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## Town and Country Planning Act 1990 and its orders

### **FULL PLANNING PERMISSION GRANTED**

**LOCATION:** Birks Grange Village, Blocks A To E., New North Road, Exeter, EX4 4PQ

**PROPOSAL:** External alterations to existing halls of residence building, replacement electricity substation / communications room and landscaping works.

**APPLICATION NUMBER:** 24/1534/FUL

The Local Planning Authority grants planning permission for the above development subject to the following conditions:

1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: To ensure compliance with sections 91 and 92 of the Town and Country Planning Act 1990.

2) The development hereby permitted shall be carried out in complete accordance with the approved plans/documents listed below, unless modified by the other conditions of this permission:

20/12/2024\_EXE-ART-RF-ZZ-DR-A-40000 Site Location Plan-S2-P02  
20/12/2024\_EXE-ART-RF-ZZ-DR-A-40001-Existing Site Plan-S2-P01  
20/12/2024\_EXE-ART-RF-ZZ-DR-A-43002-Existing and Proposed North Elevations-S2-P01  
20/12/2024\_EXE-ART-RF-ZZ-DR-A-43003-Existing and Proposed South Elevations-S2-P01  
20/12/2024\_EXE-ART-RF-ZZ-DR-A-43000-Existing and Proposed East Elevation 1-S2-P01  
20/12/2024\_EXE-ART-RF-ZZ-DR-A-43004-Existing and Proposed East Elevation 2-S2-P01  
20/12/2024\_EXE-ART-RF-ZZ-DR-A-43001-Existing and Proposed West Elevation-S2-P01  
20/12/2024\_EXE-ART-RF-ZZ-DR-A-45000-Existing and Proposed Sections-S2-P01  
20/12/2024\_EXE-ART-RF-GF-DR-A-40100-Ground Floor Plan Existing Demo-S2-P01  
20/12/2024\_EXE-ART-RF-01-DR-A-40120-First Floor Plan Existing Demo-S2-P01  
20/12/2024\_EXE-ART-RF-02-DR-A-40140-Second Floor Plan Existing Demo-S2-P01  
20/12/2024\_EXE-ART-RF-03-DR-A-40160-Third Floor Plan Existing Demo-S2-P01  
20/12/2024\_EXE-ART-RF-04-DR-A-40180-Fourth Floor Plan Existing Demo-S2-P01  
20/12/2024\_EXE-ART-RF-RF-DR-A-40200-Roof Plan Existing Demo-S2-P01

29/01/2025\_EXE-ART-RF-ZZ-DR-A-41000-Proposed Site Plan-S2-P03  
29/01/2025\_EXE-ART-RF-ZZ-DR-A-41001-Block Plan-S2-P03  
29/01/2025\_EXE-ART-RF-GF-DR-A-41100-Proposed Ground Floor GA Plan-S2-P03  
29/01/2025\_EXE-ART-RF-01-DR-A-41120-Proposed First Floor GA Plan-S2-P03  
20/12/2024\_EXE-ART-RF-02-DR-A-41140-Proposed Second Floor GA Plan-S2-P01  
20/12/2024\_EXE-ART-RF-03-DR-A-41160-Proposed Third Floor GA Plan-S2-P01  
20/12/2024\_EXE-ART-RF-04-DR-A-41180-Proposed Fourth Floor GA Plan-S2-P01  
20/12/2024\_EXE-ART-RF-RF-DR-A-41200-Proposed Roof GA Plan-S2-P02  
29/01/2025\_EXE-ART-RF-ZZ-DR-A-43005-Proposed Sub-station Elevations-S2-P01  
29/01/2025\_EXE-TLP-RF-XX-DR-L-80004 P02 Landscape Details - Green Wall  
29/01/2025\_EXE-TLP-RF-XX-DR-L-90007 P02 Birks Grange - External Lighting Strategy  
29/01/2025\_Tree Protection Plan  
29/01/2025\_Arbicultural Method Statement low  
20/12/2024\_EXE-TLP-RF-XX-SH-L-80002 P01 Outline Planting Schedule - Birks Grange (2 pages)  
20/12/2024\_EXE-TLP-RF-XX-SH-L-80001 P01 Outline Tree Planting Schedule - Birks Grange  
04/03/2025\_EXE-TLP-RF-XX-DR-L-80002 P03 Landscape Planting Strategy - Birks Grange  
04/03/2025\_EXE-TLP-RF-XX-DR-L-80001 P04 Landscape GA- Birks Grange  
04/03/2025\_EXE-TLP-RF-XX-DR-L-80003 P03 Landscape Elevations - Birks Grange  
27/06/2025\_Drainage Ditch Location Plan dated 27/06/2025

Reason: In order to ensure compliance with the approved drawings.

