



The Harlequins Centre, Paul Street, Exeter Historic Environment Desk-Based Assessment

Volume 3: Non-Technical Summary and Responses to Consultees



Report No: 18-8 Vol 3: Addendum

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And





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1. NON-TECHNICAL SUMMARY

1.1 Introduction

Curlew Alternatives Property LP commissioned Triskelion Heritage to prepare a Historic Environment Desk-Based Assessment (the 'HEDBA') for land at The Harlequins Centre, Paul Street, Exeter, EX4 3TT (hereafter the 'Site'). The Assessment has been commissioned to accompany a planning application for the *Development of a Co-Living (Sui Generis) accommodation block and a hotel (Class C1) including bar and restaurant, following demolition of existing shopping centre and pedestrian bridge, change of use of upper floors of 21-22 Queen Street to Co-Living (Sui Generis), and all associated works including parking, landscaping, amenity areas, public realm improvements, new pedestrian bridge and provision of heritage interpretation kiosk. (Revised).*

The overall objective of the HEDBA is to provide an assessment of likely and significant effects with reference to heritage assets and to enable an informed decision-making process. The relevant guidance for this assessment includes but is not limited to, *Guidelines for Environmental Impact Assessment* (Institute of Environmental Management and Assessment, 2004), the Chartered Institute for Archaeologists' *Standard and Guidance for Historic Environment Desk-Based Assessment* (Chartered Institute for Archaeologists, 2014, updated 2017), the Historic England document, *The Setting of Heritage Assets – Historic Environment Good Practice Advice in Planning Note 3 (Second Edition)* (Historic England, 2017) and the Ministry of Housing, Communities & Local Government document, *Planning Practice Guidance. Conserving and enhancing the historic environment* (Ministry of Housing, Communities & Local Government, 2014, updated 2019).

The HEDBA is formed of two principal volumes - Volume 1: Baseline (Report No: 18-8 Vol 1 (09.10.19)), which details the baseline conditions existing at the site along with an assessment of the significance of the heritage assets which may be affected by the proposed development, and Volume 2: Impact Assessment (Report No: 18-8 Vol 2 (09.10.19)), which assesses the environmental effects in relation to archaeology and cultural heritage associated with the proposed development. An Addendum (Report No: 18-8 Vol 2: Addendum (07.12.19)) to Volume 2 was produced following the receipt of new information about the listing status of a heritage asset situated within the assessment area. They should be read in conjunction with the documentation accompanying the planning application which has been submitted to Exeter City Council, having been amended to reflect comments from the LPA and Historic England and the revised scheme is the one considered in Volume 2 Impact Assessment and in this Non-Technical Summary. Inclusion of comments from consultees or others does not imply design team agreement, but may have contributed to the design revisions. This volume provides a non-technical summary of the contents of Volumes 1 and 2 and a collation of responses received during the public consultation period, on which the project team provided detailed commentary and clarification.

The full detailed responses to these are appended to this non-technical summary and include:

- Section 2: Volume 2: Addendum Impact Assessment For No. 42 Northernhay Street (07.12.19)
- Section 3: A response (dated 13.12.19) to comments received from Mr J Palmer & Mr D Huber
- Section 4: A response to the objection letter received from Historic England (07-01-2020)
- Section 5: A response (dated 15.01.20) to comments received from the Georgian Society
- Section 6: A response (dated 04.02.20) to draft notes received from Mr S Blaylock
- Section 7: A response (dated 10.02.20) by the University of Winchester to a request from Historic England to undertake modelling of archaeological deposits



1.2 Volume 1: Baseline

Volume 1 of the HEDBA presents the baseline data and an assessment of the significance of the heritage assets identified within the site and a 150m radius of its deemed centre (as agreed in consultation with Mr A Pye, Exeter City Council Principal Project Officer (Heritage) and hereafter known as the 'Assessment Area'). The aim of this assessment was to determine, in so far as reasonable by desk-based research and site visits, supplemented by archival research and a small scale archaeological investigation, the presence or absence of heritage assets and the character, survival and state of preservation of such assets within the Assessment Area. The assessment was derived from a full and comprehensive examination of data related to designated and non-designated heritage assets and benefits from asset mapping drawn from detailed on-site observations and desk-top research. The principal data source was the Exeter City Historic Environment Record (the 'ECHER') supplemented by archival and library research. The 150m radius was then extended to encompass heritage assets situated at greater distance from the site for which potential impacts to the significance of the asset arising from changes to the it's setting (sometimes called indirect impacts) might be anticipated – these assets were identified during an on-site consultation with the Exeter City Council Principal Project Manager (Heritage), an Inspector of Historic Buildings and Areas from Historic England and an Inspector of Ancient Monuments from English Heritage.

A detailed Archaeological and Historical Background (Section 3) on the site and the assessment area is also provided with data collected from various source repositories. The data collected is considered to provide a good indication of the character, distribution and survival of any potential heritage assets within and near the site and helps define its significance.

Each heritage asset was assessed for significance based upon a scale ranging from Very High for sites of international significance through High, Medium, Low, Negligible and Unknown. This grading system is standard (if not universally used) in HEDBAs and Heritage Statements, and Section 4 provides an assessment of significance of the heritage assets incorporating a values-based benchmark based on standard methodology and guidance.

The buried archaeological deposits on the site are potentially very complex and associated with various phases of Roman military defensive and civilian settlement activities. Rather than try and develop a more nuanced but arguably more debateable means of grading some potential deposits as more significant than others (noting that in detail the knowledge of the presence and degree of survival of such deposits is relatively poorly known) the decision was taken (and agreed in consultation with A Pye) to assess all the buried archaeological deposits as being of High – National significance. Assets outside the site (outside the Red line planning boundary) primarily consist of historic buildings, both designated and non-designated, and in these cases, significance was ascribed based upon the Historic England Listing Grade where applicable and professional judgement.

Because the buried archaeological deposits were not easily understandable based on information held in the ECHER, two additional studies were commissioned. The first was a detailed review (commissioned from Cotswold Archaeology) of the excavation archives of investigations carried out in the 1980's prior to the construction of the Harlequins Centre and is provided in Appendix 1. This was then supplemented by the archaeological investigation with the excavation of two trenches, by Cotswold Archaeology, to attempt to assess survival and character of archaeological deposits in 'gaps' between areas investigated in the 1980's – this is provided as Appendix 2.

A Baseline study often includes a photographic record which is also used to assess potential visual impacts to heritage assets arising from a proposed development. Section 5. Site Visit and Condition of Volume 1 includes just such a photographic record. It is primarily for use by the heritage consultants and is also useful to more generally illustrate the site, its condition and its wider context. A full visual Impact Assessment was undertaken by LHC Design, and this was used in the analysis of the potential impacts to the setting of heritage assets (see below).



1.3 Volume 2: Impact Assessment

Volume 2 of the HEDBA presents an assessment of the environmental effects in relation to archaeology and cultural heritage associated with the proposed development. The Impact Assessment describes the methods used to assess the potential impacts of the proposed development on the significance of the heritage assets identified within the site and the assessment area, the potential direct and indirect impacts of the proposed development arising from the construction process, the mitigation measures required to prevent, reduce, or offset the impacts and the residual impacts. The scope and extent of the Impact Assessment was discussed with Mr Andy Pye, Principal Project Manager (Heritage) at Exeter City Council, Rhiannon Rhys (Inspector of Historic Buildings and Areas) at Historic England and Nick Russell (Inspector of Ancient Monuments) at English Heritage.

The Scope and Methodology are set out in Section 2. The assessment of significance was carried forward from Volume 1: Baseline. This was followed by the identification and description of potential impacts to the significance of the heritage assets. The assessment process was based upon the environmental impact assessment process founded upon that used by the Design Manual for Roads and Bridges which is widely used for assessing potential impacts. This methodology was agreed in advance with the Principal Project Manager (Heritage) at Exeter City Council.

Impacts are considered on a scale ranging from Substantial, to Moderate, Minor or Neutral and may be either adverse (i.e. harmful to an asset's significance) or beneficial (i.e. an improvement of an asset's significance.).

A consideration of the significance of an asset and the anticipated potential impacts gives an overall 'effect' of a proposed development; a matrix (see Table 3 in Volume 2) aids in making the process of reaching an effect more transparent and less susceptible to biases, whilst recognising that in the end these are professional judgements.

The language used in consideration of impacts derived from DMRB long predates current planning guidance and policy, and therefore the process was amended to include the use of the four 'interests' (archaeological, architectural, artistic and historic) set out in Historic England's 'Conservation Principles, Policies and Guidance' (2008) and also for the clear delineation of 'Substantial Harm' as identified in paragraphs 194-195 of the National Planning Policy Framework (the 'NPPF') (2019).

It is almost always the case that an Impact Assessment is conducted after the design for a proposed development has been finalised. In the case of the present planning application this was not the case. The Impact Assessment went through several iterations as part of the design process to enable the project team to see the likely outcomes and potential impact of a variety of design considerations (ranging from size of footprint, numbers of floors and changes to façade and fenestration) on the significance and settings of the heritage assets. Volume 2 presents the predicted impacts and effects of the final development scheme, but the consultation responses in sections 2 to 6 below were made with reference to the preliminary development scheme submitted to planning (November 2019). The assessment of effects of the proposed development upon heritage assets outside the red line, arising as a result of changes to the settings of the assets, was based upon the series of photo-montage viewpoints provided in the Landscape and Visual Impact Assessment (the 'LVIA'), which utilised standard methodology and viewpoints discussed with, and agreed by both Exeter City Council Principal Project Manager (Heritage) and Historic England (the LVIA is presented elsewhere in the planning submissions, but Table 5 Heritage Assets – Assessments of Impacts and Significance of Effects in Volume 2: Impact Assessment cross-references the relevant viewpoints for the respective assets).

The final Impact Assessment details a range of effects upon heritage assets.

There are beneficial effects arising from improvements to the setting of the *scheduled* City Wall and improved public access to, and presentation of the wall.



Effects upon the buried archaeological remains within the site are on balance considered to be Neutral, in that additional impacts arising from new foundations, services (water, sewerage etc) and roads are largely confined to upper layers which were very largely removed by the construction of the Harlequins centre in the 1980s (based upon a detailed review of both 1980's design drawings and photographs of the construction in process) – there are no anticipated impacts to lower layers..

The significance of effects upon heritage assets outside the footprint of the proposed development arises through impacts to the significance of the assets as a consequence of changes to their setting. Most of these assets are listed buildings but also include the Northernhay and Rougemont Gardens as well as there being inherent landscape and townscape value. Many such effects are considered Neutral in nature, others range from Minor Adverse to Moderate-Substantial Adverse. None rise to the degree of impact to qualify as a Substantial Harm as considered in the National Planning Policy Framework.

The outcome of this is an exercise of professional judgment. NPPF (2019) sets out the relevant tests in Paragraphs 193 and 194 and includes both designated and non-designated assets (as per footnote 63 of NPPF). The conclusion is that the NPPF threshold of 'Substantial Harm' would not occur to the significance of any heritage asset. This disengages any heritage-related presumption against the proposed development. The significance of some heritage assets would be affected by various degrees of Less than Substantial Harm, which are to be weighed against other forms of public benefit in the planning decision process in the ordinary way.

1.4 Responses received during the Public Consultation Period

The project team provided detailed commentary and clarification on several responses received during the consultation period where it was deemed necessary. It was observed that some of responses appeared to be substantially based on an incomplete reading and/or absence of understanding of the HEDBA, the assessment methodology and the data provided therein. Below is a brief summary of the main points raised in the responses.

