

ITEM NO. 5**COMMITTEE DATE:** 26/06/2017**APPLICATION NO:** 17/0504/03
APPLICATION NO: 17/0505/07FULL PLANNING PERMISSION
LISTED BUILDING CONSENT**APPLICANT:** Mr Joy
PROPOSAL: Conversion of former mortuary building to provide 1 bed dwelling house.
LOCATION: Mortuary Buildings (East) , North Grange, Clyst Heath, Exeter, EX2
REGISTRATION DATE: 12/06/2017
EXPIRY DATE: 07/08/2017**HISTORY OF SITE**

There are no formal planning applications or decisions associated with the application site.

DESCRIPTION OF SITE/PROPOSAL**Site**

- The (East) Mortuary Building of Clyst Heath was originally constructed to function as part of the former Exeter City Asylum (or Digby Hospital), which opened in 1886.
- A second very similar mortuary building exists within the grounds of the former Digby Hospital, defined as the (West) Mortuary Building, which is located approximately 180m south-west of the corresponding structure.
- In 1987 the Digby Hospital closed down and in subsequent years it was converted into residential accommodation, largely in the form of flats in the North and South Grange blocks and the majority of previously greenfield land surrounding the site now accommodates substantial residential development to the North, East and South of Clyst Heath. A retail park and sub-regional supermarket (Tesco) lie to the west of the site in addition to associated highway infrastructure, open space and landscaping.
- A significant area of land south of the A379 is now subject to further large scale retail (Ikea) and residential development (Newcourt Urban Extension).
- Notwithstanding the relatively recent development surrounding the former Digby Hospital, the listed buildings still retain much of their period features and original character as their overall external appearance has not been significantly altered through residential conversion.
- The (East) Mortuary Building itself is surrounded by an open green landscaped area and a small group of trees cluster around its northern and eastern elevations, a large communal bin store is located 5m south of the mortuary building shell and several garages serving existing apartments extend 2-26m west of the application site.
- The mortuary building is a red brick structure with timber framed windows (which are currently boarded up in absence of window panes), a single-glazed roof lantern, natural slate roof and black cast iron rainwater goods.
- The mortuary building has been vacant/unused for several years.
- The open landscaped grounds which encapsulate the application site are currently under separate freehold ownership and management.

Proposal

- The total proposed site area, including associated outdoor amenity space, is approximately 32 sqm (D = 8.6m x W = 3.7m).
- The outdoor amenity space proposed would provide 6.66 sqm (D = 1.8m x W = 3.7m) - this measurement includes the proposed brick built dual bin storage of 1.2 sqm and the front garden would not feature any form of enclosure.

- Major physical alterations as proposed comprise removing the entrance steps and replacing the timber external door with a powder-coated aluminium unit with glazing above to the front elevation, reducing the internal ground floor level, enlarging the 2 no. rear window openings and inserting a mezzanine first floor.
- The proposed floor heights in relation to ground level outside are -0.8m (ground floor) and 1.6m (first floor).
- Respective ceiling heights would be 2.2m (entirety of ground floor) and between 1.9m (measured at eaves) - 3.8 (measured at roof lantern).
- The gross internal floor area proposed, including all storage, the staircase, WC facilities and the additional first floor is 36 sqm in area size.
- A new footpath across the open grounds is put forward in dwg. no. 1616_P02 in order to access the proposed new dwelling - this proposal is based on land falling entirely outside of the application site in question and so would need to be subject to a separate change of use application - accordingly, it will not be used in determining this planning application.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

Design and Access Statement.

Heritage Statement.

Photographs of the mortuary building interior.

Market research (sales particulars of nearby residential property, examples of rental office accommodation in Exeter and 2 emails from estate agents regarding their opinion of the mortuary building and its redevelopment potential).

CIL Additional Information Form.

REPRESENTATIONS

The following representations have been received -

5 objections (raising the following issues):

Inappropriate alterations to a listed building/heritage asset

Adverse impact on parking and traffic

Impact on property prices

Concern around precedence

Unauthorised use of visitor parking, communal land and facilities

Noise and disruption during construction

CONSULTATIONS

Devon County Council Highways Department:

The proposed development and its associated travel and accessibility issues were discussed in person with a highways officer from the local Highway Authority. The officer stated that the proposed development to provide a small individual dwelling house (to accommodate 1-2 persons) in this location is not considered problematic in terms of the increased demand and impact upon transport infrastructure and services in the local area or in terms of the capacity of the immediate public road network to provide unallocated parking.

