

**ITEM NO.****COMMITTEE DATE:** 04/12/2017**APPLICATION NO:**

17/1360/FUL

**APPLICANT:**

Mr David Matthews

**PROPOSAL:**

Reconstruction and extension of building (including partial demolition and repair of remaining building fabric) following extensive fire damage to create 74 bedroom hotel

**LOCATION:**16-17 Cathedral Yard And Royal Clarence Hotel  
Cathedral Yard  
Exeter**REGISTRATION DATE:**

23/08/2017

**EXPIRY DATE:****HISTORY OF SITE**

There is an extensive planning history relating to this property for alterations/extensions etc. which pre-date the fire. Since the fire the relevant history is as follows -

17/0783/07 - Retrospective application for post fire partial demolition works and stabilisation of remaining historic building fabric. Approved 18<sup>th</sup> July 2017.

The adjoining site, also severely damaged in the fire, is being rebuilt as 5 apartments over a ground floor retail unit pursuant to planning and listed building consent applications reference nos. 17/0379/03 and 17/0380/07 approved on the 24<sup>th</sup> May 2017.

**DESCRIPTION OF SITE/PROPOSAL**

The application site comprises the Royal Clarence Hotel located on the North side of Cathedral Yard at its junction with Martins Lane. The Royal Clarence Hotel complex comprised a number of individual buildings, incorporating the Exeter Bank Building, the Well House (No. 16 & 17 Cathedral Yard), 10 Martins Lane and an assortment of associated structures to the rear of the property. The Royal Clarence Hotel is Grade II listed, and the listing incorporates the Exeter Bank Building. The Well House is also a Grade II listed building. Martins Lane runs up the side of the site linking the Cathedral Green with the High Street. To the rear the site is abutted by buildings forming part of the High Street. The site is surrounded by other heritage assets in the form of Grade I, II\* and II listed buildings and forms part of the framing of the important open space comprising the setting of the Cathedral.

This group of buildings, along with the adjoining site (No.18), suffered a significant fire in late 2016 which resulted in catastrophic damage to the buildings and significant loss of building fabric. Following a period of works to make the remnants of the buildings safe, and salvage/recording operations associated with necessary partial demolition of unsafe remains (all works of which were covered by application 17/0783/07) attention has turned to the proposals to rebuild the hotel. The works comprised in this current application seek to incorporate remaining building fabric with new structures to create a 74 bedroom hotel with reinstated façade, modest extension at roof level and excavation at basement level. The interior design/decoration, and

layout of individual rooms (such as position of en-suite provision etc.) will be the subject of a further detailed application for listed building consent in due course.

### **SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT**

The application is accompanied by the following supporting documents –

- Design & Access Statement
- Heritage Statement
- Environmental Noise Survey Report
- Post-Clearance Phase Historic Building Recording Report
- Mechanical and Electrical Services Installations Stage 3 Report
- Statement of Community Involvement
- Archaeology – Results of a test pit Evaluation

### **REPRESENTATIONS**

3 letters of representation have been received, including one from the Acting Dean of Exeter Cathedral, raising the following issues –

- Lack of details regarding proposed/required plant in terms of location, noise levels and attenuation measures
- Lack of details regarding party wall acoustic performance and potential impact on adjoining residential accommodation
- Suggestion that rather than re-build Royal Clarence hotel element make safe remains of that part of building and incorporate it into a new Museum (made of glass and steel) solely relating to the history of the buildings and wider site of Cathedral and Cathedral Green

Those issues raised by the Acting Dean include -

- Unfortunate increase in bulk and roof height by virtue of additional accommodation proposed at roof level as opposed to completely authentic restoration of original appearance of hotel
- Impact on setting of Cathedral and wider views
- Potential light pollution associated with proposed accommodation at roof level, particularly at night
- Absence of glazing bars in proposed windows on frontage
- Desirability of incorporating replacement of flagstaff

### **CONSULTATIONS**

**DCC (Lead Local Flood Authority)** – Comment as follows –

“It is noted that the existing drainage infrastructure is to be re-utilised as part of the reconstruction. We would recommend that a detailed assessment of the condition and capacity of the receiving drainage network is undertaken, and any repair and/or improvement works are undertaken that are required to facilitate the development. Recommendation – We have no in-principle objections to the above planning application from a surface water drainage perspective at this stage.”

**DCC Head of Planning, Transportation and Environment** – Comment as follow -

The proposed development is for the reconstruction of the Royal Clarence Hotel following extensive fire damage at 16 Cathedral Yard, Exeter. The submitted plans also include alterations to the frontage and to provide outdoor seating.

### Access

The rebuilding of the site is unlikely to significantly change the volume of movement attracted to the proposed development. The development is being promoted as car free (as per previous use), which for a sustainably located city centre development is acceptable and therefore is not a significant concern from a highways perspective. To provide for deliveries, the use of loading areas on Cathedral Yard is proposed; this is the same arrangement as previous use and therefore acceptable.

It is noted that the proposed ground floor plan indicates that the bin store door opens out onto Martins Lane (which is adopted by DCC) - the applicant is reminded that any door that opens onto the public highway is in violation of Section 153 of the Highways Act 1980. It is advised that doors either need to open inwards or install "up and over" doors.

### On site facilities

The submitted plans indicate that the applicant wishes to provide outdoor seating which is to be located on private ground. Although this is acceptable in principle, the applicant will need to apply for a street café licence, details of which can be found on the ECC website. The application also seeks to erect signs on the façade of the hotel and the applicant should adhere to the restrictions in place for a sign hanging over the highway.

