

Mr Robin Upton  
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Exeter  
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University Of Exeter And  
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## **Town and Country Planning Act 1990 and its orders**

### **VARIATION OF CONDITION(S) FOLLOWING GRANT OF CONDITIONAL PLANNING PERMISSION - PERMISSION GRANTED**

**LOCATION:** West Park, University Of Exeter, Stocker Road, Exeter EX4 4PY

**PROPOSAL:** Approval of reserved matters of access, appearance, landscaping, layout and scale in relation to outline permission 20/1684/OUT for student accommodation and ancillary amenity facilities, and external alterations and refurbishment of Birks Grange Village Blocks A-E, with associated infrastructure, demolition of existing buildings and landscaping (Variation of conditions 1 (approved plans) and 9 (landscape plans) of 22/1746/RES to introduce a phasing plan, to reduce shop area, increase bedspaces by 21no., reduce building height and associated amendments to Block CB and curtilage, and to remove lower ground floor of Block LP and other external changes including installation of external lift for wheelchair users).

**APPLICATION NUMBER:** 24/0184/VOC

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

1) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority as follows:

- SITE LOCATION PLAN, EXE-WIA-ZZ-ZZ-DR-A-00001, Rev.P01, 14/02/2024
- EXISTING SITE PLAN - LEVELS & DEMOLITION, EXE-WIA-ZZ-ZZ-DR-A-00020, Rev.P01
- PROPOSED SITE PLAN - BUILDINGS HEIGHT PARAMETERS - CONFORMITY, EXE-WIA-ZZ-ZZ-DR-A-00102, Rev.P01
- PROPOSED SITE PLAN, EXE-WIA-ZZ-ZZ-DR-A-00100, Rev.P07, 16/05/24
- PHASING - EXE-WIA-ZZ-ZZ-D-A-00104 - PHASING PLAN, Rev. P03, 21/05/24
  
- BLOCK AD - GA ELEVATIONS - NORTH EAST, SOUTH EAST & NORTH WEST, EXE-WIA-AD-ZZ-DR-A-00300, Rev.P01
- BLOCK AD - GA ELEVATIONS - SOUTH WEST, EXE-WIA-AD-ZZ-DR-A-00301, Rev.P01
- BLOCK AD - GA PLAN - FIFTH FLOOR PLAN, EXE-WIA-AD-05-DR-A-00205, Rev.P01
- BLOCK AD - GA PLAN - FIRST FLOOR PLAN, EXE-WIA-AD-01-DR-A-00201, Rev.P01
- BLOCK AD - GA PLAN - FOURTH FLOOR PLAN, EXE-WIA-AD-04-DR-A-00204, Rev.P01
- BLOCK AD - GA PLAN - GROUND FLOOR PLAN, EXE-WIA-AD-GF-DR-A-00200, Rev.P01

