

**EAST DEVON DISTRICT COUNCIL
LIST OF PLANNING APPEALS LODGED**

Ref: 23/2031/FUL **Date Received** 11.03.2024
Appellant: Mr and Mrs Gaskin
Appeal Site: Castlewell Stockland Devon EX14 9DB
Proposal: Demolition of existing building. Replacement dwelling and associated works, including alterations to outbuilding to create a bat loft.
Planning Inspectorate Ref: APP/U1105/W/24/3340405

Ref: 23/1978/FUL **Date Received** 20.03.2024
Appellant: Mr & Mrs Dan and Claire McCandlish
Appeal Site: Land Adjacent To Park House Plymtree
Proposal: Proposed new dwelling and relocated site access with associated landscaping and parking
Planning Inspectorate Ref: APP/U1105/W/24/3341070

Ref: 23/2244/FUL **Date Received** 28.03.2024
Appellant: Mr Lee Galan
Appeal Site: The Firs Woodbury Salterton Exeter EX5 1ER
Proposal: Demolition of existing garage, construction of two storey extension and associated works
Planning Inspectorate Ref: APP/U1105/D/24/3341596

Ref: 23/1333/FUL **Date Received** 28.03.2024
Appellant: Mr. & Mrs. M. Luckman
Appeal Site: Perky Pool Cottage Talaton Road Whimple Exeter EX5 2QZ
Proposal: Proposed extension to garage, including addition of external stair with bin store beneath, formation of half hipped roof extension on the rear elevation and alteration to fenestration.
Planning Inspectorate Ref: APP/U1105/D/24/3341610

Ref: 23/2540/VAR **Date Received** 28.03.2024
Appellant: Mr and Mrs Anthony
Appeal Site: Land South Of Underhill Close Lympstone
Proposal: Variation of conditions 1 (Approved plans), 8 (Privacy screen) and 9 (Void space) of 22/2410/RES (Application for approval of reserved matters (appearance, landscaping, layout and scale) for the construction of a predominantly single storey dwelling following outline application (20/0933/OUT) (pursuant to the grant of outline planning permission appeal ref: APP/U1105/W/21/3282445) to update the house design and drawing reference numbers
Planning Inspectorate Ref: APP/U1105/W/24/3341698

Ref: 23/1888/FUL **Date Received** 02.04.2024
Appellant: Mr and Mrs Peek
Appeal Site: Land Adjacent Irongate Lodge Escot Park Ottery St Mary
Proposal: Proposed dwelling and removal of timber structures and a summerhouse including 28 solar panels.
Planning Inspectorate Ref: APP/U1105/W/24/3341824

Ref: 23/0571/MFUL **Date Received** 04.04.2024
Appellant: Mr Paull (McCarthy And Stone Retirement Lifestyles Ltd)
Appeal Site: Former Council Offices Knowle Sidmouth EX10 8HL
Proposal: Redevelopment of site to provide: a) Care home building (Class C2) with associated parking, landscaping, staff and resident facilities and associated works, b) Extra care apartment building (53 units) with associated communal lounge, wellbeing suite, restaurant and care provision (class C2) c) Retirement living apartment building (33 units) with associated communal lounge d) Erection of 4 houses, and 3 townhouses (Class C3) along with accesses; internal car parking, roads, paths, retaining walls, refuse and landscaping associated with development. Retention/refurbishment of building B, erection of habitat building and sub-stations. (Demolition of buildings other than building B) | Former Council Offices Knowle Sidmouth EX10 8HL
Planning Inspectorate Ref: APP/U1105/W/24/3341996

**EAST DEVON DISTRICT COUNCIL
LIST OF PLANNING APPEALS DECIDED**

Ref: 22/0974/FUL **Appeal Ref:** 23/00050/COND
Appellant: Mr Andrew Rennie
Appeal Site: 11 Mill Lane Branscombe Devon EX12 3DS
Proposal: Retrospective planning application for the installation of one
7KW Air Source Heat Pump (ASHP).
Decision: **Appeal Allowed Date:** 22.03.2024
(with conditions)
Procedure: Written representations
Remarks: Appeal against the imposition of conditions on the grant of
planning permission. condition 3 related to the building of an
acoustic barrier to avoid noise transmission and condition 4
related to the construction of a screen, in the interests of
visual amenity and landscape impact.