The plans do not show cycle parking provision and therefore the plans should either be amended to include or a condition to secure this attached in the granting of any permission. Secure cycle parking, in accordance with the standards set out in the Exeter City Council Sustainable Transport Supplementary Planning Document, should be achieved.

### Construction

As the site is located on a public highway, it is essential that construction works are carefully managed to minimise the impact on the highway. This could include the careful management of the transportation of building materials to and from the site particularly in the areas where there is a dense population of pedestrians which is common at this site with it being on the Cathedral Yard/periphery of the City Centre High street. The applicant is advised to meet with representatives of the highway authority prior to commencing any works to agree the construction arrangements. These arrangements should be secured by condition.

Conditions as part of any planning approval are therefore recommended to ensure adequate on secure cycle parking facilities, abide by restrictions for a sign hanging over the highway and to agree construction management arrangements."

## **Historic England – Comment as follows –**

### "Historic England Advice

#### Significance

The Royal Clarence Hotel (grade II listed) was subject to a major fire on 29 October 2016. The fire resulted in catastrophic damage to the complex of buildings, which

included the grade II listed Royal Clarence Hotel and adjacent Exeter Bank Building, also covered by the listing, the grade II listed Well House (No. 16 and 17 Cathedral Green) and an assortment of associated structures to the rear of the property. The entire site was occupied by the Royal Clarence Hotel operation and therefore, within the text, unless specific areas of the site are being commented upon, we shall refer to it as "RCH".

The RCH is located on green that surrounds Exeter Cathedral. It is a multi-phased development on an urban plot within the economic and social centre of the city. Until the fire, the surviving properties on the site had been dated at their earliest to the C17. However, there had always been a strong suggestion that there was likely to be earlier surviving fabric from the former Canon's Houses that had been situated on the site and consequently the structures held high evidential value. Following the fire, a range of surviving medieval fabric has been uncovered in the Well House and former Royal Clarence site (Zone 1 and 3). Some of the stone work has been identified to potentially being as early as the C12/C13, while dendrochronology on an internal timber frame has dated that to the mid C15.

The Well House (Zone 1) is the oldest surviving building on the site. The building dates primarily from the C17; although it contains a multiphase structural timber frames which holds earlier fabric from the C15 and C16. Evidence of wall paintings on the frame have also been identified and works are continuing to stabilise this fragile and interesting survival. The building also retains interesting later features including glass and windows frames in No. 17 contemporary to the C17 phase of works which included re-fronting and increasing the building to provide an additional storey. There are also later phases of works including substantial works in the 1930s and refurbishment in recent decades. The building has suffered from some fire damage largely to the rear and roof structure but is substantially intact.

The Royal Clarence section of the site had been a hotel since the C18. It was during this time it was extended to include the Assembly Room, a centre for social activity within Exeter which has remained a hub of social occasions up until the fire. Internally, the building had been subject to alterations; however, its exterior had retained a restrained white rendered façade with a strong bay rhythm and a strong cornice detail topped with the crest.

Following the fire, which gutted the interior entirely; large areas of early fabric were exposed including some that is suggested to be C12 to C13 in date between Zones 1 and 3 and primarily C15 with C16 interventions along the front elevation and dividing wall with the Exeter Bank. They have all suffered from some intervention during the C18 and C19 but are principally intact. In respect of the Clarence room, former assembly room, the large windows openings and brick work that formed this later addition are still intact and show the clear development of building.

The neighbouring Exeter Bank was also subject to several phases of development, although the current structure is understood to date from the C19. It provides a bookend to the complex, with two elevations characterised by its Italianate ornamentation. The interior has been principally lost with only the external walls surviving.

Consequently, the RCH site clearly retains historic illustrative value through the evidence of alteration, changes in style and adaption of the buildings to respond to their surrounding urban environment as well as the incorporation of surviving early fabric. The buildings also hold high aesthetic value as a key group of structures within the Cathedral Green, an important aspect of the grade I listed Cathedral setting as well as the Exeter City Centre Conservation Area. There is also significant communal value through people's memories of the hotel and following the fire there was a swell of public interest and sadness for the loss of this locally iconic building.

## Impact

Historic England in conjunction with Exeter City Council Planning Department has had continued and detailed engagement with the owner's professional advisors for the RCH site discussing a range of works from the clearance to the proposed reinstatement. The LBC for the clearance work has now been approved and this application relates to the proposed reinstatement. A philosophy of repair was established early in the discussion, which related to the survival of fabric and the significance that specific areas of the building had retained. This has developed as our understanding of the building has evolved.

Historic England welcomes the approach currently being sought which follows a traditional approach to repair to the Well House and a more contemporary solution sought for the Royal Clarence and the Exeter Bank.

The general aspiration to retain the external elevations of the buildings helps to retain the overall contribution to the Cathedral Yard as well as the grain of the building through the roof line. The scheme looks to increase the height of the existing Royal Clarence building, creating a terrace and penthouse apartments that project above the original roof line. This will be visible on longer ranged views due to the increase in height and the heavy horizontality of the roof eaves. There is a risk that this heavy roof detail could have a dominating affect in longer range views that would signal facadism rather than an integrated development with structural integrity.

We appreciate that the applicant has tried to mitigate the harm by raising the central chimney and setting the glazing back to create a greater shadow line. The current justification for the arrangement is based largely on aesthetic purposes and shading as the rooms face south. We would still urge that consideration is given to the setting back of the roof over the bedroom elements. We appreciate that in respect of the lift there is limitations to mitigating its intervention, however, we remain convinced that by breaking up the horizontality of the eaves line and setting a greater proportion of the roof back from the facade of the building it will create a greater perception of depth as well as reduce the visual prominence of the roof in longer ranged views.

