle to a residential use, but this must not be to the detriment of the overall character and appearance of this important Grade II* listed building. The loss of 1no. unit is noted:

Basement: no change to original proposals;

Ground floor: Unit 1 & 2 have been revised to accommodate Unit 1 at ground floor and Unit 2 in north block. I would re-iterate the comments by NW in the impact assessment and agree that there is a dilemma in terms of harm relating to the changes. This may need further discussion, but the loss of the internal staircases to first floor is certainly welcomed. Unit 3 now includes the cell block and the sunpipes are noted;

First Floor: now Unit 4 & part 6. Still concerns relating to north block, see above;

Second Floor: now Unit 7 and access to Unit 8 via dormer. Still concerns relating to north block, see above;

Roof plan: rooflights and sunpipes noted, but discussion still required relating to north wing;

Fenestration/Glazing: a comprehensive Window Schedule has now been provided, but whilst it includes age, condition etc and any necessary repairs, it is not clear which windows are to be replaced, but likely to be WS1, 2 & 3 and hopefully WS6 & 7 (upvc). These could be the subject of a condition requesting joinery details at 1:2/1:5. In addition, the current scheme omits the windows on the north elevation and some on the east and south elevation and if permitted any new windows will need to be conditioned as above.

As previously suggested, secondary glazing may be an alternative to double glazing where the retention of historic joinery and glass is required, but there are no details of this shown on any drawing;

Parking: the set of stone steps in the rear corner of the site which must have led up to the higher ground, possibly when it was Kings School. Is to be retained in the revisions to the scheme and this is welcomed;

Conclusion: the amended plans are certainly an improvement and have taken on board many of the concern and comments. However, there is still considerable concern relating to the north block and the reconfiguration of the floors, fenestration etc. Further discussion and amendment required.

PROVISIONAL RECOMMENDATION - PROPOSAL

ACCEPTABLE in principle, but still concerns relating to north block in particular, internal layout - Unit 1, windows etc, see above

SUGGESTED CONDITIONS: to be agreed

Further comments on amended plans received 7th March 2019:

The comments below relate to the current amendments to address the concerns relating, in particular, to the north elevation:

Ground floor (PL03 Rev C): I am not entirely clear how this has changed from the previous plan PL03 Rev B. However, the layout is certainly preferable to the introduction of internal staircases and providing that the new internal access door to Unit 1 is appropriately and sensitively designed, the alteration to the layout is considered to be less than substantial harm where changes to the layout and internal spaces have already been carried out in the past;

First Floor: now Unit 4 & part 6. See comments relating to north block;

Second Floor: now Unit 7 and access to Unit 8 via dormer. See comments relating to north block;

North elevation: this is certainly an improvement and it is noted that the ground floor window positions have been retained and this is welcomed. However, it is noted that the detailing of the window will change to conceal the floor zone, but this could form part of any joinery condition. In addition, the cornice detail certainly improves the proportions of the overall elevation and its simple design set back from the principal elevation is considered to be an acceptable solution, subject to full details. There is no

objection to the rooflights, subject to details (condition). The main concern still relates to the first floor windows, which in conjunction with the other changes is an improvement, but still results in the awkward proportion between the head of the first floor windows and the proposed cornice;

South elevation; East elevation; Elevations to courtyard: the amendment to the cornice is noted, see above. Care will need to be taken where the cornice ends on courtyard elevation

Roof plan: no further comments.

Conclusion: the amended plans are certainly an improvement and have taken on board many of the concern and comments. In addition, the changes to the north block have made a considerable difference to how this elevation is perceived. No formal comments have been received from Historic England and it would be useful to discuss this final element of the scheme.

PROVISIONAL RECOMMENDATION - PROPOSAL
ACCEPTABLE in principle, but still concerns relating to north block
SUGGESTED CONDITIONS: to be agreed

Housing Strategy Officer Melissa Wall

This application is for the conversion of a former care home into 9 apartments.

Strategy 34 sets the policy target for affordable housing provision on development sites and for Ottery St Mary a target of 25% affordable housing is required. The threshold at which the policy applies will be the minimum set out in Government policy or guidance. Where there is no applicable government policy or guidance there will be no minimum size threshold at which affordable housing will be sought. Paragraph 63 of the revised NPPF sets out when affordable housing should be sought from developments stating that affordable housing should not be sought for developments that are not major developments (10 homes or more or site area of 0.5 hectares or more), other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer). Ottery St Mary is a designated rural area therefore the threshold does not apply and affordable housing can be sought on this proposal.

In this instance on-site affordable housing would not be appropriate due to the nature of the building and a commuted sum is sought. This has been calculated using the commuted sum calculator and amounts to £74,691 (£8,299 x 9).

It may be the case that vacant building credit could be applied and NPPF states that to support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount.

Where a proposal does not meet policy targets it will be necessary submit evidence to demonstrate why provision is not viable or otherwise appropriate. An overage clause will be sought in respect of future profits and affordable housing provision, where levels of affordable housing fall below policy targets.

Further comments 18.01.2019:

The applicant in 2.2 of the Design Development Summary states that the area of the proposed scheme is less than the area of the existing building and therefore when applying vacant building credit no affordable housing contribution can be sought as there is no increase in floor area. We will therefore not be seeking a contribution towards affordable housing.