The Inspector found that it had not been sufficiently demonstrated that the removal of disputed condition 3 would not result in harm to the living conditions of the occupiers of neighbouring properties. Consequently, the Inspector considered it would be reasonable and necessary to require a further acoustic assessment of the ASHP during its defrost cycle, both to mitigate against potential harm caused by noise and to ensure compliance with Policy D1 of the East Devon Local Plan.

The Inspector imposed further conditions requiring the submission of an acoustic assessment and in the event that an acoustic barrier is recommended to mitigate the acoustic impact of the air source heat pump, details of the barrier shall be submitted to and approved by the LPA.

The Inspector concluded that condition 4 was not reasonable or necessary and its removal would not lead to harm to the character and appearance of the area, nor would it result in harm to the East Devon AONB.

BVPI 204: **No**
Planning APP/U1105/W/23/3327489
Inspectorate Ref:

Ref: 22/0975/MFUL **Appeal Ref:** 23/00041/REF
Appellant: Eagle One MIII Limited
Appeal Site: Land Adjacent Old Tithebarn Lane Clyst Honiton
Proposal: Construction of four commercial, business and service units (Class E) and nine dwellings with associated access, parking and infrastructure

Decision: **Appeal Allowed (with conditions)** **Date:** 20.03.2024

Procedure: Hearing

Remarks: Officer recommendation to refuse, Committee refusal. Accessibility, parking and amenity reasons overruled (EDLP Policies D1 & D2 and Strategies 3, 5B & 11). Application for a full award of costs against the Council refused.

A Unilateral Undertaking was submitted and agreed during the appeal process, covering obligations by way of financial contributions towards habitat mitigation and affordable housing.

The Inspector considered that many of those travelling to and from the site would likely do so via means other than private vehicle. Given the reasonable level of parking provision on site along with the existence of unallocated parking nearby, the proposal would be highly unlikely to encourage individuals to travel by private vehicle who would not otherwise do so.

The Inspector decided that matters of surface treatments and landscaping could be addressed by means of conditions with reference to a plan submitted with a subsequent scheme and a landscaping condition.

Having regard to residential amenity and surveillance, the Inspector considered that the submitted plans strike an appropriate balance between ensuring natural surveillance and residential privacy.

Amended plans were submitted to demonstrate that the proposed internal space of the dwellings was suitable, and the Inspector agreed that subject to securing adherence to the revised plans the internal space proposed would be acceptable in this case.

The Inspector concluded that subject to the provisions of the UU and conditions, the development proposed would comply with the development plan taken as a whole.

BVPI 204: **Yes**
Planning APP/U1105/W/23/3330735
Inspectorate Ref:

Ref: 22/2779/PIP **Appeal Ref:** 23/00031/REF
Appellant: Mr Tony Bowden
Appeal Site: Land at Down Close Newton Poppleford
Proposal: Permission in principle application for the construction of up to nine no. dwellings (1 no. minimum, 9 no. maximum).
Decision: **Appeal Dismissed** **Date:** 20.03.2024
Procedure: Written representations
Remarks: Delegated refusal, accessibility reasons upheld (EDLP Policies H3 & TC2 and Strategies 5B & 7).
BVPI 204: **Yes**
Planning APP/U1105/W/23/3326500
Inspectorate Ref:

East Devon District Council List of Appeals in Progress

App.No: 22/0058/FUL
Appeal Ref: APP/U1105/W/22/3305830
Appellant: Sophie, Harriet and Oliver Persey
Address: Pitmans Farm Dulford Cullompton EX15 2ED
Proposal; Proposed demolition of existing buildings; construction of residential dwelling and detached garage; installation of solar photovoltaic array; landscaping; and associated works.
Start Date: 28 February 2023
Procedure:
Written reps.
Questionnaire Due Date: 7 March 2023
Statement Due Date: 4 April 2023

App.No: 23/0027/CPL
Appeal Ref: APP/U1105/X/23/3330294
Appellant: Mr Gary Burns
Address: Salcombe Regis Camping and Caravan Park Salcombe Regis Devon EX10 0JH
Proposal; Proposed lawful development for the use of land for the siting of static caravans.
Start Date: 17 October 2023
Procedure:
Hearing
Questionnaire Due Date: 31 October 2023
Statement Due Date: 28 November 2023
Hearing Date: To be confirmed

App.No: 23/0401/OUT
Appeal Ref: APP/U1105/W/23/3325280
Appellant: Philip Jordan
Address: Exton Lodge Mill Lane Exton EX3 0PJ
Proposal; Outline proposal for a single dwelling with all matters reserved other than access
Start Date: 18 October 2023
Procedure:
Written Reps.
Questionnaire Due Date: 25 October 2023
Statement Due Date: 22 November 2023

App.No: 22/0781/FUL
Appeal Ref: APP/U1105/W/23/3325946
Appellant: Mr Alan Marriott
Address: Mundys Farm West Down Lane Exmouth EX8 2RH
Proposal; Retention of a replacement shed.
Start Date: 23 October 2023

Procedure:
Written Reps.