The owners of No. 42 Northernhay Street responded to state that their property was Grade II listed and it had not been documented as such in the HEDBA. It was not documented as a listed building due to it not being entered on either Historic England's National Heritage List for England (NHLE), "the only official, up to date, register of all nationally protected historic Buildings" (Historic England, 2019) or in the Exeter City Historic Environment Record. Following enquiries with the Principal Project Manager (Heritage) at Exeter City Council, the latter confirmed that a paper version of the list entry description for the property was contained in the Exeter City archives. Historic England had therefore not updated the NHLE. Historic England subsequently confirmed that the NLHE has now been updated and it now contains a list entry description for No. 42 Northernhay Street. Consequently, it has been considered under the Heritage Impact Assessment relating to the development proposals for land at The Harlequins Centre in the form of an Addendum to Volume 2: Impact Assessment. The response is considered in detail in Section 2 below.

Mr J Palmer & Mr D Huber (see Section 3 below) made several observations and comments on Volume 1: Impact Assessment. Of these a few are contentions or assertions of greater harm than are detailed in the Impact Assessment. These are unsubstantiated by evidence, an alternative methodology or detailed critique of the professional judgements that are summarised in the Impact Assessment.

Mr J Palmer & Mr D Huber also made a contention that the existing Harlequins Centre 'sits comfortably within its historic setting' a contention not supported by any architectural authorities or the formal Conservation Area Appraisal of Exeter City Council.

Historic England raised several points in their objection (see Section 4 below) to the scheme as presented to them (19-12-2019). The most salient include the contention that the existing Harlequins Centre has a neutral impact on the townscape. This assertion is not supported by the Conservation Area Appraisal. The Central Conservation Area Appraisal and Management Plan (p.46) is clear in its



description of the Harlequins Centre which is, along with the Guildhall, described as “vast new buildings” that “have obliterated most of the historic street pattern and conflict with the scale, form and materials of the many historic buildings which surround the modern development.”

Historic England went on to state that the standard methodology followed was ‘atomised’ and in some way inappropriate. This a very odd critique considering that this office of Historic England has previously agreed the same methodological approach at Tintagel Castle, where the ‘developer’ was their sister-organisation English Heritage, and where a larger number of assets of high significance and with equally if not greater complexity of relationships were involved. It is therefore very strange that this same office should now assert that this approach is inappropriate even when it clearly considers all assets and avoids double-counting assets or impacts and has the advantage of having been widely consulted upon and widely used. We note that Historic England does not provide or detail an alternative methodology.

Historic England made more lengthy comments on the potential impacts to buried archaeological deposits (again offering no evidence or detail). The assessment of the impacts and mitigation/offset of impacts of the proposal on such remains is the responsibility of the Principal Project Manager (Heritage) at Exeter City Council who, during the course of several consultations to agree the scope and nature of additional investigations, did not express the need for such additional studies. See email from Principal Project Manager (Heritage) at Exeter City Council appended below in section 4.1.

Historic England go further and suggest that a Geoarchaeological Desk Based Assessment should be undertaken by a suitably qualified and experienced Geoarchaeologist, plus a Geoarchaeological borehole survey across the site with Geoarchaeologist in attendance and reporting and integration of new results into a geoarchaeological deposit model using appropriate software in accordance with Historic England guidance. In response Historic England were consulted and a Geoarchaeologist suggested by Historic England was consulted. A response by Dr. Nick Watson, ARCA Geoarchaeologist at the University of Winchester is presented in section 7 below. This concludes that *“a geoarchaeological model on the basis of current knowledge is not possible. Were a borehole survey to be undertaken at least 12 boreholes would need to be drilled. The model produced would still be limited in its reliability. It is unclear if this plan of action would be a cost effective method of deriving any more interesting data from the site”*.

The Georgian Society (section 5 below) made a small number of points in their response, which are largely their conclusions not supported by additional evidence or reasoning, and so are professional disagreements about the levels of impacts.

A very similar letter of objection to that of the Georgian Society was received from the Victorian Society (20-01-2020). No detailed response was made: the objection was couched in terms of massing and height leading to impacts on the Conservation Areas, and these are covered by our responses to the Georgian Society.

Mr S Blaylock’s response is in the form of notes consisting of comments and suggestions commissioned by ‘Save our Historic Exeter’, a group of residents of Northernhay Street, Exeter. Mr Blaylock made several notes on Volume 1: Baseline. Of these the most salient was that the detailed assessment in Appendix 1 did not make use of materials that Mr Blaylock was aware of and in which archaeological investigations undertaken in the later 1980’s were documented– but as is made clear in the report by Cotswold Archaeology, these additional materials appear to have been lost in the intervening 30 plus years and were not in the archives for review and analysis.

Section 6 below presents a response to Mr Blaylock. One objection by Mr Blaylock was mentioned above as it pertains to the baseline assessment, where it appears that the surviving archives from the 1980s investigations may not preserve all the materials that Mr Blaylock says were present some 30-plus years ago.

As a general response, Mr Blaylock’s submission suggests an unfamiliarity or inexperience with the nature and purpose of heritage-related documents which accompany planning applications, specifically, Historic Environment Desk-Based Assessments and those written in accordance with the Chartered Institute for Archaeologists (CIfA) Standards and Guidance on these. The point being that



such documents are not academic exercises but are designed to enable planning decisions to be informed by appropriate evidence. The Volume 1 Baseline and Volume 2 Impact Assessment were both produced in accordance with current professional (CIfA) Standards.

This is also the case where Mr Blaylock communicates information of which it appears, he uniquely has special knowledge, having excavated at the site.

Mr Blaylock then proceeds with a detailed critique of which the more salient points (and responses) are as follows (see section 7 for the complete presentation of comments and responses). Text in *italic bold Times New Roman* is from Mr Blaylock and text in Arial font is the response.

- *Neither Triskelion nor Cotswold Archaeology seem to have had access to all the material relating to previous archaeological work on the site.* Unless the material survives elsewhere then it may have been discarded. It was not sign-posted in the HER and was not present or accessible for Cotswold Archaeology to consult and analyse
- *Map regression. The map regressionIn general the review of the map evidence (p. 14; figs 7–17) is selective and omits some of the more informative map sources while dwelling on less-informative ones There are other notable maps that could also have been included* A HEDBA does not have to contain every available map. The selection is based upon professional judgement and relevance to the significance of the assets being investigated and the degree of impact that might arise. The Rocque map and OS map of 1876 were reviewed as part of the research and are referenced in appropriate places in the gazetteer. The OS Map of 1891 was chosen because in the author's judgement it better illustrated the historical development of the site.
- *Playing down of potential survival . . . one notices a recurring tendency in the assessment to play down the possible extent of survival* The HEDBA clearly states that there is a presumption of the survival of buried archaeological deposits on the site and Mr Blaylock's comments above acknowledge that he is cognizant of these statements. The HEDBA does not dispute that *some archaeological deposits will survive on the site* and goes on to allow for both small trench excavations and a watching brief upon all groundworks as an appropriate response to such potential.
- *In my 1995 report I wrote the following on the scheduled status of the city wall See also my recommendations about improving the level of statutory protection (Blaylock 1995, 123). Although this was under active consideration in the mid.-1990s, nothing ever seems to have come of it.* We note that Mr Blaylock made his representations in 1995 and EH / HE (as it is now) has not responded in the intervening 24 years.
- *p. 34/31 para. 4 concludes 'survival of Roman and post-Roman stratigraphy is unlikely to be extensive.'* The HEDBA clearly states this , and no evidence to suggest the requirement of a re-consideration of this has been provided.
- *p. 72/69 Viewpoint analysis: This is pretty faulty, notwithstanding the fact that 'The key views were discussed with and incorporate the suggestions of the Exeter City Council Principal Project Manager (Heritage) (see also below).* Mr Blaylock does not provide the basis on which he makes his judgement that the viewpoint analysis is "pretty faulty". The key views were discussed with and incorporate the suggestions of the Exeter City Council Principal Project Manager (Heritage) and with Historic England and neither has demurred since.
- *It follows that more archaeological information is needed.....*While allowing that in some circumstances more information may be of value, the requirement in planning guidance is to provide sufficient evidence to allow informed decisions to be made. Exeter City Council Principal Project Manager (Heritage) and Historic England were consulted and Historic England has not objected on this basis, and the Principal Project Manager's (Heritage) consideration is appended below. Additionally, many of the comments made by Mr Blaylock have no direct



relevance to the matter under consideration and so the provision of more archaeological information should be a considered carefully in light of this.

Sections 2, 4 and 6 below all make explicit that at the end of the process of data collection and analysis the Exeter City Council Principal Project Manager (Heritage) approved the data sources and analysis provided in Volume 1.



2. IMPACT ASSESSMENT FOR A DESIGNATED HERITAGE ASSET FOR NO. 42 NORTHERNHAY STREET

2.1 Introduction

An Addendum to Volume 2 comprised of an impact assessment for a designated heritage asset, No. 42 Northernhay Street. The Grade II listed building did not have a list entry description on Historic England's National Heritage List for England (NHLE), "*the only official, up to date, register of all nationally protected historic Buildings*" (Historic England, 2019) or an entry on the Exeter City Historic Environment Record when the assessment which informed Volume 2 was carried out. Consequently, it was not included in Volume 2. Historic England subsequently confirmed that the NLHE has been updated and it now contains a list entry description for No. 42 Northernhay Street. It therefore should be considered under the Heritage Impact Assessment relating to the development proposals for land at The Harlequins Centre.

During the public consultation period, the owner of No. 42 Northernhay Street highlighted to the project team that their property was not referenced in the Impact Assessment (Volume 2) and, in their opinion, it should have been referenced based on their assertion that the building is Grade II listed. In response, Triskelion Heritage interrogated the NHLE and Heritage Gateway again on 18th November 2019, both repositories having been interrogated by several Triskelion Heritage team members as part of the initial assessment process. Triskelion Heritage confirmed to the project team that No. 42 Northernhay Street was not documented in either repository. Subsequently, Mr A Pye, Principal Project Manager (Heritage) at Exeter City Council informed the project team that a paper copy of a list entry description for No.42 Northernhay Street is lodged in the Exeter City Archives. This is reproduced below. The list entry description dates from 2000 and suggests that No. 42 Northernhay Street was listed or intended to be listed at that time.



PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990

46TH AMENDMENT OF THE 2ND LIST OF BUILDINGS OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST

CITY OF EXETER

WHEREAS:

1. Section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Act") requires the Secretary of State, for the purposes of the Act and with a view to the guidance of local planning authorities in the performance of their functions under the Act and the Town and Country Planning Act 1990 in relation to buildings of special architectural or historic interest, to compile lists of such buildings, and he may amend any list so compiled.
2. On 18 June 1974, the Secretary of State compiled a list of buildings of special architectural or historic interest situate in the City of Exeter.
3. The Secretary of State, having consulted with the Historic Buildings and Monuments Commission for England and such other persons or bodies of persons who appear to him appropriate as having special knowledge of, and interest in, such buildings, considers that the said list should be amended in the manner set out in the Schedule hereto.

NOW THEREFORE the Secretary of State, in exercise of the powers conferred on him by Section 1 of the Act, hereby amends the said list in the manner set out in the Schedule hereto.



may be the remains of a gallery-and-back-block plan, the gallery and back block missing (the gallery of No 18 survives in part). EXTERIOR: The c1900 brick front to Nos 17 & 18 is symmetrical and 3 storeys high. No 17 has a 2-bay front with plain projecting pilasters and a plain parapet. C20 shop front with plate glass windows canted into central doorway with 2-leaf half-glazed door with low panels. 4-pane horned sashes to both floors. Rear elevation has 2 4-pane sashes and 2 smaller windows. INTERIOR: Not inspected.

