

Appendix 10:



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

www.exeter.gov.uk/planning

Jonathan Finch
Avalon Planning and Heritage
The Generator
Kings Wharf
Exeter
EX2 4AN

Mr Ben Bulger
Oxygen House
Grenadier Road
Exeter Business Park
Exeter
Devon
EX1 3LH

Town and Country Planning Act 1990 and its orders

FULL PLANNING PERMISSION GRANTED

LOCATION: Land To The South Of Oxygen House And North Of Emperor House, Grenadier Road, Exeter

PROPOSAL: Relocation and replacement of existing surface carpark to include solar charging canopies, landscaping enhancements to provide ancillary facilities to Oxygen House, including external pod meeting room, and provision of a solar photovoltaic array. (Revised)

APPLICATION NUMBER: 23/1223/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 comply with Section 91(1)(a) of the Town and Country Planning Act 1990 (as amended).
2. The development hereby permitted shall be carried out in complete accordance with the approved plans listed below, unless modified by the other conditions of this consent:
 - Proposed Site Plan (J2438-STRIPE-XX-00-DR-AX-3005 Rev P012)
 - Boundary Treatment Section A (PLA 0078 TD 005 R00)
 - Boundary Treatment Section B (PLA 0078 TD 006 R00)
 - Boundary Treatment Section 3 (PLA 0078 TD 007 R01)
 - Landscape Levels Plan 1 (PLA 0078 TD 101 R02)
 - Site Location Plan (J2438-STRIPE-XX-00-DR-AX-3001 Rev P04)
 - General Arrangement Plan (PLA 0078 TD 100 R06)
 - Hard Landscape Plan - North Site (PLA 0078 TD 203 R01)
 - Soft Landscape Plan - North Site (PLA 0078 TD 303 R01)

- SolarFlora Garden Section 001 (PLA 0078 TD 001 R01)
- SolaFlora Garden Section 002 (PLA 0078 TD 002 R01)
- SolaFlora Garden Section 003 (PLA 0078 TD 003 R01)
- Boundary Treatment Section A (PLA 0078 TD 005 R00)
- Boundary Treatment Section B (PLA 0078 TD 006 R00)
- Boundary Treatment Section 3 (PLA 0078 TD 007 R01)
- Landscape Levels Plan 1 (PLA 0078 TD 101 R02)
- Landscape Levels Plan 2 (PLA 0078 TD 102 R02)
- Landscape Levels Plan 3 (PLA 0078 TD 103 R02)
- Hard Landscape Plan - Garden Site (PLA 0078 TD 201 R02)
- Hard Landscape Plan - Car Park (PLA 0078 TD 202 R00)
- Soft Landscape Plan - Trees and Hedgerow (PLA 0078 TD 300 R02)
- Soft Landscape Plan - Garden (PLA 0078 TD 301 R01)
- Soft Landscape Plan - Car Park (PLA 0078 TD 302 R02)
- Hard Landscape Plan - North Site (PLA 0078 TD 203 R01)
- Soft Landscape Plan - North Site (PLA 0078 TD 303 R01)
- EMERGENCY ACCESS.GENERAL ARRANGEMENT & DETAILS (50417-CDY-XX-XX-D-H-0045-C01)
- BOUNDARY TREATMENT (J2438-STRIFE-XX-XX-DR-AX-3009-P06)

Reason: To ensure the development is constructed in accordance with the approved plans.

Pre-commencement Details

3. No development shall take place on the Surface Car Park & PV Canopy or Landscape Project Area, as shown on drawing number J2438-STRIFE-XX-00-DR-AX-3001 P04 ('Site Location Plan'), until the following information has been submitted to and approved in writing by the Local Planning Authority (in consultation with National Highways and the Lead Local Flood Authority):
 - a) Detailed proposals for the management of surface water and silt runoff from the site during construction of this part of the development.
 - b) A detailed drainage design based upon the Drainage Strategy for G29 Solar Flora Car Park Rev E. The detailed design shall include rain gardens (including annotated cross-sections and planting plans) unless evidence is provided to demonstrate this is not feasible. The design shall give due regard to the requirements of DfT Circular 01/2022 and shall include a maintenance Method Statement and schedule. The design shall not allow surface water to drain onto adopted highways.
 - c) A plan indicating how exceedance flows will be safely managed at the site.
 - d) Proposals for the adoption and maintenance of the permanent surface water drainage system.

The approved details under a) above shall be strictly adhered to during the construction of the development of the car park and landscaped garden area.

The car park and landscaped garden shall not be brought into use until the approved details under b) and c) above have been fully implemented. Thereafter, the drainage system shall be maintained in accordance with the approved details under d) above.

