



# Friends of Exeter Ship Canal

## Exeter: A Heritage Harbour

Howard Smith  
Planning Officer  
Exeter City Council

5 October 2023

Dear Howard

### **Water Lane (South), Exeter**

#### **Planning Application Reference: 23/I007/OUT**

**Proposal:** Demolition of existing buildings and structures and residential-led mixed use development providing new dwellings and workspace, retail, café/restaurant, community and cultural/leisure/education/hotel uses and associated infrastructure, including vehicular access, servicing, mobility hub, energy plant; alteration of ground levels; drainage and public open space; landscaping and public realm works; including pedestrian and cycle routes, with all matters reserved for future considerations, with the exception of access.

#### **Objections by the Friends of Exeter Ship Canal**

##### **I. The Friends of Exeter Ship Canal object to the process by which this outline application is made.**

1.1 The advertised application is an outline application that reserves all matters for future considerations, with the exception of access. At the same time the 184-page long Planning, Design & Access Statement embedded in the application details sets out details of proposed buildings, layouts and uses for the entire site for which the proposed access arrangements are a pre-determining factor, and of which they are a constituent.

1.2 The Planning, Design & Access Statement states (para 1.10) that 'the mix and quantum of uses' as well as the main access are also included in the application, with all other matters reserved for subsequent approval. In reality, the proposed access arrangements and restrictions are interlinked with the locations of uses and the multiplicity of detail in the Planning, Design & Access Statement to such an extent, and in such a way, as to make them inextricable from other matters: in particular, locations of amenities, housing, services and commercial uses; changes of use; layout, servicing and mobility; public open space and public realm; and vehicle, pedestrian and cycle routes.

1.3 To put it the other way round, permissions other than issues of access will be effectively predetermined by this process. It will anticipate or significantly forestall future

considerations through any subsequent planning advertisement and process if the access proposals are approved and laid down in this way.

1.4 The consequences of this extend beyond the boundary of the application site to restrictions of the operational capacity of Exeter Ship Canal and Basin and by extension to that of the Port of Exeter as a whole.

1.5 The Friends of Exeter Ship Canal submit that this is a material objection to the outline planning application as currently presented, sufficient to require its rejection in this present form and resubmission.

## **2. We object that the access proposals predetermine the closure of Gabriel's Wharf and the adjacent land to maritime and canal-related use, with consequential and detrimental impact on the safety, capacity and functionality of the Canal.**

2.1 Our objection is that the access proposals compromise the current functionality of the canal and its safety; the potential for the waterway's sustainable regeneration through new uses; the arrival of traditional vessels; and the employment-related, economic, tourism and heritage legacy benefits of the waterway which, along with the canal basin, has been designated as a heritage harbour.

2.2 Gabriel's Wharf is within the application site but the canal, which is adjacent to part of the site, is not. The access application ignores the impact changes on land have on the ability of the waterway to function. We recognise the overall opportunities the Water Lane redevelopment presents and regret that our suggestion for a feasibility study of compatible maritime activities in the Gabriel's Wharf area has not been taken up.

2.3 Gabriel's Wharf is the only location along the canal strong enough for craning and handling larger vessels in and out of the water, with associated space in the adjoining shipyard between the wharf and the railway for working on them. As such, it is a critical operational area which enables the Harbour Master to carry out his duties in respect of the proper and safe management and maintenance of the canal. This includes the ability to remove (from the Exe estuary as well as the canal) unauthorised or polluting vessels or vessels in a dangerous or fragile condition. When the ex-fishing boat, *Johnny Eager*, sank near Gabriel's Wharf in 2022 spilling oil into the canal, it was lifted onto the wharf preventing a serious situation from getting worse, and broken up in the shipyard. The containment was possible because of the Gabriel's Wharf facility.

2.4 As stated in the Planning, Design & Access Statement, the principal means of access to the application site are from Water Lane and Haven Banks leading into Alphington Road. These currently provide the required access for large vehicles, cranes and boat trailers to the Gabriel's Wharf waterside facility and maritime services. The volume of such traffic is relatively light and occasional. There is also vehicular integration between Gabriel's Wharf and the Canal Basin, which it is essential should be maintained.

2.5 Without fatally compromising the developers' vision for a new hierarchy of routes and pedestrian and cycle priority, access, when required, for large vehicles as above must be able to continue as far as the canalside at Gabriel's Wharf in order for the Wharf to function.