Historic England

THE PRIORY , PATERNOSTER ROW , OTTERY ST MARY , EX11 1DP
Application No. 18/1585/FUL

Thank you for your letter of 23 July 2018 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

Historic England Advice

Noted by Pevsner as being one of the best houses in Ottery St Mary, The Priory sits on Paternoster Row facing across the churchyard to the Grade I listed church of St Mary and forms a key part of the setting of this spectacular building, which was rebuilt by Bishop Grandisson in the early 14th century. The Priory dates from the early 18th century, and despite the misleading ecclesiastical name, it is thought that it was built as a town house. The building has been in various uses over the centuries, including as a school, a branch of the Royal British Legion and a Police Station, becoming in 1978 a residential care home for the elderly.

The historic core of the house is a two storey red brick building in five bays, with slate roof and three dormers which fronts the road. An ornate, pedimented central door leads into the main hall which is flanked by the two main reception rooms. Unfortunately, the building's long-standing institutional use has removed much of those decorative internal features which would have been expected in these rooms. The Priory has been substantially extended to the rear in two red brick wings, and whilst it is unclear exactly when this took place, historic map regression indicates that both wings were in place by the early twentieth century if not earlier.

This application seeks to convert The Priory into nine apartments, considerably increasing the height of the southern rear wing and the central link building to the east. Whilst the application is supported by a Heritage Statement which includes some historic imaging and maps, In terms of assessing the impact of the proposed development, the submitted documentation does not provide an adequate assessment of the significance of the building. This is a statutory requirement of paragraph 189 of the National Planning Policy Framework, which states that applicants are required to "describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance." The Priory is a Grade II* building which therefore puts it in the top 6.5% of the nation's heritage.

The works proposed involve the enlargement of the southern rear wing, increasing the height to that of the northern wing. The current link building between the two rear wings is to be demolished and rebuilt as a two storey bridging structure, leaving the access to the central courtyard open. Internally, significant alteration to levels within the northern wing are proposed which will also entail the relocation (lowering) of all first floor windows on the north elevation. Within the most historic part of the building, it is proposed to install new staircases between the ground, first and second floors.

Historic England appreciates that the institutional use of this building has resulted in significant loss of historic fabric and considerable alteration internally and therefore we accept that conversion to residential use, which will involve further significant change is an acceptable proposition in principle. However, we are concerned about some aspects of the designs submitted which seek to substantially alter the configuration and clear hierarchy of the phases of the building. Whilst we have no objection in principle to the internal remodelling of the rear wings, the considerable increase in height of the south wing will have a significant impact on the scale and historic legibility of the rear elevation. Historic England accepts that the current low level porch arrangement is of minimal historic value, but its replacement with a three storey infill, coupled with the scale of the new south wing will fundamentally alter the character of this part of the building and insufficient justification for the scale of this alteration has been provided. We are also very concerned about the proposal to relocate every first floor window within the northern wing and request that consideration is given to how the necessary internal arrangements could be achieved without the need for this damaging intervention.

We note that it is proposed to install double glazing in some of the windows and request therefore that a comprehensive window schedule is provided, setting out the details of the existing and proposed glazing treatment. Whilst on site, we noted that the windows to the main elevation contain some historic glass and therefore would object to replacement with any form of double glazing in this location. Historic England's stance on the acceptability of double glazing in historic buildings is clearly set out on pages 62-3 of our guidance note, Traditional Windows: their care, repair and upgrading (<<https://historicengland.org.uk/images-books/publications/traditional-windows-care-repair-upgrading/>>).

The installation of new staircases within the most historic part of the building will entail the creation of new openings within the floor. The application does not clarify whether the floors are historic, or later replacements. Until this information is provided, we cannot comment on the acceptability of this element of the proposal.

Externally it is proposed that the current shed/ garage arrangements to the rear of the site are removed to facilitate car parking. This is acceptable, however we note from historic map regression that the steps leading up to the new properties to the east were present in 1889 and are therefore of some historic value. Their significance should therefore be assessed within the revised Heritage Statement and consideration given to their retention.

Central to our consultation advice is the requirement of the Planning (Listed Buildings and Conservation Areas) Act 1990 in Section 66(1) for the local authority to "have special regard to the desirability of preserving the building or its setting or any features

of architectural or historic interest which it possesses". Section 72 of the act refers to the council's need to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area in the exercise of their duties. When considering the current proposals, in line with Para 190 of the National Planning Policy Framework, the significance of the asset's setting also requires consideration. Para 193 states that in considering the impact of proposed development on significance great weight should be given to the asset's conservation and that the more important the asset the greater the weight should be. Para 194 goes on to say that clear and convincing justification is needed if there is loss or harm.

Having considered this scheme, we believe that this proposal would result in harm to the building's special architectural qualities. Given its II* listed status this is a consideration that needs to be afforded considerable statutory weight in the determination of any planning application. Recent appeal decisions have demonstrated that even less than substantial harm does not necessarily constitute a less than substantial objection if that harm is avoidable. If the associated public benefits can be delivered by a less harmful means then a proposal is not considered to conform to paragraph 196 of the NPPF.

While Historic England does not wish to question the principle of this residential conversion, we believe a more sensitive architectural solution is required in order to preserve the character and appearance of the Grade II* listed building and the surrounding conservation area. We therefore encourage your authority to seek design modifications and additional information in line with the above comments.

Recommendation

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 189, 193, 194 and 196 of the NPPF.

In determining this application you should bear in mind the statutory duty of section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 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 and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

Further comments 29.01.19:

THE PRIORY, PATERNOSTER ROW, OTTERY ST MARY, EX11 1DP
Application No. 18/1585/FUL

Thank you for your letter of 2 January 2019 regarding further information on the above application for planning permission. On the basis of this information, we offer the following advice to assist your authority in determining the application.