### 3) PROTECTED SPECIES - BADGER LICENCE

#### Prior to Specific Works

No works (including the installation of scaffold, storage of materials etc) shall be carried out in the area between the western elevation of the buildings and the western application site boundary unless hereby approved. Works to install drainage infrastructure in the location identified within the Drainage Ditch Location Plan, dated 27/06/2025, shall not be undertaken until all relevant licence(s) have been secured from Natural England. All other works at the site shall be carried out only in full accordance with the badger mitigation works detailed within the Ecological Impact Assessment by GE Ecology dated 10th April 2025.

Reason: To ensure the protection of badgers in compliance with the Protection of Badgers Act 1992 and Schedule 6 of the Wildlife and Countryside Act 1981 (as amended)

### 4) PROTECTED SPECIES - MITIGATION MEASURES

#### Compliance During Construction Works

Construction works shall be undertaken in accordance with the following mitigation measures which are set out in the submitted Ecological Impact Assessment dated 10 April 2025 (GE Consulting, reference 1631-EcIA-SE):

- o Any excavations created during construction are to be covered overnight or a means of escape provided such as a ramp (4.3.1)
- o A precautionary pre-works check of the building by a licenced bat worker shall be undertaken if top floor internal ceilings are to be removed as part of the internal renovations. If bats are found, works must stop and a licence from Natural England obtained before any further works may continue.
- o Any works to the roof or removal of woody vegetation to be undertaken within nesting bird season (generally considered to be from March to August inclusive) shall be subject to a pre-works check by a competent person. Any active nest found must be retained and buffered until all chicks have fledged.

Reason: In order to prevent harm to protected species that may be present at the site (specifically badgers, hedgehogs, bats and nesting birds) in accordance with relevant legislation and with policy LS4 of the First Review Exeter Local Plan (Adopted 31 March 2005) and policy CP16 of the Core Strategy (Adopted 2012).

## 5) TREE PROTECTION MEASURES

### Compliance During Construction Works

No materials shall be brought onto the site or any development commenced, until the developer has erected tree protection fencing around all trees or shrubs to be retained, in accordance with the details set out on the approved Tree Protection Plan (JP Associates Ref D36 50 P4). The developer shall maintain such fences to the satisfaction of the Local Planning Authority until all development the subject of this permission is completed. The level of the land within the fenced areas shall not be altered without the prior written consent of the Local Planning Authority. No materials shall be stored within the fenced area, nor shall trenches for service runs or any other excavations take place within the fenced area except by written permission of the Local Planning Authority. Where such permission is granted, soil shall be removed manually, without powered equipment. In other respects, works shall be carried out in accordance with the submitted Arboricultural Method Statement (JP Associates, dated 05 April 2023, Ref D36 50 05).

Reason:- to protect existing trees during all stages of the construction process.

## 6) CONSTRUCTION HOURS

### Compliance During Construction Works

No construction site machinery or plant shall be operated, and no construction or demolition processes shall be carried out (including related site deliveries) except between the hours of 08:00 hrs - 18:00 hrs Monday to Friday, 08:00 hrs to 13:00 hrs Saturday. No such activity shall take place at any time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby.

## 7) CYCLE PARKING

### Pre-occupation

The cycle parking shown on the drawings hereby approved shall be provided prior to first occupation of the development hereby approved in accordance with the approved drawings, and in the case of the new 40 unit bike store, in accordance with details which shall first be submitted to and be approved in writing by the Local Planning Authority, and shall thereafter be retained and kept clear and available for the parking of cycles. 'Sheffield' cycles stands as indicated on the drawings should be sited such that they are spaced 1m apart and no less than 0.6m from any wall or other obstruction.

Reason:- to ensure adequate cycle parking for future residents in a manner which offers adequate weather protection and security.

