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Exeter City Council  
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Direct Dial: 0117 975 0725

Our ref: P01128814

19 December 2019

Dear Mr Diamond

**T&CP (Development Management Procedure) (England) Order 2015  
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**THE HARLEQUIN CENTRE, PAUL STREET, EXETER, DEVON, EX4 3TT  
Application No. 19/1556/FUL**

Thank you for your letter of 14 November 2019 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

**Summary**

The Harlequin Shopping Centre is located within the historic core of Exeter. The site includes the scheduled city wall, and is located within the Central Conservation Area and abuts St David's Conservation Area. Development on it has the potential to intrude into Exeter's sky line on which the cathedral forms a prominent feature due to the principally low profile of the city. Historic England has significant concerns relating to the development in its current form due to the impact on the historic environment and consequently, we are objecting to the application.

The current scheme proposes two substantial blocks providing hotel and co-living accommodation which, due to their considerable scale, massing and failure to respond to the underlying topography, will create an imposing feature within the conservation area and the setting of the scheduled monument, as well as on the skyline of Exeter. The treatment of the elevations and selection of materials further exacerbate the unremitting architectural design of the building and fail to respond to the architectural diversity seen within Exeter's historic core. Some heritage benefits have been presented, but in our opinion these are localised to the area of and around the application site.

Historic England considers that the scheme results in greater harm to the significance of surrounding designated heritage assets than the current building on site. We are not convinced that a less harmful scheme could not be brought forward that would limit the impact on the historic environment. The site clearly offers an opportunity for



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redevelopment within the historic city. In our opinion any proposed scheme should seek to respond to the underlying topography and the surrounding built environment through its scale and massing, modulation and elevational treatment, reflecting the diverse character of the city. Consequently, Historic England objects to the proposal in its current form.

## **Historic England Advice**

### ***Introduction***

The Harlequin Centre is situated between Queen Street and North Street and runs the length of Paul Street. It is a shopping complex with car parking designed by Bruges Tozer in the 1980s. The building has a modular design, with a maximum height of three storeys and an articulated roofscape that steps down following the gradient of the land.

The application is to provide Hotel Use (C1) and Co-Living Accommodation (Sui - Generis Use) along with associated amenity land. This will be accommodated within two substantial blocks made of two principal ranges (Block 1 and Block 2 as identified in the application). Block 1 consists of 9 storeys with a second 5 storey range elevated to accommodate the Guildhall car ramp, and Block 2's principal range is 8 storeys with its second range at 5 storeys stepped at the south west end.

The site is located within the historic centre of Exeter and consequently the application will affect a number of heritage assets. Historic England has had extensive pre-application engagement with the proposals. In the advice below and in our pre-application advice we have focused principally on the highly designated heritage assets (scheduled, grade I and II\* listed) and the conservation area. In respect of any other heritage assets (including grade II listed buildings and non-designated heritage assets) affected by the proposal, the council should seek the views of their heritage specialists.

### ***Significance of Historic Environment***

The significance and character of Exeter has been shaped by its underlying topography and its tight dense development pattern, which informs our understanding of how the city has evolved. Aspects of the evolution of the city can be seen through the assets on the Harlequin Centre site and within its surroundings.

### ***Existing Building***

The existing building is very much an architectural piece of its time. It has been designed to overhang the road which, combined with the monolithic elevation of the Guildhall Shopping Centre on the opposite side of the road, creates an unsatisfactory experience along Paul Street. However the impact is localised. In wider views the building's low profile, modular design and stepped roof line allows it to follow the gradient of the topography, limiting its visual impact on the architectural form and character of Exeter to neutral.



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### *Central Conservation Area*

The application site is located within the Central Conservation Area, which is defined by the city walls and covers the historic core of the settlement. The conservation area is characterised by the multi-layered history of the city which can be seen through its built environment as well as the diversity of its architecture.

The application site is within the Guildhall and High Street Character Area. To the north-east of the Harlequin Centre sits Queen Street. Located on a plateau, its wide street and survival of several key civic buildings, including the grade II listed Royal Albert Memorial Museum (NHLE 1267392) and the Guildhall Shopping Centre (Grade II\* listed, NHLE1223245) reflect the gentrification and commercial development of the town during the 18<sup>th</sup> and 19<sup>th</sup> century. Although substantial and prominent structures they nonetheless respect the adjacent historic commercial and domestic properties that also characterise the area.