SX 9192 NE

NORTHERNHAY SQUARE
(East side)

871/2/10098

No. 2

II

House. c.1850. Stuccoed mass wall construction; slate roof. PLAN: Rectangular plan with central entrance. EXTERIOR: 3 storeys. Symmetrical 3-bay front. Deep boxed eaves with some eaves brackets surviving to right return. 2 right hand bays divided by pilasters, the right hand pilaster clasping. 6-panelled door in centre bay with plain overlight. Hornless sash windows, most retaining their glazing bars. INTERIOR: Not inspected.

SX 9192 NE

NORTHERNHAY STREET
(East side)

871/2/10099

No. 42

II

Town house. Early C19. Mass wall construction, painted, stuccoed and blocked out; left return painted and roughcast. Brick chimney shaft with platband; 2 ceramic chimney pots. Slated gabled roof. PLAN: 1-room deep, 2 rooms wide. Central main entrance. Rooms heated by stack to left, none remaining to the right. EXTERIOR: Symmetrical, 3-bay front. 3 storeys high plus basement. Entrance has 6 fielded panel door within doorcase with fielded panel reveals. Rectangular overlight with 2 vertical glazing bars. Hornless early C19 sashes throughout; 12-pane sash window either side of the door. First floor has three 12-pane sash windows. Second floor has 3 6-pane sash windows. Basement has a C20 light to right side of front elevation. Left return has C20 window to ground floor right; 2-light casement window to second floor. INTERIOR: Not inspected.



SX 9293

871/12/10101

OLD TIVERTON ROAD
(West side)

Nos. 7-10 (Consec), St Ann's
Terrace

II

Terrace of 4 artisan houses, dated 1821, builder Wm. Chesterman (plaque). Flemish bond brick; asbestos slate roofs; end stacks with brick shafts with platbands, some slate hanging to rear; Nos 7 & 8 have pierced ridge tiles. PLAN: Double-fronted houses with central entrances and hipped rear wings plus later rear additions. EXTERIOR: All the houses have round-headed doorways with a reeded moulding and plain fanlights; sash windows with flat brick arches. No 7 has a timber eaves board, first floor windows replaced with 4-pane timber horned sashes, ground floor windows now aluminium, probably original panelled front door. No 8 also has an eaves board, probably original first floor windows, some glazing bars missing (8 over one panes to the outer windows, 12-pane to the centre). Ground floor windows are probably late C19 canted bays with hipped slate roofs glazed with 2-pane timber horned sashes. Half-glazed front door, porch with hipped glazed roof and lattice sides. No 9 is painted and preserves its original 16-pane sash windows with a 12-pane window to first floor centre, all with reeded architraves. C20 front door with pretty gabled porch with curly bargeboards and lattice sides. No 10 is stuccoed and blocked out. Fanlight is blind with spoke glazing bars. Outer windows 4-pane sashes, first floor centre window in a 12-pane sash, all first floor windows with reeded architraves; C20 front door. INTERIORS: Not inspected. Although there have been some alterations the row preserves more detail than is usual for modest artisan houses of this date. HISTORICAL NOTE: A stone plaque is carved with 'ST ANN'S TERRACE. THE FIRST STONE OF THIS TERRACE WAS LAID BY WM WEBBER WHO WAS MAYOR OF THIS MANOR 2 YEARS SUCCESSIVE ASSISTED BY THE WARDEN MR H BRAILY. 1821. WM CHESTERMAN BUILDER'

Signed by authority of the
Secretary of State

IAIN NEWTON
Department for Culture, Media
and Sport

Dated: 23 June 2000



2.2 Assessment Methodology

The National Heritage List for England is Historic England's online searchable database of designated heritage assets. Historic England state that it is "the only official, up to date, register of all nationally protected historic buildings..." and it is accepted that the database is the primary source for list entry descriptions. It is accepted practice that the database is interrogated when checking if a building is listed. As part of the preparation of the baseline report (Volume 1) the database was interrogated (first in 2018 and again on 18th and 25th November 2019) and there was no list description entry for No.42 Northernhay Street. Additionally, the Triskelion Heritage Archaeological Illustrator extracted data from the Exeter City Historic Environment Record for the purposes of the figures (same dates) and there was no entry for No.42 Northernhay Street. Heritage Gateway, the website that provides access to local and national records on the historic environment was also interrogated (same dates) as part of the preparation of the baseline report and no entry was found for No.42 Northernhay Street. The Exeter City Council's 'Quick List of Listed Buildings' was also interrogated, and it was noted that No.42 Northernhay Street was documented as being Grade II listed. Mr A Pye, Principal Project Manager (Heritage), at Exeter City Council came to the same conclusion on the 26th November (see Appendix 1 below). On the basis of the thorough baseline assessment process which interrogated the definitive source for listed buildings, noting that Historic England hold the responsibility and authority of statutory listing, and that the 'Quick List' is a secondary source, we were of the opinion that No.42 Northernhay Street was an erroneous entry on the 'Quick List'.



Figure 1 National Heritage List for England - Map (accessed 25-11-2019)

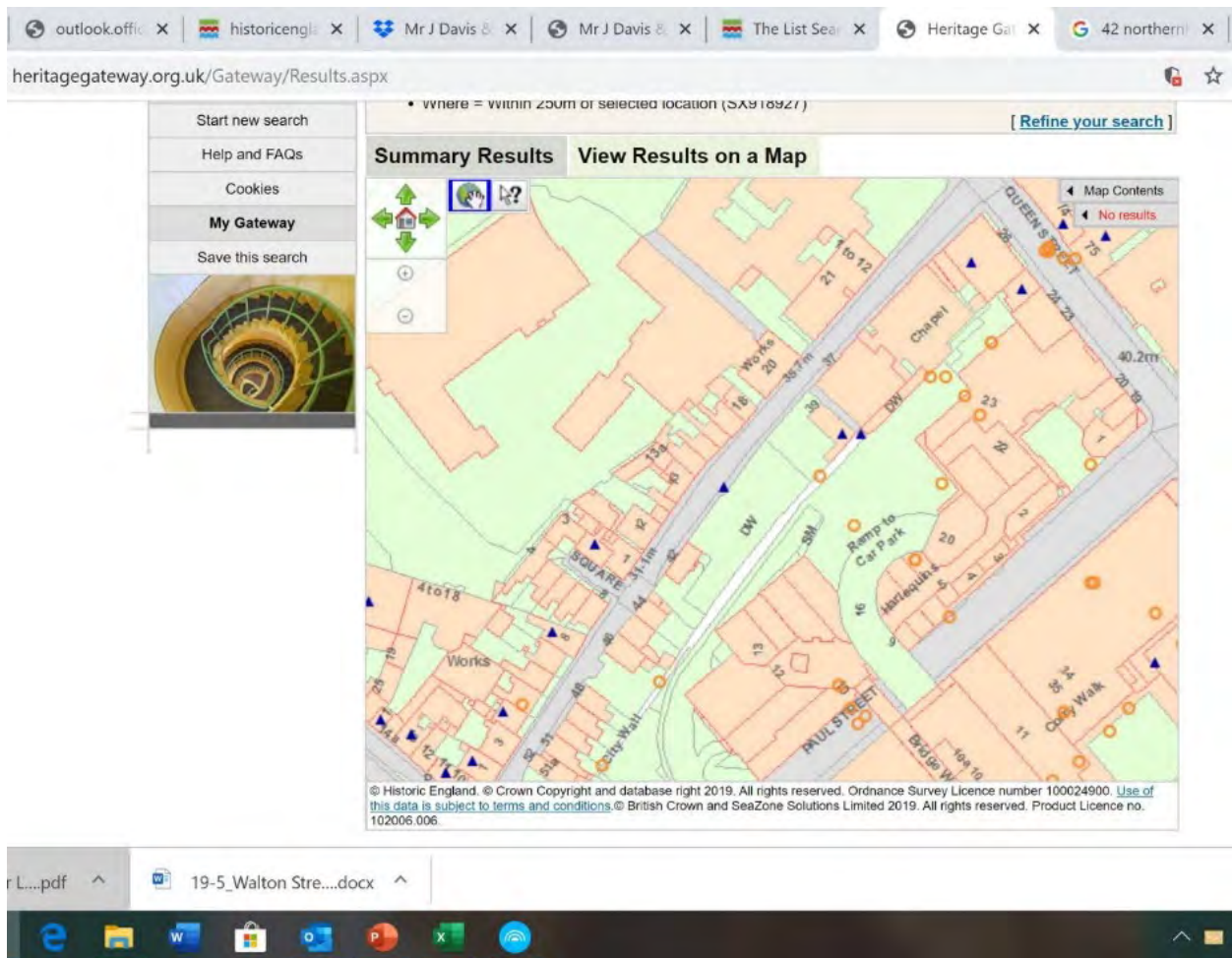


Figure 2 Heritage Gateway map showing entries on the Exeter City Historic Environment Record (accessed 25-11-2019)

For the avoidance of doubt, it is standard practice for heritage practitioners when undertaking a HEDBA to consult the National Heritage List for England rather than local archives to ascertain whether a building is listed.

The correspondence contained in Appendix 1 evidences that the omission of No 42. Northernhay Street on the NHLE is a Historic England error which appears to have now been rectified.



2.3 Impact assessment for No. 42 Northernhay

Following the addition of No. 42 Northernhay Street to the NHLE by Historic England, the Impact Assessment process detailed in Volume 2: Impact Assessment of the HEDBA has been followed in the assessment of No. 42 Northernhay Street and this is shown using the same tabular format used for all heritage assets in Table 1 below. Setting is addressed in the wider narrative contained in Volume 2 and this is considered appropriate given the close proximity of No. 42 to other designated heritage assets on Northernhay Street, the setting of which is considered in the aforementioned volume.

For the avoidance of doubt Tables 4 and 5, and Figures 3 and 14 of the HEBA Volume 2 have been amended to include No. 42 Northernhay.

Table 1 Heritage Assets – Assessments of Impacts and Significance of Effects

IDENTIFIER	ASSET TYPE	NAME / ADDRESS AND Description	Significance or Value of Asset	Description of Impacts	Significance of Effects of Impacts to Assets and Settings
42 Northernhay	Listed Building Grade 2	Town house. Early C19. Mass wall construction, painted, stuccoed and blocked out; left return painted and roughcast. Brick chimney shaft with platband; 2 ceramic chimney pots. Slated gabled roof. PLAN: 1-room deep, 2 rooms wide. Central main entrance. Rooms heated by stack to left, none remaining to the right. EXTERIOR: Symmetrical, 3-bay front. 3 storeys high plus basement. Entrance has 6 fielded panel door within doorcase with fielded panel reveals. Rectangular overlight with 2 vertical glazing bars. Hornless early C19 sashes throughout; 12-pane sash window either side of the door. First floor has three 12-pane sash windows. Second floor has 3 6-pane sash windows. Basement has a C20 light to right side of front elevation. Left return has C20 window to ground floor right; 2-light casement window to second floor. INTERIOR: Not inspected.	Medium	Northernhay Street is noted in the St David's Conservation Area appraisal as of particular value and deemed a positive contributor to the special character and interest of the conservation area. The introduction of buildings of a height and mass that do not contextually respond to the local character and distinctiveness of the area is assessed as a Moderate Adverse impact.	Moderate-Adverse

Figure 14 in Volume 2 of the HEDBA shows No. 42 Northernhay with the appropriate colour-coding for the effect as assessed above.



2.4 Annotated email chain explaining omission of No 42 from the HE Lists

Dadds, Chris

Thu, 5 Dec, 12:13 (19 hours ago)

to me, Esther, Andrew, Greg, Lowri

Gerry/Ester

Please see below correspondence from the council and HE regarding 42 Northernhay Street.

It looks like the building is listed.

Can we therefore review and I assume that we now have to accept this?

In which case we need to produce a formal response for the council updating/amending our HEDBA and the impact assessment.

We also need to make it clear how this happened and the basis for our initial view.

