

The Planning Inspectorate

QUESTIONNAIRE (s78) and (s20) PLANNING AND LISTED BUILDING CONSENT (Online Version)

You must ensure that a copy of the completed questionnaire, together with any attachments, are sent to the appellant/agent by the date given in the start letter. **You must include details of the statutory development plan, even if you intend to rely more heavily on some other emerging plan.**

If notification or consultation under an Act, Order or Departmental Circular would have been necessary before granting permission and has not yet taken place, please inform the appropriate bodies of the appeal now and ask for any comments to be sent direct to us by the date your statement is due.

Appeal Reference

APP/Y1110/W/22/3298452

Appeal By

LAND PROMOTION GROUP

Site Address

Land off Pendragon Road
Exeter
EX4 9EE
Grid Ref Easting: 293999
Grid Ref Northing: 094766

PART 1

1.a. Do you consider the written representation procedure to be suitable?

Yes

☐ No

*Note: If the written procedure is agreed, the Inspector will visit the site **unaccompanied** by either party unless the relevant part of the site cannot be seen from a road or other public land, or it is essential for the Inspector to enter the site to check measurements or other relevant facts.*

1.b. Do you wish to be heard by an Inspector at;

Inquiry

☐ Hearing

2.a. If the written procedure is agreed, can the relevant part of the appeal site be seen from a road, public footpath, bridleway or other public land?

Yes

☐ No

2.b. Is it essential for the Inspector to enter the site to assess the impact of the proposal?

Yes

☒ No

Please explain

The site is within an area that is protected for its character and local distinctiveness

2.c. Are there any known health and safety issues that would affect the conduct of the site inspection?

Yes

☐ No

3.a. Are there any other appeals or matters relating to the same site still being considered by us or the Secretary of State?

Yes

☐ No

3.b. Are there any other appeals or matters adjacent or close to the site still being considered by us or the Secretary of State?

Yes

☐ No

PART 2

4. Does the appeal relate to an application for approval of reserved matters?

Yes

☐ No

5. Was a site ownership certificate submitted with the application?

Yes

☒ No

6. Did you give publicity to the application in accordance with either Article 15 of the DMPO 2015, Section 67/73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 or Regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
6.a. If a press advert notice was published, please upload a copy <input checked="" type="checkbox"/> see 'Questionnaire Documents' section				
7. Does the appeal relate to a county matter?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
8. Please indicate the development type for the application to which the appeal relates.				
Major Developments				<input checked="" type="checkbox"/>
Minor Developments				<input type="checkbox"/>
Other Developments				<input type="checkbox"/>
8.a. Major Developments				
Dwellings				<input checked="" type="checkbox"/>
Offices/R and D/light industry				<input type="checkbox"/>
General industry/storage/warehousing				<input type="checkbox"/>
Retail and services				<input type="checkbox"/>
Traveller caravan pitches				<input type="checkbox"/>
All other major developments				<input type="checkbox"/>
Is the appeal site within:				
9.a. A Green Belt?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
9.b. An Area of Outstanding Natural Beauty?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
10. Is there a known surface or underground mineral interest at or within 400 metres of the appeal site which is likely to be a material consideration in determining the appeal?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

PART 3

11. Would the development require the stopping up or diverting of a public right of way?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
12.a. Is the site in a Conservation Area?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
12.b. Is the site adjacent to a Conservation Area?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
12.c. Does the appeal proposal include the demolition of a non-listed building within a conservation area?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
13.a. Does the proposed development involve the demolition, alteration or extension of a Grade I / II* / II listed building?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
13.b. Would the proposed development affect the setting of a listed building?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
14. Has a grant been made under s3A or s4 of the Historic Buildings and Ancient Monuments Act 1953?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
15.a. Would the proposals affect an Ancient Monument (whether scheduled or not)?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
16. Is any part of the site subject to a Tree Preservation Order?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
17. Have you made a Local Development Order under s61A to 61C of the Town	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

and Country Planning Act 1990 (as inserted by s40 of the Planning & Compulsory Purchase Act 2004) relating to the application site?

