City Development, Civic
Centre, Paris Street
Exeter, EX1 1NN

01392 265223
www.exeter.gov.uk/planning

Mr Philip Bailey
Philip Bailey Architects Ltd
Elsinore Villa
Greenway Road
Torquay
TQ2 6JE

Mr James Yorke
12 Stonehouse Street
Plymouth
PL6 5AY

Town and Country Planning Act 1990 and its orders

FULL PLANNING PERMISSION GRANTED

LOCATION: 47 Homefield Road, Exeter, Devon, EX1 2QR
PROPOSAL: Conversion of locally listed main school building and chapel, including demolition of redundant classrooms and outbuildings, alterations and extensions to retained buildings. Provision of two new residential units to retain one unit of accommodation and create 25 new residential units of accommodation (Revised plans).
APPLICATION NUMBER: 21/0835/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 now permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 17 May 2021(including drawings numbers), the revised details received on 14 December 2021 (including drawing number A204 Rev P3) and the revised details received on 23 March 2022 (including drawing numbers A200 rev P3; A201 rev P6; A202 rev P6; A203 rev P5; A212 rev P2; A213 rev P1; A214 rev P2) as modified by other conditions of this consent.

Reason: To ensure compliance with the approved drawings.

3) Samples of the materials it is intended to use externally in the construction of the development shall be submitted to the Local Planning Authority. No external finishing material shall be used until the Local Planning Authority has confirmed in writing that its use is acceptable. After that, the materials used in the development construction shall correspond with the approved samples in all respects.

Reason: To ensure that the materials conform with the visual amenity requirements of the area.

4) Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015, and any Order revoking and re-enacting that Order with or without modification, no development of the types described in the following Classes of Schedule 2 shall be undertaken on buildings 3 and 4 as shown on drawing no. A200 - P5 without the express consent in writing of the Local Planning Authority other than those expressly authorised by this permission:-
Part 1, Class A extensions and alterations
Part 1, Class D porch
Part 1, Class E swimming pools and buildings incidental to the enjoyment of the dwellinghouse
Part 1 Class F hard surfaces

Reason: To protect residential amenities and to prevent overdevelopment.

5) Before the development occupation, details shall be submitted to the Local Planning Authority of the cycle parking provision for the development. The development shall not be occupied until such details have been agreed upon in writing by the Local Planning Authority and Local Highway Authority. Before the occupation, the cycle parking shall be provided in accordance with the submitted details.

Reason: To ensure that the development promotes all travel modes to reduce reliance on the private car, in accordance with paragraph 110 of the NPPF

6) A detailed scheme for landscaping, including the planting of trees and or shrubs, the use of surface materials and boundary screen walls and fences shall be submitted to the Local Planning Authority, and no dwelling or building shall be occupied until the Local Planning Authority has approved a scheme; such scheme shall specify materials, species, tree and plant sizes, numbers and planting densities, and any earthworks required together with the timing of the implementation of the scheme. The landscaping shall, after that, be implemented in accordance with the approved scheme in accordance with the agreed programme.

Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenities.

7) In the event of failure of any trees or shrubs planted in accordance with any scheme approved by the Local Planning Authority to become established and to prosper for five years from the date of the completion of the implementation of that scheme, such trees or shrubs shall be replaced with such live specimens of such species of such size and in such number as may be approved by the Local Planning Authority.

Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenities.

8) **Pre-commencement condition**: No development shall take place on site until a full investigation of the site has taken place to determine the extent of, and risk posed by, any contamination of the land and the results, together with any remedial works necessary, has been agreed in writing by the Local Planning Authority. The building(s) shall not be occupied until the approved remedial works have been implemented and a remediation statement submitted to the Local Planning Authority detailing what contamination has been found and how it has been dealt with, together with confirmation that no unacceptable risks remain.

Reason for the pre-commencement condition: In the interests of the amenity of the occupants of the buildings now approved. This information is required before development commences to ensure that any remedial works are considered and addressed at the appropriate stage.

9) The Construction Management Plan by KHP Professional Services Ltd (dated 6 May 2021) shall be strictly adhered to throughout the demolition and construction period of the development.

Reason: In the interest of the site's environment and surrounding areas.