Under the proposals, Water Lane would become predominantly cycle and pedestrian at River Meadows although there might (apparently, confusingly, see map on p. 139) be some vehicular access as far as the new hotel (F1) and the dining/co-working concept block (E1), but not as far as the canalside. This would be fatally detrimental to the future ability to service maritime activity or emergency at this important wharf location. The wharf would become an amenity for the new housing development and absorbed into a new community square (Planning, Design & Access Statement, p. 116).

2.6 (i) The access proposals render the necessary access for large vehicles to Gabriel's Wharf impossible or impracticable, with consequences for the requirements indicated in 2.4 and with no alternatives proposed.

(ii) The Water Lane access proposals will have a direct impact on the operation of the Exeter Ship Canal which is outside the application site, for which no evidence of an evaluation of the consequences has been submitted.

These are material objections to the outline planning application.

### **3. We object to the change of use and closure to maritime activities of the Gabriel's Wharf shipyard between the canal and the railway, the only shipyard on the Exeter Ship Canal**

3.1 This is an instance when the access proposals combined with other material in the Planning, Design & Access Statement predetermine an outcome and circumvent full consideration of alternatives at the reserved stage.

3.2 The shipyard (i.e., the land adjacent to Gabriel's Wharf between the wharf and the railway) is incorporated into the developers' Water Square concept. The waterside would be reached only through Water Square, 'the area's local centre, showcasing landmark buildings, spaces for socialising and opportunities to connect to the water' in terms of leisure, public realm and active enjoyment (Planning, Design & Access Statement, p. 116).

3.3 In the Planning, Design & Access Statement, Section 9, 'Planning Assessment and Conclusions', it is stated: 'Whilst layout is a reserved matter, the main components of the movement network are set out in the Access Parameter Plan, and can be secured by a planning condition' (p 156). The movement network at Gabriel's Wharf and the shipyard is described, circumscribed and laid down. It is impermeable to vehicles such as cranes and trailers by the centrality of Water Square and its public realm. Consideration of layout (ie use) of the area at reserved stage will be circumscribed or compromised.

3.4 The continued existence of the stretch wharf at the water's edge (which is owned by Exeter City Council) will be of little value any longer to the functionality of the canal except as a mooring facility. The illustrative views on pp 109 and 112 among others of the Planning, Design & Access Statement, show clearly enough what is intended at Gabriel's Wharf and the shipyard when Water Square is delivered.

3.5 This represents a change of use. Until recently the shipyard was the site of high quality boatbuilding and work on sizeable vessels – see photograph on the next page:



*Bàta nam Brathairean*, a 19-metre long support vessel for the Scottish fishing industry, built at Gabriel's Wharf and ready to go down the Ship Canal to the sea for her voyage to Skye in 2021.

3.6 It is not suggested that shipbuilding like this is compatible with the redevelopment proposed for the Water Lane area. However, the Planning, Access and Design Statement emphasises the new neighbourhood will be a place to work as well as live, and for people to 'connect' and engage with the water. The access proposals would close off for generations to come the relationship with maritime activities exemplified by the shipyard (to become Water Square) and by the function of the waterway itself. Gabriel's Wharf and adjacent land provides essential space for Exeter's maritime business to grow in the 21<sup>st</sup> century. Consideration of the change of use, and feasibility and desirability of, and possibilities for, low-carbon, traditional crafts and hi-tech maritime workplaces at Gabriel's Wharf will be impaired by the time layout and other issues come to be considered among the reserved factors. By that time, necessary access for alternatives will have been ruled out if the present access application is approved.

3.7 The Friends of Exeter Ship canal urge that future canal uses, including commercial, leisure and passenger transport uses, should not be closed off from using Gabriel's Wharf alongside the canal because of a conflict with public realm; and that the boat launching and recovery facility must be maintained, with the addition of a slipway capable of dealing with any boat on the canal. A feasibility study of the use of the waterway and wharf at this point should inform both the Water Lane development company and canal management. Gabriel's Wharf shipyard should be considered for reconfiguration as a location for development of traditional and new waterway related skills, new businesses, and interesting employment opportunities, which generate activity on the water that will engage and enhance people's interest, enjoyment and attention.

3.8 Access proposals arising from public realm and other considerations will render the continuing use of Gabriel's Wharf and the shipyard impossible for their present or related

functions. Change of use would thereby become inevitable for the shipyard, although without prior planning advertisement and process. No alternatives are proposed for the requirements indicated in 2.4. There is no evaluation of the impact of the changes on the operation and future of the canal or evaluation of adapting the shipyard's maritime activities to the context of the new surroundings.

This constitutes further material objection to the outline planning application.