18. Does the appeal involve persons claiming Gypsy/Traveller status, whether or not this is accepted by the planning authority? Yes ☐ No ☒

19.a. Is the appeal site in or adjacent to or likely to affect an SSSI or an internationally designated site (ie. cSAC, SAC, pSPA, SPA Ramsar)? Yes ☒ No ☐

19.a.i. If YES, was it necessary to consult Natural England? Yes ☒ No ☐

Please attach the comments of Natural England

☒ see 'Questionnaire Documents' section

19.b. Are any protected species likely to be affected by the proposals? Yes ☒ No ☐

Please attach the comments of Natural England or attach details, including relevant extracts of any protected species standing advice that has been considered.

☒ see 'Questionnaire Documents' section

PART 4

Environmental Impact Assessment - Schedule 1

20.a.i. Is the proposed development Schedule 1 development as described in Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011? Yes ☐ No ☒

Environmental Impact Assessment - Schedule 2

20.b.i. Is the proposed development Schedule 2 development as described in Column 1, Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011? Yes ☒ No ☐

20.b.ii. Under which description of development in Column 1 (ie Nos 1-13)

20.b.iii. Is the development within or partly within a 'sensitive area' as defined by Regulation 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011? Yes ☐ No ☒

20.b.iv. Is the applicable threshold/criteria in Column 2 exceeded/met? Yes ☒ No ☐

Environmental Impact Assessment - Screening

20.c.i. Have you issued a screening opinion (SO) Yes ☐ No ☒

Environmental Impact Assessment - Environmental Statement (ES)

20.d. Has the appellant supplied an environmental statement? Yes ☐ No ☒

Environmental Impact Assessment - Publicity

20.e. If applicable, please attach a copy of the site notice and local advertisement published as required for EIA development. Applies ☐ N/A ☒

21. Have all notifications or consultations under any Act, Order or Departmental Circular, necessary before granting permission, taken place? Yes ☒ No ☐

Please attach copies of any comments that you have received in response.

☒ see 'Questionnaire Documents' section

PART 5

22. Do you wish to attach your statement of case?

Yes

☐ No



For appeals dealt with by written representations only

23. If this appeal is not following the written representations expedited procedure, do you intend to send a statement of case about this appeal?

Yes

☒ No



Copies of the following documents must, if appropriate, be attached to this questionnaire

24.a. a copy of the letter with which you notified people about the appeal;



☒ see 'Questionnaire Documents' section

24.b. a list of the people you notified and the deadline you gave for their comments to be sent to us;



☒ see 'Questionnaire Documents' section

Deadline

20/03/2023

24.c. all representations received from interested parties about the original application;



☒ see 'Questionnaire Documents' section

24.d. the planning officer's report to committee or delegated report on the application and any other relevant documents/minutes;



☒ see 'Questionnaire Documents' section

☒ see 'Questionnaire Documents' section

24.e. any representations received as a result of a service of a site ownership notification;



24.f. extracts from any relevant statutory development plan policies (even if you intend to rely more heavily on the emerging plan);



You must include the front page, the title and date of the approval/adoption, please give the status of the plan. Copies of the policies should include the relevant supporting text. You must provide this even if the appeal is against non-determination.

☒ see 'Questionnaire Documents' section

☒ see 'Questionnaire Documents' section

List of policies

See Planning Committee Report

24.g. extracts of any relevant policies which have been 'saved' by way of a Direction;



☒ see 'Questionnaire Documents' section

List of policies

See Planning Committee Report

24.h. extracts from any supplementary planning guidance, that you consider necessary, together with its status, whether it was the subject of public consultation and consequent modification, whether it was formally adopted and if so, when;



☒ see 'Questionnaire Documents' section

24.i. extracts from any supplementary planning document that you consider necessary, together with the date of its adoption;



In the case of emerging documents, please state what stage they have reached.