10) Before the construction of the foundations of any dwelling now permitted, the Design SAP calculation(s) of the dwelling(s) shall be submitted to and approved in writing by the Local Planning Authority, which shall demonstrate that the dwelling(s) will achieve a 19% reduction in CO2 emissions in relation to the level required to meet the 2013 Building Regulations. No individual dwelling shall be occupied until the As-Built SAP calculation of the dwelling has been submitted to and approved in writing by the Local Planning Authority to confirm that a 19% reduction in CO2 emissions in relation to the level required to meet the 2013 Building Regulations has been achieved

Reason: To ensure the dwelling(s) will achieve the energy performance standard required by Policy CP15 of the Core Strategy, taking into account the Written Ministerial Statement on Plan Making (25 March 2015) requiring local planning authorities not to exceed the equivalent of the energy requirement of Level 4 of the Code for Sustainable Homes, in the interests of reducing greenhouse gas emissions and delivering sustainable development. (Advice: Please see Paragraph: 012 ID: 6-012-20190315 of the National Planning Practice Guidance on Climate Change for background information.)

11) Before the occupation of the development now permitted, a travel pack for each dwelling shall be provided informing all residents of walking and cycling routes and facilities, public transport routes and timetables, car-sharing schemes, and the location of the local and central shopping and leisure facilities, the form and content of which shall have previously been approved in writing by the Local Planning Authority.

Reason: To ensure that all occupants of the development are aware of the available sustainable travel options.

12) **Pre-commencement condition**: Before the commencement of the development now permitted, a Waste Audit Statement shall be submitted to and approved in writing by the Local Planning Authority. This statement shall include all information outlined in the waste audit template provided in Devon County Council's Waste Management and Infrastructure Supplementary Planning Document. The development shall be carried out in accordance with the approved statement.

Reason for Pre-commencement condition: To minimise the amount of waste produced and promote sustainable waste management methods in accordance with Policy W4 of the Devon Waste Plan and the Waste Management and Infrastructure Supplementary Planning Document. These details are required pre-commencement as specified to ensure that building operations are carried out sustainably.

INFORMATIVES

1) In accordance with Paragraph 38 of the National Planning Policy Framework, the Council has worked positively and proactively with the applicant. It has negotiated amendments to the application to grant planning permission.

2) In accordance with Chapters 1 and 2 of the Conservation of Habitats and Species Regulations 2017, this development has been screened regarding the need for an Appropriate

Assessment (AA). Given the nature of the development, it has been concluded that an AA is required concerning the potential impact on the relevant Special Protection Area (SPA), the Exe Estuary, a designated European site. This AA has been carried out and concludes that the development is such that it could have an impact primarily associated with the recreational activity of future occupants. This impact will be mitigated in line with the South East Devon European Site Mitigation Strategy prepared by Footprint Ecology on behalf of East Devon and Teignbridge District Councils and Exeter City Council (with particular reference to Table 26), which is being funded through a proportion of the Community Infrastructure Levy (CIL) collected in respect of the development being allocated to fund the mitigation strategy. Or, if the development is not liable to pay CIL, to pay the appropriate habitats mitigation contribution through another mechanism (this is likely to be either an undertaking in accordance with s111 of the Local Government Act 1972 or a Unilateral Undertaking).

3) The Local Planning Authority considers that this development will be CIL (Community Infrastructure Levy) liable. Payment will become due following the commencement of development. Accordingly, your attention is drawn to the need to complete and submit an 'Assumption of Liability' notice to the Local Planning Authority as soon as possible. A copy is available on the Exeter City Council website.

It is also drawn to your attention that where a chargeable development is commenced before the Local Authority has received a valid commencement notice (i.e. where pre-commencement conditions have not been discharged), the Local Authority may impose a surcharge, and the ability to claim any form of relief from the payment of the Levy will be foregone. You must apply for relief and receive confirmation from the Council before commencing development. For further information, please see www.exeter.gov.uk/cil.

4) A legal agreement under Section 106 of the Town and Country Planning Act 1990 relates to this planning permission.

5) Please note that occupiers of this development will not be eligible for on-street parking permits from Devon County Council.

Signed

Roger Clotworthy

Exeter City Council
Service Lead - City Development

Date: 25th November 2022

Notification where planning permission is 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, please go to the Planning Inspectorate website:
https://www.gov.uk/government/organisations/planning-inspectorate

Appeals must be made using a form, either completed and submitted online or sent to you in the post by the Planning Inspectorate. To request a form, please get in touch with 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

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 appeal, you must do so within **six 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, you must notify the Planning Inspectorate and us at least ten days before submitting the appeal (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 of the following:

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

Planning Inspectors determine most appeals 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 usually be prepared to use this power unless there are exceptional 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 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 its decision on a direction the Secretary of State gave.

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 reasonable beneficial use in its existing state nor render the land capable of 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.