

The Planning Inspectorate

PLANNING APPEAL FORM (Online Version)

WARNING: The appeal **and** essential supporting documents **must** reach the Inspectorate within the appeal period. **If your appeal and essential supporting documents are not received in time, we will not accept the appeal.**

Appeal Reference: APP/Y1110/W/22/3292721

A. APPELLANT DETAILS

The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name	Mr L Salter
Company/Group Name	Salter Property Investments Ltd
Address	Cliff Barton Sowden Lane Lympstone EXMOUTH EX8 5HB
Preferred contact method	Email <input checked="" type="checkbox"/> Post <input type="checkbox"/>

B. AGENT DETAILS

Do you have an Agent acting on your behalf?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Name	Dr Thomas Roche
Company/Group Name	Roche Associates Limited
Address	Number One Queen Square Place Bath BA1 2LL
Phone number	01225 433675
Email	trocke@rocheassociates.co.uk
Your reference	SALT0006
Preferred contact method	Email <input checked="" type="checkbox"/> Post <input type="checkbox"/>

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority	Exeter City Council
LPA reference number	20/0538/OUT

Date of the application

22/05/2020

Did the LPA validate and register your application?

Yes



No



Did the LPA issue a decision?

Yes



No



Date of LPA's decision

12/10/2021

D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address?

Yes



No



Does the appeal relate to an existing property?

Yes



No



Address

Land off Spruce Close
Exeter
Grid Ref Easting: 294453
Grid Ref Northing: 94910

Is the appeal site within a Green Belt?

Yes



No



Are there any health and safety issues at, or near, the site which the Inspector would need to take into account when visiting the site?

Yes



No



E. DESCRIPTION OF THE DEVELOPMENT

Has the description of the development changed from that stated on the application form?

Yes



No



If YES, please state below the revised wording

Outline application for up to 93 residential dwellings (Approval sought for details of access only, with scale, layout, appearance and landscaping all reserved for future consideration)

Please attach a copy of the LPA's agreement to the change.

☒ see 'Appeal Documents' section

Area (in hectares) of the whole appeal site [e.g. 1234.56]

4.09 hectare(s)

Does the proposal include demolition of non-listed buildings within a conservation area?

Yes



No



F. REASON FOR THE APPEAL

The reason for the appeal is that the LPA has:

1. Refused planning permission for the development.



2. Refused permission to vary or remove a condition(s).



3. Refused prior approval of permitted development rights.



4. Granted planning permission for the development subject to conditions to which you object.



5. Refused approval of the matters reserved under an outline planning permission.



6. Granted approval of the matters reserved under an outline planning permission subject to conditions to which you object.



7. Refused to approve any matter required by a condition on a previous planning permission (other than those specified above).



8. Failed to give notice of its decision within the appropriate period (usually 8 weeks) on an application for permission or approval. ☐
9. Failed to give notice of its decision within the appropriate period because of a dispute over provision of local list documentation. ☐

G. CHOICE OF PROCEDURE

There are three different procedures that the appeal could follow. Please select one.

1. Written Representations ☐

2. Hearing ☐

3. Inquiry ☒

You must give detailed reasons below or in a separate document why you think an inquiry is necessary. The reasons are set out in

☒ see 'Appeal Documents' section

(a) How many witnesses do you intend to call?

4

(b) How long do they need to give their evidence?

2-3 hours each

(c) How long do you estimate the inquiry will last?

4 day(s)

H. FULL STATEMENT OF CASE

☒ see 'Appeal Documents' section

Do you have a separate list of appendices to accompany your full statement of case? Yes ☐ No ☒

(a) Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal? (Please attach draft version if available) Yes ☐ No ☒

(b) Have you made a costs application with this appeal? Yes ☐ No ☒

I. (part one) SITE OWNERSHIP CERTIFICATES

Which certificate applies?