Reason: To ensure the proposed surface water drainage system will operate effectively and not cause an increase in flood risk either on the site, adjacent land (including the Strategic

Road Network) or downstream, in line with Policy CP12 of the Core Strategy, SuDS for Devon Guidance (2017), paragraph 182 of the NPPF (2025) and DfT Circular 01/2022. These details are required pre-commencement as specified to ensure the proposed surface water drainage system is feasible before works begin to avoid redesign and unnecessary delays during construction when site layout is fixed.

4. No development shall take place on the Ground Mounted PV Site, as shown on drawing number J2438-STRIFE-XX-00-DR-AX-3001 P04 ('Site Location Plan'), until details for the management of surface water on the site have been submitted to and approved in writing by the Local Planning Authority. The details shall not allow surface water to drain onto adopted highways. The details for surface water management on the site shall be implemented as approved and maintained at all times thereafter.

Reason: To ensure surface water is managed effectively in this part of the site and will not cause an increase in flood risk either on the site, adjacent land or downstream, in line with Policy CP12 of the Core Strategy, SuDS for Devon Guidance (2017) and paragraph 182 of the NPPF (2025). These details are required pre-commencement as specified to ensure surface water can be managed effectively on the site before works begin to avoid redesign and unnecessary delays during construction when site layout is fixed.

5. Development shall not in any circumstances commence unless the Local Planning Authority has been provided with either:
 - a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development to go ahead; or
 - b) a statement in writing from Natural England to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To ensure that Natural England as the licencing body is satisfied that the works can proceed without causing harm or disturbance to dormice. This evidence is required before development begins to ensure that the works are not carried out without a wildlife licence being obtained.

6. No development (including ground works) or vegetation clearance works shall take place until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall be prepared in accordance with clause 10 of BS 42020:2013 ('Biodiversity - Code of practice for planning and development'), or any superseding British Standard, and include the following:
 - a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones".
 - c) Mitigation Method Statements, in accordance with the recommendations of the Ecological Impact Assessment (Ref. 230629 EclA rev01) (March 2025).
 - d) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.
 - e) The location and timing of sensitive works to avoid harm to biodiversity features. This includes the use of protective fences, exclusion barriers and warning signs.
 - f) The times during construction when specialist ecologists need to be present on site to monitor works to ensure compliance with the CEMP, and the actions that will be undertaken.
 - g) Responsible persons and lines of communication.

- h) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

The approved CEMP shall be adhered to and implemented throughout the construction period of the development strictly in accordance with the approved details.

Reason: To protect the biodiversity of the site including protected species. A CEMP is required before any development begins to ensure that appropriate mitigation measures are identified and carried out during the construction phase.

7. No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall include the information listed in recommended condition 2 of the Devon County Council Highway Consultation Reply dated 9 January 2024 and the information listed in the second condition recommended by the Environmental Health Officer dated 10 January 2025. The approved Statement shall be strictly adhered to throughout the construction period of the development.

Reason: To ensure that the construction works are carried out in an appropriate manner to minimise the impact on the amenity of neighbouring uses and in the interests of the safety and convenience of highway users. These details are required pre-commencement as specified to ensure that building operations are carried out in an appropriate manner.

8. Prior to the commencement of the development hereby approved a site specific Arboricultural Method Statement (AMS) in accordance with BS5837:2012 shall be submitted to and approved in writing by the Local Planning Authority for the installation of underground cables ('moled') under and near to retained trees. The AMS shall be implemented as approved.

Reason: To protect trees to be retained on and around the site in the interests of local amenity. These details are required pre-commencement as specified to ensure that the trees are not harmed during construction.

Pre-tree and Vegetation Clearance Works

9. No tree works or felling, or other vegetation clearance works shall be carried out on the site during the bird nesting season from March to September, inclusive. If this period cannot be avoided, these works shall not be carried out unless they are overseen by a suitably qualified ecologist and the reasons why have previously been submitted to and approved in writing by the Local Planning Authority, including the date of the intended works and the name and contact details of the ecologist. If nesting birds are found or suspected during the works, the works shall cease until the ecologist is satisfied that the nest sites have become inactive.

Reason: To protect nesting birds in accordance with saved Policy LS4 of the Exeter Local Plan First Review and paragraph 193 of the NPPF (2025).

During Construction

10. The recommendations in Section 7 of the Arboricultural Assessment (ref. 230629 rev00) submitted with the application shall be strictly adhered to throughout the construction period of the development. The tree protection measures shown on Tree Protection Plan - P1 and Tree Protection Plan - P2 shall be implemented before construction works begin on the new car park and landscaped garden, and shall be maintained during the construction of this part of the development. The tree protection measures shown on Tree Protection Plan - P3 shall

be implemented before construction works begin on the solar array, and shall be maintained during the construction of this part of the development.