- BLOCK AD - GA PLAN - ROOF PLAN, EXE-WIA-AD-RF-DR-A-00208, Rev.P01
- BLOCK AD - GA PLAN - SECOND FLOOR PLAN, EXE-WIA-AD-02-DR-A-00202, Rev.P01
- BLOCK AD - GA PLAN - SEVENTH FLOOR PLAN, EXE-WIA-AD-07-DR-A-00207, Rev.P01
- BLOCK AD - GA PLAN - SIXTH FLOOR PLAN, EXE-WIA-AD-06-DR-A-00206, Rev.P01
- BLOCK AD - GA PLAN - THIRD FLOOR PLAN, EXE-WIA-AD-03-DR-A-00203, Rev.P01
- BLOCK CB - EXE-WIA-CB-01-DR-A-00201-FIRST FLOOR PLAN, Rev.P06, 14/02/2024
- BLOCK CB - EXE-WIA-CB-02-DR-A-00202-SECOND FLOOR PLAN, Rev.P05, 14/02/2024
- BLOCK CB - EXE-WIA-CB-03-DR-A-00203-THIRD FLOOR PLAN, Rev.P05, 14/02/2024
- BLOCK CB - EXE-WIA-CB-04-DR-A-00204-FOURTH FLOOR PLAN, Rev.P05, 14/02/2024
- BLOCK CB - EXE-WIA-CB-05-DR-A-00205-FIFTH FLOOR PLAN, Rev.P05, 14/02/2024
- BLOCK CB - EXE-WIA-CB-06-DR-A-00206-ROOF FLOOR PLAN, Rev.P05, 14/02/2024
- BLOCK CB - EXE-WIA-CB-GF-DR-A-00200-GROUND FLOOR PLAN, Rev.P15, 18/03/2024
- BLOCK CB - EXE-WIA-CB-ZZ-DR-A-00300-NORTH & SOUTH ELEVATION, Rev.P07, 18/03/2024
- BLOCK CB - EXE-WIA-CB-ZZ-DR-A-00301-EAST and WEST ELEVATIONS, Rev.P06, 14/02/2024
- BLOCK CB - EXE-WIA-CB-ZZ-DR-A-00302-INTERNAL SECTIONAL ELEVATIONS, Rev.P03, 14/02/2024
- BLOCK CB - EXE-WIA-CB-ZZ-DR-A-00400-SECTION GA, Rev.P06, 23/02/2024
- BLOCK EF - GA ELEVATIONS - NORTH WEST & SOUTH EAST, EXE-WIA-EF-ZZ-DR-A-00302, Rev.P02
- BLOCK EF - GA ELEVATIONS - SOUTH WEST, EXE-WIA-EF-ZZ-DR-A-00301, Rev.P01
- BLOCK EF - GA PLAN - EIGHTH FLOOR PLAN, EXE-WIA-EF-08-DR-A-00208, Rev.P02
- BLOCK EF - GA PLAN - FIRST FLOOR PLAN, EXE-WIA-EF-01-DR-A-00201, Rev.P02
- BLOCK EF - GA PLAN - FOURTH FLOOR PLAN, EXE-WIA-EF-04-DR-A-00204, Rev.P02
- BLOCK EF - GA PLAN - GROUND FLOOR PLAN, EXE-WIA-EF-GF-DR-A-00200, Rev.P02
- BLOCK EF - GA PLAN - SECOND FLOOR PLAN, EXE-WIA-EF-02-DR-A-00202, Rev.P02
- BLOCK EF - GA PLAN - THIRD FLOOR PLAN, EXE-WIA-EF-03-DR-A-00203, Rev.P02
- BLOCK EF - GA SECTIONS - SECTION A-A, EXE-WIA-EF-ZZ-DR-A-00400, Rev.P01
- BLOCK EF - GA SECTIONS - SECTION B-B, EXE-WIA-EF-ZZ-DR-A-00401, Rev.P01
- BLOCK EF- GA ELEVATIONS - NORTH EAST, EXE-WIA-EF-ZZ-DR-A-00300, Rev.P02
- BLOCK EF- GA PLAN - FIFTH FLOOR PLAN, EXE-WIA-EF-05-DR-A-00205, Rev.P02
- BLOCK EF- GA PLAN - ROOF PLAN, EXE-WIA-EF-RF-DR-A-00209, Rev.P02
- BLOCK EF- GA PLAN - SEVENTH FLOOR PLAN, EXE-WIA-EF-07-DR-A-00207, Rev.P02
- BLOCK EF- GA PLAN - SIXTH FLOOR PLAN, EXE-WIA-EF-06-DR-A-00206, Rev.P02
- BLOCK GH - GA ELEVATIONS - NORTH EAST & SOUTH WEST, EXE-WIA-GH-ZZ-DR-A-00300, Rev.P01
- BLOCK GH - GA ELEVATIONS - NORTH WEST & SOUTH EAST, EXE-WIA-GH-ZZ-DR-A-00301, Rev.P01
- BLOCK GH - GA PLAN - FIRST FLOOR PLAN, EXE-WIA-GH-01-DR-A-00201, Rev.P01
- BLOCK GH - GA PLAN - FOURTH FLOOR PLAN, EXE-WIA-GH-04-DR-A-00204, Rev.P01
- BLOCK GH - GA PLAN - GROUND FLOOR PLAN, EXE-WIA-GH-GF-DR-A-00200, Rev.P01
- BLOCK GH - GA PLAN - ROOF PLAN, EXE-WIA-GH-RF-DR-A-00205, Rev.P01
- BLOCK GH - GA PLAN - SECOND FLOOR PLAN, EXE-WIA-GH-02-DR-A-00202, Rev.P01