Happy to discuss as necessary

Chris

Chris Dadds

Director - Planning and Development

JLL

Ground Floor, The Senate, Southernhay | Exeter EX1 1UG

T [+44 139 242 9316](tel:+441392429316)

M [+44 7774 338208](tel:+447774338208)

[jll.co.uk](mailto:chris.dadds@jll.co.uk)

From: Matthew Diamond <Matthew.Diamond@exeter.gov.uk>

Sent: 04 December 2019 12:09

To: Dadds, Chris <[REDACTED]>

Cc: Andy Pye <[REDACTED]>; 'Rhys, Rhiannon' <[REDACTED]>

Subject: [EXTERNAL] FW: 42 Northernhay Street, Exeter EX4 3ER

Chris

Please see email below concluding that no. 42 Northernhay Street is listed. Please could you revise the heritage assessment accordingly.

Regards

Matt

Matthew Diamond

Principal Project Manager (Development)

City Development

Exeter City Council

01392 265214

From: listing.enquiries [REDACTED]

Sent: 04 December 2019 10:39

To: Andy Pye <[REDACTED]>

Cc: Matthew Diamond <[REDACTED]>; Rhys, Rhiannon

<[REDACTED]>

Subject: RE: 42 Northernhay Street, Exeter EX4 3ER

Dear Andrew,

My apologies for the delay. I can confirm that No. 42 Northernhay Street was listed at Grade II on the 23 June 2000.

The National Heritage List has now been updated - you can view the list entry [here](#).

Many thanks for bringing this to our attention.

Kind regards,

Samantha

Samantha Amos

Listing Casework Team

Historic England

Fourth floor, Cannon Bridge House | 25 Dowgate Hill | London | EC4R 2YA

18-8 The Harlequins Centre, Paul Street, Exeter

Historic England confirm that No. 42 Northernhay Street is a listed building and it was not entered onto the National Heritage List for England at the point of listing in 2000. No explanation for the omission is provided.

Historic Environment Desk-Based Assessment Vol.3
Non-technical Summary and Consultation Responses



0207 973 3584

From: Andy Pye [REDACTED]
Sent: 03 December 2019 16:49
To: listing.enquiries
Cc: Matthew Diamond; Rhys, Rhiannon
Subject: RE: 42 Northernhay Street, Exeter EX4 3ER

Thanks Samantha, attached is another copy of the 2000 Amendment if that helps.
If the status of No. 42 can be clarified asap then that would be great, as this is currently rather a hot issue/application.
Regards,
Andrew
Andrew Pye
Principal Project Manager (Heritage)
City Development
Exeter City Council
01392 265224

From: listing.enquiries [REDACTED]
Sent: 29 November 2019 16:53
To: Andy Pye <[REDACTED]>
Subject: RE: 42 Northernhay Street, Exeter EX4 3ER

Dear Andrew,
Thank you for your enquiry. We'll check our databases and the old paper records. The latter might take a few days but I or one of my colleagues will email you again with an update as soon as possible.
Please don't hesitate to contact me if you have any questions.
Kind regards,
Samantha
Samantha Amos
Listing Casework Team
Historic England
Fourth floor, Cannon Bridge House | 25 Dowgate Hill | London | EC4R 2YA
0207 973 3584

From: Andy Pye
Sent: 26 November 2019 17:09
To: Designation <[REDACTED]>
Cc: Rhys, Rhiannon <[REDACTED]>; Matthew Diamond <[REDACTED]>
Subject: 42 Northernhay Street, Exeter EX4 3ER

Hi,
As Rhiannon is on leave for a while, we would be grateful if you can help with the following query, as it is in relation to a very much live and large planning application that is eliciting a lot of comment from the public.
According to our records (see scan of copy of original amendment, attached) the above property was Listed Grade II in June 2000. However, a search of the NHLE website does not turn it up – there is no triangle over the property on the mapping (and none of the nearby ones refer to No. 42), and a text search by address does not reveal No. 42 either. While the consultants for the applicants have obviously gone by the NHLE website and concluded that No. 42 is not Listed, some members of the public have looked at our quick list and noted that it is.....
Would therefore be grateful if you could look into this and clarify, thanks!
Best wishes,
Andrew
Andrew Pye
Principal Project Manager (Heritage)
City Development
Exeter City Council
01392 265224

From: Andy Pye
Sent: 26 November 2019 16:34
To: Matthew Diamond <[REDACTED]>; 'Rhys, Rhiannon'



<[REDACTED]>

Subject: RE: 19/1556/FUL - Harlequins

Hi Matt and Rhiannon,

Have checked our records of listing amendments and we have one (the 46th, attached, dated 23 June 2000) that adds No. 42 to the List. Hence it is on our mapping and on our Quick List.

Have checked the NHLE website, and note that is not mapped, and does not come up on the text search either.

I rather think, because we still have the original amendment, that the omission may be on the HE side rather than ours being wrong..... Rhiannon, would you be able to check this out with your designation colleagues?

Regards,

Andrew

P.S. paper still does have its uses.....!

From: Matthew Diamond

Sent: 25 November 2019 16:20

To: Andy Pye <[REDACTED]>; 'Rhys, Rhiannon' <[REDACTED]>

Subject: 19/1556/FUL - Harlequins

Hi Andy/Rhiannon

We've received the following comments re the above. I've checked the HE map, which does not show No. 42 Northernhay St as being listed. However, the attached, which is available on our website and where I presume the person has obtained their info, states that 42 Northernhay St is Grade II listed. My guess is the HE map is right and the attached is wrong, but I would be grateful if you could confirm.

Thanks

Matt

Matthew Diamond

Principal Project Manager (Development)

City Development

Exeter City Council

01392 265214



3. ISSUES BY PALMER/HUBER AND TRISKELION HERITAGE RESPONSES

1. *Pages 2 and 3 and 18 – question the use of 150m radius for considering heritage assets.*

The Area for considering heritage assets is not prescribed by Guidance. In this project, the 150m radius for the Assessment Area was agreed and approved by Mr A Pye, the Principal Project Manager (Heritage), at Exeter City Council. Paragraph 2 (p.2) and paragraph 7 (p.3) of the Introduction in Volume 1: Baseline, and paragraph 4 (p.1) of the Introduction and the section 'Methodological Approach' (p.34) in Volume 2: Impact Assessment clearly states this.

Page 2 para 1: A HEDBA is a study of the historic environment within a specified area and includes general photographic views of the area and views into, across and out of the site which is the subject of the proposed development. It does not include 'front-door' views, with exception where a heritage asset, i.e. a listed building is the subject of the proposed development.

2. *Page 2 and 4 and 18 – absence of No. 42 as a listed building.*

See HEDBA Vol 2: Addendum dated 10-12-19 issued to address the omission of No.42 Northernhay from Historic England's National Heritage List for England before its addition on 04 December 2019.

3. *Page 2, para 4 – Reject the use of the term “Desk Based” because of visits to site.*

Historic Environment Desk-Based Assessment is the name of this type of report as specified in the Standard and guidance for historic environment desk-based assessment produced by the Chartered Institute for Archaeologists (CIfA), the leading professional body representing archaeologists working in the UK. The HEDBA for the proposed development was drafted in accordance with the Standard and guidance. Undertaking site visits is best practice and part of the assessment process.

4. *PAGE 4, pages 5, 7 para 1, page 9, page 18: ‘completely dwarf the Roman City Wall, RAMM’ ‘due to massing and scale would amount to...’ etc -*

This is their value judgement. The HEDBA, Volume 2: Impact Assessment provides a detailed and standard methodology which was approved by Mr A Pye, the Principal Project Manager (Heritage) at Exeter City Council (and previously by English Heritage) and which accords with CIfA Standard and Guidance. The specific conclusions of the degree of impacts and therefore harm (or benefit) arising is based upon determinations made by accredited and appropriately experienced professionals. While professionals may reach different conclusions based upon their own judgements, we note that no alternative methodology is suggested, nor any new evidence supplied.

The effects of shadowing are considered on pages 31-32 of HEDBA Vol 2: Impact Assessment.

5. *Page 5 – Contest the less than substantial harm point.*

The HEDBA, Volume 2: Impact Assessment provides a detailed and best practice methodology which was approved by Mr A Pye, the Principal Project Manager (Heritage) at Exeter City Council (and previously by English Heritage). This accords with CIfA Standard and Guidance. The specific conclusions of the degree of impacts and therefore harm (or benefit) arising is based upon determinations made by accredited and appropriately experienced professionals. While professionals may reach different conclusions based upon their own judgements, we note that no alternative methodology is suggested, nor any new evidence supplied. It is also important to note the July 2019 Planning Practice Guidance on the historic environment which required the further articulation about where a proposal sits within the 'less than substantial' and 'substantial' categories of harm which was incorporated in the HEDBA Vol. 2.

6. *Page 8 and page 9 – Suggest impacts on buried archaeology.*

All impacts to buried archaeology are addressed in the HEDBA Vol. 2 on pages 21-30 with detailed interpretative figures provided.

7. *Page 9 – ‘proposed development does not enhance’ -*

The impacts of the proposal – both adverse and positive/beneficial – have been consistently assessed in detail in pages 36-50 of HEDBA Volume 2: Impact Assessment.



Page 16 –Comments about impacts on the cathedral, Exe River Paths, Rougemont Gardens etc.

This is mainly a LVIA point – but the anticipated impacts of the proposal upon the Cathedral from a heritage perspective are clearly laid out in pages 36-50 of the HEDBA Volume 2: Impact Assessment

8. *Page 22 – Statement that the existing building “sit comfortably within the historic setting” and ‘makes a positive contribution to the character or appearance of the area’*

The Central Conservation Area Appraisal and Management Plan (p.46) is clear in its description of the Harlequins Centre which is, along with the Guildhall, described as “vast new buildings” that “have obliterated most of the historic street pattern and conflict with the scale, form and materials of the many historic buildings which surround the modern development.” This quote is provided on p.48 of Volume 1: Baseline. The Appraisal and Management Plan, which is a supplementary planning document that is a material consideration in the determination of planning applications, was written by heritage practitioners on behalf of the council and it clearly does not support this assertion. The analysis detailed in HEDBA Volume 1: Baseline (pages 47-50) and Volume 2: Impact Assessment (pages 36-50) also contradicts this assertion.

9. *Page 45 – the objectors have annotated your summary drawing - - which I assume will be amended to include No42.*

The Addendum to HEDBA Volume 2: Impact Assessment provides a revised figure with No. 42 Northernhay shown.

10. *Page 46 – Includes photos showing the site supplied in the HEDBA Vol 1 of the application documents – but consider this isn’t a true representation.*

The photographs in the HEDBA were selected and used to illustrate views into, across, or from the site to assist in the decision-making process, specifically in the context of understanding potential impacts. Both Mr A Pye the Principal Project Manager (Heritage) at Exeter City Council and representatives of Historic England were provided with these illustrative photographs and did not highlight any omissions or indicated any concerns (note the LVIA uses standard LVIA methodology and includes all additional viewpoints that were requested by either Exeter City Council and/or Historic England).

11. *Picture series 9 – Page 47 – 58 (and comments on page 3) – Provides pictures of the area.*

These are illustrative photographs of this part of the St David’s Conservation Area. They do not assist decision making in that they do not provide views into, across or from the site.

We can’t comment on why the person is featured in the pictures has a very long pole in his hand.

4. TRISKELION HERITAGE RESPONSE TO HISTORIC ENGLAND'S ADVICE LETTER DATED 19-12-2019

1. *Paras 1-2, 4 – 14, 19, 30-34 and 38.*

These paragraphs repeat or reprise information presented to Historic England (HE) in the Triskelion Heritage HEDBA Volumes 1 and 2 and Addendum.