Historic England Advice

Historic England commented on planning and listed building consent applications to convert this building into flats in August 2018. A meeting was subsequently held to discuss the concerns raised by both Historic England and the Local Planning Authority.

The revised application seeks to convert The Priory into eight apartments, one less than the previously submitted scheme. The southern rear projection has been reduced by one storey, thereby maintaining a greater understanding of the hierarchy of the building. The other major alterations relate to the fenestration on the north elevation and the internal layout.

As before, Historic England appreciates that the institutional use of this building has resulted in significant loss of historic fabric and considerable alteration internally and therefore we maintain that conversion to residential use, which will involve further significant change is an acceptable proposition.

Internally, the arrangement of new flats has been reconsidered and the revised layout appears to work with the historic layout to a greater degree, particularly in relation to the flats within the main house. In order to achieve this, a new door is to be installed in the arch between the hall and stairs. A detailed design for this has not been submitted to date. The acceptability of the installation of a door in this location will be dependent on the quality of the design and references should be taken from other doors within the building.

The north wing is thought to date from the late 19th century, when the building was used as a school, and is certainly of a more institutional character than the rest of the building. The revised application proposes the replacement of all of the windows with new timber sashes in order to facilitate the internal rearrangements. The new first floor windows are at a slightly lower level than their predecessors. We are pleased to note that dormers are no longer proposed at second floor level.

Our previous comments expressed concern about the proposal to relocate every first floor window within the northern wing and we requested that consideration is given to how the necessary internal arrangements could be achieved without the need for this damaging intervention. This revised proposal seeks to not only alter the first floor windows but also to replace those to the ground floor with sashes of a different design and size. We appreciate that this part of the building dates from the late 19th century and its contribution to the aesthetic and historic value of the property as a whole is significantly more than the early 18th century elements. However, the north wing forms a major part of the development of this site for institutional use and the windows are generally of good quality and in solid condition. We therefore remain concerned about the level of intervention into this part of the site and suggest that a less intensive alteration to the façade should be sought. We appreciate that in order to utilise the second floor, the top of the first floor windows will be lost, but feel that an alternative which retains a greater amount of the 19th century fenestration is possible and should therefore be explored.

Historic England is glad to see that is now proposed to retain the historic external steps within the rear courtyard.

Recommendation

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 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, section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas and section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

Further comments 03.04.2019:

Historic England commented on two earlier iterations of the proposals to convert The Priory into apartments. Our most recent letter set out our concerns about the proposed treatment of the north elevation but accepted that the remainder of the scheme was acceptable in principle, although some additional detail regarding the design of the new door in the main hall was requested.

Additional information has now been submitted which revises the proposals for the alteration of the north elevation. The earlier scheme sought to replace all of the windows whereas the current submission seeks to relocate only the first floor windows to a slightly higher position within the facade. Whilst we regret the significant intervention into the 19th century fabric of this elevation, we accept that alternatives for the remodelling of this wing have been carefully considered and that the option now proposed maintains the character of this part of the building as well as a considerably greater level of fabric. Historic England therefore have no objections to this aspect of the proposals as now submitted.

CONSULTATIONS FOR 18/1586/LBC

Local Consultations

Ottery St Mary Town - Cllr P Faithfull

As above under 18/1585/FUL.

Parish/Town Council

Town Council Comments: The Council does not support this application because '

- 1) It would have an adverse impact on a Conservation Area.
- 2) It would have an adverse impact on adjacent listed buildings and other properties.

3) It is in a very sensitive location - opposite the historic church of St Mary's, Ottery St Mary.

The Town Council supports this application as it is happy with the changes proposed but subject to the Conservation Officer's report

Further comments:

Ottery St Mary Town Council supports this application subject to the Conservation Officer's approval

Technical Consultations

Conservation

ADDRESS: The Priory, Paternoster Row, Ottery St Mary

GRADE: II* APPLICATION NO: 18/1586/LBC & 18/1585/FUL

Amended plans received 9th August 2018:

This application relates to the conversion of a former elderly care home into nine apartments incorporating modifications and extensions to the rear of the building. A meeting was held on site on Friday 20th July with the applicant and Historic England (HE). Following the meeting comments have been received from Historic England which reflect the concerns raised and discussed on site. The comments set out below re-iterate those concerns and should be read in conjunction with those from HE:

Heritage Statement: a more detailed assessment is required, see comments in HE letter. Particular attention should be given to the historical development of the building, and in turn their significance. In addition, more consideration of its historic context and the relationship to the surrounding Ottery St Mary Conservation Area;

Justification: in association with the above, insufficient justification for the proposals has been provided, see HE letter;

West elevation: no changes envisaged, but note that 'existing fabric to be refurbished to match existing where practicable'. This does not provide sufficient information or detail of the repairs and refurbishment works and a full Schedule of Repairs/works is required to ensure that historic fabric is retained and works carried out in an appropriate manner;

North elevation: it is appreciated that the existing situation relating to floor levels, ceiling, windows etc is awkward. However, there is a major concern relating to lowering the first floor windows in order to accommodate the second floor and this part of the scheme needs considerable revision to work within the constraints of the existing building;

East elevation: the current arrangement shows a hierarchy of development and whilst it is appreciated that the lean-to infill is in poor condition and its removal allows access to the internal courtyard which is welcomed, the introduction of the three storey element is unacceptable and detracts from the overall character and appearance of

the listed building and any sense of its former development. The more informal grouping and hierarchy of development has been replaced with a uniform and regular form of architecture with the introduction of top heavy Juliet balconies at odds with the fenestration and proportions of the existing building;