☒ see 'Questionnaire Documents' section

24.j. a comprehensive list of conditions which you consider should be imposed if planning permission is granted; ☐

Only tick that this applies if you intend to submit a list of conditions with the questionnaire. If you do not submit the list with the questionnaire, then this should be submitted by the date your statement is due. This list must be submitted separately from your appeal statement.

24.k. if any Development Plan Document (DPD) or Neighbourhood Plan relevant to this appeal has been examined and found sound/met the basic conditions and passed a referendum, the date the DPD or Neighbourhood Plan is likely to be adopted and, if you consider this date will be before the Inspector's decision on this appeal is issued, an explanation of the Council's policy position in respect of this appeal upon its adoption. You should also include an explanation of the status of existing policies and plans, as they relate to this appeal, upon adoption and which (if any) will be superseded; ☐

24.l. if any DPD or Neighbourhood Plan relevant to this appeal has been submitted for examination, or in the case of a Neighbourhood Plan has been examined and is awaiting a referendum, an explanation of any substantive changes in the progress of the emerging plan, and their relevance to this appeal if it is considered that the plan will not be adopted before the Inspector's decision on this appeal is issued; ☐

24.m. your Authority's CIL charging schedule is being/has been examined; ☐

24.n. your Authority's CIL charging schedule has been/is likely to be adopted; ☒

Please provide the date of adoption:

01/12/2013

24.o. any other relevant information or correspondence you consider we should know about. ☒

☒ see 'Questionnaire Documents' section

For the Mayor of London cases only

25.a. Was it necessary to notify the Mayor of London about the application? Yes ☐ No ☒

25.b. Did the Mayor of London issue a direction to refuse planning permission? Yes ☐ No ☒

LPA Details

I certify that a copy of this appeal questionnaire and any enclosures will be sent to the appellant or agent today. ☒

LPA's reference

21/0020/OUT

Completed by

Matthew Diamond

On behalf of

Exeter City Council

Please provide the details of the officer we can contact for this appeal, if different from the Planning Inspectorate's usual contact for this type of appeal.

Name

Phone no (including dialling code)

Email

Please advise the case officer of any changes in circumstances occurring after the return of the questionnaire.

QUESTIONNAIRE DOCUMENTS

Appeal Reference APP/Y1110/W/22/3298452

Appeal By LAND PROMOTION GROUP

Site Address
Land off Pendragon Road
Exeter
EX4 9EE
Grid Ref Easting: 293999
Grid Ref Northing: 094766

The documents listed below were uploaded with this form:

Relates to Section: PART 2

Document Description: 6.a. A copy of the notice published.

File name: 28 Jan.pdf

File name: 12th Aug.pdf

Relates to Section: PART 3

Document Description: 19.a.i. The comments of Natural England.

File name: 2021-02-11 - Natural England.pdf

File name: 2021-08-24 - Natural England.pdf

Relates to Section: PART 3

Document Description: 19.b. The comments of Natural England or details, including relevant extracts, of any protected species standing advice that has been considered.
File name: Protected species and development-advice for LPAs.pdf

Relates to Section: PART 4

Document Description: 21. Copies of any comments that you have received in response.

File name: 2021-02-11 - Natural England.pdf

File name: 2021-02-19 - Exeter Airport.pdf

File name: 2021-02-19 - Lead Local Flood Authority (Objects).pdf

File name: 2021-03-23 - Local Highway Authority (Objects).pdf

File name: 2021-08-06 - Exeter Airport.pdf

File name: 2021-08-24 - Natural England.pdf

File name: 2021-09-08 - Lead Local Flood Authority (Objects).pdf

File name: 2021-10-14 - LLFA (Objection Withdrawn).pdf

File name: 2022-01-26 - Local Highway Authority.pdf

File name: 2022-03-18 - Local Highway Authority.pdf

File name: 2022-03-25 - Local Highway Authority.pdf

File name: 2022-03-28 - Local Highway Authority.pdf

File name: 2022-03-30 - Lead Local Flood Authority.pdf

Relates to Section: PART 5

Document Description: 24.a. A copy of the letter with which you notified people about the appeal.