### *St David's Conservation Area*

Abutting the site, outside the city walls to the north-west, is St David's Conservation Area, including the historic northern approach to the city, which crossed the challenging Longbrook Valley. Due to the importance of this link, the steep gradients were overcome in order to colonise the valley setting. This led to the development of a distinct character and appearance to this domestic zone in the city based on tight grain, stepped with the topography. An early example of this form of development is Northernhay, with similar principles being applied during the 19<sup>th</sup> century when the increased demand for housing led to the intensification of development in Exeter. The change in topography, although less dramatic, is a feature of the Harlequin site and its current construction can be seen in its position at the top of Longbrook Valley.

### *Scheduled City Wall*

Exeter's role as an important strategic location through the Roman and Medieval period is as a result of its elevated position above the lowest bridgeable crossing point of the river Exe. The section of scheduled wall (NHLE 1003858) that enclosed the settlement within the Harlequin Centre site is adjacent to the former north city gate, located above the Longbrook Valley reinforcing its defensive character and sense of division from the land beyond. The preservation of its linear form within the urban grain allows the former line of the walls to be readily appreciated.

A further element of the scheduled city wall's significance is its relationship with the buried archaeological remains of the Roman, Anglo-Saxon and Medieval city that it once enclosed. These have been recognised as an Area of Archaeological Importance under the Ancient Monuments & Archaeological Areas Act 1979. A thorough understanding of the contribution made by these remains needs to be provided to ensure that the contribution they make to the significance of the scheduled monument can be fully appreciated (NPPF 189).





### *Cathedral*

The cityscape of Exeter has retained a relatively low profile due to its built environment being predominately modest and domestic in scale. Consequently, the grade I listed Cathedral with its two Norman towers (NHLE 1333352) rises above the skyline to form a key visual statement and spiritual reference point within the city. The modest scale of the city's buildings allows the cathedral to still be appreciated along historic routes into the settlement and from wider view points, helping to reinforce its primacy within the urban landscape.

### **Impact of proposals on the Historic Environment**

Due to the scale and mass of the proposed development, the potential impacts are varied and wide reaching.

Historic Desk Based Assessment has used the tabular and atomised approach set out in the DMRB Methodology. In our view this approach fails to properly engage with the nature of the asset's significance and their relationships with each other, or the surrounding topographic landscape. Furthermore, the use of matrices tends to confuse the concepts of significance, sensitivity and magnitude of impact whilst atomising complex relationships between features and apparent impacts. Consequently we have concerns about its use in cases with multiple assets with complex relationships, such as in the case of this application.

We would generally encourage an approach that follows the stepped and holistic approach set out in Historic England's *The Setting of Heritage Assets* guidance (2017). Our advice has been provided in line with this approach. Notwithstanding these points, we have identified a number of issues for the historic environment based on the submitted assessment documentation.

### *Imposing Structure*

- **Scheduled wall**

The construction of the proposed tall buildings will lead to a degree of subordination in the appreciation of the city wall, which draws significance from its role as a prominent defensive feature enclosing the city. The wall has suffered from unsympathetic works both to its fabric and within its setting and is generally a neglected city monument. The development presents an opportunity to conserve and enhance its significance reversing the unsympathetic 1980s repairs and committing to a programme of appropriate conservation works. This should be informed by a wider condition survey for the length of wall between the former north gate site and Queen Street where elements of the city wall are accessible, and where the condition survey identifies a need. Such repairs would require Scheduled Monument Consent (<https://historicengland.org.uk/advice/planning/consents/smc/>).

Other works include the creation of a formal pedestrian route as part of the





landscaping proposals running the length of the wall on the site, creating a more sensitive experience by providing a break between the new development and the scheduled wall. These works to the general environment will be an improvement to the back of house character in which the scheduled wall is currently appreciated. However, the proposed development will still encroach closer to and dominate the scheduled wall more than the current building with its access route below the overhanging section which helps to provide a sense of separation.

Whilst the development offers an opportunity for enhancement, concerns have been raised regarding its impact on the environmental conditions of the wall. Some details have been provided in terms of overshadowing but further assessment should be undertaken to consider what the impact of that additional shade would be on the growth of moss and moisture retention for example. Also consideration as to the impact on the proposed air-movement through the effects of channelling and what impact that has on the surface of the wall. This can be modelled using Computer Fluid Dynamics and further assessment should be undertaken to enable an appreciation as to the physical impact of the development on the wall.