Exeter City Council Heritage:

Background

This structure is one of a pair of mortuaries – one for females and one for males – built at the extremities of the hospital complex in the 1880s. Although no longer physically connected to the main hospital buildings and not specified in the list descriptions covering the principal buildings, it is listed by virtue of falling within the curtilage of the listed hospital buildings, in that it was a) present by 1948 and b) functionally and historically part of the hospital complex, as the last port of call for at least some of its inmates.

At some point it was converted into a workshop for tile making, before the closure of the hospital, probably at about the same time as the extension of the other mortuary, presumably to cater for both genders.

Therefore it is a Listed Building and a designated heritage asset under the NPPF and, as such paras 129, 131, 132, 134 apply together with the underlying guidance in the PPG, on the definition of public benefit for example. Policy C2 of the saved local plan applies also.

It is principally therefore a matter of assessing the remaining significance of the building, the degree of harm to this that the current proposals would cause, whether this harm is outweighed by the public benefits of the proposal, and whether it has been demonstrated sufficiently that there is not another viable use that would not lead to such a degree of harm.

Description of significance

The former mortuary is a single cell brick building, with original dressed stone details, raised lantern light, slate roof and rainwater goods. It has a large timber door, which is of a form compatible with the L19C but could also be a later replacement. It is approached by a flight of steps (top one appears to be stone, with either cement ones or cement rendered brick ones below) flanked by a dwarf brick wall, and retained multi paned timber windows, and also a chimney breast in the interior. It is unclear whether the cast iron fireplace mentioned in the 1996 report still survives, though part of it seems to be visible on one of the internal photographs. Whilst no internal fittings and features relating to the original mortuary use (except perhaps for the fireplace, which appears integral to the original structure) survive, the ceiling lantern (a deliberate design feature to maximise the amount of natural light down on to the mortuary table placed directly below) does, and the plan form and outward appearance of the building is typical of its date and original function.

Around the outside, although its setting has been encroached upon by the nearby bin store and garages, the setting of the main north and east elevations remain largely unencumbered.

In terms of significance, as defined by the NPPF, it retains in my view no archaeological interest and very little artistic interest, unlike the other mortuary that still retains original stained glass windows and patterned tile floor. Given though its strong functional link with the former hospital, and to the people who lived and worked (and died) there, it does retain a relatively high historic interest and communal value. Its highest value is in terms of its architectural interest, as it retains its original structure and appearance, including window and door openings, fabric, roofing, architectural details and rainwater goods, and steps, roof lantern and probably the internal fireplace. Externally it is completely unaltered, though it is arguably unclear as to whether the windows and door have been replaced at some point, but even if they have it has been during the use of the building as part of the hospital, and not particularly recently. Also it has no subsequent extensions built on to it, and survives in its original external form, notwithstanding the historic removal of the internal mortuary fittings, and can still be read for what it was within its setting.

It therefore retains a high architectural interest, a medium historic one, and a low to non-existent artistic and archaeological one.

Impact of the proposals

In terms of the impact of the proposals on the significance and special historic and architectural interest of the building, these can be summarised as:

- a) Removal of the steps and of the door, and the heightening of the latter and installation of a powdered aluminium replacement door
- b) Addition of a bin store on to the front of the main northern elevation
- c) Enlargement / heightening of the two southern windows
- d) Removal of the internal fireplace and chimney breast

The refurbishment / part like for like replacement of the present multi paned timber windows is noted, but it is unclear as to what works are proposed to the distinctive lantern roof light.

The principal impacts, related directly to the residential conversion proposal and the need to have two floors to achieve that, are the removal of the front steps and the lowering /enlargement of the two windows and the doorway. Others, including the demolition of the chimney breast, the replacement of the timber door with an aluminium one and the treatment of the lantern light, could either be removed from the proposals or changed by negotiation (i.e. keep the fireplace and chimney breast and either retain or have a new timber door – consistent with the windows – instead of the aluminium one), or controlled by condition (detail of refurb/treatment of the lantern light). It should also be possible to site a new bin store in a less intrusive location, around the rear somewhere, or possibly negotiate a shared use of the existing communal bin store. However, the principal impacts and harm, represented by the enlarged windows and doorway, and removal of the steps, probably cannot be removed from the proposals.

Conclusions - Harm vs public benefit

In my view the principal harm of the proposals will be to the architectural interest of what is essentially an unaltered and un-extended purpose built late 19C mortuary building, notwithstanding the previous removal of most internal features relating to or contemporary with its original purpose and construction, with the exception of the internal chimney breast and lantern light. Although this level of harm cannot probably be defined as substantial, in that most of the structure will still remain and be repaired etc, it is still harm that has to be weighed (NPPF para 134) against any public benefits of the proposal, including securing its optimum viable use.