File name: 21-0020-OUT Appeal Notification.pdf

Relates to Section: PART 5

Document Description: 24.b. A document containing a list of the people you notified of the appeal.

File name: 21-0020-OUT - List of People Notified.pdf

Relates to Section: PART 5

Document Description: 24.c. Copies of all representations received from interested parties about the

original application.

File name: 2021-02-18 - Waste Planning Authority.pdf
File name: 2021-08-05 - Devon & Somerset Fire & Rescue Service.pdf
File name: 2021-08-16 - Environmental Health.pdf
File name: 2021-08-06 - RSPB.pdf
File name: 2021-02-18 - Place Making Officer.pdf
File name: 2021-02-19 - Local Plans.pdf
File name: 2021-08-23 - South West Water.pdf
File name: 2021-02-18 - Public & Green Spaces.pdf
File name: 2021-08-25 - Waste Planning Authority.pdf
File name: 2021-08-31 - Tree Manager.pdf
File name: 2021-02-26 - Environment Agency.pdf
File name: 2021-08-18 - Police Designing Out Crime Officer.pdf
File name: 2021-08-24 - Devon Wildlife Trust (Objects).pdf
File name: 2021-02-04 - South West Water.pdf
File name: 2021-09-03 - RSPB.pdf
File name: 2021-09-05 - Exeter Cycling Campaign (Objects).pdf
File name: 2021-02-08 - Devon & Somerset Fire & Rescue Service.pdf
File name: 2021-02-08 - Exeter Cycling Campaign (Objects).pdf
File name: 2021-02-09 - Devon Wildlife Trust (Objects).pdf
File name: 2021-02-19 - Tree Manager (Objects).pdf
File name: 2022-02-19 - Exeter Cycling Campaign (Objects).pdf
File name: 2021-02-18 - Local Education Authority.pdf
File name: 2021-02-05 - Environmental Health (Objects).pdf
File name: 2021-02-09 - RSPB.pdf
File name: 2021-02-11 - Civic Society (Planning Sub-committee) (Objects).pdf
File name: 2021-02-04 - Police Designing Out Crime Officer.pdf
File name: 2021-02-18 - NHS Devon CCG.pdf
File name: Online Representations.pdf
File name: 2021-05-21 - S Hemdan_Non-public.pdf
File name: 2021-08-13 - M Bennett (Objects)_attachment.pdf
File name: 2021-10-28 - S Hemdan_Non-public.pdf
File name: 2021-07-23 - RD&E NHS Foundation Trust1.pdf
File name: 2021-09-05 - Exeter Greenspace Group.pdf
File name: 2021-09-10 - J Cadeddu (Objects).pdf
File name: 2021-09-05 - GC Baker (Objects).pdf
File name: 2021-02-18 - Dr GC Baker (Objects).pdf
File name: 2021-09-05 - G Baker_Non-public.pdf
File name: 2021-07-23 - RD&E NHS Foundation Trust2.pdf
File name: 2021-02-17 - Mr and Mrs Cann (Object).pdf
File name: 2021-02-23 - V Needs_Non-public.pdf
File name: 2021-02-12 - P Gibbons (Supports).pdf
File name: 2021-08-13 - M Bennett (Objects).pdf
File name: 2021-02-19 - J Cadeddu (Objects).pdf
File name: 2021-02-24 - Correspondence with J Cadeddu_Non Public.pdf
File name: 2021-02-21 - C Needs.pdf
File name: 2021-02-21 - J Cadeddu.pdf

Relates to Section: PART 5

Document Description: 24.d. The planning officer's report to committee or delegated report on the application and any other relevant documents/minutes.