Questionnaire Due Date: 30 October 2023
Statement Due Date: 27 November 2023

App.No: 22/0074/FUL
Appeal Ref: APP/U1105/W/23/3321677
Appellant: Penelope Jane Cook
Address: Country West Trading Estate Tytherleigh Axminster EX13 7BE
Proposal; Construction of 5 no. dwellings, means of access and associated works
Start Date: 26 October 2023

Procedure:
Written Reps.

Questionnaire Due Date: 2 November 2023
Statement Due Date: 30 November 2023

App.No: 22/0686/MFUL
Appeal Ref: APP/U1105/W/23/3323252
Appellant: Mr Troy Stuart
Address: Hill Barton Business Park Sidmouth Road Clyst St Mary
Proposal; Change of use of land for the purposes of parking, associated with the existing operations at Hill Barton Business Park, for a temporary period of 3 years (retrospective application)

Start Date: 26 October 2023
Procedure:
Written Reps.

Questionnaire Due Date: 2 November 2023
Statement Due Date: 30 November 2023

App.No: 23/0402/FUL
Appeal Ref: APP/U1105/W/23/3326357
Appellant: Mr K Mooney
Address: Land Lying to the south of Rull Barton Rull Lane Whimple
Proposal; Construction of dwelling and associated works
Start Date: 1 November 2023
Procedure:
Written Reps.
Questionnaire Due Date: 8 November 2023
Statement Due Date: 6 December 2023

App.No: 23/0064/FUL
Appeal Ref: APP/U1105/W/23/3327756
Appellant: Mrs Joanna Uffendell
Address: The Bungalow Shorebottom Stockland Devon EX14 9DQ
Proposal; Two storey side extension
Start Date: 11 December 2023
Procedure:
Written Reps.
Questionnaire Due Date: 18 December 2023
Statement Due Date: 15 January 2024

App.No: 23/0743/FUL
Appeal Ref: APP/U1105/D/23/3334607
Appellant: Mr I Davies
Address: Magnolia Cottage Coburg Road Sidmouth Devon EX10 8NF
Proposal; Retention of a boundary screen.
Start Date: 21 December 2023
Procedure:
Householder
Questionnaire Due Date: 28 December 2023

App.No: 23/0615/VAR
Appeal Ref: APP/U1105/W/23/3331385
Appellant: Mr Gary Burns (Serenity Leisure Parks Ltd)
Address: Salcombe Regis Camping and Caravan Park Salcombe
Regis Sidmouth EX10 0JH
Proposal; Variation of condition no. 3 (Shop with residential
accommodation to replace existing) of application 87/P0699
;the building should be used solely for the permitted purpose
of a residential dwelling, site office and shop in conjunction
with and solely for the permitted use of the caravan site.
Start Date: 10 January 2024
Procedure:
Written Reps.
Questionnaire Due Date: 17 January 2024
Statement Due Date: 14 February 2024

App.No: 22/1082/FUL
Appeal Ref: APP/U1105/W/23/3326385
Appellant: Pete Gibbins
Address: Wild Flowers Seaton Road Colyford EX24 6QW
Proposal; Construction of 1 no. dwelling, means of access and
associated works
Start Date: 15 January 2024
Procedure:
Written Reps.
Questionnaire Due Date: 22 January 2024
Statement Due Date: 19 February 2024

App.No: 23/1111/OUT
Appeal Ref: APP/U1105/W/23/3332359
Appellant: Mr A Watts
Address: Land Adjacent 1 Ball Knapp Dunkeswell Honiton EX14 4QQ
Proposal; Outline application with all matters reserved for the erection of
one dwelling
Start Date: 16 January 2024
Procedure:
Written Reps.
Questionnaire Due Date: 23 January 2024
Statement Due Date: 20 February 2024