- BLOCK GH - GA PLAN - THIRD FLOOR PLAN, EXE-WIA-GH-03-DR-A-00203, Rev.P01
- BLOCK GH - GA SECTIONS, EXE-WIA-GH-ZZ-DR-A-00400, Rev.P01
- BLOCK GH - INTERNAL SECTIONAL ELEVATIONS - EXE-WIA-GH-ZZ-DR- A-00302, Rev.P01
- BLOCK JK - GA ELEVATIONS - NORTH WEST, EXE-WIA-JK-ZZ-DR-A-00303, Rev.P02
- BLOCK JK - GA ELEVATIONS - SOUTH EAST, EXE-WIA-JK-ZZ-DR-A-00302, Rev.P02
- BLOCK JK - GA ELEVATIONS - SOUTH WEST, EXE-WIA-JK-ZZ-DR-A-00301, Rev.P02
- BLOCK JK - GA PLAN - EIGHTH FLOOR PLAN, EXE-WIA-JK-08-DR-A-00208, Rev.P02
- BLOCK JK - GA PLAN - FOURTH FLOOR PLAN, EXE-WIA-JK-04-DR-A-00204, Rev.P01
- BLOCK JK - GA PLAN - GROUND FLOOR PLAN, EXE-WIA-JK-GF-DR-A-00200, Rev.P01
- BLOCK JK - GA PLAN - SECOND FLOOR PLAN, EXE-WIA-JK-02-DR-A-00202, Rev.P01
- BLOCK JK - GA PLAN - THIRD FLOOR PLAN, EXE-WIA-JK-03-DR-A-00203, Rev.P01
- BLOCK JK - GA SECTIONS - SECTION A-A, EXE-WIA-JK-ZZ-DR-A-00400, Rev.P02
- BLOCK JK- GA ELEVATIONS - NORTH EAST, EXE-WIA-JK-ZZ-DR-A-00300, Rev.P02
- BLOCK JK- GA PLAN - FIFTH FLOOR PLAN, EXE-WIA-JK-05-DR-A-00205, Rev.P01
- BLOCK JK- GA PLAN - FIRST FLOOR PLAN, EXE-WIA-JK-01-DR-A-00201, Rev.P01
- BLOCK JK- GA PLAN - ROOF PLAN, EXE-WIA-JK-RF-DR-A-00209, Rev.P02
- BLOCK JK- GA PLAN - SEVENTH FLOOR PLAN, EXE-WIA-JK-07-DR-A-00207, Rev.P02
- BLOCK JK- GA PLAN - SIXTH FLOOR PLAN, EXE-WIA-JK-06-DR-A-00206, Rev.P01
- BLOCK JK- GA SECTIONS - SECTION B-B, EXE-WIA-JK-ZZ-DR-A-00401, Rev.P01
- BLOCK LP - EXE-WIA-LP-GF-DR-A-00200-GROUND FLOOR, Rev.P03, 14/02/2024
- BLOCK LP - EXE-WIA-LP-ZZ-DR-A-00201-FIRST FLOOR PLAN, Rev.P02, 14/02/2024
- BLOCK LP - EXE-WIA-LP-ZZ-DR-A-00202-SECOND FLOOR PLAN, Rev.P02, 14/02/2024
- BLOCK LP - EXE-WIA-LP-ZZ-DR-A-00203-THIRD FLOOR PLAN, Rev.P02, 14/02/2024
- BLOCK LP - EXE-WIA-LP-ZZ-DR-A-00204-FOURTH FLOOR PLAN, Rev.P02, 14/02/2024
- BLOCK LP - EXE-WIA-LP-ZZ-DR-A-00205-FIFTH FLOOR PLAN, Rev.P02, 14/02/2024
- BLOCK LP - EXE-WIA-LP-ZZ-DR-A-00206-SIXTH FLOOR PLAN, Rev.P02, 14/02/2024
- BLOCK LP - EXE-WIA-LP-ZZ-DR-A-00207-SEVENTH FLOOR PLAN, Rev.02, 14/02/2024
- BLOCK LP - EXE-WIA-LP-ZZ-DR-A-00208-EIGHTH FLOOR PLAN, Rev. P03, 14/02/2024
- BLOCK LP - EXE-WIA-LP-ZZ-DR-A-00209-ROOF PLAN, P02, 14/02/2024
- BLOCK LP - NORTH EAST & SOUTH WEST ELEVATIONS, EXE-WIA-LP-ZZ-DR-A-00300, Rev.P03, 09/04/24
- BLOCK LP - NORTH WEST & SOUTH EAST ELEVATIONS, EXE-WIA-LP-ZZ-DR-A-00301, Rev.P03, 09/04/24
- BLOCK LP - EXE-WIA-LP-ZZ-DR-A-00302-EXTERNAL PLATFORM LIFT GA PLANS & ELEVATIONS, Rev.P02, 12/04/24
- BLOCK LP - EXE-WIA-LP-ZZ-DR-A-00400-SECTIONS, REV. P03, 09/04/24
- BLOCK QR - GA ELEVATIONS - SOUTH EAST & NORTH WEST, EXE-WIA-QR-ZZ-DR-A-00301, Rev.P02
- BLOCK QR - GA ELEVATIONS - SOUTH WEST & NORTH EAST, EXE-WIA-QR-ZZ-DR-A-00300, Rev.P02
- BLOCK QR - GA PLAN - FIRST FLOOR PLAN, EXE-WIA-QR-01-DR-A-00203, Rev.P01
- BLOCK QR - GA PLAN - THIRD FLOOR PLAN, EXE -WIA-QR-03-DR-A-00203, Rev.P02
- BLOCK QR - GA PLAN - GROUND FLOOR PLAN, EXE-WIA-QR-GF-DR-A-00201, Rev.P01