File name: 2022-03-18 - Planning Committee Report.pdf

File name: 2022-03-25 - Update Sheet.pdf

File name: 2022-03-28 - Planning Committee Presentation.pdf

File name: 2022-01-27 - Chartered Landscape Architect Report on behalf of Council.pdf

Relates to Section: PART 5

Document Description: 24.d. the planning officer's report to committee or delegated report on the

File name:	application and any other relevant documents/minutes; Planning Committee Minutes 28 March 2022.pdf
Relates to Section:	PART 5
Document Description:	24.f. Copies of extracts from any relevant statutory development plan policies.
File name:	Core Strategy (Adopted 21.02.2012) - Front Page.pdf
File name:	Exeter Local Plan First Review (Adopted 25.01.2005) - Front Page.pdf
File name:	Devon Waste Plan (Adopted 11.12.2014) - Front Page.pdf
Relates to Section:	PART 5
Document Description:	24.f. Copies of extracts from any relevant statutory development plan policies.
File name:	Relevant Core Strategy Policies & Supporting Text.pdf
File name:	Relevant Local Plan First Review Policies & Supporting Text.pdf
File name:	Relevant Devon Waste Plan Policies & Supporting Text.pdf
Relates to Section:	PART 5
Document Description:	24.g. Copies of extracts of any relevant policies which have been 'saved' by way of a Direction.
File name:	Saved Policies Letter.pdf
File name:	Saved Policies.pdf
Relates to Section:	PART 5
Document Description:	24.h. Copies of extracts from any supplementary planning guidance, that you consider necessary, together with its status, whether it was the subject of public consultation and consequent modification, whether it was formally adopted and if so, when.
File name:	Archaeology and Development SPG (November 2004).pdf
Relates to Section:	PART 5
Document Description:	24.i. Copies of extracts from any supplementary planning document, together with the date of its adoption.
File name:	Public Open Space SPD (Adopted 20 September 2005).pdf
File name:	Trees in Relation to Development SPD (Adopted 15 September 2009).pdf
File name:	Sustainable Transport SPD (Adopted 19 March 2013).pdf
File name:	Planning Obligations SPD (Adopted 1 April 2014).pdf
File name:	Affordable Housing SPD (Adopted 1 April 2014).pdf
Relates to Section:	PART 5
Document Description:	24.o. Copies of any other relevant information or correspondence you consider we should know about.
File name:	EIA Screening Direction - Written Statement.pdf
File name:	CIL Charging Schedule (Adopted 1 December 2013).pdf
File name:	Core Strategy 2012 Key Diagram.pdf
File name:	Exeter Landscape Sensitivity Assessment Aug 2022 - Front Cover (full version available on ECC website).pdf
File name:	Development Delivery DPD Publication Version July 2015 (Not Adopted) - Map 7.pdf
File name:	Five Year Housing Supply - 21-1495-FUL - DN (Old Coal Yard Phase 3)_01.12.22.pdf
File name:	First Homes Planning Policy Statement June 2021 (Unadopted).pdf
File name:	Development Delivery DPD Publication Version July 2015 (Not Adopted).pdf
File name:	Exeter Landscape Sensitivity Assessment Aug 2022 (site assessment on pages 27-30).pdf
File name:	Green Infrastructure Strategy - Phase II (December 2009).pdf
File name:	Five Year Housing Land Supply Statement August 2022.pdf
File name:	Green Infrastructure Strategy (Chapters 1-5) (April 2009).pdf
File name:	Green Infrastructure Strategy (Appendices) (April 2009).pdf