## 8) BIN STORE

### Pre-occupation

The proposed new bin store (in the position of the existing substation) shown on the drawings hereby approved shall be provided prior to first occupation of the development hereby approved in accordance with details which shall first be submitted to and be approved in writing by the Local Planning Authority, and shall thereafter be retained and kept clear and available for the storage of refuse for collection.

Reason:- to provide adequate refuse storage capacity without visual harm to the public realm in this prominent location.

## 9) NOISE FROM SUBSTATION AND COMMUNICATIONS PLANT

### Ongoing Compliance

Noise from all plant associated with the development including the proposed substation and communications plant shall not exceed a maximum level that is 5dB below the existing background noise level at the nearest receptor in accordance with BS 4142:2014. If plant noise exceeds this level, mitigation measures shall be provided to achieve a level of 5dB below background in accordance with details to be submitted to and approved in writing by the Local Planning Authority. (All measurements shall be made in accordance with BS 4142:2014).

Reason: In the interests of the amenity of the area, especially nearby residential uses (including those within the University Campus). These details are required pre-commencement as specified to ensure that the plant will not give rise to significant adverse impacts on the amenity of neighbouring receptors.

## INFORMATIVES

1) In accordance with Paragraph 39 of the National Planning Policy Framework the Council has worked in a positive and pro-active way and has imposed planning conditions to enable the grant of planning permission.

2) The applicant's attention is drawn to the fact that a risk of Unexploded Ordnance (UXO) has previously been identified elsewhere on the University Campus. The applicant and contractor should satisfy themselves that any risks have been properly considered before undertaking any groundworks. Guidance on this topic can be found in 'Unexploded ordnance (UXO) A guide for the construction industry (C681)' (CIRIA, 2009)."

Signed



Roger Clotworthy

**Exeter City Council**  
**Service Lead- City Development**

**Date:** 01<sup>st</sup> July 2025



**Notification where planning permission refused or granted subject to conditions  
Town and Country Planning Act 1990**

**Article 35(3) of The Town and Country Planning (Development Management Procedure)  
(England) Order 2015 (as amended)**

**Appeal**

If you are aggrieved by the decision of the Local Planning Authority to either refuse planning permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990. Only the person who made the application can appeal.

To submit an appeal, via the below link:

<https://www.gov.uk/appeal-planning-decision>

Appeals must be made using a form, which can either be completed and submitted online or can be sent to you in the post by the Planning Inspectorate. To request a form, please contact the Planning Inspectorate using their contact details below:

The Planning Inspectorate, Room 3/13, Temple Quay House,  
2 The Square, Temple Quay, Bristol, BS1 6PN

Planning Inspectorate customer support team: 0303 444 5000  
[enquiries@planninginspectorate.gov.uk](mailto:enquiries@planninginspectorate.gov.uk)

A copy of the completed form and all supporting plans and documents must also be sent to the Local Planning Authority. The Planning Inspectorate will be able to advise you on the best way to do this. Please use the Council's contact details at the top of the decision notice.

If you want to make an appeal you must do so within **6 months** of the date of this notice, unless it is a **householder appeal** in which case you must do so within **12 weeks** of the date of this notice. The date is at the bottom of the decision notice. Please note that if you intend to submit an appeal which you would like examined by inquiry then you must notify us and the Planning Inspectorate at least 10 days before submitting the appeal ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)). Further details are on GOV.UK: <https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries>

If an enforcement notice has been served relating to the same or substantially the same land and development as in your application, and you want to appeal against the Local Planning Authority's decision on your application, then you must do so within **28 days** of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application, and you want to appeal against the Local Planning Authority's decision on your application, then you must do so within whichever period expires earlier out of the following:

- 28 days of the date of service of the enforcement notice, or
- 6 months of the date of this notice, unless it is a householder appeal in which case 12 weeks of the date of this notice.

Most appeals are determined by Planning Inspectors on behalf of the Secretary of State. Guidance on planning appeals is available on the Planning Practice Guidance website: <http://planningguidance.communities.gov.uk/blog/guidance/appeals/>

The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by the Secretary of State.

### **Purchase Notices**

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that the owner can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 of Part 6 of the Town and Country Planning Act 1990.