2. *Para 3 – Summary of HE Objection*

This is a professional disagreement about the levels of impacts

3. *Para 8 – statement that the existing harlequins Centre has a neutral impact*

This assertion is not supported by the Conservation Area Appraisal. The Central Conservation Area Appraisal and Management Plan (p.46) is clear in its description of the Harlequins Centre which is, along with the Guildhall, described as “vast new buildings” that “have obliterated most of the historic street pattern and conflict with the scale, form and materials of the many historic buildings which surround the modern development.” This quote is provided on p.48 of Volume 1: Baseline. The Appraisal and Management Plan, which is a supplementary planning document that is a material consideration in the determination of planning applications, was written by heritage practitioners on behalf of the council and it clearly does not support this assertion. The analysis detailed in HEDBA Volume 1: Baseline (pages 47-50) and Volume 2: Impact Assessment (pages 36-50) also contradicts this assertion.

4. *Para 16 – Criticises approach as ‘atomised’ (to break up into small units) as an “approach fails to properly engage with the nature of the asset’s significance and their relationships with each other, . . . whilst atomising complex relationships between features and apparent impacts . . . concerns about it use in cases with multiple assets with complex relationships, such as in the case of this application”*

An odd critique considering that this office of Historic England has previously agreed this approach at Tintagel Castle, where a larger number of assets with equally if not greater complexity of relationships were involved. It is an assertion that this approach is inappropriate to consider multiple assets with complex relationships as this is in the nature of the linear road schemes with which DMRB was intended to assess – assets that might number in the many hundreds if not thousands, spread out over large landscapes and linked by very complex relationships. We contend that this approach considers all assets and avoids double-counting assets or impacts and has the advantage of having been widely consulted upon and widely used. We note that Historic England does not provide or detail an alternative methodology. Furthermore, we have used the staged-approach as set out in Historic England’s *Historic Environment Good Practice Advice in Planning Note 3* (Second Edition): The Setting of Heritage Assets (2017) which is clearly reflected in the format and content of the HEDBA.

5. *Para 17 – sets out Historic England design preferences. -*

Historic England disagrees with our professional judgements and these are their value judgements. The HEDBA, Volumes 1 and 2 did use the approach set out in the 2017 Historic England guidance *The Setting of Heritage Assets*.

HE also suggests a ‘stepped and holistic approach’.

It is unclear what this means. A proposal could be stepped so that the taller building was at the uphill end, or alternatively stepped so that the taller building was at the downhill end of the plot. The latter was chosen on the basis that overall, this minimised potential visual impacts commensurate with a quantum of proposed floor area.

6. *Para 18 – Roman Wall would be subordinate to the proposal.*

The HEDBA, Volume 2: Impact Assessment sets out impacts and effects. Historic England may conclude that in their professional judgement the impacts are a degree more adverse. We stand by our assessment.

7. *Para 20 – impacts of shadowing and dampness*

The effects of shadowing and dampness are considered on pages 31-32 of HEDBA Vol 2: Impact Assessment. Historic England provides no evidence or rationale for considering the impacts would be more adverse than assessed. We stand by our assessment.

8. *Paras 21 and 22 – scale incongruous and criticisms of the LVIA and presentation.*

The use of the word incongruous is a value judgement. The impacts and effects of the proposed scheme upon the heritage assets are carefully and systematically assessed in the HEDBA Volume 2.

The LVIA used standard methodology.

9. *Para 23 criticises the design and use of glazing*

This is a professional disagreement about the effectiveness of different façade treatments to mitigate or offset for height and massing. The impacts and effects of the proposed scheme upon the heritage assets are carefully and systematically assessed in the HEDBA Volume 2. Historic England appears to conclude in their judgement, without evidence or clear rationale, that the impacts are more adverse than assessed. We stand by our assessment.

10. *Para 24 - criticises the design for what Historic England considers ‘design uniformity’*

This is a professional disagreement about the effectiveness of different façade treatments to mitigate or offset for height and massing. The impacts and effects of the proposed scheme upon the heritage assets are carefully and systematically assessed in the HEDBA Volume 2. Historic England appears to conclude in their judgement, without evidence or clear rationale, that the impacts are more adverse than assessed. We stand by our assessment.

11. *Para 25 and 26- - criticises the design and disagrees with degree of enhancements offered by the proposal*

The impacts and effects of the proposed scheme – both adverse and beneficial - upon the heritage assets are carefully and systematically assessed in the HEDBA Volume 2. Historic England appears to conclude in their judgement, without evidence or clear rationale, that the impacts are less beneficial than assessed. We stand by our assessment.

12. *Paras 27-28-29 – Suggest impacts on buried archaeology.*

All impacts to buried archaeology are addressed in the HEDBA Vol. 2 on pages 21-30 with detailed interpretative figures provided. Note that these remains are not scheduled although the HEDBA Volume 1 assessed their importance as equivalent to national importance, and they were assessed as being of national importance. The assessment of the impacts and mitigation/offset of impacts of the proposal on such remains is the responsibility of the Principal Project Manager (Heritage) at Exeter City Council who, during the course of several consultations to agree the scope and nature of additional investigations, did not express the need for such additional studies. See email from Principal Project Manager (Heritage) at Exeter City Council appended below. In our judgement such additional investigations and analyses as suggested by Historic England were not necessary to enable an informed planning decision to be reached.

13. *Para 35 HE objects to degree of impacts*

This is a professional disagreement about the assessment of the degree of impacts. The impacts of the proposal – both adverse and positive/beneficial – have been consistently assessed in the HEDBA Volume 2: Impact Assessment. HE appears to assert that in their

judgement, without evidence or clear rationale, that the impacts are less beneficial than assessed. We stand by our assessment.

14. Para 36 – HE acknowledges some benefits but asserts that less harmful schemes are possible

HE acknowledges some beneficial impacts but judges them to be less beneficial than assessed in the HEDBA Volume 2: Impact Assessment. HE state less harmful schemes may be possible. In addition to that not being the opinion of Triskelion Heritage, perhaps it can be noted that the proposed scheme where possible minimises conflict with the surrounding heritage assets.

15. Para 37 Suggests that Exeter City Council should not weigh the public benefits offered by the scheme against the harm identified until the harm has been justified

HE may be referring to the first sentence of para 194 NPPF which states that any harm must be justified, although this is not explicit. The detailed impact assessment in the HEDBA Volume 2 concludes that Substantial Harm would not occur to heritage assets. This disengages para 195 of NPPF 2019 and moves the decision-making to para 196 “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use” based upon justification of harms under NPPF 194 - and hence Exeter City Council are to weigh benefits and adverse impacts as would be done for any planning application.

16. Para 39 registers HE’s formal objection

This is a professional disagreement about the assessment of the degree of impacts. The impacts of the proposal – both adverse and positive/beneficial – have been consistently assessed in the HEDBA Volume 2: Impact Assessment. HE appears to assert that in their judgement, without evidence or clear rationale, that the impacts are less beneficial than assessed. We stand by our assessment.

17. Para 40 offers HE’s design guidance

HE reiterates their principles of design guidance.

18. Para 40 offers HE’s design guidance

Repeat of HE’s formal objection and request to be notified.

4.1 Proposed redevelopment of the Harlequins Centre, Exeter - archaeological matters

Andy Pye <[REDACTED]> 17 September 2019 at 16:23

To: Gerald Wait <[REDACTED]> Cc: Esther Robinson Wild
<[REDACTED]>, Matthew Diamond
<[REDACTED]>

Gerry,

I am writing as requested to give my view as to where matters stand with regard to the buried archaeology of this site. Please note that this covers the buried archaeology only, not the issues with respect to the potential impact of a new development on above ground assets and their settings.

Whilst the walled city, and several areas outside it, contain remains of high importance and significance, as recognised by the designation of the central area as a statutory "Area of Archaeological Importance" in 1984, the extent, depth and - crucially - quality of survival of such remains varies considerably from site to site, and indeed within individual sites and properties. In Exeter, as is the case elsewhere in cities with buried remains of equivalent importance, the presence of such remains rarely prevents redevelopment of a site per se, it is a matter of identifying what remains are present across a particular site, and their relative significance and state and depth of survival, and then taking this into account when designing the detail of a redevelopment scheme and making planning decisions on it. Notwithstanding this process, the impact on buried remains can never be completely designed out, and it is normal for those that are affected to be archaeologically excavated and recorded in lieu of their removal and for the results to be analysed, conserved, reported and archived as necessary. This work is normally secured by a condition on a planning permission, or by approving a scheme of work up front as part of a consented scheme.

With regard to the potential redevelopment of this site, I am happy that this process has been followed thoroughly to date, with a detailed assessment and some targeted site investigation (field evaluation in NPPF parlance) being undertaken during the design process and to inform that process and your pre-application consultations with ourselves and Historic England.

Based on your reporting to date, the results of the site investigations, and on my appraisal and knowledge of the site from the records held in the city's Historic Environment Record (HER), it is clear to me that the buried remains over much of the footprint of the proposed redevelopment have already been either removed or severely compromised by the archaeological excavations of the 1980s, and by the excavation of the new basements and other ground works related to the subsequent construction of the Harlequins Centre and the car park underneath it. The only exception may be a narrow strip immediately to the rear of the city wall, and the occasional localized pocket elsewhere, outside the modern basement areas.

My view is therefore that, so long as the redevelopment stays clear of the rear of the city wall, which in any case is a scheduled monument, and does not impinge upon the surviving rampart zone immediately behind the masonry wall, then there is no barrier to the redevelopment of the site in terms of buried remains, principally because on this particular site the majority of the latter have already been destroyed by previous excavation and development. Any residual impact on any that survive can be dealt with via a programme of archaeological work, which is the norm.

I trust this provides a reasonable and helpful summary of where things are currently at with regard to this matter. I will of course provide my formal response to an application once the final form of a proposed development is known and submitted.

Regards,
Andrew
Andrew Pye

Principal Project Manager (Heritage)
City Development, Exeter City Council
01392 265224

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5. TRISKELION HERITAGE RESPONSE TO THE GEORGIAN GROUP'S LETTER DATED 08-01-2020

The Georgian Group have registered an objection in a letter dated 08-01-2020. This document offers a response to that objection and the points made therein.

The Triskelion Heritage HEDBA Volumes 1 and 2 (and Addendum HEDBA) set out the baseline of heritage assets and their significance (Volume 1) and an Impact Assessment (Volume 2) sets out impacts and effects, which are summarised on pages 36-50. This objection accepts the information and assessments presented in Volumes 1 and 2 of the HEDBA. The Georgian Group accepts the Baseline Statement, do not propose an alternative assessment methodology, and do not disagree with any of the impact assessments for specific assets. They mention 21 assets (page 1 and top page 2) of which 7 have Neutral impacts. The remainder have impacts that vary from Minor-Moderate to Moderate-Substantial Adverse.

The Georgian Group make the following points:

1. *Page 2; 'Our Comments' Para 1. 'We OBJECT to the proposals on the grounds that the scale and massing will adversely impact the Conservation Areas and the setting of the listed buildings.'*

This is their conclusion but is not supported by additional evidence or reasoning. This is a professional disagreement about the levels of impacts. We stand by our assessment.

2. *Page 3 Para continued from bottom p.2; 'We do not believe that the proposed design will make a positive contribution to the local character on the basis that it will overshadow significant designated heritage assets.'*

This is their conclusion but is not supported by evidence or reasoning. This is a professional disagreement about the levels of impacts. We stand by our assessment.

'The amount of harm caused to the setting of the buildings must be a consideration, regardless of whether this is tantamount to substantial harm or not (Paragraph 193, NPPF 2018)'

This is simply a precis of the NPPF, not an argument for a specific planning outcome.