Lighting for this space will require greater consideration, to ensure that it remains subservient within overall elevation of the building, especially at night.

As much of the interior has been lost, a key element will be to retain the grain of the structure within the building and a sense of the independent spaces which have now been broken down to a degree following the fire. For example the new link between the Well House and the Lamb Alley, there should be some indicator within the construction that these were two separate buildings. Furthermore, the positioning of the lift which straddles the Exeter Bank Building and Royal Clarence has been an area of discussion. We appreciate that steps have been taken to reduce their impact at roof level but we would question what further steps could be taken to allow for the grain of the building in this area to be visually appreciated, especially at ground floor level.

The double height space to reflect the building archaeology of the former Clarence room is also appreciated and will give some impression of the former space.

In terms of detail, it would be useful to have some indication of how the timber screen in the Well House will be treated within the proposals.

## Position

Historic England welcomes the proposals to reinstate this important range of buildings along Exeter Cathedral Yard. We would urge that the areas identified in the letter, principally the roof eaves, the internal response to the separate buildings within the new construction and the future proposals for the timber painted screen, are given further

consideration, to ensure that any impact can be sufficiently avoided or minimise (Para 129, NPPF).

The application should be determined in line with National Policy and legislation and in those areas of contention the council need to be satisfied that the justification offered for the potential harmful elements, is clear and convincing (Para 132, NPPF).

#### Recommendation

Historic England welcomes the proposal for the reinstatement of the Royal Clarence following the catastrophic fire in October 2016. We maintain there are areas where further consideration is required to minimise its impact, particularly relating to the addition of the roof level. The council need to be satisfied that where there are elements that could cause a potential harmful impact, steps have been taken to avoid and minimise that harm and that any resulting harm has been clear and convincingly justified (Para 132, NPPF).

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.”

**Ancient Monument Society** – No comments received.

**Council for British Archaeology** – No comments received.

**Georgian Group Amenity Society** – Comment as follows –

“Thank you for consulting The Georgian Group regarding the above application and apologies for the delay in responding.

The grade II Royal Clarence Hotel was subject to a devastating fire in October 2016. This caused widespread damage to:

Zone 1: Well House: This comprises of 2 buildings, 16 and 17 Cathedral Yard. They are C17 with C18 sash windows throughout. The significant elements that remain after the fire are medieval/C16/C17 and pre-date our statutory remit of c.1700-1840.

Zone 2: Lamb Alley: This area was substantially damaged. The upper storeys were removed for safety reasons, and much historic fabric was lost.

Zone 3 and 4: The Royal Clarence hotel is a four storey, six bay Georgian façade of stucco with a Tuscan porch entrance. The fire destroyed the first, second and third storeys within this part of the hotel. The 17<sup>th</sup> century walls and the bay windows were also lost.

Zone 5: Exeter Bank: A four storey C18 building with C20 alterations. The interior had been greatly altered in the C20 and little historic fabric remained.

Zone 6: Martins Lane: This was historically a separate property. The 3 storey, C18 building suffered extensive loss of historic fabric.

The hotel sits in a prominent position opposite the Cathedral and has been an hotel since the C18. It was continuously a social hub for the city and remained so up until the fire. During the excavation of the site following the fire a significant amount of medieval

fabric was uncovered, supporting the suggestion that fabric from the Canon's Houses had been situated on the site.

The Georgian Group welcomes the approach to the restoration and repair of the Well House and the general intention to retain the external elevations of the building, to minimise any impact of new building on the historic setting of Cathedral Yard.

We have some concern regarding the increased height of the existing Royal Clarence building which is intended to have a terrace and penthouse apartments. This attic storey will project above the height of the original roofline and will be visible from longer ranged views, including from the Cathedral. We are concerned that the increase will dominate the elevations, and whilst we acknowledge that there has been some effort to mitigate the harm by setting the new accommodation far behind the line of the parapet and restricting the height by the chimney stacks, there is a significant risk that it will have a negative impact the historic setting.

Historic England have commented that:

'There is a risk that this heavy roof detail could have a dominating affect in longer range views that would signal facadism rather than an integrated development with structural integrity'.

We second this opinion and urge the local planning authority to fully consider the National Planning Policy Framework, particularly paragraph 129

*Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.*

There is also a need to ensure that the lighting of the rooftop accommodation is very carefully considered and that the relevant experts are consulted to ensure that the roof eaves remain subservient to the rest of the building. Given the setting of the hotel in relation to the Cathedral Green, it is imperative that the impact of the proposal on the wider setting of the historic environment is thoroughly considered.

The Georgian Group appreciates the aspiration to retain as much historic fabric and to mitigate further harm to historic fabric as much as possible. We ask that further consideration is given to the addition of the roof level and that the application is determined based on a secure knowledge that no significant harm will be done to the fabric of the building and to the wider setting of Cathedral Green."

**Victorian Society** – No comments received.

**Twentieth Century Amenity Society** – No comments received.

**Society for the Protection of Ancient Buildings** – Comment as follows -

"I write to you following a site visit to the Royal Clarence Hotel (RCH hereafter) on the 23<sup>rd</sup> of October which was helpful in clarifying the extent of survival of historic fabric and in

understanding how the surviving buildings and proposed interventions will intersect. The details of the applications have been considered by the Society's Guardians Committee where a number of concerns were raised.