South elevation: the 'Existing' Plan is incomplete, please provide full survey of this elevation. There is considerable concern over the extent of the development and in particular the scale, massing and height of the proposed extensions. This will significantly alter the prominence of the main house and its relationship with the adjoining buildings and structures. This does not appear to accord with the assessment of the Impact of the Development as detailed in section 4.2 of the Heritage Statement;

Elevations to courtyard: there do not appear to be any internal elevations (existing & proposed) to the courtyard, please supply;

Internal Layout: there is a general concern that there are too many units overall within the scheme and that further consideration should be given to working within the existing arrangement and constraints of the original layouts. It is appreciated that many of the original features have been lost but this is an opportunity to reveal and enhance those historic features that remain and to restore the building in a sympathetic manner. There is no objection in principle to a residential use, but this must not be to the detriment of the overall character and appearance of this important Grade II* listed building:

Ground floor: Unit 1 - this comprises two of the original main rooms on the ground floor and the introduction of partitions to create a kitchen, WC and staircase in the rear room (living room) result in unacceptable division. In addition, there is no assessment of the existing floors (historic or otherwise) and whilst it is noted that there has been some previous structural intervention, there is also no justification for breaking through the floors to insert a new staircase. This needs further consideration. This also applies to Unit 2.

Unit 2 - this includes the original cells to be converted to bedrooms and ensuite with some outdoor space. A revised Heritage Statement will allow better assessment and justification for the works. The flagstone floors and brick arches to the cells are a particular feature. Is additional light by sunpipe? Please clarify.

Hallway to Units 1 & 2 - where doorways are to be blocked, details of how this is to be achieved whilst retaining any historic joinery will be required;

First Floor: see floors/staircase above. Concerns over the extent of new build elements, see above. Both the rear wings may need further consideration in relation to accommodation, layout and floor/ceilings, see comments relating to elevations above;

Second Floor: see floors/staircase above. Concerns over the extent of new build elements, see above. Both the rear wings may need further consideration in relation to accommodation, layout and floor/ceilings, see comments relating to elevations above. Units 8 & 9 have French doors with Juliette balconies, see East elevation above. These will look directly into dwellings to east;

Fenestration/Glazing: see comments by HE regarding the use of double glazing. As suggested a comprehensive Window Schedule is requested and this should include not only the existing age, condition etc but any necessary repairs and or proposed glazing treatment. Secondary glazing may be an alternative to double glazing where the retention of historic joinery and glass is required;

Parking: there is no objection in principle to the removal of the open fronted garage/carport at the rear of the property. However, it was noted on site that there is a set of stone steps in the rear corner of the site which must have led up to the higher ground, possibly when it was Kings School. These are shown on the historic OS map dating from 1889/1912 attached and should form part of any assessment of the site. It was also noted that there are 2no. windows, one blocked, which look out over these steps and would be revealed once the garage/carport is removed. As suggested on site it would be more appropriate to include the steps in any revisions to the scheme.

PROVISIONAL RECOMMENDATION - PROPOSAL UNACCEPTABLE

The application requires considerable additional information and amendment.

Further comments amended plans received 2nd January 2019:

Heritage Statement & Justification: a more detailed Statement has now been provided dated September 2018 by Nils White and a supplementary heritage Impact assessment dated 26th November 2018. This is a vast improvement on the original submission and has enable a better understanding and appreciation of the building itself and the current/ revised proposals;

West elevation: no changes envisaged, but note that 'existing fabric to be refurbished to match existing where practicable'. This still does not provide sufficient information or detail of the repairs and refurbishment works and a full Schedule of Repairs/works is required to ensure that historic fabric is retained and works carried out in an appropriate manner. However, it is considered that this could be conditioned;

North elevation: it is still appreciated that the existing situation relating to floor levels, ceiling, windows etc is awkward and it is noted that the dormers have been removed and rooflights inserted as an alternative. However, the revised plans now include the re-positioning of both the ground and first floor windows resulting in an uncomfortable elevational treatment with a large proportion of brickwork above the first floor window. Whilst this elevation is seen mostly from oblique views, the strong line of windows, their proportions and their relationship to the solid brickwork aswell as the relationship to the more significant front part of the building is still significant. It is considered that there is a better solution to this part of the project which needs to be explored further;

East elevation: this is a far better design solution and retains the hierarchy of buildings currently experienced at the rear of the building and now allowing views into the courtyard. The Juliet balconies have been removed and a more traditional timber sash inserted at second floor;

South elevation: again, this is certainly an improvement on the previous proposal for this elevation and the hierarchy still apparent. The 'Existing' Plan is now complete;

Elevations to courtyard: internal elevations (existing & proposed) to the courtyard, now supplied. Removal of the large flue welcomed. Revisions to windows noted, but will require details, see below;

Internal Layout: as previously suggested, there is no objection in principle to a residential use, but this must not be to the detriment of the overall character and appearance of this important Grade II* listed building. The loss of 1no. unit is noted:

Basement: no change to original proposals;

Ground floor: Unit 1 & 2 have been revised to accommodate Unit 1 at ground floor and Unit 2 in north block. I would re-iterate the comments by NW in the impact assessment and agree that there is a dilemma in terms of harm relating to the changes. This may need further discussion, but the loss of the internal staircases to first floor is certainly welcomed. Unit 3 now includes the cell block and the sunpipes are noted;

First Floor: now Unit 4 & part 6. Still concerns relating to north block, see above;

Second Floor: now Unit 7 and access to Unit 8 via dormer. Still concerns relating to north block, see above;

Roof plan: rooflights and sunpipes noted, but discussion still required relating to north wing;

Fenestration/Glazing: a comprehensive Window Schedule has now been provided, but whilst it includes age, condition etc and any necessary repairs, it is not clear which windows are to be replaced, but likely to be WS1, 2 & 3 and hopefully WS6 & 7 (upvc). These could be the subject of a condition requesting joinery details at 1:2/1:5. In addition, the current scheme omits the windows on the north elevation and some on the east and south elevation and if permitted any new windows will need to be conditioned as above.