3. *Page 3 first full para: 'Any sort of high rise interference will have a serious impact on the setting of these historic buildings and the Conservation Areas. The proposals fail to respond to the character of either Conservation Areas, or the topography of the area'.*

This is their conclusion but is not supported by additional evidence or reasoning. This is a professional disagreement about the levels of impacts. We stand by our assessment.

4. *Page 3 second full para: 'The visualisations of the skyline produced with the application are inadequate in quality and fail to convey a realistic sense of how the proposed development will sit on the site. The images are small and of low resolution, making it impossible for the local authority to assess the impact on the setting of the designated heritage assets, and the Conservation Areas.'*

We understand that the LVIA was undertaken in accordance with current standards of the Landscape Institute.

6. TRISKELION HERITAGE RESPONSE TO DRAFT NOTES ON PLANNING APPLICATION 19/1556/FUL THE HARLEQUIN SHOPPING CENTRE, PAUL STREET, EXETER, EX4 3TT BY S BLAYLOCK 04-02-2020

Draft Notes by Mr Blaylock shown in *italics Times Roman* font and are represented here using ellipses for brevity. Triskelion responses in plain Arial font.

General observations: In summary, Mr Blaylock's response is in the form of notes consisting of comments and suggestions commissioned by 'Save our Historic Exeter', a group of residents of Northernhay Street, Exeter. It appears to be a discussion piece rather than a focused objection to the proposed development. The notes do not constitute a substantive objection but rather, are general comments on points documented and discussed in the HEDBA, and in the main, are of no direct relevance to the matter under consideration. It is important to highlight that Mr Blaylock states that his notes are based on a "thorough reading" of the documents but there are several comments which do not illustrate a thorough or careful reading of these. A minor point but notable is the incorrect ascription of authorship for the HEDBA, Volumes 1 and 2. Of more import, given the intimation that the research undertaken has not been thorough, are the comments on the map regression. Mr Blaylock incorrectly asserts that two historic maps have not been considered in the research. Although not provided as figures in the HEDBA, they are referenced in the gazetteer. A thorough reading of the HEDBA would therefore have evidenced that they were reviewed and considered in the assessment

Mr Blaylock's notes and form of response intimates an unfamiliarity or inexperience with the nature and purpose of heritage-related documents which accompany planning applications, specifically, Historic Environment Desk-Based Assessments and those written in accordance with the Chartered Institute for Archaeologists (CIfA) Standards and Guidance on these. The HEDBA was written by, and with the input of, CIfA accredited professional archaeologists and in accordance with the standards and guidance which is clearly stated in the introduction of Volume 1. HEDBA's are not academic treatise or research reports but rather are designed to enable reasoned proposals and decisions to be made whether to mitigate, offset or accept without further intervention the impact on the heritage/archaeological resource, if any, of a proposed development (See for example NPPF para 189 'The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. '.

To address Mr Blaylock's conclusions, he states that several archaeological sources have been overlooked and that the assessment of previous archaeological work is thin in places. However, Mr Blaylock acknowledges that archaeological sources which could inform the assessment may not have been deposited within the archive and/or the archive is inaccessible. It is therefore unreasonable to expect the authors and Cotswold Archaeology to have knowledge of sources where no information is available in the standard source repositories. This is also the case where Mr Blaylock communicates information of which it appears, he uniquely has special knowledge, having excavated at the site.

Taking Mr Blaylock's third concluding point, as professional accredited archaeologists who adhere to a Code of Conduct and Standard and Guidance, we see no purpose in taking an approach which seeks to diminish our discipline. We are experienced enough to know that where the presence of archaeological deposits is "played down" in the rather accusatory and ill-advised words of Mr Blaylock, it serves neither the private commercial goals of our clients who would be negatively impacted from a time and finance perspective, or the general public. More importantly, the presence of archaeological deposits should not and does not, as evidenced in the real-world context, prevent development. Rather, a scheme of archaeological investigation in advance of development works is proposed and the HEDBA is explicit in stating this. Furthermore, the

presence of archaeological deposits does not necessarily relate to the mass and scale of a development – there is no logical direct correlation to be made between these factors.

Notwithstanding the above points, the assessment has been carried out by professional and experienced accredited archaeologists at Triskelion Heritage, Robinson Wild Consulting and Cotswold Archaeology and the HEDBA is an objective and responsive document, notably to comments and discussions with the Exeter City Council Principal Project Manager (Heritage).

Blaylock's comments represent an approach at odds with current ClfA Standards and Guidance and the requirements of heritage works done as part of and to inform the planning decision-making processes.

Introduction

Organisation/plan of response

stratification and development of the town defences

Archaeology and Cultural Heritage

A number of relevant sources not cited

The authors do not seem to be aware that there is a specifically archaeological analysis of the stratification and development of the town defences omission is the specific consideration of the crucial dating evidence recovered from the Paul Street excavations by Neil Holbrook and Paul Bidwell in their Roman Finds from Exeter (1991, 9–11).

Volume 1 of the HEDBA references and discusses the town defences and the archaeological investigations and subsequent analysis. It further references Holbrook and Bidwell in Appendix 1. We therefore disagree that relevant sources have not been cited.

It is important to repeat the statement in the general observation above: the HEDBA is not an academic report and while as part of the assessment process all relevant and accessible sources have been reviewed they may not explicitly inform the commentary if in the professional judgement of the authors, the information does not directly inform a planning decision.

In the review of 'Previous Heritage and Archaeological Investigations' (pp. 31–35) the bulk of the interventions discussed antedate the construction of Harlequin's. But one more recent intervention has yielded relevant observations: a watching brief on the revetment, landscaping and soft capping of the wall to the rear of Harlequin's conducted by Mike Baldwin in 2009 (carried out by Marie Leverett under my supervision: Leverett 2009). This should have shown up in a search of the Historic Environment Record, but clearly did not.

This exercise consisted Clay rampart layers were observed over much of the length investigated, but the trenches did not penetrate primary rampart layers (Leverett 2009, 6); This suggests that the preservation along the rear of the wall in this area will be significant and could see at least 1.5m, possibly more, of standing rampart material.

Neither Gardner et al. (2019, 31–35; fig. 23) nor Cotswold Archaeology (e.g. Meaton and Stubbings 2019, 2–4) appear to be aware of this work

Comparison of the ground levels either side of the wall would also have helped with visualising the likely build-up of deposits inside the wall

As acknowledged by Mr Blaylock, Leverett 2009 did not appear in the HER searches and so in the absence of special knowledge such as communicated above and reference to it in the standard source repositories, it was not possible for the authors or Cotswold Archaeology to be made aware of its existence. It is interesting information but whether the results are germane to the assessment remains unclear.

The archive: has it all been examined? Neither Triskelion nor Cotswold Archaeology seem to have had access to all the material relating to previous archaeological work on the site, and the assessment seems to me to be particularly weak in this area. It is not clear whether this is because the archive material deposited in Exeter Museum is incomplete ... or whether the material has failed to survive in a form that can be readily consulted (much primary material from Exeter Archaeology is known to have been scanned in c.2015, and the originals subsequently discarded).

Unless the material survives elsewhere then it may have been discarded. It was not sign-posted in the HER and was not present or accessible for Cotswold Archaeology to consult and analyse.

In their assessment of the archive Cotswold Archaeology are less than complimentary about the standards of recording by Exeter Museums Archaeological Field Unit (EMAFU) in 1982–85. not have had access to the archive report file For example, much stress is laid on the absence of easily accessible level information, and the failure routinely to reduce levels to absolute heights.... this information would have been recoverable from the temporary bench mark data I know to be in this file (because I compiled them!).

Setting aside advances in techniques in the intervening years the point that Cotswold Archaeology were making is that in its present form the archive lacks the information for the recorded strata to be understood in 3 dimensions. The representations provided by Cotswold Archaeology are the best that can be achieved on the surviving evidence.

The description given in the archive review suggests that synthetic material of this nature was not examined in 2019.....

Cotswold Archaeology reviewed what was available and analysed it as far as the evidence would allow.

Nowhere is there an illustration based on one (or more) of the EMAFU 1982–85 section drawings through the defences which clearly show the sequence of ramparts and stone wall, I suppose it is not impossible that this file will have been discarded as has happened which much of the EMAFU/EA nachlass Another informative drawing that could well have illustrated the assessment is a reconstruction drawing of the wall and rampart

Such drawings would be of interest but were not germane to the assessment of the character and significance of the remains within the Harlequins site being made and were therefore not produced. As stated above, the HEDBA is not an academic treatise or research report where one would expect extensive drawings, which admittedly would be interesting but not directly relevant.

Map regression

The map regression (Gardner and Robinson Wild 2019, vol. 1, figs 7–17; see also pp. 3 and 14–15), omits two of the most important Exeter maps: (i) Rocque 1744, and (ii) the 1:500 Ordnance Survey town

plan of 1876 onwards ... the largest scale survey ever made, and therefore (a) the most accurate and (b) an enormously informative source for the late 19th century appearance of the town,

In general the review of the map evidence (p. 14; figs 7–17) is selective and omits some of the more informative map sources while dwelling on less-informative ones

There are other notable maps that could also have been included

A HEDBA does not have to contain every available map. The selection is based upon professional judgement and relevance to the significance of the assets being investigated and the degree of impact that might arise. The map regression exercise also considers those maps which inform an understanding of the development of the site and the assessment area. Maps which make clear the overall historical trends of land-use on the Harlequins site and are therefore entirely appropriate and relevant were inserted into the HEDBA. The Rocque map and OS map of 1876 were reviewed as part of the research and are referenced in appropriate places in the gazetteer. The OS Map of 1891 was chosen because in the author's judgement it better illustrated the historical development of the site.

Playing down of potential survival. Despite the statement that buried archaeological deposits on the site are all considered to be of national importance (HEDBA, vol. 2, p. 12), and other similar statements elsewhere, one notices a recurring tendency in the assessment to play down the possible extent of survival (ibid. vol. 1, pp. 31; 45; 46; etc.). although we know little of the extent of destruction caused by the construction in the 1980s the presumption should be that some archaeological deposits will survive on the site.

The HEDBA clearly states that there is a presumption of the survival of buried archaeological deposits on the site and Mr Blaylock's comments above acknowledge that he is cognizant of these statements. In this context, the last comment appears to be somewhat confused. To address the statement that the potential survival has been played down, would it not be obtuse and illogical to ascribe high significance to buried archaeological deposits if one's intention was to play down their survival? If that were the intent, would the HEDBA not remain silent or seek to ascribe lesser significance. The HEDBA is an objective document and the inference that it is otherwise is objectionable. The HEDBA provides all available evidence, and the results of two trial trenches, for assessing the level of survival on the site. The most important evidence comes from the design drawings of the Harlequins centre which indicate deep destruction throughout the footprint of the existing building. Adding to that the areas previously excavated lead ineluctably to the conclusion that only small discontinuous areas of strata are likely to survive. The HEDBA does not dispute that *some archaeological deposits will survive on the site* and goes on to allow for both small trench excavations and a watching brief upon all groundworks as an appropriate response to such potential.

Scheduled Ancient Monument status and Area of Archaeological Importance

'[...] the site of a monument includes not only the land in or on which it is situated but also any land comprising or adjoining 'Extent of a scheduled monument: Most scheduled monument entries contain a map. Protection is offered to everything that forms part of the land and buildings 'The protection extends not just to known structures or remains but also to the soil under or around them. 'The Exeter City Wall is unusual inasmuch as it is a linear monument and cannot easily be delineated with precision on a map, usually at quite a small scale (scheduled monument 'maplets' are usually at a scale of 1:2500 or 1:10,000).....Conventionally it has been said that Scheduled Monument

Consent (SMC) would be required for works in the immediate vicinity of a Scheduled Ancient Monument (say within 2–3m)..... I have enquired of Historic England regarding an up to date view on this matter [enquiry pending 27.i.20]. Nevertheless it could be safely assumed that SMC would be required for works in close proximity to the wall and certainly within the 500mm cited in the application as the limit within which new interventions will not intrude (Planning Statement para. 6.50, which states that because of this margin SMC will not be required).