CERTIFICATE A

I certify that, on the day 21 days before the date of this appeal, nobody, except the appellant, was the owner of any part of the land to which the appeal relates; ☐

CERTIFICATE B

I certify that the appellant (or the agent) has given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner of any part of the land to which the appeal relates, as listed below: ☒

Owner's Name:	Mr E Tremlett
Address at which notice was served:	Bickham House, Kenn, Exeter EX6 7XL
Date the notice was served:	14/02/2022
Owner's Name:	Exeter City Council
Address at which notice was served:	Civic Centre, Paris Street, Exeter EX1 1NN
Date the notice was served:	14/02/2022
Owner's Name:	Devon County Council

Address at which notice was served:

County Hall, Topsham Road, Exeter EX1 3RW

Date the notice was served:

14/02/2022

CERTIFICATE C and D

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D and attach it below.



I. (part two) AGRICULTURAL HOLDINGS

We need to know whether the appeal site forms part of an agricultural holding.

(a) None of the land to which the appeal relates is, or is part of, an agricultural holding.



(b)(i) The appeal site is, or is part of, an agricultural holding, and the appellant is the sole agricultural tenant.



(b)(ii) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person (other than the appellant) who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates, as listed below.



Tenant's Name:

R Hall Esq

Address at which notice was served:

The Barns, Barton Lane, Exeter EX2 9QQ

Date the notice was served:

14/02/2022

J. SUPPORTING DOCUMENTS

01. A copy of the original application form sent to the LPA.



02. A copy of the site ownership certificate and agricultural holdings certificate submitted to the LPA at application stage (if these did not form part of the LPA's planning application form).



03. A copy of the LPA's decision notice (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application.



04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue.



05. (a) Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.



05. (b) A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.



05.(c) A list of all plans, drawings and documents upon which the LPA made their decision.



06. (a) Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application.



06. (b) A list of all plans, drawings and documents (stating drawing numbers) which did not form part of the original application.



07. A copy of the design and access statement sent to the LPA (if required).



08. A copy of a draft statement of common ground if you have indicated the appeal should follow the hearing or inquiry procedure.



09. (a) Additional plans, drawings or documents relating to the application but not previously seen by the LPA. Acceptance of these will be at the Inspector's discretion.



09. (b) A list of all plans and drawings (stating drawing numbers) submitted but not previously seen by the LPA.



10. Any relevant correspondence with the LPA. Including any supporting information submitted with your application in accordance with the list of local requirements. ☒
11. If the appeal is against the LPA's refusal or failure to approve the matters reserved under an outline permission, please enclose:
- (a) the relevant outline application; ☐
- (b) all plans sent at outline application stage; ☐
- (c) the original outline planning permission. ☐
12. If the appeal is against the LPA's refusal or failure to decide an application which relates to a condition, we must have a copy of the original permission with the condition attached. ☐
13. A copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA). ☐
14. If the appeal is against the LPA's refusal or failure to decide an application because of a dispute over local list documentation, a copy of the letter sent to the LPA which explained why the document was not necessary and asked the LPA to waive the requirement that it be provided with the application. ☐

K. OTHER APPEALS

Have you sent other appeals for this or nearby sites to us which have not yet been decided?

Yes ☐ No ☒

L. CHECK SIGN AND DATE

(All supporting documents must be received by us within the time limit)

I confirm that all sections have been fully completed and that the details are correct to the best of my knowledge.

I confirm that I will send a copy of this appeal form and supporting documents (including the full statement of case) to the LPA today.

Signature

Dr Thomas Rocke

Date

14/02/2022 13:06:31

Name

Dr Thomas Rocke

On behalf of

Mr L Salter

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 2018.

The Planning Inspectorate takes its data protection responsibilities for the information you provide us with very seriously. To find out more about how we use and manage your personal data, please go to our [privacy notice](#).

M. NOW SEND

Send a copy to the LPA

Send a copy of the completed appeal form and any supporting documents (including the full statement of case) not previously sent as part of the application to the LPA. If you do not send them a copy of this form and documents, we may not accept your appeal.