- **Conservation Areas**

The scale of the new development will appear incongruous to the surrounding built form of the two conservation areas. The scale, mass and limited modulation of the proposed large monolithic blocks fails to respond to the underlying topography an important element in retaining the character of the conservation areas. The unremitting nature of the development not only dominates the domestic properties within the St David CA but also challenges the substantial civic structures along Queen Street. Consequently, it fails to provide a smooth transition between the two areas, lacking the contextual response to the topography, a key element of the character of Exeter's built form, and so failing to contribute to the conservation areas' character or distinctiveness or to sustain and enhance the significance they derive from retaining this visual reference to the underlying topography (NPPF 192).

### *Skyline*

The visualisations provided within the application are small and have been produced at a low resolution which reduces their effectiveness in appreciating how the new building may impact on views of the cathedral. The building appears to truncate the base of the towers in longer range views eroding the visual primacy of the structure (Viewpoint 3). What is also noticeable in these views (Viewpoint 3 and 5) is the disruption of the cityscape through the addition of a development with considerable bulk and limited modulations juxtaposed against the domestic built form of the city, even when set against the back drop of the Guildhall.

### *Design Approach to Materials, Elevations, Streetscape and Landscape*

The design of the building contributes further to its impact. The addition of a glazed box would not in our opinion reduce the visual prominence of the upper floors by



reflecting the sky. In our experience reflections in upper storey glass structures change when moving around the building and through the city and the visual impact cannot be controlled in all views. Furthermore, at night there is potential for the glazed elements to glow when lit internally acting as a beacon on the skyline of Exeter. Consequently, we consider that the glazed box would be a distracting feature its impact heightened by its elevated position.

Although the elevations have been articulated with strong horizontal divisions, there is strong uniformity in its architectural treatment. This conflicts with the diversity of architecture that can be seen throughout the Central Conservation Area and does nothing to reduce the impression of the overbearing mass of the building within the streetscape.

The works to the streetscape have been viewed as offering an opportunity to enhance this section of the conservation area through the elevation of the pedestrian over the car and the setting back of the buildings to open up the street. Although the building will be set back it will nonetheless be significantly taller than the existing structure, and therefore, the visual relief offered by the lower form of the existing Harlequin Centre will be lost.

The creation of open space beside the wall, within the centre of the complex and to the south-west end, allows for an improved green space to be created as part of the Scheme. Whilst the proposals may provide a potential increase in visual permeability to the City Wall from Paul Street, improvements to its physical setting are limited due to the size and massing of the proposed buildings and the associated parking and access routes. We do not consider that the application is successful in achieving the intended '*spatial separation from activity within Paul Street and adjacent areas of Exeter City Centre*' or '*an enhanced degree of tranquillity and opportunity to appreciate the historic and cultural relevance of the City Wall*' (Section 4.5 Design Approaches - Landscape and Ecology, Design and Access Statement) as the Guildhall ramp will still cut through the site and it will remain open to Paul Street's passing traffic.

#### *Direct Impacts on Archaeological Remains*

The scheme will have a direct impact on below ground archaeological remains within the setting of the scheduled city wall. At present it is not possible to understand the survival, nature, significance and extent of the archaeological potential within the development site due to lack of sufficient information (NPPF 189). We advise that this can best be assessed through the production of a deposit model and archaeological evaluation. The current data presented in the supporting document are limited as they are based on an archival review of previous interventions or from the results of limited evaluations in areas that had not been previously evaluated. Whilst this provides a desk based model to test, it does not provide an understanding of present survival, extent or significance of archaeological deposits across the site.



Consequently, further information is required to contribute to production of a deposit model, which will help to reduce any potential future risk to the project. We would recommend a staged approach is adopted to collate the data necessary to build a deposit model. All geoarchaeological investigation and deposit modelling should be undertaken in line with the principles set out in published Historic England guidance (<https://historicengland.org.uk/images-books/publications/geoarchaeology-earth-sciences-to-understand-archaeological-record>).

This work should include:

Geoarchaeological Desk Based Assessment undertaken by a suitably qualified and experienced Geoarchaeologist, drawing on the existing archive review, existing borehole data and the recent Geoenvironmental and Geotechnical Survey results. This will enable the identification of areas to sample to refine the desk based deposit model;

Geoarchaeological borehole survey across the site with geoarchaeologist in attendance and contingency for sampling if appropriate;

Reporting and integration of new results into a geoarchaeological deposit model using appropriate software in accordance with Historic England guidance

#### **National Legislation, NPPF and Local Policy**

Due to the range of heritage assets that would be affected by this application including a scheduled monument and Area of Archaeological Importance, a highly designated listed building, and conservation areas, the council must give due consideration to the historic environment under the relevant planning legislation. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have **special regard** to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 72(1) to pay **special attention** to the desirability of preserving or enhancing the character or appearance of conservation areas.