The RCH is a grade II listed complex of buildings which suffered catastrophic damage resulting from a fire in October 2016. The RCH is situated in a highly sensitive location within the City of Exeter, being within the Cathedral Green and the setting of numerous historic and important secular buildings. The primary façade of the RCH complex was made up of elevations dating to the 17<sup>th</sup> and 18<sup>th</sup> centuries, and itself came to be a locally distinctive and important range of buildings. However, the long-held belief that the buildings sit above/incorporate medieval fabric from the site's previous use as Canon's houses has been substantiated with the uncovering of medieval fabric in Zones 1 and 3 after the fire

As an organisation we are concerned with traditional buildings of all types and ages, though in our casework we focus on buildings and fabric with a date pre-1720. For that reason we have limited our focus to Zones 1 and 3 of the RCH, as well as assessing the broad objectives of the reconstruction against our long-established conservation principles, contained within the *SPAB Approach*.

### Reconstruction of the Royal Clarence Hotel

The Society recognises that, from time to time, old buildings may need sympathetic alteration, adaptation or extension to ensure their continuing usefulness, but ultimately any new proposals must meet the test of the *Planning (Listed Buildings and Conservation Areas) Act 1990* which requires that decisions relating to listed building consent applications must pay 'special regard' to 'preserving the building or its setting or any features of special architectural or historic interest which it possesses' (S.16).

For that reason, the SPAB Approach takes the position that further alterations and additions, are best when they complement what exists. It suggests that new additions and interventions should not compete unduly with the old building in form or position; nor should they mimic the original or pretend to be historic. Disasters such as the fire suffered by the RCH are sometimes argued to demand a response different to that which would normally apply, but in this case we see no reason to adopt an alternative approach: whilst the fire itself was an extraordinary event the approach to the conservation and new design should follow good conservation practice.

In line with established guidance on good new design, we would expect to see a design approach to the new envelope of the RCH which considers the building group as a whole; taking into account the sensitive, historic context of the Cathedral green and responding to it in an innovative way whilst reflecting the newly created spaces behind each façade. In addition to the standards of new design set out in guidance, paragraph 131 of the *National Planning Policy Framework 2012* (NPPF) requires local authorities to determine applications taking into account 'the desirability of new development making a positive contribution to local character and distinctiveness'. The Cathedral Yard represents one of the most historic spaces within the city and whilst development here should be sensitive and of the highest quality it should also seek to make a positive contribution to the local area.

The applications propose to reinstate the Georgian façade of the RCH and propose a more contemporary treatment to the Martin's Lane, Lamb Alley and High Street elevations. Unfortunately, the current proposals result in an uncomfortable dichotomy of a restored Georgian building to the front and a collection of unremarkable and homogeneous



'contemporary' secondary elevations elsewhere. A two-pronged approach of reinstatements and new design is likely to offer an appropriate response to the site, but we do not believe that a successful balance has yet been struck or that a convincing scheme has been devised overall.

The Society is concerned that these proposals are a missed opportunity to enhance local distinctiveness and to respond to a historic context in a way which reflects the sensitivity of the site while responding to the disaster in a positive and creative manner. We would argue that the proposed replication of the Georgian elevation to Cathedral Yard would have little integrity or authenticity, given that the building behind would be almost entirely modern.

In addition to the reinstatement of the buildings lost to the fire, the proposals seek to increase the height of the existing RCH complex by a storey to increase accommodation and provide a terrace space for the hotel. We understand the applicant's wish to increase the accommodation on the site after what has been a devastating loss of the original buildings and a vital business, however, given the very sensitive setting of the RCH we do not consider the current proposals to be appropriate in terms of scale, bulk and appearance in long-range views. In addition, the roof structure of modern design would sit awkwardly against a reinstated facade and would compound the incongruous effects of the un-unified design.

Whilst the proposals for the reconstruction of the RCH may constitute less than substantial harm, there is still a significant level of harm to the setting of adjacent listed buildings and to the integrity of Cathedral Yard and surrounding historic streetscape, which could be mitigated by a reconsideration of the design approach and minimising/breaking up of the roof extension.

#### Repair and reuse of Zone 1 – The Wellhouse

The Society is particularly interested in the fabric in Zone 1, it being the part of the complex with the highest rate of survival and the oldest historic fabric and we are concerned that there is a lack of detail in the applications dealing with the repair and conservation of the uncovered and surviving fabric.

Paragraph 128 requires that the level of detail within an applications 'should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.' The application is missing important information regarding the repair of nationally significant and newly discovered medieval fabric and nor is the detail of its future treatment or incorporation into the reconfigured hotel provided.

Paragraph 132 of the NPPF says that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be'. Therefore, we would urge the Council not to approve the applications until this detail is secured; an informed decision as to the impact of the proposal on the significance of the medieval core of the complex cannot be taken on the basis of the current information and in real terms this precludes a recommendation for approval of the applications at this stage.

Our concern for the newly discovered medieval fabric is compounded by the fact the application proposes an alarming and unjustified amount of removal and replacement of 16<sup>th</sup>/17<sup>th</sup> century timbers from the core of The Wellhouse. Drawing '8404 (20) 401 – Internal

elevations 1 & 2 (Z1)' suggests that timbers from the first floor to fourth are to be removed in their entirety and to be replaced like for like throughout, however, there is no post-fire assessment of these members is provided. As the interior of charred timber normally retains its structural integrity, (though perhaps at a reduced capacity) we would expect to see structural-led justification from a conservation accredited engineer for selective removal where that integrity is lost, and a greater incidence of historic timbers to be left in-situ on the schedule.

