

**Your Ref**  
**Our Ref**      **DS/SJS/1883**  
**Date**            **11<sup>th</sup> September 2023**



**PCL Planning Ltd**  
13a-15a Old Park Avenue  
Exeter  
Devon  
EX1 3WD  
United Kingdom  
t: +44 (0)1392 363812  
www.pclplanning.co.uk

Simon Niles,  
Devon County Council Education  
County Hall  
Topsham  
Exeter  
EX2 4QD

Dear Simon,

**LAND AT HARTNOLLS FARM**  
**APPLICATION REFERENCE: 21/01576/MOUT**  
**APPEAL REFERENCE: APP/Y1138/W/22/3313401**

I understand that DCC will be appearing at the roundtable session on infrastructure matters at this weeks inquiry into our client's appeal at the above site.

I note from Anthony Aspbury's CIL Regulation 122 compliance statement (copy attached) that, at paragraph 2.2.4 he sets out that:

*"a new primary school is being constructed imminently close to the appeal site"*

I presume this is a reference to the primary school provision that was included within the approval of a permission granted to the Chettiscombe Trust Estate on 12/06/2017 (14/00881/MOUT), relevant documents are included at CD63 of the inquiry library.

The appellant wishes to verify the accuracy of the above use of words and, to that end, requests clarification of the following points.

Can MDDC and/or DCC please confirm that, pursuant to Schedule 1, Part 2 of the S106 agreement dated 09/06/2017 clause 5.2 (extract attached), DCC did submit a plan showing the exact proposed boundaries of the School Land to the Owner and provide a copy of that plan please?

If that plan was served, whether, pursuant to clause 5.3 the Owner sought an alternative plan or the Expert determination procedure was invoked?

Whether, pursuant to clauses 5.4-5.9 the value of the school site has been agreed?

Whether, pursuant to clauses 5.10-5.12 the transfer of the school site has taken place?

Bearing in mind the need for this information to inform the inquiry I would be grateful for your expedient reply.

Kind regards,



David Seaton, BA (Hons) MRTPI  
**For PCL Planning Ltd**



Enc. Tony Aspbury CIL Reg 122 compliance statement  
S106 extract

c.c. Tony Aspbury  
Arron Beecham  
Triston Peat  
Leanne Buckley-Thomson