For this harm to be acceptable it has to be demonstrated beyond reasonable doubt that the proposed use is the only or optimum viable one available that will secure the future of the building and thus balance the harm caused to its architectural significance in particular by converting and altering the building in the manner proposed.

Currently, given the active consideration of the conversion of the other mortuary to office use, and the increasing fluidity and locational flexibility afforded by IT developments, broadband etc and the potential for home / studio working etc, I do not feel that the proposed residential use is the only or optimum viable one, in terms of balancing the level of harm that would be caused to the significance and special interest of the listed building by the works necessary to achieve it. The PPG also notes that “Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. Public benefits may include heritage benefits, such as: sustaining or enhancing the significance of a heritage asset and the contribution of its setting. “

The current proposals do not conserve or enhance the significance of this particular heritage asset, due to the amount of alteration involved, and this harm has not been clearly and convincingly justified (NPPF para 132) or shown to be outweighed sufficiently by the degree of public benefit that would arise from the creation of a small single dwelling. Therefore the current proposal should be refused because it does not:

- 1) meet the duty under S66(1) of the 1990 Planning (Listed Buildings and Conservation Areas) Act to “have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”,
- 2) comply with saved local plan first review policy C2,
- 3) comply with core planning principle No. 10 in the NPPF (section 17), and
- 4) meet the test in para 143 of the NPPF with regard to the balance between harm and public benefit.

Exeter City Council Environmental Health:

The Environmental Health Department recommend that if the application is approved a condition to restrict the hours of demolition and construction should be attached to the consent in order to protect neighbouring residential amenity.

PLANNING POLICIES/POLICY GUIDANCE

National Planning Policy Framework (2012)

Technical Housing Standards - nationally described space standard (2015)

Exeter Local Development Framework Core Strategy (2012)

CP15 - Sustainable design and construction

CP17 - Design and local distinctiveness

Exeter Local Plan First Review 1995-2011 (2005)

C2 - Listed buildings

T2 - Accessibility criteria

T10 - Car parking standards

DG1 - Objectives of urban design

DG4 - Residential layout and amenity

Exeter City Council Development Delivery DPD (2015)

Exeter City Council Residential Design Supplementary Planning Document (2010)

OBSERVATIONS

Assessment of Alternative Uses (other than residential)

Whilst pre-application advice offered to the applicant has spanned over several years. In the most recent discussions the planning officer has made very clear, prior to formal submission, that residential conversion cannot be supported and the reasons behind this were set out very openly and clearly both in person and in writing. The applicant was informed of a very similar change of use application to the opposing Mortuary Building (West) which was refused in 2015 (please see History of Site above). The applicant was also strongly advised to explore the viability of alternative land uses (other than residential), including office/workshop, community use and ancillary residential storage to support an existing dwelling. For example, the building could be utilised as cycle storage for existing tenants and ownership transferred to the freeholder accordingly. The current planning application has been submitted with two brief letters from local estate agents. The content of these letters constitutes a professional opinion as to the redevelopment potential of the building - in the officer's view these letters do not constitute evidence or hold significant weight. Land use viability appraisal should be based on established assessment methods and models, which assess costs against the market value of the new use to derive a level of profitability - this clearly has not been carried out in this instance and so it is impossible for the case officer to understand the viability of alternative uses for the building.

Proposed Use as a Dwelling House

In broad terms, the location of the application site in relation to important services within 1km renders the location of the site suitable in principle for residential development. This view is based on observations drawn by the spatial relationships between the application site and the nearest primary school, major foodstore and public transport modes (serving bus and train services). In this vein, the site lies within 115m of the The Clyst Heath Chapel Nursery, 200m of the Clyst Heath Nursery and Community Primary School, 500m of the Tesco superstore, 150m of the nearest bus stop and 300m of the Digby Train Station. Furthermore, the site also lies within reasonable walking distance of major employment centres including Rydon Lane Retail Park, Pynes Hill and the Sowton Industrial Estate. The contextual characteristics surrounding the application site, low - high density housing, open green space and a peaceful environment would provide suitable conditions for residential conversion and occupation.