The authors are aware of the legislation and guidance with the former (the Ancient Monuments and Archaeological Areas Act 1979) cited in Appendix 2: Legislative and Planning Policy Background. Here it is stated “*The consent of the Secretary of State for Culture, Media and Sport is required for works which might affect a Scheduled Monument at either above or below ground level. Sections of the city wall, which is a Scheduled Monument, are situated within the site and the Assessment Area.*”. This clearly addresses the consideration of SMC and so we are unsure of the point trying to be made here, as nowhere in the HEDBA does it state definitively that SMC would not be required, rather that the consultants believe it would not. It is not for the authors of the HEDBA to direct on this but rather it is for HE to opine on this point and the requirement for SMC. The authors are not aware of either government statutory advisory body advising on this point to date.

In my 1995 report I wrote the following on the scheduled status of the city wall At the time of writing a revision of the scheduling is under consideration and it is hoped that this matter will be clarified..... (Blaylock 1995, 5). See also my recommendations about improving the level of statutory protection (Blaylock 1995, 123). Although this was under active consideration in the mid.-1990s, nothing ever seems to have come of it.

We note that Mr Blaylock made his representations in 1995 and EH / HE (as it is now) has not responded in the intervening 24 years.

The significance of archaeological deposits is judged to be 'high' by the documentation submitted (HEDBA vol. 2, p. 12, inter alia), although in places rated as unlikely to survive. The provisions of the Area of Archaeological Importance should be invoked to provide for monitoring of all demolition and ground disturbance on the assumption that some archaeological deposits will be encountered.

Several professional archaeologists with extensive experience of development proposals for sites such as the Harlequins Centre have been involved in the assessment and close contact and direction was given by the Exeter City Council Principal Project Manager (Heritage). Consequently, the HEDBA clearly outlines the appropriate archaeological response to development taking place on the site, including a Watching Brief. A thorough reading of the HEDBA would have recognized this.

A monument 'at risk'. . . . In November 2018 Exeter city wall was listed among the 'Monuments at Risk' by Historic England (<https://historicengland.org.uk/advice/heritage-at-risk/search-register/list-entry/43917>, accessed 17.i.20..... when a section of the wall backing onto the yard of the City Gate public house (... at North Gate collapsed suddenly in January 2019.

An interesting commentary on an arresting event (which the authors observed a few days after it happened) but of no direct relevance to the matter under consideration.

Other comments on aspects of the assessment [page numbers refer first to those of the pdf file/second as paginated]

p. 8/5 Geology: we know that Permian lavas form bedrock in the middle of Queen Street/the Rougemont Hotel area, although not how far they extend beyond that. The natural subsoil observed during the 1982–85 excavations was nearly all purple Culm clays on shale. This is accurately described in the evaluation report (Sworn 2019, para. 1.5).

This may be but is of no direct relevance to matter under consideration.

p. 12/9 A stage is omitted in the development of the defences, in which we move straight from a settlement within the fortress defences to cutting away of the front of the bank to build the stone wall (para. 1). This may have arisen from misunderstanding of the sequence; or may be just an oversight, but the early bank on the line of the subsequent stone wall/higher rampart ought to be represented here.

This is an oversight. We do not believe that it has a material impact on the matter under consideration.

p. 17/14 The front of the Pennington's tenement on the street frontage did not 'remain unexcavated' it had been removed by later cellars.

This is an error. It has no direct relevance to the matter under consideration.

p. 21/18 Figure 9: the 1723 map of Exeter is by William Stukeley (not John!). The error is compounded in Sworn 2019, para. 2.20, where Stukeley becomes 'John Stukey'. To be fair this error (which ought to have been obvious to most archaeologists: Stukeley is one of the great antiquarians) may be the result of repeating an error in Todd Gray's book of Exeter maps (Gray 2006, 6), where it is also found (although the reproduction of the map [ibid., 15] clearly shows his name as 'W. Stukeley, del.').

Todd Gray's book is clearly stated as the source of the map and as it now appears, it clearly ascribes the map in error to John rather than William Stukeley. It has no direct relevance to the matter under consideration.

p. 34/31 The description of the data inadequacies relating to the 'top of archaeology' and Roman and post-Roman details suggest that they did not have access to drawn sections through the rampart and other features of the defences

The absence of data in the surviving Harlequins archive has already been discussed in several places above. Mr Blaylock alleges but neither details nor evidences further “inadequacies”.

p. 34/31 para. 4 concludes 'survival of Roman and post-Roman stratigraphy is unlikely to be extensive.'

The HEDBA clearly states this, and no evidence to suggest the requirement of a re-consideration of this has been provided.

p. 35/32 para.3, it is not true to say that the bank had been entirely covered over was on the site of the Pennington's tenement, where it survived as a (rather overgrown) earthwork above ground.

An interesting observation. Does Mr Blaylock know when it finally disappeared? It has no direct relevance to the matter under consideration.

pp. 38–39/35–36 The general description of the wall on these pages is confused and repetitive, and would benefit from editing and re-organisation.

The authors do not agree. Mr Blaylock may find it confusing from his expert viewpoint but it is understood, in the absence of any comments on this section of narrative, that Mr A Pye, the Exeter City Council Principal Project Manager (Heritage) is not of the same opinion as Mr Blaylock. It has no direct relevance to the matter under consideration.

p. 48/45 'Assessment of significance': 'potential for important archaeological strata to survive in good condition on the site is considered not to be high.' but the potential is there and it does exist, at least in pockets, as has been shown.

This is explicitly stated in the HEDBA.

p. 49/46 Para. 1 Para 2, on dating evidence, should have had a reference to the discussion of the dating evidence by Holbrook and Bidwell (1991, 9–11),

Holbrook and Bidwell are referenced in Appendix 1. Volume 1 and the reconsideration of dating evidence is discussed. Notwithstanding this, a consideration of dating refinements from Holbrook and Bidwell 1991 does not change the interpretations made in the HEDBA. It is of no direct relevance to the matter under consideration.

p. 50/47 'Setting'. I would argue that 'setting' for the wall as a monument includes the linear plots that represent the rampart

The authors agree and setting is addressed in detail in the HEDBA. The authors highlight that both the Exeter City Council Principal Project Manager (Heritage) and Historic England accepted the setting assessment after early consultation during the design development phase.

p. 51/48 Suggests that the Harlequin centre detracts from, and the proposed development will enhance, the setting of the wall

These are the conclusions of the HEDBA. The Conservation Area Appraisal highlights that the Harlequins Centre is a negative contributor. The proposal would bring (minor) benefits by allowing and encouraging greater public access and by providing much better interpretation for those visitors.

p. 53/50 Harlequin's is said to be 'intrusive' from Northernhay Street: but nowhere near as intrusive as the proposed development will be.

The HEDBA concludes that the Harlequins Centre is intrusive, and the impact assessment details the perceived impacts of the proposed development.

The Central Conservation Area Appraisal and Management Plan (p.46) is clear in its description of the Harlequins Centre which is, along with the Guildhall, described as “vast new buildings” that “have obliterated most of the historic street pattern and conflict with the scale, form and materials of the many historic buildings which surround the modern development.” This quote is provided on p.48 of Volume 1: Baseline. The Appraisal and Management Plan, which is a supplementary planning document that is a material consideration in the determination of planning applications, was written by heritage practitioners on behalf of the council and it clearly supports this conclusion.

p. 62/59 Figs 47, 48, etc. the captions could mention that we are looking at the city wall in these images.

It has no direct relevance to the matter under consideration.

p. 68/65 Figs 59–61, ditto: we are looking at the above-ground remains of the wall,

It has no direct relevance to the matter under consideration.

p. 72/69 Viewpoint analysis: This is pretty faulty, notwithstanding the fact that 'The key views were discussed with and incorporate the suggestions of the Exeter City Council Principal Project Manager (Heritage) (see also below).

Mr Blaylock does not provide the basis on which he makes his judgement that the viewpoint analysis is “pretty faulty”. The key views were discussed with and incorporate the suggestions of the Exeter City Council Principal Project Manager (Heritage) and with Historic England and neither has demurred since.

General comments on the impact of the proposed development

The 'illustrative photomontages'

These 47 photomontages (LHC 2019: 'Harlequins–Landscape and Visual Impact Assessment: Illustrative Photographic Views') are often misleading, if not downright disingenuous,

The accuracy and standards of the Visual Impact Assessment are for LHC to respond. Mr Blaylock may as a matter of personal opinion label the analysis ‘misleading’ but Exeter City Council Principal Project Manager (Heritage) and Historic England have not expressed that opinion.

The chosen view points look reasonable enough

The accuracy and standards of the Visual Impact Assessment are for LHC to respond.

One wonders whether a model would not have been a much better (and more 'honest') way of demonstrating the impact of this proposal on the surrounding streetscapes....

Blaylock’s personal opinion but apparently not suggested or requested by either Exeter City Council Principal Project Manager (Heritage) or Historic England.

Ground contamination

We had some experience of ground contamination

It is of no direct relevance to the matter under consideration.

Notes on the Design and Access Statement (anon. 2019) and the Planning Statement (JLL 2019)

LHC as authors of the Design and Access Statement may wish to respond.

In the discussion of ecology and the like in volume 4 of the D&AS no allowance is made for the survival of Roman rampart behind the wall (compare above, passim).

LHC as authors of the Design and Access Statement may wish to respond but does not appear to be germane to the issues under discussion.

The garden at 'C', NW of Block 1, occupies the area of the bell foundry damaged or destroyed (or at least reduced in level) by the 1980s construction works.

It is of no direct relevance to the matter under consideration.

The images of the 'urban oasis garden' (p. 16) appear entirely unrelated to this proposal....

LHC as authors of the Design and Access Statement may wish to respond.

The discussion of stone is wildly inaccurate (p. 25), for example: 'Heavitree stone' for the Pocombe stone used in the RAMM; 'local red stone' for the Permian lava (usually seen as grey or purple) which is the predominant material in the city wall.

The differences may be significant to a geologist but have no merit in this discussion.

Parking: 42 spaces are proposed

There is no question of it being 'car-free' as is stated elsewhere (Planning Statement, para. 6.92, for example).

Transport and traffic analysts may respond.

**The proposal at present comprises 298 'co-living' bed spaces plus 114 hotel bedrooms.*

LHC as authors of the Design and Access Statement may wish to respond.

Heritage: 'The scheme does not impact on [the city wall] directly, but does seek to enhance its setting through high-quality design' (Planning Statement, para. 5.30). It certainly does impact directly on the wall,

Mr Blaylock appears to not understand the definition and current application of direct impact versus impacts to an asset arising from changes in the setting. Whether the shallow resurfacing works proposed in the areas nearer to the wall would impact upon the uppermost surfaces of rampart material is unproven and allowance has been made for appropriate recording should such impacts arise. The effects of shadowing and dampness are considered on pages 31-32 of HEDBA Vol 2: Impact Assessment. No evidence or rationale is provided for a consideration that the impacts would be more adverse than assessed.

The proposed development is said to be contained wholly within the footprint of the present building (Planning Statement, para. 6.49), (Gardner and Robinson Wild 2019, vol. 2, fig. 9 appears to be the only plan to show this relationship). Furthermore the Harlequin's construction is said to have been likely to have destroyed what was left of the archaeology, and the probability of archaeological deposits surviving beneath the existing footprint is said to be 'very low' (ibid., para. 6.48).