As previously suggested, secondary glazing may be an alternative to double glazing where the retention of historic joinery and glass is required, but there are no details of this shown on any drawing;

Parking: the set of stone steps in the rear corner of the site which must have led up to the higher ground, possibly when it was Kings School. Is to be retained in the revisions to the scheme and this is welcomed;

Conclusion: the amended plans are certainly an improvement and have taken on board many of the concern and comments. However, there is still considerable concern relating to the north block and the reconfiguration of the floors, fenestration etc. Further discussion and amendment required.

PROVISIONAL RECOMMENDATION - PROPOSAL

ACCEPTABLE in principle, but still concerns relating to north block in particular, internal layout - Unit 1, windows etc, see above

Further comments on amended plans received 7th March 2019:

The comments below relate to the current amendments to address the concerns relating, in particular, to the north elevation:

Ground floor (PL03 Rev C): I am not entirely clear how this has changed from the previous plan PL03 Rev B. However, the layout is certainly preferable to the introduction of internal staircases and providing that the new internal access door to Unit 1 is appropriately and sensitively designed, the alteration to the layout is considered to be less than substantial harm where changes to the layout and internal spaces have already been carried out in the past;

First Floor: now Unit 4 & part 6. See comments relating to north block;

Second Floor: now Unit 7 and access to Unit 8 via dormer. See comments relating to north block;

North elevation: this is certainly an improvement and it is noted that the ground floor window positions have been retained and this is welcomed. However, it is noted that the detailing of the window will change to conceal the floor zone, but this could form part of any joinery condition. In addition, the cornice detail certainly improves the proportions of the overall elevation and its simple design set back from the principal elevation is considered to be an acceptable solution, subject to full details. There is no objection to the rooflights, subject to details (condition). The main concern still relates to the first floor windows, which in conjunction with the other changes is an improvement, but still results in the awkward proportion between the head of the first floor windows and the proposed cornice;

South elevation; East elevation; Elevations to courtyard: the amendment to the cornice is noted, see above. Care will need to be taken where the cornice ends on courtyard elevation

Roof plan: no further comments.

Conclusion: the amended plans are certainly an improvement and have taken on board many of the concern and comments. In addition, the changes to the north block have made a considerable difference to how this elevation is perceived. No formal comments have been received from Historic England and it would be useful to discuss this final element of the scheme.

Other Representations

6 objection comments have been received with concerns over the following:

- Loss of amenity through overlooking from windows and parked cars
- Loss of light due to proposed extension.
- Lack of parking
- Danger for road users entering and exiting the site.

- The development is unsympathetic in design. Particular concerns relate to the previously proposed dormer windows.
- Ecological impacts on roosting bats
- Impact of noise during construction.

POLICIES

Adopted East Devon Local Plan 2013-2031 Policies

D1 (Design and Local Distinctiveness)

EN8 (Significance of Heritage Assets and their setting)

EN9 (Development Affecting a Designated Heritage Asset)

EN10 (Conservation Areas)

TC2 (Accessibility of New Development)

TC9 (Parking Provision in New Development)

H3 – (Conversion of Existing Dwellings and Other Buildings to Flats)

Strategy 6 (Development within Built-up Area Boundaries)

Strategy 34 (District Wide Affordable Housing Provision Targets)

Government Planning Documents

NPPF (National Planning Policy Framework 2019)

Ottery St Mary and West Hill Neighbourhood Plan

Policy NP2 (Sensitive, High Quality Design)

Policy NP22 (Ottery St Mary Conservation Area)

Site Location and Description

The Priory is a Georgian style building built in 1719. The build has a red brick facade, lead sided dormer windows and timber sash windows. More recent uses of the building include its use as an independent school towards the end of the 19th Century. Following the First World War the property was used by the Ottery St Mary branch of the Royal British Legion and then as a Police Station and Court House between the years 1949 to 1974. A planning application was then approved for the change of use of the property to a care home. Since then the build has undergone significant alterations including large rear extensions, rebuilding of the rear garage and other development catered towards the needs of residents.

The Grade II* Listed property has historic significance and considered a prominent feature in the streetscene of Paternoster Row and sits opposite St Mary's Church. The building is particularly visible from the Church and plays an important role in the historic setting of the cluster of 18th century buildings in this part of Pasternoster Road and the Ottery St Mary Conservation Area. The symmetrical facade, flemish bond brickwork and cornice are considered defining characteristics of the build. Important interior features include the staircase, fireplace, doorway, vaulted ceilings and slate flagged floors. However it has been highlighted within the heritage appraisal and from the Conservation Officer that internal historic features such as doors, panelling, skirting and cornice of the original house have all been lost.