The National Planning Policy Framework identifies that sustainable development should be achieved by addressing the overarching objectives, of which the historic environment forms part (Para 8, NPPF). Chapter 16 sets out the policies for the Historic Environment and the requirement that assets *should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations* (Para 184, NPPF). Furthermore, it clearly sets out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (Para 193, NPPF).

Other policies from within Chapter 16 are relevant in respect of the application and



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these will be referred to in the position statement below.

Exeter City's Core Strategy (adopted 2012) sets out their vision for the city of which the historic environment and its protection is a key consideration. The council's own Policy CP17 states that development in the city centre should enhance the city's unique historic townscape quality as well as protect the integrity of the city wall and contribute positively to the historic character of the Exeter's Central Conservation Area.

### **Historic England Position**

Historic England appreciates that the Harlequin Centre site presents an important opportunity for redevelopment in a key city centre location. However, Exeter's historic environment is a valuable and finite resource, which is a key component of the site and its surroundings. Therefore, it is a fundamental consideration for any forthcoming redevelopment proposal. We have identified that the scheme will impact on the significance of a number of heritage assets including the scheduled city wall and the two conservation areas as well as a wider series of designated heritage assets through the impact of the scheme on the skyline and overall character of the cityscape. Direct impacts on below ground archaeological remains and for the physical fabric of the scheduled wall will require further investigation to understand the extent of the potential impacts and any resulting harm (Para 189, NPPF).

The proposed development due to its scale, bulk, lack of modulation and the unremitting elevational treatment does not address the site's key constraints in terms of its underlying topography, the surrounding scale of the built environment or the architectural diversity of Exeter. Consequently it fails to respond to the character and appearance of the conservation areas and is also contrary to the Council's own policy in the adopted Local Plan (Para 200, NPPF and Policy CP17, Exeter City's Local Plan). Although very much an architectural piece of its time, the existing building does demonstrate how a more sensitive development might be achieved by adopting the same sensitive approach to the landscape, through careful modulation and scale (Para 192, NPPF).

Some benefits have been offered in respect of the historic environment but we are not convinced that a less harmful scheme that increased the density of development on the site could not be brought forward and still provide the same benefits but in a less harmful way (Para 194, NPPF). In our opinion any scheme should address the stepped nature of the site with careful thought to its mass and bulk, and with greater attention given to the elevational treatment using modulation to help break up its bulk but also to reflect the diversity of architecture in Exeter (Para 190 and 200, NPPF). Further steps should be taken to reduce the overall scale of the proposals and allow the structure to transition between the domestic scale of St David's and the more substantial structures of Queen Street within the Central Conservation Area (Para 190 and 200, NPPF).



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The council should not move to weigh the public benefits offered by the scheme against the harm identified until the harm has been justified, the council can then move to balance the public benefit against the harm of the scheme (Para 195&196). Due to the number of assets affected the cumulative impact needs to be considered, which will be greater than the independent elements.

This is an important city centre site and in our view, this application presents a missed opportunity for a high quality development to be brought forward that offers greater enhancement than the local improvements that have been presented within the application.

### **Recommendation**

Historic England objects to the application on heritage grounds.

Historic England considers that the site does present an opportunity for a sensitive and sustainable development that would allow it to satisfy national and local planning policy in relation to the historic environment as set out in Chapter 16 of the NPPF and the Exeter City Local Plan. Unfortunately the current scheme has failed to achieve an appropriate response to the historic environment on and around the site. We therefore make the following recommendations which we encourage the council to explore with the applicant in the interest of supporting the identification of a more sustainable solution for the site. Historic England would be pleased to assist with further discussion of these recommendations:

- Further reduction in height to act as a better transition between St David's CA and Central CA.
- Loss of the upper glass box and a more subservient appearance to the upper levels.
- Greater modulation within the roofline of the building to respond to the topography

Review of the elevational treatment to break up the uniformity of the design and reflect the diversity of architecture within Exeter.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If, however, you propose to determine the application in its current form, please treat this as a letter of objection, inform us of the date of the committee and send us a copy of your report at the earliest opportunity.

Please contact me if we can be of further assistance.

Yours sincerely



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