Given that the RCH has suffered a sad loss of historic fabric, the cumulative harm arising from removing these residual timbers is considerable and is contrary to planning legislation and policy relating to the protection of heritage assets. Until such a time as structural justification for the removal of historic timbers is provided, again we are precluded from making a full assessment of the application and must respectfully suggest that the application is not approved.

#### Summary

We believe the RCH as it now stands represents a unique opportunity to design an intervention into a complex of historic buildings, which reflects the architectural innovation of our own time, and contributes positively to the streetscape and to the setting of the Cathedral. We would urge the Council to seek clarification and details regarding the treatment of the highly significant fabric which survives in the Wellhouse, and to strive for excellence in design in this case."

**Environmental Health** – highlights need for further information relating to submitted Noise Report and kitchen extraction details. Recommends conditions relating to Noise, kitchen ventilation and CEMP.

### **PLANNING POLICIES/POLICY GUIDANCE**

**Central Government Guidance** - NPPF – especially section 12 (Conserving and Enhancing the Historic Environment)

#### **Exeter Local Development Framework Core Strategy 2012**

Objectives 1-10

CP10 – Meeting Community Needs

CP15 – Sustainable Construction

CP17 – Design and local distinctiveness

#### **Exeter Local Plan First Review 1995-2011 Saved Policies**

T1 – Hierarchy of Modes

T2 – Accessibility Criteria

T3 – Encouraging Use of Sustainable Modes

T9 – Access to Buildings by people with disabilities

T10 - Car Parking Standards

C1 – Conservation Areas

C2 – Listed Buildings

C5 - Archaeology

EN5 – Noise

DG1 – Objectives of Urban Design

DG2 – Energy Conservation

DG3 – Commercial Development

## **Development Delivery Development Plan Document (Publication Version):-**

This document represents a material consideration but has not been adopted and does not form part of the Development Plan.

DD13 – Residential Amenity

DD16 – Tourist and Cultural Facilities

DD17 – Hotels

DD25 – Design Principles

DD26 – Designing Out Crime

DD28- Heritage Assets

DD34 - Pollution

## **Exeter City Council Supplementary Planning Documents**

Archaeology and Development SPG

Sustainable Transport SPD

## **Other relevant Documents**

Central Conservation Area Appraisal

## **OBSERVATIONS**

### Background

The fire caused extensive damage to this collection of buildings. The immediate impact of the fire was the total loss of significant parts of the buildings, with floors and masonry collapsing into the site as the spread of the fire was fought and ultimately brought under control.

Following this there was an extensive period of site clearance, salvage and recording running parallel with work to make the site safe whilst retaining as much of the remaining elements of the building as possible. Through this process, in which archaeologists and historic building specialists have heavily involved alongside engineers and architects, a great deal of knowledge about the constituent buildings, and their various phases of development has been gained to add to what was already known. One notable example of such being the revealing of painted decorations on some timber uprights within the Well House buildings that are thought to date from the 16<sup>th</sup>/17<sup>th</sup> Century. This whole process has been a very collaborative one involving the development team, Local Authority officers and representatives of Historic England. The works comprised in this phase were subject to a standalone application, reference no 17/0783/07 which was approved earlier this year (July).

Through this phase the significance, and hence importance of the heritage assets, has been better understood and appraised. This exercise has helped, along with the ability to retain parts of the remaining structure, to shape the redevelopment proposals that form part of this current application.

### The proposals/key material considerations

A brief summary of surviving parts of the buildings are as follows –

The Wellhouse – front elevation survived along with significant amounts of timber work, roof destroyed.

Royal Clarence Hotel/Clarence room – front façade destroyed with exception of ground floor and first floor part. Internally existing floors and walls have gone. Fortunately, some of existing stone and brick wall survived the fire, primarily the wall that defined the extent of the old Clarence Room.

Exeter Bank – Most walls, floors and roof destroyed. Façade survived, including some existing windows.

Martins Lane – Floors and walls have remained although significantly damaged. Façade remains but roof destroyed.

The proposals for rebuilding the hotel seek to retain the remaining fabric where practical and reinstate the external appearance of the buildings as they existed immediately prior to fire. At the same time taking the opportunity to re-plan the interior (making use of retained fabric as part of the scheme and as features of interest within the rebuilt structure) to create a more logical circulation pattern and efficient layout that is more commensurate with a high quality modern hotel. The proposals seek to be sympathetic to the existing grain and identity of the original component buildings that made up the Royal Clarence pre-fire. The proposal incorporates a new floor to the building sitting behind the existing façade.

The proposals utilise the basement for back of house facilities, toilets, plant and customer spa facilities. The ground floor accommodates a re-created Wellhouse pub, hotel restaurant with associated kitchens, additional back of house accommodation and hotel reception facilities. The 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> floors contain the bedrooms. A central atrium space runs up through the building from the ground floor to the roof. This is centred around the substantial retained wall of the former Clarence Room creating a triple height space above part of the restaurant and allowing light to be brought into the centre of the building and serve internal rooms arranged around this space.

The 4<sup>th</sup> floor of the building is set back from the front façade and situated behind a section of re-constructed pitch roof, which in itself is located behind the parapet to the reinstated and repaired front façade of the building. This facilitates the incorporation of terrace areas behind the roof pitch to serve two of the larger premium rooms at the roof top level. This approach allows the rebuilt Wellhouse to maintain its own identity and not be overshadowed by the new extensions. Lifts and stair cores are provided within the building which both provide access to all floors of the hotel.