The Proposal

The current planning and listed building consent applications seek approval to convert The Priory from its use as an elderly care home to 8 apartments. The development would include quite significant internal alterations and a schedule of external alterations to the rear wings, in particular the north elevation. Parking would be provided to the rear as existing. Main issues with the application revolve around the principle of development and the impact the physical alterations will have upon the character of the Grade II* listed building and the wider Ottery St Mary Conservation Area. Additionally the developments impact upon the local highway network and neighbouring amenity will also need to be assessed. Policy within the East Devon Local Plan (LP), National Planning Policy Framework and Ottery St Mary and West Hill Neighbourhood Plan (NP) will need to be considered.

ANALYSIS

The main issues for consideration relate to the principle of development, impact upon heritage assets, affordable housing, highway safety, residential amenity and ecology.

Principle

As the site is located within the Built-up Boundary for Ottery St. Mary, residential use is considered to be acceptable. There are no specific local plan policies that resist the loss of care homes in Ottery St. Mary.

Impact upon the Character of the Heritage Asset and Wider Conservation Area

The Priory was originally built as a house in the late 18th Century and has since undergone a succession of institutional uses over the past 120 years. Conversion of the buildings to apartments shall require sub-division and therefore alterations to the existing internal arrangement.

Policy EN9 (Development Affecting a Designated Heritage Asset) of the East Devon Local Plan outlines the Councils position in assessing harm to heritage assets within the planning balance. The council will not grant permission for development 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. Alternatively 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. Physical alterations shall be considered and assessed as to whether they amount to substantial or less than substantial harm. In particular consideration will need to be given to the impact of alterations to the original building.

Internally, the most significant alterations include blocking off the hallway and landing doors at ground floor level to provide private access to Unit 1. Other alterations include the removal of internal partitions, none of which are of historical significance although give an insight into changes into the internal layout and internal spaces have already been carried out. The erection of partitions with Unit 1 are considered minor. As are the internal alterations at first and second floor as these shall only impact 20th century fabric. The Conservation Officer has reviewed the proposals and considered that these alterations amount to less than substantial harm providing that the new internal access to Unit 1 is sensitively designed. This information can be secured through a condition attached to an approval of the accompanying Listed Building Consent.

The changes would result in permanent change to the circulation within the building. Currently all existing openings have been fitted with modern fire doors, the submitted heritage appraisal states that these will be replaced with traditional six-panel doors and therefore can be considered an enhancement in terms of appearance. Again these details can be sought after through conditioning of any subsequent granting of Listed Building Consent. Less significant alterations, within the original building, include the removal of the existing first floor staircases that adjoin room 6 and 9. A new staircase would be installed at first floor to provide access to Unit 7 and Unit 8. The loss of these staircases, which are modern additions, are not considered to be of any historical importance. Alterations have also been proposed to the internal layout of the rear wings, none of which are considered significant or would have a significant impact upon the character of the listed building. However a new second floor shall be installed and lowered on the northern wing to provide sufficient roof space for Unit 8. In terms of alterations to internal fabric, the alteration is considered to result in little harm, however the adjustment to the floor level will require alterations to the fenestration on the north elevation that would have an impact upon the buildings character. The significance of this will be discussed further on in the report.

External alterations include the first floor extension on the southern rear wing to provide capacity for Unit 6. The extension would effectively see a continuation of the existing rear wing albeit being marginally 'pinched in' and the ridge stepped down. The south elevation of the first floor would be finished in vertical hanging slate. Additional openings and a dormer would be installed on the rear wing East Elevation. As a result of the floor level change at second floor, the first floor windows are required to be lowered. There are concerns regarding the relationship of the amended first floor window level with the cornice. It is considered, since the original proposal, the introduction of the cornice detailing has improved the proportions of the overall elevation and its simple design and being set back from the principle elevation is considered acceptable. The alterations to the window level and rooflights along the north elevation are located on the modern rear wing extension considered of less architectural importance when compared to the principal building. Additionally this particular part of the North Elevation is only visible to the public from oblique views along Paternoster Row. Historic England have been consulted and have stated;

'The earlier scheme sought to replace all of the windows whereas the current submission seeks to relocate only the first floor windows to a slightly higher position within the facade. Whilst we regret the significant intervention into the 19th century fabric of this elevation, we accept that alternatives for the remodelling of this wing have been carefully considered and that the option now proposed maintains the character of this part of the building as well as a considerably greater level of fabric. Historic England therefore have no objections to this aspect of the proposals as now submitted.'

In conclusion, whilst outstanding concerns from the local ward member are acknowledged, the proposed alterations are supported by the Conservation Officer and Historic England and considered to result in less than substantial harm to the significance of the designated heritage asset.

The National Planning Policy Framework states that where development proposals lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. In this case it is considered that the residential use and proposed works have sought to make minimal changes to the external appearance of the original building and therefore retaining the heritage assets social importance, aesthetic merit and contribution to the group value of St Marys Church and adjoining terrace of Paternoster Row. Therefore it is considered that the optimum use is residential and that the proposed development would facilitate the long term conservation of a Grade II* listed building and its active role within the townscape. The application is therefore considered to be in compliance with Policy EN9 (Development Affecting a Designated Heritage Asset) of the East Devon Local Plan and Policy NP22 (Ottery St Mary Conservation Area) and Policy NP2 (Sensitive, High Quality Design) of the Ottery St Mary and West Hill Neighbourhood Plan and guidance set out within the National Planning Policy Framework.