To do this by email:

- open and save a copy of your appeal form
- locating your local planning authority's email address:
<https://www.gov.uk/government/publications/sending-a-copy-of-the-appeal-form-to-the-council>
- attaching the saved appeal form including any supporting documents

To send them by post, send them to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA).

When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

You may wish to keep a copy of the completed form for your records.

N. APPEAL DOCUMENTS

We will not be able to validate the appeal until all the necessary supporting documents are received.

Please remember that all supporting documentation needs to be received by us within the appropriate deadline for the case type. Please ensure that any correspondence you send to us is clearly marked with the appeal reference number.

You will not be sent any further reminders.

The documents listed below were uploaded with this form:

Relates to Section:	DESCRIPTION OF DEVELOPMENT
Document Description:	A copy of the LPA's agreement to the change.
File name:	20-0538-OUT - DN{db2-doc758270-manull-minull}.pdf
Relates to Section:	CHOICE OF PROCEDURE
Document Description:	Document containing detailed reasons why an inquiry is necessary.
File name:	Choice of Procedure_Reasons.pdf
Relates to Section:	FULL STATEMENT OF CASE
Document Description:	A copy of the full statement of case.
File name:	SoC.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	01. A copy of the original application sent to the LPA.
File name:	REVISED Application Form{db2-doc499168-manull-minull}.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	03. A copy of the LPA's decision notice (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application.
File name:	20-0538-OUT - DN{db2-doc758270-manull-minull}.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue.
File name:	1863_1000E_Location Plan{db2-doc748435-manull-minull}.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	05.a. Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.
File name:	1863_1000C_Location Plan.pdf
File name:	1863_1150C_Parameters Plan - Land Use.pdf
File name:	1863_1151C_Parameters Plan - Density.pdf
File name:	1863_1152C_Parameters Plan - Scale.pdf
File name:	1863_1153C Access and Movement.pdf
File name:	1863_1154C_Parameters Plan - Open Space Provision.pdf
File name:	1863_1155A_Landscape Strategy.pdf
File name:	B1 04268-A-SK110-P1 Celia Crescent Access.pdf
File name:	B2 04268-A-SK111-P0 Spruce Close Access.pdf
File name:	1863_300M_Indicative Block_Plan.pdf
File name:	1863_1100D_Illustrative Mastepan_Colour.pdf
File name:	Planning Statement_final.pdf