The main material considerations relating to this proposal can be summarised as –

- Impact on the heritage asset comprising the site itself, and wider heritage assets in the form of the setting of the Cathedral, other historic buildings in the Close and the character and appearance of the conservation area within which the site is located.
- Transportation matters – access (operational and construction phase), servicing arrangements, outdoor seating, and parking.
- Relationship to surrounding properties e.g. scale of building and any amenity impact from the operation of the hotel associated with noise/smells arising from mechanical plant.

Of these, the key issue is considered to be the heritage/visual impacts of the proposal, which will be addressed later in this report.

In terms of transportation issues the site is in a city centre location and as such is appropriate as a car-free development in terms of parking provision. The proposal seeks to restore the site to its previous uses preceding the fire and the proposed servicing/access arrangements will remain as previous and are a product of the site's location and limited vehicular access. Whilst

the Highway Authority's comment regarding the absence of cycle parking facilities within the hotel are noted, the hotel had no cycle parking facilities within it before the fire and given the tightly constrained and historic setting of the site it is not considered practical to accommodate cycle parking within the hotel in this particular case.

Access arrangements during the construction phase will continue largely as they have been during the post-fire stabilisation phase and will be controlled through an appropriate condition relating to a Construction and Environmental Management Plan (CEMP).

The hotel previously benefitted from an outdoor seating area and the proposal seeks to recreate this. This will require an appropriate licence separate from the planning process but in planning terms recreating this facility is considered appropriate. In summary it is not considered that there are any significant transportation issues arising from the proposals.

In terms of relationship to surrounding properties, the scale of the building is considered acceptable. The boundaries of the site, and hence the extent of the footprint of the building, are dictated by existing surrounding buildings and will be as existed prior to the fire. The proposal does incorporate an element of extension compared to the pre-fire buildings in the form of the proposed modest roof extension. It is not considered that this element of the scheme would have a significant impact on the amenity of the occupants of surrounding buildings, particularly given that many of the immediate neighbouring buildings are in commercial uses (the nearest residential units being those being reconstructed within the adjoining building at 18 Cathedral Yard which was also destroyed in the fire).

Plant associated with the hotel will be either incorporated within the building, or on the roof towards the rear of the site within an acoustic enclosure and concealed from sight outside the site. This element of the scheme can be appropriately dealt with through conditions to ensure the details are appropriate and any impact on surrounding properties minimised to an acceptable degree.

### Design Review Panel

The applicant's development team presented their emerging proposals for the redevelopment of the site post the fire damage to the Design Review Panel on 13<sup>th</sup> July 2017. The Panel responded to the presentation as follows –

*“Generally the Panel considers the scheme to be sensitively designed and, subject to the suggestions within this feedback document being appropriately addressed, the Panel is supportive of the proposals presented.”*

The main suggestions/comments contained in the Panel's response, along with the responses of the applicant's development team (in italics) are set out below –

- The extremely clear and comprehensive presentation was welcomed.
- Subject to the suggestions within this feedback document being addressed the panel is supportive of the proposals presented.
- The panel is supportive of the reinstatement of the access being provided from the front and the proposed reinstatement of the traditional relationship with Cathedral Green.
- The panel is supportive of the service access being provided from Martins lane.
- Careful consideration should be given in regard to the construction process

*Development team response - We are conscious that the site is tight and a quick method of construction is being designed into the scheme.*

- The proposal may benefit from a clearer narrative/architectural language being expressed within the building.

*Development team response - We are currently working up the interior design proposals which will be subject to a separate application.*

- Within the proposed atrium space there may be an opportunity to incorporate a new more contemporary finish.
- The panel feels the replication of the original facade is appropriate for this extremely sensitive site.
- The internal ground floor layout may benefit from a greater sense of enclosure between the hotel reception and the restaurant.

*Development team response - The interior proposals are being developed and we will take this on board.*

- The provision of a new build lightweight highly glazed structure is supported by the panel in principle.
- As presented there is an uncomfortable relationship between the proposed mono pitch roof element behind the parapet and the lightweight roof structure proposed.

*Development team response - The roof line here is existing and this acted as a guide for the position of the terrace and the set back of the extension. It is thought that the small roof aided in reducing the visual impact and helped to blend the new roof with the old. Omitting this piece of roof and extending the terrace would increase the visible portion of the extension.*

- Providing an accessible function room at the roof level may demonstrate a public benefit.

*Development team response - We have considered this early in the design process and it was thought that in this context a bar/function room was inappropriate at high level. The potential for noise, light spill would be much increased compared to a bedroom. The ground floor will provide a large flexible space that can be used for functions/private dining.*

- It may be beneficial for views toward the site to be considered from Southernhay as well as from more distant locations.

*Development team response - We have provided more views in the application.*

- It may be beneficial to explore how the city already very successfully combines old and new architectural elements.
- Night time view should be considered in terms of proposed lighting and light spill.

*Development team response - We have provided a dusk view in the application*

#### Consultation responses/representations

The consultation responses received from the National Amenity Societies and Historic England, who are statutory consultees in respect of this proposal, draw attention to the need for new proposals to meet the test of the Planning (Listed Buildings and Conservations Areas) Act 1990 which requires that decisions relating to listed building consent applications must pay 'special regard' to 'preserving the building or its setting or any features of special architectural or historic interest which it possesses'. They also refer to relevant advice contained in the NPPF in relation to assessing the significance of heritage assets and the significance of any impacts arising from development proposals (paras 128,129, 132 and 133).