- BLOCK QR - GA PLAN - FIRST FLOOR PLAN, EXE -WIA-QR-01-DR-A-00201, Rev.P02
- BLOCK QR - GA PLAN - LOWER GROUND FLOOR PLAN, EXE-WIA-QR-LG-DR-A-00200, Rev.P01
- BLOCK QR - GA PLAN - GROUND FLOOR PLAN, EXE -WIA-QR-GF-DR-A-00200, Rev.P02
- BLOCK QR - GA PLAN - ROOF PLAN, EXE-WIA-QR-RF-DR-A-00205, Rev.P01
- BLOCK QR - GA PLAN - SECOND FLOOR PLAN, EXE-WIA-QR-02-DR-A-00204, Rev.P01
- BLOCK QR - GA PLAN - ROOF PLAN, EXE -WIA-QR-RF-DR-A-00204, Rev.P02
- BLOCK QR - GA PLAN - UPPER GROUND FLOOR PLAN, EXE-WIA-QR-UG-DR-A-00202, Rev.P01
- BLOCK QR - GA PLAN - SECOND FLOOR PLAN, EXE -WIA-QR-02-DR-A-00202, Rev.P02
- BLOCK QR - GA SECTIONS, EXE-WIA-QR-ZZ-DR-A-00400, Rev.P02
- BLOCK ST - GA ELEVATIONS - EAST & WEST, EXE-WIA-ST-ZZ-DR-A-00301, Rev.P01
- BLOCK ST - GA ELEVATIONS - NORTH & SOUTH, EXE-WIA-ST-ZZ-DR-A-00300, Rev.P01
- BLOCK ST - GA PLAN - FIRST FLOOR PLAN, EXE-WIA-ST-01-DR-A-00201, Rev.P01
- BLOCK ST - GA PLAN - GROUND FLOOR PLAN, EXE-WIA-ST-GF-DR-A-00200, Rev.P01
- BLOCK ST - GA PLAN - ROOF PLAN, EXE-WIA-ST-RF-DR-A-00204, Rev.P01
- BLOCK ST - GA PLAN - SECOND FLOOR PLAN, EXE-WIA-ST-02-DR-A-00202, Rev.P01
- BLOCK ST - GA PLAN - THIRD FLOOR PLAN, EXE-WIA-ST-03-DR-A-00203, Rev.P01
- BLOCK ST - GA SECTIONS, EXE-WIA-ST-ZZ-DR-A-00400, Rev.P01
- BLOCK ST - INTERNAL SECTIONAL ELEVATIONS - EXE-WIA-ST-ZZ-DR- A-00302, Rev.P01
- BLOCK BG - EXE-ART-BG-RF-D-A-41200-General Arrangement Roof Plan-S2-P03
- BLOCK BG - EXE-ART-BG-ZZ-D-A-43000-Existing and Proposed East Elevation 1-S2-P03
- BLOCK BG - EXE-ART-BG-ZZ-D-A-43002-Existing and Proposed North Elevations-S2-P03
- BLOCK BG - EXE-ART-BG-ZZ-D-A-43003-Existing and Proposed South Elevations-S2-P03
- BLOCK BG - EXE-ART-BG-ZZ-DR-A-43004-Existing and Proposed East Elevation 2-S2-P02
- Landscape General Arrangement - West Park, EXE-TLP-XX-XX-DR-L-10001, P09, 14/02/2024
- Landscape General Arrangement - Birks, EXE-TLP-XX-XX-DR-L-10002, Rev.P08, 23/02/2024
- Landscape Planting Strategy - Birks, EXE-TLP-XX-XX-DR-L-30002, Rev.P03, 23/02/2024
- SITE SECTIONAL ELEVATIONS EXISTING & PROPOSED 1 & 4, EXE-WIA-ZZ-ZZ-DR-A-00040, Rev.P01
- SITE SECTIONAL ELEVATIONS EXISTING & PROPOSED 2, EXE-WIA-ZZ-ZZ-DR-A-00041, Rev.P01
- SITE SECTIONAL ELEVATIONS EXISTING & PROPOSED 3, EXE-WIA-ZZ-ZZ-DR-A-00042, Rev.P01
- SITE SECTIONAL ELEVATIONS EXISTING & PROPOSED 5, EXE-WIA-ZZ-ZZ-DR-A-00043, Rev.P01