Reason: To protect trees to be retained on and around the site in the interests of local amenity.

11. The development shall be carried out in accordance with the submitted Waste Audit Statement V1.01 (14/09/2023).

Reason: To minimise the amount of waste produced and promote sustainable methods of waste management in accordance with Policy W4 of the Devon Waste Plan and the Waste Management and Infrastructure Supplementary Planning Document.

12. If during development contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for an investigation and risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with.

Following completion of measures identified in the approved remediation strategy and verification plan and prior to the use of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority.

Reason: No site investigation can completely characterise a site. This condition is required to ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately for the protection of future occupiers and of controlled waters.

Pre-completion

13. Prior to the completion of the solar array, details of a CCTV monitoring system or Perimeter Intruder Detection System shall be submitted to and approved in writing by the Local Planning Authority. The system shall be implemented as approved and maintained throughout the operation of the solar array.

Reason: In the interests of crime prevention and safety in accordance with saved Policy DG7, taking into account the comments of the Police Designing Out Crime Officer.

14. Prior to the completion of the car park and landscaped garden, a pedestrian/cycle link to Pinn Lane shall be provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The link shall be publicly accessible thereafter.

Reason: To improve access to the site by sustainable transport modes and improve safety by limiting the distance pedestrians and cyclists need to travel along Pinn Lane from the north, which has no footways or cycle paths. This also accords with the Access Strategy Diagram incorporated into the s106 legal agreement dated 20th December 2018 in connection with application ref. 17/1320/FUL. This accords with Policies CP9, CP16, CP17 and CP19 of the Core Strategy, saved Policies T1, T3 and DG1 of the Local Plan First Review, the Sustainable Transport Supplementary Document, and paragraphs 109, 115 and 117 of the NPPF (2025).

Pre-specific works

15. The Passivhaus pod shall be constructed in accordance with a full set of architectural drawings previously submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of good planning and high quality design.
16. The shipping container housing the battery storage system and associated infrastructure on the Ground Mounted PV Site, as shown on drawing number J2438-STRIPE-XX-00-DR-AX-3001 P04 ('Site Location Plan'), shall not be placed on the site until details of its size and colouration have previously been submitted to and approved in writing by the Local Planning Authority. The shipping container shall be maintained in accordance with the approved details thereafter.
Reason: To minimise the visual harm of the shipping container on the amenity of the surroundings.

Ongoing compliance

17. The rating noise level of the noise emitted from the proposed development, determined by the procedure at BS 4142 1997, shall be at least 5 dB(A) below the agreed background LA90, 1hr noise level of 65dB, measured at the most sensitive period when the plant will be operated, measured 1m from the nearest receptor. The operator of the plant shall demonstrate by measurement compliance with this level as requested by the Local Planning Authority thereafter.
Reason: To protect the amenity of noise-sensitive development in the vicinity of the site, in accordance with saved Policy EN5 of the Local Plan First Review and paragraph 198 of the NPPF (2025).
18. The landscape of the Surface Car Park & PV Canopy and Landscape Project Area, as shown on drawing number J2438-STRIPE-XX-00-DR-AX-3001 P04 ('Site Location Plan'), shall be managed in accordance with the submitted Landscape Management and Maintenance Plan - Garden and Carpark (June 2024) (PLA 0078 TD 1002 R00).
Reason: In the interests of biodiversity and good design in accordance with Policies CP16 and CP17 of the Core Strategy, saved Policies LS4 and DG1 of the Local Plan First Review and paragraphs 135 and 193 of the NPPF (2025).
19. The landscape of the Ground Mounted PV Site, as shown on drawing number J2438-STRIPE-XX-00-DR-AX-3001 P04 ('Site Location Plan'), shall be managed in accordance with the submitted Landscape Management and Maintenance Plan - North Site (June 2024) (PLA 0078 TD 1003 R01).
Reason: In the interests of biodiversity and good design in accordance with Policies CP16 and CP17 of the Core Strategy, saved Policies LS4 and DG1 of the Local Plan First Review and paragraphs 135 and 193 of the NPPF (2025).

INFORMATIVES

1. In accordance with the Conservation of Habitats and Species Regulations 2017, this development has been screened in respect of the need for an Appropriate Assessment (AA) and given the nature and scale of the development it has been concluded that the proposal does not require an AA.

2. In accordance with Paragraph 39 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the Applicant and has negotiated amendments to the application to enable the grant of planning permission.

Signed

Roger Clotworthy

Exeter City Council
Head of City Development

Date: 29th August 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:

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

. 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.