App.No: 23/0017/CPE
Appeal Ref: APP/U1105/X/23/3333743
Appellant: Mr Paul Sparks
Address: Barn Close Combe Raleigh Honiton EX14 4SG
Proposal; Certificate of existing lawful development to confirm material start to planning ref. 02/P0677 and breach of condition 3 (landscaping details).
Start Date: 19 January 2024
Procedure:
Written Reps.
Questionnaire Due Date: 2 February 2024
Statement Due Date: 1 March 2024

App.No: 22/2801/FUL
Appeal Ref: APP/U1105/W/23/3333333
Appellant: Mr and Mrs Peter Tyldesley
Address: 1 Cowley Barton Cottages Cowley Exeter EX5 5EL
Proposal; First floor extension above existing single storey element
Start Date: 23 January 2024
Procedure:
Written Reps.
Questionnaire Due Date: 30 January 2024
Statement Due Date: 27 February 2024

App.No: 22/1516/FUL
Appeal Ref: APP/U1105/W/23/3327760
Appellant: Gill Parry
Address: 1A Jarvis Close Exmouth Devon EX8 2PX
Proposal; Construction of additional two storey dwelling with associated car parking and amenity space
Start Date: 30 January 2024
Procedure:
Written Reps.
Questionnaire Due Date: 6 February 2024
Statement Due Date: 5 March 2024

App.No: 23/1822/FUL
Appeal Ref: APP/U1105/D/23/3333553
Appellant: Janette Grant
Address: 21 Marpool Hill Exmouth Devon EX8 2LJ
Proposal; Formation of new access and associated development
Start Date: 8 February 2024
Procedure:
Householder
Questionnaire Due Date: 15 February 2024

App.No: 23/2237/FUL
Appeal Ref: APP/U1105/D/24/3336866
Appellant: Mr M Tubbs
Address: 7 Greenway Seaton EX12 2SE
Proposal; Construction of garden room.
Start Date: 8 February 2024
Procedure:
Householder
Questionnaire Due Date: 15 February 2024

App.No: 23/1224/FUL
Appeal Ref: APP/U1105/W/23/3333794
Appellant: Mrs Elaine Paget
Address: The Barn Annexe 2 Lower Court Cottages Fluxton Ottery St Mary EX11 1RL
Proposal; Subdivision of 2 Lower Court Cottages, with creation of vehicular access and parking to serve new independent property
Start Date: 12 February 2024
Procedure:
Written reps.
Questionnaire Due Date: 19 February 2024
Statement Due Date: 18 March 2024

App.No: 23/0556/FUL
Appeal Ref: APP/U1105/W/23/3334199
Appellant: Mr M Glanvill
Address: Land North of Martin Gate Sidmouth Road Aylesbeare
Proposal; Change of use of land from agricultural use to storage (within Use Class B8) for the siting of up to 40 storage containers
Start Date: 15 February 2024
Procedure:
Written reps.
Questionnaire Due Date: 22 February 2024
Statement Due Date: 21 March 2024

App.No: 23/0809/LBC
Appeal Ref: APP/U1105/Y/23/3329576
Appellant: Mrs Jill Bayliss
Address: Flat above Flix Hair Design Market Place Colyton EX24 6JR
Proposal; Retention of 2no. first floor windows on front elevation
Start Date: 19 February 2024
Procedure:
Written reps.

Questionnaire Due Date: 26 February 2024
Statement Due Date: 25 March 2024

App.No: 23/0180/FUL
Appeal Ref: APP/U1105/W/23/3330231
Appellant: Mr Harry Carter
Address: Little Knowle Court 32 Little Knowle Budleigh Salterton EX9 6QS
Proposal; Construction of new two bedroom dwelling with garden room/store
Start Date: 22 February 2024
Procedure:
Written reps.

Questionnaire Due Date: 29 February 2024
Statement Due Date: 28 March 2024

App.No: 23/1419/FUL
Appeal Ref: APP/U1105/D/24/3337466
Appellant: Ms J Grigg
Address: 41 Fleming Avenue Sidmouth Devon EX10 9NH
Proposal; Erection of first floor side extension
Start Date: 26 February 2024
Procedure:
Householder

Questionnaire Due Date: 2 March 2024

App.No: 23/0102/FUL
Appeal Ref: APP/U1105/W/23/3334808
Appellant: Mr Gary Conway
Address: 9 Tip Hill Ottery St Mary EX11 1BE
Proposal; Erection of a new dwelling in land to the rear of 9 Tip Hill.
Start Date: 27 February 2024
Procedure:
Written reps.