Affordable Housing

Strategy 34 (District Wide Affordable Housing Provision Targets) of the LP requires affordable housing to be provided on all residential development. Planning Policy Guidance and National Planning Policy Framework set minimum thresholds where affordable housing can be sought. This states that the provision of affordable housing should not be sought for residential developments that are not major, other than in designated rural areas. In designated rural areas, East Devon District Council applies the threshold of 5 units or fewer. In this case Ottery St Mary is classed as a rural area, and therefore usually a financial contribution would be sought for a development of 8 units. However the application does not propose any additional floorspace and is considered a brownfield site.

Where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. Affordable housing contributions may be required for any increase in floorspace. New floor space would be created by converting the roof space of the northern wing to Unit 8 and the first floor extension to provide bedroom space for Unit 6. This new floorspace

amounts (99.25m²) which would be offset by the removal of the two garages and demolition of the ground floor 'linking element' between the rear wings (122m²).

The PPG also states that "the policy is intended to incentivise brownfield development, including the reuse or redevelopment of empty and redundant buildings. In considering how the vacant building credit should apply to a particular development, local planning authorities should have regard to the intention of national policy. In doing so, it may be appropriate for authorities to consider:

- Whether the building has been made vacant for the sole purposes of re-development.
- Whether the building is covered by an extant or recently expired planning permission for the same or substantially the same development.

Neither of the above are considered to apply vacant Building Credit is therefore considered to apply thus no financial contribution is required.

Parking and Highways

The proposed development would utilise the existing access off the B3174 and parking facilities to the rear of the building. Whilst it is acknowledged that visibility is slightly limited to the northeast, visibility to the southwest is acceptable. The Devon County Highways have not raised any concerns with the access and feel the proposed conversion could likely result in less traffic movements to and from the site. Therefore despite the issue of visibility in one direction objections have not been raised with regards to highway safety.

The application proposed 8 parking spaces for the 8 proposed apartments. Policy TC9 (Parking Provision in New Development) states that spaces will need to be provided for Parking of cars and bicycles in new development. The policy recommends that at least 1 parking space should be provided for one bedroom homes and 2 parking spaces per home with two or more bedrooms. 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 is also very good public transport links, car parking spaces may not be deemed necessary. The proposed conversion includes seven units with two bedrooms and one unit with three bedrooms. Whilst comments from the Local Ward Member are acknowledged with concerns over the level of parking proposed is acknowledged. In this case the provision of one parking space is deemed acceptable taking into consideration The Priory's town centre location and Paternoster Road having a bus stop. Therefore the application is considered to comply with Policy TC9 and TC2 (Accessibility of New Development) of the LP.

Impact on Neighbouring Amenity

Policy D1 (Design and Local Distinctiveness) of the LP and Policy NP2 (Sensitive, High Quality Design) of the NP seek to ensure the development should be of high quality design and have regard to the local context. In particular a theme reiterated in both policies is to ensure development protects the amenity of adjoining neighbours. In this case the development is situated within a dense residential area of Ottery St Mary and therefore could potentially pose a risk to residential amenity through

overlooking of new openings or through overbearing impact. Currently existing windows at first floor level along the south elevation already partially overlooks the rear amenity space of the adjoining property of 8 Paternoster Road. Concerns have been raised by third parties of overlooking and dominance of the rear first floor extension over their rear amenity space. These concerns were shared initially by the Local Planning Authority due to the impact of overlooking from a Juliet balcony and overbearing impact of the extension along the southern boundary. After these concerns were expressed to the applicant revisions were made to reducing the height, pinching in the extension, removing a Juliet balcony and incorporating hanging slate. The amendments have reduced the scale, bulk and expanse of brick along the southern boundary. These alterations are now considered to communicate a scheme that retains neighbouring amenity and therefore considered to be in compliance with Policy D1 of the LP and NP2 of the NP.

Habitats Regulation Assessment and Appropriate Assessment

The nature of this application and its location close to the Pebblebed Heaths and its European Habitat designations is such that the proposal requires a Habitat Regulations Assessment. This section of the report forms the Appropriate Assessment required as a result of the Habitat Regulations Assessment and Likely Significant Effects from the proposal. In partnership with Natural England, the council and its neighbouring authorities of Exeter City Council and Teignbridge District Council have determined that housing and tourist accommodation developments in their areas will in-combination have a detrimental impact on the Exe Estuary and Pebblebed Heaths through impacts from recreational use. The impacts are highest from developments within 10 kilometres of these designations. It is therefore essential that mitigation is secured to make such developments permissible. This mitigation is secured via a combination of funding secured via the Community Infrastructure Levy and contributions collected from residential developments within 10km of the designations. This development will be CIL liable and the financial contribution has been secured. On this basis, and as the joint authorities are working in partnership to deliver the required mitigation in accordance with the South-East Devon European Site Mitigation Strategy, this proposal will not give rise to likely significant effects.

CONCLUSION

The application has received support from the Town Council, however there is an outstanding objection from a local ward member. Concerns have been expressed with regards to awarding planning permission for the financial benefit of the developer. This is not considered a material planning issue and has not been taken into consideration within the planning balance. In this case the development has been assessed primarily with regards to the impact upon the significance of the heritage asset, the wider visual impact upon the conservation area, impact upon neighbouring amenity, affordable housing contributions, parking and highways. Therefore as discussed above, the application is considered to adequately address these issues in line with Policy of the East Devon Local Plan and Neighbourhood Plan. There are also outstanding concerns with regards to the removal of fire Perspex lining in the existing kitchen. Whilst the Councillor's comments are acknowledged, the issue of fire safety is not deemed a planning consideration and will be an issue addressed by Building Control during the developments implementation.