#### **4 We object to the outline application because of its potential detrimental impact on Exeter Heritage Harbour**

4.1 Exeter is a designated Heritage Harbour. The designation applies to Exeter Ship Canal and the Basin. The *Exeter Ship Canal and Heritage Harbour Route Map* has just been adopted by Exeter Canal and Quay Trust, presented to Exeter Harbour Board where it is due to be discussed in detail, and has been submitted to Exeter City Council.

4.2. The Friends of Exeter Ship Canal commissioned 'An Assessment of Current Planning Proposals relating to the Exeter Ship Canal and the Heritage Harbour' from Greenwood Projects, in August 2023, which is appended (as a pdf) to this objection.

4.3 A further direct result of waterway-related closure of Gabriel's Wharf will be to exacerbate the tightness of boatyard space at the Canal Basin and the current lack of facilities for boaters and boating services generally—workshops, repairs, boatbuilding, and storage. If the access proposals are approved and cranes and trailers will be unable to reach Gabriel's Wharf—or, alternatively, if public realm and buildings at Water Square mean that boats can no longer be craned in or out at this point—the consequence would be that boatyard space at the Basin that cannot be spared would be 'lost' because a reinforced crange area would have to be provided (see Greenwood Projects' report, appended).

4.4 This would have a material detrimental effect on the Basin's economy, functionality and contribution to the Heritage Harbour and to people's engagement and enjoyment.

4.5 The Greenwood Projects' report concluded that without a holistic view, the risks of compromising the ability of Exeter to function as a maritime destination are considerable. With the loss of this ability, many of the benefits that the canal and basin and the heritage harbour could offer the city and its people may be permanently compromised.

4.6 The closure of Gabriel's Wharf and its adjacent shipyard will increase pressure on space at the canal basin to the detriment of the capacity and economy of the basin and realisation of the possibilities of Exeter's Heritage Harbour designation. No mitigation is proposed in the Planning, Design & Access Statement.

This is a material objection to the outline planning application.

#### **5. We object to the proposed new bridge over the canal.**

5.1 The proposed new bridge across the canal is almost certainly not regarded as 'access' in the terms of the current planning application, but it is access in that it is a further point of entry and exit to the application site.

5.2 Our objection is based on the absence of presentation of any evidence to make a case for adding a hurdle that must be encountered when navigating the Canal. It runs counter to the proposed renewal of the Bridge Road (A379) moveable bridges that will result in an eagerly-awaited increased headroom beneath the bridges. This scheme, proposed by Devon County Council and strongly supported by Exeter City Council, is currently with the Department of Transport. It would be a game-changer to canal navigation as the majority of boats would pass straight underneath without requiring the bridges to be raised and the road closed. This would increase the number of boats exercising their right of navigation.

5.3 Consequently the proposed new bridge must have a headroom above water of at least 3.2m (10–11 feet) or at least equal to the future headroom beneath the A379.

5.4 It is not clear how the new bridge would be operated. It must be a swing bridge, both electrically and manually operable, and boater operated. It must not restrict the width of the canal at this location.

5.5 The proposed new bridge is in conflict with navigation of the waterway and the projected improvements for canal traffic and use. Evidence for the need for an additional crossing at this point has not been supplied. This is a material objection to the outline planning application if the proposed bridge is considered as an access proposal.

In summary, the outline planning application as presented is prejudicial to the functionality, safety and future of the Exeter Ship Canal, the realisation of Exeter's Heritage Harbour status, and to opportunities that would add to the new Water Lane development an attractive element of maritime-related activities. We do not argue that these should be the primary focus of the development of the new Water Lane community, but that the present application precludes wider input and consideration until such time as the opportunities have been closed off by decisions on access.

Proposals that turn their back on the waterway except as an adjunct to housing will, if they go through, block off opportunities for the locality's fruitful relationship with the water, beyond its being a leisure facility. In addition, this will inhibit a maritime-based renewal for the City of Exeter and be detrimental to the advantages that being a Heritage Harbour would bring. The functionality and safety of the Canal will be compromised by the development of the adjacent land in a way that ignores the canal as a working concern and regards it instead as a 'natural' water feature that enhances the offer of the homes being built. The Friends of Exeter Ship Canal wish to contribute to finding a solution to these matters but believe that the outline application, as presented, must be refused on the grounds of the objections we have set out above.

With best wishes

John

John Monks

Chair, Friends of Exeter Ship Canal

Appendix: An Assessment of Current Planning Proposals relating to the Exeter Ship Canal and the Heritage Harbour (Greenwood Projects, August 2023) is attached as a pdf.