File name:	613-Spruce Close - LVIA_Planning App_Rev A.pdf
File name:	613_Spruce Close_Figure Document_LVIA_Planning App_Rev A.pdf
File name:	0777 Land off Spruce Close Exeter Flood Risk Assessment (Rev B).pdf
File name:	Spruce Close geophysics report_1912SPU-R-1_.pdf
File name:	04268-R-01-B-TA_Full.pdf
File name:	12135 Phase 1 Geo-environmental Assessment-1-46.pdf
File name:	12135 Phase 1 Geo-environmental Assessment-47-102.pdf
File name:	ACD2218 Land off Spruce Close Exeter Report.pdf
File name:	A537_Spruce_Close_BS5837_Arb_Report_08042020.pdf
File name:	Spruce Close EcIA report FINAL V1.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	05.b. A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.
File name:	05b_List of Plans and Documents_Original Submission.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	05.(c) A list of all plans, drawings and documents upon which the LPA made their decision.
File name:	05c_List of Plans and Documents_Decision.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	06.a. Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application (e.g. drawings for illustrative purposes).
File name:	1863_1000E_Location Plan{db2-doc748435-manull-minull}.pdf
File name:	1863_1150F_Parameters Plan - Land Use(3){db2-doc748333-manull-minull}.pdf
File name:	1863_1151F_Parameters Plan - Density(3){db2-doc748334-manull-minull}.pdf
File name:	1863_1152F_Parameters Plan - Scale(1){db2-doc748335-manull-minull}.pdf
File name:	1863_1153F_Parameter Plan - Access and Movement(1){db2-doc748336-manull-minull}.pdf
File name:	1863_1154G_Parameters Plan - Open Space Provision(1){db2-doc748337-manull-minull}.pdf
File name:	04268-A-SK110-P4 Celia Crescent Access{db2-doc748568-manull-minull}.pdf
File name:	04268-A-SK124-P4 Spruce Close Access and Parking{db2-doc752298-manull-minull}.pdf
File name:	04268-A-SK125-P4 Spruce Close Bus Stop locations{db2-doc752299-manull-minull}.pdf
File name:	1863_001A_Mood Board - Higher Density{db2-doc748341-manull-minull}.pdf
File name:	1863_001A_Mood Board - Lower Density{db2-doc748342-manull-minull}.pdf
File name:	1863_002B_Landscaping Mood Board(1){db2-doc748343-manull-minull}.pdf
File name:	1863_1101B_Spruce Close Indicative Masterplan_Colour(3){db2-doc748332-manull-minull}.pdf
File name:	1863_1120_Spruce Close - New Valley Park Proposal{db2-doc748340-manull-minull}.pdf
File name:	1863_VP4_Spruce Close_Exeter_Photomontage Viewpoint 4{db2-doc746548-manull-minull}.pdf
File name:	1863_VP5_Spruce Close_Exeter_Photomontage Viewpoint 5{db2-doc746550-manull-minull}.pdf
File name:	1863_VP6_Spruce Close_Exeter_Photomontage Viewpoint 6{db2-doc746551-manull-minull}.pdf
File name:	1863_VP7_Spruce Close_Exeter_Photomontage Viewpoint 7{db2-doc746552-manull-minull}.pdf
File name:	04268-TR-007-P1 Bus Refuse Vehicle Tracking_Spruce Close Celia Crescent Access{db2-doc748570-manull-minull}.pdf

File name:	04268-TR-008-P3 Bus Vehicle Tracking_Celia Crescent Access{db2-doc752300-manull-minull}.pdf
File name:	04268-TR-009-P4 Bus Vehicle Tracking_Spruce Close Access{db2-doc752301-manull-minull}.pdf
File name:	613-Spruce Close - LVIA Addendum_Wireframe Views{db2-doc746544-manull-minull}.pdf
File name:	613_Spruce Close_Figure Document_LVIA_Planning App_Rev B{db2-doc746546-manull-minull}.pdf
File name:	0777 Land off Spruce Close.pdf
File name:	A537_Spruce_Close_BS5837_Arb_Addendum_19012021(2){db2-doc744932-manull-minu
File name:	Spruce Close Biodiversity Net Gain Assessment{db2-doc748345-manull-minull}.pdf
File name:	Spruce close trading summary{db2-doc749421-manull-minull}.pdf
File name:	V2AQ051722 Spruce Close AQA(1){db2-doc507397-manull-minull}.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	06.b. A list of all plans, drawings and documents (stating drawing numbers) which did not form part of the original application.
File name:	06b_List of Plans and Documents_Additional Revised.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	07. A copy of the design and access statement sent to the LPA.
File name:	1863_D01 Design & Access Statements_compressed-1-31.pdf
File name:	1863_D01 Design & Access Statements_compressed-32-60.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	10. Any relevant correspondence with the LPA, including any supporting information submitted with your application in accordance with the list of local requirements.
File name:	Correspondence with ECC.pdf
File name:	200538OUT Cover Letter 28{db2-doc745230-manull-minull}.05.21.pdf
File name:	613-Spruce Close - LPA Response_August 20208{db2-doc507759-manull-minull}.pdf
File name:	Briefing Note_Response to Issues raised by ECC Planning Committee_final.pdf
File name:	211007_ECC.pdf
Completed by	DR THOMAS ROCKE
Date	14/02/2022 13:06:31