Questionnaire Due Date: 5 March 2024
Statement Due Date: 2 April 2024

App.No: 22/1377/FUL
Appeal Ref: APP/U1105/W/23/3331872
Appellant: Mr & Mrs D Branker
Address: Site Of Spillers Cottage Shute EX13 7QG
Proposal; Construction of a dwelling (retrospective) for occupation while the dwelling permitted under reference 21/0535/VAR is constructed, after which the first dwelling will be demolished
Start Date: 5 March 2024
Procedure: Written reps.
Questionnaire Due Date: 12 March 2024
Statement Due Date: 9 April 2024

App.No: 23/1451/FUL
Appeal Ref: APP/U1105/W/23/3331313
Appellant: John Shiel
Address: Seagull House 1 Morton Crescent Exmouth EX8 1BE
Proposal; Extension to front entrance and render existing boundary wall.
Start Date: 5 March 2024
Procedure: Householder
Questionnaire Due Date: 12 March 2024

App.No: 23/2343/FUL
Appeal Ref: APP/U1105/D/24/3338080
Appellant: Mr James Werb
Address: 13 Parkside Crescent Exeter EX1 3TW
Proposal; New garage and parking spaces.
Start Date: 12 March 2024
Procedure: Householder
Questionnaire Due Date: 19 March 2024

App.No: 23/1270/CPE
Appeal Ref: APP/U1105/X/24/3339119
Appellant: Mr and Mrs C M Summers
Address: The Olde Dairy Hunthays Farm Awliscombe Honiton EX14 3QB
Proposal; Application for a Lawful Development Certificate (CLUED) submitted under section 171B(3) of the Town and Country Planning Act 1990 (as amended) for the use of the building known as The Olde Dairy as an independent dwelling.
Start Date: 14 March 2024
Procedure: Written reps.
Questionnaire Due Date: 28 March 2024
Statement Due Date: 25 April 2024

App.No: 22/2582/FUL
Appeal Ref: APP/U1105/W/23/3332347
Appellant: Mr Justin Werb
Address: Barnards (land adjoining) Harepath Hill Seaton EX12 2TF
Proposal; Erection of one dwelling and associated works.
Start Date: 20 March 2024
Procedure: Written reps.
Questionnaire Due Date: 27 March 2024
Statement Due Date: 24 April 2024

App.No: 23/1246/FUL
Appeal Ref: APP/U1105/W/23/3334501
Appellant: Mr & Mrs D Moll
Address: Flat 2 7 Louisa Terrace Exmouth EX8 2AQ
Proposal; Proposed window/doors, revised terrace and guarding (amended fenestration opening detail)
Start Date: 25 March 2024
Procedure: Written reps.
Questionnaire Due Date: 1 April 2024
Statement Due Date: 29 April 2024

App.No: 23/2155/FUL
Appeal Ref: APP/U1105/W/24/3336452
Appellant: Mr & Mrs D Moll
Address: Flat 2 7 Louisa Terrace Exmouth Devon EX8 2AQ
Proposal; For proposed window/door
Start Date: 25 March 2024

Procedure:
Written reps.

Questionnaire Due Date: 1 April 2024
Statement Due Date: 29 April 2024

App.No: 23/0176/FUL
Appeal Ref: APP/U1105/D/24/3339590
Appellant: Mrs Eileen Wilkins
Address: Whiteleaf Poltimore EX4 0AD
Proposal; The construction of a fence between the property and the road to replace a 10 foot high Leylandii hedge (retrospective)
Start Date: 25 March 2024

Procedure:
Householder

Questionnaire Due Date: 1 April 2024

App.No: 23/1279/FUL
Appeal Ref: APP/U1105/W/23/3335680
Appellant: Mr Alban Connell
Address: Land Adjacent Poppins Goldsmith Lane All Saints
Proposal; Conversion of an agricultural barn to form a 1-bedroom dwelling.
Start Date: 26 March 2024

Procedure:
Written reps.

Questionnaire Due Date: 2 April 2024
Statement Due Date: 30 April 2024

App.No: 22/0349/OUT
Appeal Ref: APP/U1105/W/23/3334118
Appellant: Mr & Mrs Reeves
Address: Kilmore House Poltimore Exeter EX4 0AT
Proposal; Outline application for an exception site comprising of 4
affordable houses and 2 open market houses
Start Date: 3 April 2024
Procedure:
Written reps.
Questionnaire Due Date: 10 April 2024
Statement Due Date: 8 May 2024