as modified by other conditions of this consent.

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

## **PRIOR TO COMMENCEMENT**

2) Prior to commencement of above ground works pertaining to any building hereby permitted, not including demolition, details of the materials and finishes to be used in the construction of the external surfaces, windows and doors of that building, shall be submitted to and approved in writing by the Local Planning Authority, and shall include:

- a) detailed elevational drawings of the upper storeys demonstrating the composition of those façades;
- b) the details and appearance of the noise mitigation measures listed in Condition 4;
- c) the details and appearance of the means of enclosure to the service/delivery area adjacent to Block CB including the gates;
- d) the details and appearance of the plant enclosures and lift over-run elements at roof level including constructional details / specification / sample materials.

Development shall be carried out in accordance with the approved details.

**Reason:** In the interests of visual amenity and character of the area.

3) The demolition of buildings identified as supporting bat roosts shall not in any circumstances commence unless:

- a) under a bat license issued by Natural England; or
- b) either a statement in writing from Natural England is provided to the LPA detailing that a license is not required, or a Technical Note is submitted and approved by the LPA which details why a bat license is no longer considered necessary.

Unless otherwise agreed with Natural England, the bat license will include the relevant mitigation provided in the submitted report, Bat Survey Report, ref. 1631-BSR-SE, dated 08/12/2022.

**Reason:** To safeguard the ecological interest of the site and ensure compliance with Regulation 9(3) of The Conservation of Habitats and Species Regulations 2017 and the NPPF.

## **PRIOR TO FIRST USE**

4) Prior to first use of each building hereby permitted, the noise mitigation measures set out in the Noise Planning Report, by Red Twin Ltd, ref. R1472.1 V1, dated 15/12/22, shall be implemented in full, including:

- a) screening to the ASHPs on the roof of blocks B1 and B2,
- b) screening for the bin stores, particularly for blocks B1 and C1 to reduce the sound reaching properties on Streatham Drive, and
- c) passive attenuators to the intake and exhaust of all air handling plant.

**Reason:** In the interests of residential amenity.

5) Prior to first use of the development hereby permitted, the mitigation measures identified in the submitted report, Bat Survey Report, ref. 1631-BSR-SE, dated 08/12/2022, shall be implemented in full and maintained thereafter, to include as a minimum:

- a) Pipistrelle species: Integrated bat boxes to be installed at a rate of 1:1 per roost lost.
- b) Brown long-eared: A roost within a roof void or standalone structure will need to be provided. The void height should be approximately 2.5m with a length and width of approximately 4x3m. The standalone structure should be a height of approximately 4m with a length and width of approximately 4x5m.
- c) Two additional integrated bat boxes per building should be installed within the fabric of the new buildings.
- d) Four integrated bird boxes should be installed per building.

- e) Species-rich native planting around the roosts creating strong linear features to maintain connectivity across the site.
- f) No lighting directed on the compensatory roost entrances.