Additionally the local ward member does not consider the most recent revisions to the application to go far enough in protecting or restoring the historic parts of the building. The concerns of the ward member are acknowledged. Along the timeline of the application there has been in depth discussions between Historic England and the Local Planning Authority, including the Conservation Officer with regards to the internal and external alterations. It is agreed that at submission the proposed works amounted to substantial harm to the significance of the heritage asset and therefore unacceptable. However now it is considered that the applications propose a schedule of internal and external alterations to The Priory that would amount to less than substantial harm. With reference to Policy EN9 and guidance within the National Planning Policy Framework this harm is required to be weighed against the public benefits of the proposal, including securing its optimal viable use. In this case, taking into consideration the buildings institutional past, residential use is deemed an appropriate viable use that would facilitate the long term maintenance and conservation of the heritage asset. Enabling the property to continue its active role within the immediate townscape is to the benefit of the public and wider conservation area. The planning application and Listed Building Consent has therefore received support from Historic England and the Conservation Officer, subject to conditions.

Initial concerns to the planning application were raised with regard to the rear extensions impact upon the amenity of an adjoining neighbour. Revisions were made to reduce the scale, bulk and materials of the rear extension to break the expanse of brick up providing an elevation that is less dominant upon the rear amenity space of 8 Paternoster Row. Number 8's garden is long and narrow and whilst it is appreciated there would still be a degree of harm due to the physical presence of the extension along the southern boundary, this is not considered harmful enough to warrant refusal.

Various third party objections have been raised with concerns over highway safety. Whilst it is appreciated that visibility north east of the site is limited upon exiting the site, the safety record of the access suggest that the access is not dangerous. The application proposes 8 parking spaces, one for each unit. Taking into consideration the sites proximity to local public transport links and Ottery St Mary Town Centre the proposed level of parking is acceptable.

In the planning balance the application is concluded to propose a viable use of the building whilst largely retaining the heritage assets aesthetic and group value. Whilst alterations to the north elevation and some of those internally shall result in less than substantial harm to The Priory's significance, this is considered to be outweighed by securing the building viable use and long term conservation. The application is considered to comply with policy set out within the National Planning Policy Framework, The East Devon Local Plan and The Ottery St Mary and West Hill Neighbourhood Plan.

RECOMMENDATION 1 PLANNING APPLICATION 18/1585/FUL:

1. That the Habitat Regulations Appropriate Assessment within the report be adopted;

2. That the application be APPROVED subject to conditions::

1. 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.)
2. 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).
3. Before development is commenced, a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external walls and roofs of the proposed development shall be 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 in accordance with Policy D1 - Design and Local Distinctiveness and Policy EN9 - Development Affecting a Designated Heritage Asset of the Adopted East Devon Local Plan 2013-2031 and Policy NP2 - Sensitive, High Quality Design of the Ottery St Mary and West Hill Neighbourhood Plan.)
4. No development shall take place (including site clearance and ground works) until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall include details of:
 - (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 Local 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 site preparation and construction phases;
 - (g) areas 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;
 - (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; and
 - (n) Photographic evidence of the condition of adjacent public highway prior to commencement of any work.
- (Reason - In the interests of amenity and highway safety in accordance with policies D1 (Design and Local Distinctiveness) and TC7 (Adequacy of Road Network and Site Access) of the East Devon Local Plan 2013-2031.)

NOTE FOR APPLICANT

Informative:

In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 in determining this application, East Devon District Council has worked positively with the applicant to ensure that all relevant listed building concerns have been appropriately resolved.

Informative:

Plans relating to this application:

PL03 Rev C	Combined Plans	07.03.19
PL04 Rev C	Combined Plans	07.03.19
PL05 Rev C	Combined Plans	07.03.19
PL06 Rev E	Combined Plans	07.03.19
PL07 Rev C	Combined Plans	07.03.19
PL08 Rev A	Combined Plans	07.03.19
PL01	Location Plan	06.07.18

RECOMMENDATION 2 LISTED BUILDING CONSENT 18/1586/LBC:

APPROVE subject to the following conditions:

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

(Reason - To safeguard the architectural and historic character of the building in accordance with Policy EN9 - Development Affecting a Designated Heritage Asset of the Adopted East Devon Local Plan 2013-2031.)
4. All external works of alterations in the existing fabric of the building shall be carried out in matching stonework or brickwork, as appropriate. The works shall be carried out and in full in accordance with the approved sample and specification.

(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.)
5. The rooflights indicated on the approved plans shall be of a conservation design with integral bar and 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 these 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.)
6. The new sash windows hereby permitted shall be traditionally constructed double hung sashes in painted timber, the colour of which shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing. Details of the glazing bars at a scale of 1:2/1:5 shall be submitted to and approved in writing by the Local Planning Authority prior to work commencing. These glazing bar details shall show traditional profiles appropriate to the building and shall not be greater than 22mm in width and the glass shall be fixed using putty, not beading.

(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.)
7. Details of the new rainwater goods and cornice including profiles, materials and finishes shall be submitted to and approved in writing by the Local Planning

Authority prior to the commencement of these 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.)

8. Any damage caused by or during the course of the carrying out of the works hereby permitted shall be made good in matching materials after the works are complete.

(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.)

9. Details of the new internal access door to Unit 1, annotated on Plan 1332/PL03 Rev C, including materials, joinery details and finishes shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of these 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.)

NOTE FOR APPLICANT

Informative:

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PL07 Rev C	Combined Plans	07.03.19
PL08 Rev A	Combined Plans	07.03.19
PL01	Location Plan	06.07.18