File name:	Green Infrastructure Strategy (Executive Summary) (April 2009).pdf
File name:	Green Infrastructure Strategy (Chapters 6-9) (April 2009).pdf
File name:	Exeter Fringes Landscape Sensitivity and Capacity Study 2007.pdf
File name:	Revised EIA Screening Direction - Written Statement.pdf
File name:	Housing Delivery Test - 2021 measurement (DLUHC) 14.01.2022.pdf
File name:	Five Year Housing Supply - 22-0817-RES - DN (Old Coal Yard Phase 2)_21.10.22.pdf
File name:	Annual Infrastructure Funding Statement 2021-22 Report.pdf
File name:	South-east Devon European Site Mitigation Strategy (9 June 2014).pdf
File name:	Net-Zero-Exeter-2030-Plan.pdf
File name:	2022-01-21 - 20-0596-OUT - Appeal Decision 3265253 (Pennsylvania Road)_Location Plan.pdf
File name:	2022-01-21 - 20-0596-OUT - Appeal Decision 3265253 (Pennsylvania Road)_Dismissed.pdf
File name:	2022-02-07 - 20-1380-OUT - Appeal Decision 3278148 (Redhills)_Allowed.pdf
File name:	2022-02-07 - 20-1380-OUT - Appeal Decision 3278148 (Redhills)_Location Plan.pdf
File name:	2022-08-25 - 20-0538-OUT - Appeal Decision 3292721 (Spruce Close)_Allowed.pdf
File name:	2022-08-25 - 20-0538-OUT - Appeal Decision 3292721 (Spruce Close)_Location Plan.pdf
File name:	2022-08-25 - 20-0538-OUT - Appeal Decision 3292721 (Spruce Close)_Open Space Provision.pdf
File name:	2022-10-11 - 21-0894-OUT - Appeal Decision 3296946 (Clyst Road)_Location Plan.pdf
File name:	2022-10-11 - 21-0894-OUT - Appeal Decision 3296946 (Clyst Road)_Allowed.pdf
File name:	2022-10-21 - 21-1864-FUL - Appeal Decision 3300322 (ERADE assisted living)_Location Plan.pdf
File name:	2022-10-21 - 21-1864-FUL - Appeal Decision 3300322 (ERADE assisted living)_Allowed.pdf
File name:	2022-11-28 - 21-1377-OUT - Appeal Decision 3296065 (Land East of Barley Lane)_Dismissed.pdf
File name:	2022-11-28 - 21-1377-OUT - Appeal Decision 3296065 (Land East of Barley Lane)_Location Plan.pdf
File name:	2022-11-28 - 21-1822-OUT - Appeal Decision 3296067 (Land South of Redhills)_Dismissed.pdf
File name:	2022-11-28 - 21-1822-OUT - Appeal Decision 3296067 (Land South of Redhills)_Location Plan.pdf
File name:	2022-12-21 - 21-0223-OUT - Appeal Decision 3287921 (Home Farm)_Dismissed.pdf
File name:	2022-12-21 - 21-0223-OUT - Appeal Decision 3287921 (Home Farm)_Location Plan.pdf
File name:	2021-03-02 - Cover Email Arboricultural Info.pdf
File name:	2021-03-12 - Cover Email Ecology Report.pdf
File name:	2021-03-16 - Cover Email Revised Illustrative Layout.pdf
File name:	2021-03-23 - Cover Email FRA.pdf
File name:	2021-07-29 - Cover Email LVA-GI Statement-WAS-Sustainability Statement.pdf
File name:	2021-08-04 - Correspondence with Agent.pdf
File name:	2021-08-05 - Cover Email AQA.pdf
File name:	2021-08-05 - Cover Email Updated Ecology Info.pdf
File name:	2021-10-13 - Cover Email RSPB Response.pdf
File name:	2021-11-15 - Cover Email updated s278 Plan.pdf
File name:	2022-02-03 - Cover Email offering 50% affordable & Highways Plans-RSA.pdf
File name:	2022-02-03 - 20106-004-B-Highway S278 Plan.pdf
File name:	2022-02-14 - Cover Email Appeal Decision 3278148.pdf

File name: 2022-02-15 - Case Officer Email re Screening Direction.pdf
File name: 2022-02-21 - Letter to PCU from applicant's solicitor.pdf
File name: 2022-02-23 - HRA.pdf
File name: 2022-02-24 - PCU.pdf
File name: 2022-02-28 - Email Correspondence re Site Location Plan-Not registering additional info.pdf
File name: 2022-03-11 - Email Correspondence re De-register Location Plan.pdf
File name: 2022-03-16 - Email Correspondence re FRA Info.pdf

Completed by Not Set

Date 23/02/2023 22:45:23

LPA Exeter City Council