The responses received have, apart from the response of the Society for the Protection of Ancient Buildings, been broadly supportive of the proposals whilst expressing some concerns, principally relating to the impact of the proposed roof level extension compared to the pre-fire building. Whilst the responses acknowledge the attempt to minimise the impact of this extension by setting it back from the front face of the building the concerns expressed relate to the potential impact/prominence in longer range views of the site, and hence on the impact of the setting of the Cathedral, the Cathedral Green environment and hence the character and appearance of the conservation area. These comments are similar to those made by the Acting Dean of Exeter Cathedral. Historic England, The Georgian Society and the Acting Dean of the Cathedral have suggested that further consideration be given to this element of the scheme to reduce its potential impact, and that careful consideration be given to the applicant's economic justification for this element of the proposals.

The response of the Society for the Protection of Ancient Buildings (SPAB) is more critical in terms of the general approach to the restoration of the frontage of the building, loss of building fabric associated with the redevelopment proposals and suggests that in its current form, and on the basis of the submitted information, the proposals do not meet the test referred to above, or the advice in the NPPF and should not therefore be approved at this stage.

In response to the SPAB critique from an officer perspective it is considered that there is a high degree of subjectivity in how one regards the interface between old and new, in design, and in the stance taken in the debate between a) repair, reinstatement (perhaps with a degree of judicious replication) on the one hand and b) remove it all and start again with a completely modern building, on the other. So views are bound to differ. In this case the majority public view is clearly for the former. In our view the approach taken by the applicant is essentially an honest one, that reinstates the elevations as they were immediately pre fire, and that does not attempt for example to replicate the elevation as it would have been in the Georgian period, in terms of putting in modern pastiche multi pane sashes for example.

It should also be remembered that the great majority of the elevations are still there. In this respect there is relatively little "replication" or reinstatement required, apart from the upper two storeys of the RCH frontage and the window furniture. The overall approach of retaining as much of the surviving historic fabric as possible does accord with the duty under S.16 of the 1990 Act.

In respect of the roof element SPAB consider this element would "compound the incongruous effects of the un-unified design". In response officers consider:

- a) The design cannot by definition be regarded as "unified" anyway, given that the buildings and facades are composites of many periods of development, carried out over the centuries without the benefit of scrutiny by planning or design or historic building professionals. The current proposals are the latest layer of this process, and are the first to be subjected to such scrutiny.
- b) The current proposals, based on the visualisations provided, appear considerably less dominant than for example the Princesshay buildings behind the Cathedral Close ones, and one questions how visible they will be against the skyline, particularly when the upper floor dome of No. 18 is reinstated next door.

The evolution of the current proposals for redevelopment of the hotel has been the result of a very positive and collaborative process involving the applicant's development team/advisors,

Council officers and representatives of Historic England. The applicant's development team have been open to suggestions and amendments to the emerging proposals throughout the process. Notable examples being -

- the re-orientation of the atrium space along with incorporation of the substantial surviving masonry wall of the former Clarence room to create a space of significant height and interest extending up from the ground floor restaurant into the upper floors of the building, and
- the relocation of one of the lift shafts further into the building to allow the recreated roof of Exeter Bank building to be expressed as a more distinct entity emphasising the grain of the individual constituent buildings.

The proposals are very complex and a number of detailed questions relating to internal elements of the scheme have been raised with the development team, which will inevitably result in some changes to originally submitted drawings. All of these points seek to clarify the extent of works of intervention to the remaining fabric of the original structures, minimise the degree of impact of the historic significance of the heritage assets and secure improvements to the scheme. Many of the points have been agreed with the development team and have been addressed in a revised package of drawings that address the questions raised by officers and clarify specific detailed elements of the proposals.

The issue of the degree of setback to the proposed additional roof level floor and the visual impact of this element of the scheme have also been highlighted to the applicant in the light of the received consultation responses. The team were requested to consider the scope for setting this element even further back from the building frontage, along with the potential to tweak the position of the lift shaft serving this floor and the implications this would have in terms of the layout of the rest of the scheme and other elements of remaining historic building fabric. The development team have responded to these concerns and submitted revised plans that incorporate setting this element of the scheme slightly further back from the front of the building by an additional 200mm. Whilst this is a relatively small distance it will help to further diminish the prominence of this element of the scheme and minimise its impact in longer range views of the site. The development team have explained that this additional setback is the maximum that can be achieved without creating other impacts to the rest of the scheme that they consider would be adverse to its overall merits. Setting the lift shafts further back into the building would reduce the circulation space within the corridors in front of the lift shaft doors and reduce the standards required for appropriate disability access throughout the building. Other adverse impacts of a further setback have been identified as including –

- compromising the uncluttered and simple approach to the new roof scape and its subservience to the reinstated chimney stacks
- reduction in the atrium space and hence internal light within the building and the associated reduction in the amount of remaining historic fabric of the building that would be visible within public spaces within the building.

### Conclusions

Para 131 of the NPPF states the following advice in respect of determining planning application relating to heritage assets –

“Local planning authorities should take account of:



- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.”

The fire itself has resulted in substantial harm to the heritage assets comprised in this application, and indirectly to those surrounding the site, including the setting of the Cathedral. The question to be asked in respect of the reconstruction proposals comprised in this application is what further harm to the heritage asset they themselves result in. The NPPF (para 134) states “where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use”.

Essentially the proposals can be seen as an opportunity to repair some of the impact that occurred as a result of the fire whilst creating a modern and viable hotel that makes a positive contribution to both the character and appearance of the area, and the economic vitality of the city.

The proposal includes the restoration of the main facades, and the new floor is set well back and not directly on top of the old frontage. Therefore it is considered this element of the scheme would be recessive, seen against the skyline and not particularly noticeable from main vantage points.