I think this is far from certain; although one can see the lower part of the site having been terraced-in quite deeply for the service areas and the basement car park, for example, more may survive further up the site to the north-east and to the rear of the present building. I have no direct knowledge of this as we were excluded from the site during the development (I remember doing my best to keep track of what was going on by taking photographs from the top storey of the Guildhall car park [which should survive in the EA archives], but that was as much as was possible).

All impacts to buried archaeology are addressed in the HEDBA Vol. 2 on pages 21-30 with detailed interpretative figures provided. Note that these remains are not *scheduled* although the HEDBA Volume 1 assessed their importance as equivalent to national importance. The assessment of the impacts and mitigation/offset of impacts of the proposal on such remains is the responsibility of the Principal Project Manager (Heritage) at Exeter City Council who, during the course of several consultations to agree the scope and nature of additional investigations, did not express the need for such additional studies. See email from Principal Project Manager (Heritage) at Exeter City Council appended below. In our judgement such additional investigations and analyses as suggested by Historic England was not necessary to enable an informed planning decision to be reached.

Unbelievably, new works are said to be going to be kept 500mm [my italics, namely just 50cm or half a metre] from the line of the city wall (whatever that means) and 'will minimise likelihood of significant direct impacts on the scheduled monument and means that Scheduled Monument Consent is not required' (Planning Statement, para. 6.50).

The comments correctly reproduce statements made in the HEDBA. There are no groundworks of depth in areas where rampart materials are judged likely to survive and therefore no impacts of significance are anticipated, and allowance has been made for appropriate recording should such impacts arise. Exeter City Council Principal Project Manager (Heritage) and Historic England were consulted, and Historic England has not objected on this basis.

Conclusions

As these notes have become lengthy..... Several quite fundamental archaeological sources have been overlooked.....

This has been responded to above and the absence of some sources has not been shown to change any interpretations within the HEDBA.

The assessment of previous archaeological work is thin in places, perhaps because the whole archive has not been accessible.

The surviving archive was carefully analysed and interpreted. Analysis is clearly impossible where records do not survive. Regardless, it is not been shown that such would change any interpretations within the HEDBA

Illustrations that could have informed and explained the assessment have not been included.

Illustrations as suggested were judged unnecessary and the neither the Exeter City Council Principal Project Manager (Heritage) or Historic England requested such materials.

The sequence of historic maps omits some key maps

It is not necessary to include all maps only those considered to illustrate the developmental history of the site and the assessment area. This sufficiently allows for an understanding of potential impacts, and this has been achieved. It has no direct relevance to the matter under consideration.

The potential survival of archaeological deposits is played down.

This point has been addressed above. The potential survival of buried remains is judged to be limited to discontinuous pockets damaged by previous construction works for the Harlequins Centre and allowance has been made for appropriate recording should such impacts arise. Exeter City Council Principal Project Manager (Heritage) and Historic England were consulted, and Historic England has not objected on this basis.

It follows that more archaeological information is needed.....

While allowing that in some circumstances more information may be of value, the requirement in planning guidance is to provide sufficient evidence to allow informed decisions to be made. Exeter City Council Principal Project Manager (Heritage) and Historic England were consulted, and Historic England have not objected on this basis, and the Principal Project Manager's (Heritage) consideration is appended below. Additionally, many of the comments made by Mr Blaylock have no direct relevance to the matter under consideration and so the provision of more archaeological information should be considered carefully in light of this.

Scheduled Monument Consent will certainly be needed for works impinging so closely on the fabric of the wall.

It is not for the authors to opine on this matter but rather the relevant statutory body. Historic England, as statutory advisors to the government, have not expressed this judgement.

Locally, survival will depend on the interaction of natural underlying topography/gradients and modern interventions.

A useful summary of the means of survival of archaeological strata but it has no direct relevance on the matter under consideration. one that does not alter the conclusions reached in the HEDBA.

The visual material presented in explanation of the impact of the proposed scheme is not straightforward and is often open to challenge.....

The material may not be 'straightforward' to Mr Blaylock but both the Exeter City Council Principal Project Manager (Heritage) and Historic England had no comments on the visual material. Mr Blaylock does not expand on why he believes that it is often open to challenge and the authors disagree with this assertion.

The buried archaeological deposits on the site are judged of national significance, and this is supported by the provisions of the Area of Archaeological Importance, and the adjoining Scheduled Ancient Monument.

The HEDBA explicitly states that the buried archaeological deposits are considered to be of high significance: this is therefore a repetition of what is stated in the HEDBA.

The assumption should be that more survives rather than less until demonstrated otherwise.

This is an assumption which we believe is not supported by the evidence. Nonetheless allowance has been made for appropriate recording should such impacts arise to surviving deposits.

6.1 Proposed redevelopment of the Harlequins Centre, Exeter - archaeological matters

Andy Pye <[REDACTED]> 17 September 2019 at 16:23

To: Gerald Wait <[REDACTED]> Cc: Esther Robinson Wild <[REDACTED]>,
Matthew Diamond
<[REDACTED]>

Gerry,

I am writing as requested to give my view as to where matters stand with regard to the buried archaeology of this site. Please note that this covers the buried archaeology only, not the issues with respect to the potential impact of a new development on above ground assets and their settings.

Whilst the walled city, and several areas outside it, contain remains of high importance and significance, as recognised by the designation of the central area as a statutory "Area of Archaeological Importance" in 1984, the extent, depth and - crucially - quality of survival of such remains varies considerably from site to site, and indeed within individual sites and properties. In Exeter, as is the case elsewhere in cities with buried remains of equivalent importance, the presence of such remains rarely prevents redevelopment of a site per se, it is a matter of identifying what remains are present across a particular site, and their relative significance and state and depth of survival, and then taking this into account when designing the detail of a redevelopment scheme and making planning decisions on it. Notwithstanding this process, the impact on buried remains can never be completely designed out, and it is normal for those that are affected to be archaeologically excavated and recorded in lieu of their removal and for the results to be analysed, conserved, reported and archived as necessary. This work is normally secured by a condition on a planning permission, or by approving a scheme of work up front as part of a consented scheme.

With regard to the potential redevelopment of this site, I am happy that this process has been followed thoroughly to date, with a detailed assessment and some targeted site investigation (field evaluation in NPPF parlance) being undertaken during the design process and to inform that process and your pre-application consultations with ourselves and Historic England.

Based on your reporting to date, the results of the site investigations, and on my appraisal and knowledge of the site from the records held in the city's Historic Environment Record (HER), it is clear to me that the buried remains over much of the footprint of the proposed redevelopment have already been either removed or severely compromised by the archaeological excavations of the 1980s, and by the excavation of the new basements and other ground works related to the subsequent construction of the Harlequins Centre and the car park underneath it. The only exception may be a narrow strip immediately to the rear of the city wall, and the occasional localized pocket elsewhere, outside the modern basement areas.

My view is therefore that, so long as the redevelopment stays clear of the rear of the city wall, which in any case is a scheduled monument, and does not impinge upon the surviving rampart zone immediately behind the masonry wall, then there is no barrier to the redevelopment of the site in terms of buried remains, principally because on this particular site the majority of the latter have already been destroyed by previous excavation and development. Any residual impact on any that survive can be dealt with via a programme of archaeological work, which is the norm.

I trust this provides a reasonable and helpful summary of where things are currently at with regard to this matter. I will of course provide my formal response to an application once the final form of a proposed development is known and submitted.

Regards,
Andrew
Andrew Pye

Principal Project Manager (Heritage) City
Development Exeter City Council
01392 265224

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7. DISCUSSION OF THE FEASIBILITY OF A GEOARCHAEOLOGICAL STUDY AT HARLEQUINS CENTRE, PAUL STREET, EXETER

By Dr. Nick Watson, ARCA Geoarchaeologist, University of Winchester

Gerry Wait of Triskelion Heritage contacted ARCA, the geoarchaeological consultancy at the University of Winchester, on 5/02/2020 to discuss the feasibility of a geoarchaeological study on the Harlequin's Centre, Paul Street, Exeter. He provided the following documents:

- *Historic England Brief on Harlequins Centre, Paul Street Exeter: Geoarchaeological Study (2020?).*
- *The Harlequins Centre, Paul Street, Exeter, Historic Environment, Desk-Based Assessment Volume 1: Baseline (2019).*
- *The Harlequins Centre, Paul Street, Exeter, Historic Environment, Desk-Based Assessment Volume 2: Impact Assessment (2019).*
- *Harlequins Centre, Paul Street, Exeter. Historic Archive Review (2019) by Cotswold Archaeology Unpublished document, CA Project: 880400, CA Report: 880400.1.*
- Historic England's brief: recommendation that a deposit model be created for the site.

ARCA response:

The reliability of a deposit model depends on the quality of the data from a site; these data would be in the form of borehole records and trench sections with associated Ordnance Datum elevations and National Grid References. Ideally, a deposit model should be sufficiently detailed so as to provide reliable predictions on the thickness and depth of archaeological deposits in locations where there is no empirical data. The model is usually displayed as subsurface maps of contours of elevation (top of the deposit) and of isopachs (thickness of the deposit).

The site under discussion in Exeter is a roughly rectangular plot of land 200m x 50m. Excavations in the 1980s revealed Made Ground, post-medieval, medieval and Roman deposits lying over sedimentary rock of the Cracklington Formation. In 2019 Cotswold Archaeology synthesized the excavation data into four composite cross sections based on c. 200 data points, pinpointing the top of period-dated deposits and bedrock as elevations above Ordnance Datum. This information is lacking NGRs which are required for modelling programmes. Meaningful extrapolation (i.e. predictions) from one section to another cannot be made for two reasons. First, by its nature archaeological deposits in an urban context are chaotic; they are not constrained, or only poorly so, by natural processes which would produce predictable results. And secondly, the distance between the sections is too great; approximately 10m, 50m and 75m. The current archaeological data for the site are therefore limited in their usefulness.

The buildings on the site are due for demolition; most if not all archaeology in their footprint has been destroyed and this would account for c. 50% of the area of the site. There are no British Geological Survey borehole records on the site or any within 50m. There are no known borehole records from any other survey.

On the basis of the information described above there are insufficient data with which to model the deposits and therefore no model can be produced.

How to improve the situation? A borehole survey could be undertaken. The depth to the bedrock is between 3m and 4m. Approximately 12 boreholes (preferably double that number!) would need to be located in the open areas of the site. A rig capable of drilling through masonry and designed for the recovery of sleeved, continuous cores would be required (type: Comacchio GEO305HT or Pioneer2). Recovery of cores, attendance by a UXO engineer, recording and reporting (including modelling) would be required and a rough, estimated cost for the work would be around £20,000.

The data from the composite sections produced by Cotswold Archaeology would need to be reconstructed to create three or four fictional boreholes per section, each with an estimated NGR and stratigraphic log. This will inevitably lead to some loss of fidelity. By combining these two data sets (boreholes and fictional boreholes) a model for the site could be produced.

It is important to bear in mind that the archaeological deposits in the borehole cores would probably not be divisible into periods due to the lack of diagnostic artefacts; the stratigraphy would therefore be modern Made Ground, archaeological strata (Roman strata may be distinguishable) and bedrock. However no reason has been provided for the purpose of the study: the new buildings proposed will overlap the present ones with only a small area of new build affecting the site and that will have an archaeological watching brief. There is no suggestion that the proposed deposit model will inform, for example, future archaeological excavations.

In conclusion, a geoarchaeological model on the basis of current knowledge is not possible. Were a borehole survey to be undertaken at least 12 boreholes would need to be drilled. The model produced would still be limited in its reliability. It is unclear if this plan of action would be a cost effective method of deriving any more interesting data from the site.

If the interested parties wish to continue with the development of deposit model along the lines suggested above, then ARCA could be involved and would be interested in tendering for the project. If anyone wishes to discuss this any further, don't hesitate to get in touch.

Nick Watson; ARCA