The proposed change of use and conversion to residential (C3 - dwelling house) is considered problematic, however, due to the very compact nature of the building, a severe shortage of enclosed outdoor amenity space and the lack of adaptability in the building's

footprint, structure and envelope. Even with the ground floor level reduced and a mezzanine floor added, the total internal floor area falls well short of the nationally described minimum space standard. Given that the building is a nationally significant heritage asset and that these standards are advisory, then it is considered that a 10% shortfall of the minimum standard may be acceptable. However, according to the *Proposed Floor Plans (dwg. no. 1616_P05)* the gross internal floor area measures 6m (D) x 2.9m (W) x2 (2 floors) = 34.8 sqm which includes all storage and circulation space. The closest minimum standard would be 39 sqm and that applies to a 1 bedroom (single person) single storey dwelling. The minimum standard for a 1 bedroom (2 person) 2 storey dwelling is 58 sqm - in the officer's view this is the more relevant minimum standard as the proposed development has 2 floors and provides sufficient space, as is shown on the *Proposed Floor Plans*, to accommodate a double bed capable of accommodating 2 persons. There is also a considerable amount of inflexible space devoted to a single purpose, such as internal cycle storage and the staircase, which therefore detracts from the overall quality and usability of space. The severe shortfall of living space renders the proposed scheme as fundamentally flawed and unacceptable in planning terms. The proposed scheme therefore does not provide a sufficient quantity or quality of living space (either internally or externally) and this would be detrimental to the living conditions of any future occupant or occupants. Additionally, due to the lack of enclosure around the property and the extent of residential development in the immediate area, the internal area of the proposed unit would be somewhat open and exposed to the public realm of Clyst Heath (north and east) and to the hardstanding associated with the garages (west). The proposed outdoor amenity space has no form of enclosure and therefore completely lacks a sense of privacy. The glazing above the front door and the enlarged rear windows would provide some degree of additional natural light but would equally harm privacy for future occupants.

Alterations to a Listed Building/ Designated Heritage Asset

It is considered that while the mortuary building in question lacks archaeological and artistic interest it does offer some historic and communal interest and significant architectural value. Much of its architectural importance is by association with the well preserved and re-used North and South Grange buildings - the whole complex is clearly consistent in age, origin, character and appearance. The photographs of the mortuary building interior show that very few original internal features remain intact as it is now essentially an empty shell there is little in terms of heritage features of significance inside the property. The proposed scheme comprises a plethora of major alterations that have been considered necessary for the creation of residential accommodation - these include removing the front steps, constructing a bin store to the front elevation, lowering the ground floor, inserting glazing above the front door, elongating the rear windows and inserting a first floor. Collectively, it is considered that these alterations would have a dramatic and undesirable impact upon the character and appearance of a Grade II curtilage listed structure.

Impact upon Design/ Character of the Area

It is considered that the use and development as proposed would also detract from the character and appearance of the wider area. The mortuary building in question has a strong public presence and profile and, as such, it is considered that the proposed external alterations are insensitive to the original structure and would result in the building having an adverse visual impact upon the public realm. The extremely limited and exposed outdoor amenity area would likely render the space being intensely and excessively utilised, possibly for outside seating and for hanging out and drying clothing, to the detriment of local visual amenity. Existing residential properties surrounding the application site are either supported by self-contained and substantially larger gardens or share enclosed and well kept communal facilities, such as the communal bin store or open amenity space in and around the North and South Grange complex.

Parking and Accessibility

The proposed dwelling would have no allocated parking and would feature no formal access (from the public highway to the entrance door). It is assumed in the application that a new footpath could be laid out to access the front (and only) entrance from an existing allocated

parking area. This drawing and particular proposal has been disregarded because it is based on land falling outside of the application site, which is not under the ownership of the applicant. A number of objections relate to this point as existing residents in North and South Grange pay annual maintenance charges for the use and upkeep of such communal facilities, including for example parking, landscaping and the communal bin store located immediately south of the application site.

RECOMMENDATION

REFUSE Planning Permission the following reasons:

- 1) The proposal is contrary to Objective 3 and 8 and Policies CP15 and CP17 of the Exeter Local Development Framework Core Strategy, Policies C2, DG1 (c, e and h) and DG4 (b and d) of the Exeter Local Plan First Review 1995-2011 and Chapters 4, 6, 7 and 9 of the 'Residential Design SPD' because:
 - i) by virtue of the poor provision of indoor and outdoor space the building would not provide an acceptable standard of accommodation;
 - ii) by virtue of the poor quantity and quality of outdoor amenity space the proposal would have an unacceptable impact upon public visual amenity and upon neighbouring residential amenity; and
 - iii) by virtue of the internal and external alterations ascribed to residential conversion the proposal would not conserve or enhance the character and appearance of a listed building.

REFUSE Listed Building Consent for the following reason:

- 1) The proposal is contrary to Objective 8 and Policy CP17 of the Exeter Local Development Framework Core Strategy, and Policy C2 of the Exeter Local Plan First Review 1995-2011 because, by virtue of the internal and external alterations ascribed to residential conversion the proposal would not conserve or enhance the character and appearance of a listed building.

Local Government (Access to Information) 1985 (as amended).
Background papers used in compiling the report:

Files of planning applications available for inspection from the Customer Service Centre, Civic Centre, Paris Street, Exeter: Telephone 01392 265223