In terms of the economic justification for the roof extension it has to be acknowledged that this proposal represents the latest in a long series of new/extended buildings on the site. Each time those altering the building have sought to maximise the use of space and create a building that met the needs of the time, and this phase in the evolving history of the site is no different in that respect. That said, the revised plans have satisfactorily addressed the points raised by officers it is considered that whilst there is inevitably some further harm to the heritage assets over and above that resulting from the fire and the partial demolition and stabilisation works consented via application no 17/0783/07, this harm is limited, less than substantial and mainly relates to the visual impact of the new roof line and excavation of new basement areas. This is outweighed by the public benefits of getting the building rebuilt to a high quality that meets the modern standards expected of a premium city centre hotel, and restoring the environment and setting of the Cathedral Green to its former position as a significant and well used public space in the centre of the city.

Therefore, the recommendation having balanced the material considerations is one of approval. Given the complexities of the scheme, the extent of new basements and of further exposure of historic fabric, the level of detailed information required in respect of architectural details, and the need for further and on-going analysis of the structural integrity of the remaining elements to be incorporated into the new building as work proceeds numerous conditions will be required to ensure the works progress in a satisfactory manner:

## **RECOMMENDATION**

**Approval** of both 17/1360/FUL & 17/1361/LBC subject to the following conditions –

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.  
**Reason:** To ensure compliance with sections 91-92 of the Town and Country Planning Act 1990.
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on \*\*  
\*\*\*\*\* 20\*\* (including dwg. nos\*\*\*\*\*) as modified by other conditions of this consent.  
**Reason:** In order to ensure compliance with the approved drawings.
- 3) **Pre-commencement condition:** No development related works shall take place within the site until a written scheme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include on-site work, and off-site work such as the analysis, publication, and archiving of the results, together with a timetable for completion of each element. All works shall be carried out and completed in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.  
**Reason for pre-commencement condition:** To ensure the appropriate identification, recording and publication of archaeological and historic remains affected by the development. This information is required before development commences to ensure that historic remains are not damaged during the construction process.
- 4) **Pre-commencement condition:** A Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development on site and adhered to during the construction period. This should include details of monitoring and mitigation measures to control the environmental impact of the development during the construction and demolition phases, including site traffic and traffic routing, the effects of piling, and emissions of noise and dust. The CEMPs should contain a procedure for handling and investigating complaints as well as provision for regular meetings with appropriate representatives from the Local Authorities during the development works, in order to discuss forthcoming work and its environmental impact.  
**Reason for pre-commencement condition:** In the interest of the environment of the site and surrounding areas. This information is required before development commences to ensure that the impacts of the development works are properly considered and addressed at the earliest possible stage.
- 5) Unless otherwise agreed in writing by the Local Planning Authority the development hereby approved shall be completed strictly in accordance with the approved drawings referred to in condition 2 and the following documents submitted as part of the application –
  - a. Architectural Restoration Specification Fabric Repair Works Ref 8404RS dated August 2017
  - b. Schedule of Works Fabric Repair Works Ref 8404SoW dated August 2017
  - c. Window Schedule dated August 2017, and
  - d. Door Schedule dated August 2017.**Reason:** To protect and preserve the character of the listed building.
- 6) Samples of the materials it is intended to use externally in the construction of the development shall be submitted to the Local Planning Authority. No external finishing

material shall be used until the Local Planning Authority has confirmed in writing that its use is acceptable. Thereafter the materials used in the construction of the development shall correspond with the approved samples in all respects.

**Reason:** To ensure that the materials conform with the visual amenity requirements of the area.

- 7) No construction/demolition work shall take place outside the following times: 8am to 6pm (Mondays to Fridays) 8am to 1 pm (Saturdays) nor at any time on Sundays, Bank or Public Holidays.

**Reason:** In the interests of residential amenity.

- 8) **Pre-commencement condition:** Prior to the commencement of the development hereby permitted, the kitchen ventilation system for the premises shall be installed in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The details shall include drawings of the location and design of the system, and information on how odour emissions shall be controlled, including abatement if necessary, and how the system shall be maintained to ensure it does not adversely affect the amenity of surrounding uses.

**Reason for pre-commencement condition:** In the interests of the amenity of the area, especially nearby residential uses.

- 9) **Pre-commencement condition:** Detail of mechanical plant/noise levels to be submitted for approval.

- 10) Details of the height, position, appearance and materials to be used in the construction of the proposed roof plant enclosure shall be submitted to and be approved in writing by, the Local Planning Authority prior to the installation of this element of the scheme.

**Reason:** To ensure that the details of the roof plant enclosure are appropriate in the interests of the character and appearance of the building and the wider locality.

- 11) Prior to the installation of any external lighting on the outside of the buildings or elsewhere on the site full details of the lighting scheme including the design, siting, illumination type and intensity shall be submitted to the Local Planning Authority for approval. Only lighting that has been approved in writing by the Local Planning Authority shall subsequently be installed on the premises.

**Reason:** To ensure that the impact of any lighting installed on the premises is acceptable in terms of its impact on the character and appearance of the listed building and the wider conservation area.

- 12) Prior to the installation of any new fenestration (doors/windows) large scale details, including sections to a scale of not less than 1:20, of the proposed windows/doors, along with confirmation of materials and finishes, shall be submitted to and be approved in writing by the Local Planning Authority. Thereafter the works shall be carried out strictly in accordance with the approved details.

**Reason:** To protect and preserve the character of the listed building.