



IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990 (as amended) (TCPA 1990)

BREACH OF CONDITION NOTICE

Served by: Exeter City Council

To: **GLENTHORNE ROAD SPV LIMITED, 4 Hunting Gate, Hitchin, Hertfordshire, United Kingdom, SG4 0TJ**

1. THIS NOTICE is served by the City Council, under section 187A of the above Act, because it considers that a condition imposed on a grant of planning permission, relating to the land described in paragraph 2 below, has not been complied with. The City Council considers that you should be required to comply with the condition specified in this Notice. The Annex at the end of this notice contains important additional information.

2. THE LAND TO WHICH THIS NOTICE RELATES:

Land Lying to the South of Dennyshill, Glenthorne Road, Exeter, Devon as shown edged red on the attached plan.

3. THE RELEVANT PLANNING PERMISSION

The relevant planning permission to which this Notice relates is the permission granted by the Council on 17th December 2018 under application ref 17/1198/FUL for the construction of student accommodation including the creation of access and associated infrastructure on Land at Glenthorne Road, Exeter, Devon.

4. THE BREACH OF CONDITION

The following condition has not been complied with:

Condition 4:

4) Pre-commencement condition: A Construction Environmental Management Plan shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development on site and adhered to during the construction period.

The Statement shall provide for:

- a) The parking of vehicles of site operatives and visitors.
- b) Loading and unloading of plant and materials.
- c) Storage of plant and materials used in constructing the development.
- d) The erection and maintenance of securing hoarding, if appropriate, which shall be kept clear of graffiti and fly-posting.

- e) Wheel washing facilities.
- f) Measures to control the emission of dust and dirt during construction.
- g) A scheme for recycling/disposing of waste resulting from construction works, with priority given to reuse of building materials on site wherever practicable.
- h) No burning on site during construction or site preparation works
- i) Measures to minimise noise nuisance to neighbours from plant and machinery.
- j) Construction working hours and deliveries from 8:00 to 18:00 Monday to Friday, 8:00 to 13:00 on Saturdays and at no time on Sundays or Bank Holidays.

The CEMPs should contain a procedure for handling and investigating complaints as well as provision for regular meetings with appropriate representatives from the Local Authorities during the development works, in order to discuss forthcoming work and its environmental impact.

Reason for pre-commencement condition: In the interest of the environment of the site and surrounding areas. This information is required before development commences to ensure that the impacts of the development works are properly considered and addressed at the earliest possible stage.

5. WHAT YOU ARE REQUIRED TO DO

As the person responsible for the breach of condition specified in paragraph 4 of this Notice, you are required to comply with the stated condition by taking the following steps:-

Comply with the approved Construction Environmental Management Plan (rev. MCA9) (as approved under Condition 4) and dated 22 February 2021. Specifically comply with the arrangements for access and egress to the site as set out in paragraph 5.6 of the Construction Environmental Management Plan.

Period for compliance: 30 days beginning with the day on which this notice is served upon you.

Dated: 12th May 2022

Signed:



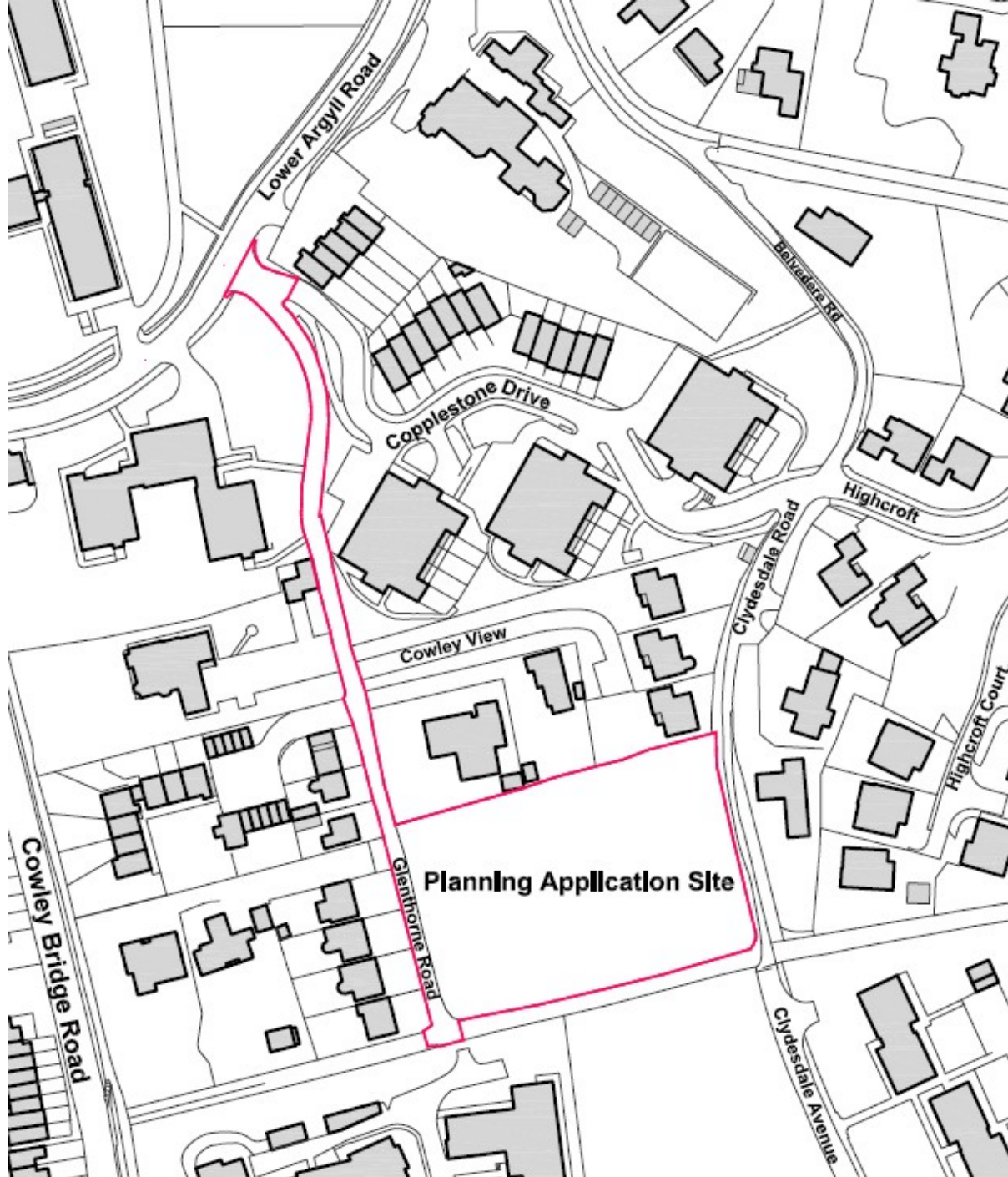
Barry James

Interim Service Lead for City Development Nominated Officer

On behalf of: Exeter City Council Civic Centre

Paris Street Exeter

EX1 1NN



Annex

Warning

This Notice Takes Effect Immediately It Is Served On You In Person Or On The Day You Received It By Post.

There Is No Right Of Appeal To The Secretary Of State For The Environment Against This Notice.

It is an offence to contravene the requirements stated in paragraph 5 of this Notice after the end of the compliance period. You will then be at risk of immediate prosecution in the Magistrates' Court, for which the maximum penalty is £1,000 for a first offence and for any subsequent offence. If you are in any doubt about what this Notice requires you to do, you should get in touch immediately with Göran Molin, Exeter City Council, Civic Centre, Paris Street, Exeter, EX1 1NN; telephone (01392 265251).

If you do need independent advice about this Notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review.

Do not leave your response to the last minute.