**Reason:** To safeguard the ecological interest of the site and ensure compliance with Regulation 9(3) of The Conservation of Habitats and Species Regulations 2017 and the NPPF.

6) Prior to first use of any ground floor bedspace in Block CB, privacy screening to those units by means of planting and the construction of the rear elevation of the adjacent bike stores, details of which shall have been submitted to and agreed in writing by the Local Planning Authority, shall have been implemented in full and shall be maintained as such thereafter.

**Reason:** To provide privacy screening in the interest of the amenity of the occupiers of the ground floor residential units in Block CB.

7) Prior to first use of the development hereby permitted, the solar panels shall have been implemented in accordance with the approved plans.

**Reason:** In the interests of renewable energy sources and the Climate Emergency.

8) No building hereby permitted shall be occupied until a detailed scheme for landscaping has been submitted to and approved by the Local Planning Authority to include:

- a) Details of the planting of trees and or shrubs, the use of surface materials and boundary screen walls and fences;
- b) Vertical landscaping measures to soften the visual impact of proposed Block CB in respect of the occupants of Block K to the west;
- c) Specification of materials, species, tree and plant sizes, numbers and planting densities, and any earthworks required;
- d) The measures to deliver biodiversity net gains as set out in the submitted Biodiversity Net Gain Note, by The Landmark Practice, dated 16/09/22.

The scheme shall be broadly in line with:

- Landscape General Arrangement - Birks, EXE-TLP-XX-XX-DR-L-10002, Rev.P08, 23/02/2024
- Landscape General Arrangement - West Park Detailed Area 1 of 3, EXE-TLP-XX-XX-DR-L-10004 P03, received 14/04/23
- Landscape General Arrangement - West Park Detailed Area 2 of 3, EXE-TLP-XX-XX-DR-L-10005 P04, received 14/04/23
- Landscape General Arrangement - West Park Detailed Area 3 of 3, EXE-TLP-XX-XX-DR-L-10006 P04, received 14/04/23
- Landscape General Arrangement - West Park, EXE-TLP-XX-XX-DR-L-10001, P09, 14/02/2024
- Landscape Planting Strategy - Birks, EXE-TLP-XX-XX-DR-L-30002, Rev.P03, 23/02/2024
- Landscape Planting Strategy West Park, EXE-TLP-XX-XX-DR-L-30001 P01, dated 16/12/22
- Landscape Treatments to Walls West Park, EXE-TLP-XX-XX-DR-L-10007 P02, dated 16/12/22
- Outline Planting Schedule West Park and Birks, EXE-TLP-XX-XX-SH-L-90003, dated 14/12/22
- Outline Tree Planting Schedule West Park and Birks, EXE-TLP-XX-XX-SH-L-90001, dated 14/12/22

The landscaping shall thereafter be implemented in accordance with the approved scheme in the first planting season after commencement of the development unless agreed otherwise in writing by the Local Planning Authority, and shall be maintained for a period of 5 years. Such maintenance shall include the replacement of any trees and shrubs that die.

**Reason:** In the interests of visual and residential amenity and biodiversity.

## **OTHER**

9) The submitted Privacy Management Plan, dated 22/05/23, that sets out how the University would manage any privacy issues in the event that a complaint is made by an occupant regarding overlooking and privacy, shall be implemented in accordance with the agreed details unless otherwise agreed in writing by the local planning authority.

**Reason:** In the interests of the residential amenity of neighbouring and future occupiers.

10) The development hereby permitted shall be implemented in accordance with the Detailed Arboricultural Method Statement and Tree Protection Plan approved by the Local Planning Authority under Condition 06 of the outline permission ref. 20/1684/OUT.

**Reason:** In the interests of nature conservation.

11) The development hereby permitted shall be implemented in accordance with the Landscape and Ecology Management Plan approved by the Local Planning Authority under Condition 05 of outline permission ref. 20/1684/OUT.

**Reason:** To ensure the continued wellbeing of the trees in the interests of the amenity and environmental quality of the locality.

## **INFORMATIVES**

1) In accordance with Paragraph 38 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.

Signed

A handwritten signature in black ink, reading "Roger Clotworthy". Below the signature is a horizontal line.

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

Date: 21st May 2024

**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, please go to the Planning Inspectorate website:

<https://www.gov.uk/government/organisations/planning-inspectorate>

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.

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.