

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

Ref: 20/2653/FUL **Appeal Ref:** 22/00028/REF
Appellant: Mr Aldam
Appeal Site: 87 Sidford High Street Sidford Sidmouth EX10 9SA
Proposal: Demolition of the existing dwelling and redevelopment of the site to provide four dwellings and a new vehicular access.
Decision: **Appeal Dismissed** **Date:** 14.11.2022
Procedure: Written representations
Remarks: Delegated refusal, ecology reasons upheld (EDLP Policy EN5).
BVPI 204: **Yes**
Planning APP/U1105/W/22/3300692
Inspectorate Ref:

Ref: 20/2701/FUL **Appeal Ref:** 21/00072/REF
Appellant: Mr Martin Jackson
Appeal Site: 18 Hartley Road Exmouth EX8 2BQ
Proposal: Construction of a dwelling
Decision: **Appeal Dismissed** **Date:** 15.11.2022
Procedure: Written representations
Remarks: Officer recommendation to approve, Committee refusal.

The Inspector overruled the amenity objection to the proposal, however, dismissed the appeal on the basis of insufficient habitat mitigation measures, as there had been an increase in the habitat mitigation charges since the application was submitted.

Whilst the applicant made a payment to the Council for the additional amount during the appeal process, the payment was not secured through a legal agreement and, as such, the Inspector was not satisfied that sufficient mitigation measures had been secured.

BVPI 204: **Yes**
Planning APP/U1105/W/21/3287929
Inspectorate Ref:

Ref: 21/3187/FUL **Appeal Ref:** 22/00021/REF
Appellant: Mr R Pearcey
Appeal Site: The Store Little Bicton Place Exmouth EX8 2SS
Proposal: Proposed change of use from store to dwelling
Decision: **Appeal Allowed** **Date:** 15.11.2022
(with conditions)
Procedure: Written representations
Remarks: Delegated refusal, loss of employment reasons overruled (EDLP Strategy 32 & ENP Policy EE3).

The Inspector acknowledged that that the site could be used for any number of purposes under Class E of the Town and Country Planning (Use Classes) Order 1987 (as amended).

He considered that, whilst the flexibility of use could be beneficial to future employment prospects, there were readily identifiable practical constraints that could have serious impacts on the area which is largely residential in nature with a close knit pattern of development, and the site itself has existing space and infrastructure constraints.

The Inspector concluded that there was a reasonable likelihood of the site coming into an incompatible employment use and without sufficient control over the nature or intensity of future Class E uses, the loss of an employment use would be acceptable in this location. The proposal would comply with Strategy 32 of the East Devon Local Plan 2016 which sets out that planning permission will not be granted unless continued use would significantly harm the quality of a locality whether through traffic, amenity, environmental or other associated problems.

BVPI 204: **Yes**
Planning APP/U1105/W/22/3298012
Inspectorate Ref:

Ref: 21/1714/FUL **Appeal Ref:** 22/00026/REF
Appellant: Bodenham (B & H Developments Ltd)
Appeal Site: The Old Workshop Kerslakes Court Honiton EX14 1FL
Proposal: Construction of 5 bedroom house in multiple occupation (Use Class C4).
Decision: **Appeal Dismissed** **Date:** 02.12.2022
Procedure: Written representations
Remarks: Officer recommendation to approve, Committee refusal. Amenity reasons upheld (EDLP Policy D1).

BVPI 204: **Yes**
Planning APP/U1105/W/22/3300099
Inspectorate Ref:

East Devon District Council List of Appeals in Progress

App.No: 21/F0364
Appeal Ref: APP/U1105/C/22/3295011
Appellant: Stuart Partners Ltd
Address: Land at Hill Barton, Sidmouth Road, Clyst St Mary, EX5 1DR
Proposal; Appeal against enforcement notice served in respect of the change of use of the land from agriculture to a mixed use of agriculture and commercial parking area used by lorries, commercial vehicles, cars, plant and machinery and the siting of skips and shipping containers.

Start Date: 29 March 2022
Procedure: Written Reps.

Questionnaire Due Date: 12 April 2022
Statement Due Date: 10 May 2022

App.No: 21/0876/FUL
Appeal Ref: APP/U1105/W/22/3295861
Appellant: Mr Barnes
Address: Stopgate Farm Yarcombe Honiton EX14 9NB
Proposal; Retention of a cement silo, water silo, site office and additional concrete area.

Start Date: 27 May 2022
Procedure: Hearing

Questionnaire Due Date: 10 June 2022
Statement Due Date: 8 July 2022
Hearing Date: 7 February 2023

App.No: 20/F0319
Appeal Ref: APP/U1105/C/22/3298710
Appellant: Mr & Mrs Barnes And Operators
Address: Stopgate Farm Yarcombe Honiton EX14 9NB
Proposal; Appeal against enforcement notice served in respect of the construction of a cement silo, water silo, site office and additional concrete area.
Start Date: 27 May 2022
Procedure:
Hearing
Questionnaire Due Date: 10 June 2022
Statement Due Date: 8 July 2022
Hearing Date: 7 February 2023

App.No: 21/1512/FUL
Appeal Ref: APP/U1105/W/22/3296441
Appellant: Mr and Mrs Rob and Claire Hilton
Address: Land North East Of Atlantis Sowden Lane Exmouth
Proposal; Erection of a sustainable zero carbon live/work development to include creation of a productive landscape rich in biodiversity.
Start Date: 29 June 2022
Procedure:
Written Reps.
Questionnaire Due Date: 6 July 2022
Statement Due Date: 3 August 2022

App.No: 22/0276/FUL
Appeal Ref: APP/U1105/W/22/3303968
Appellant: Mr Simon Lancaster
Address: 18 Minifie Road Honiton EX14 1NF
Proposal; Erection of a semi-detached dwelling
Start Date: 20 September 2022
Procedure:
Written reps.
Questionnaire Due Date: 27 September 2022
Statement Due Date: 25 October 2022

App.No: 21/0293/TRE
Appeal Ref: APP/TPO/U1105/8517
Appellant: Mrs Elaine Bancroft
Address: 22 Highbury Park Exmouth EX8 3EJ
Proposal; Lime - Fell to ground level.
Start Date: 21 September 2022
Procedure:
Written reps.
Questionnaire Due Date: 28 September 2022

App.No: 21/3265/FUL
Appeal Ref: APP/U1105/W/22/3301525
Appellant: Singleton & Manning
Address: Land Adjacent To Leighton Cottage Longmeadow Road
Lympstone
Proposal; Erection of a two-bedroom semi-detached cottage.
Start Date: 26 September 2022
Procedure:
Written reps.
Questionnaire Due Date: 3 October 2022
Statement Due Date: 31 October 2022

App.No: 22/0318/FUL
Appeal Ref: APP/U1105/W/22/3301884
Appellant: Mr Andrew Vickery
Address: Oak Tree House Old Ebford Lane Ebford Exeter EX3 0QR
Proposal; Erection of replacement dwelling.
Start Date: 26 September 2022
Procedure:
Written reps.
Questionnaire Due Date: 3 October 2022
Statement Due Date: 31 October 2022

App.No: 22/0262/FUL
Appeal Ref: APP/U1105/W/22/3301943
Appellant: Gerry Bird
Address: Stanzita King Edward Road Axminster EX13 5PP
Proposal; Formation, laying out and construction of a means of access
to a highway.
Start Date: 26 September 2022
Procedure:
Written reps.
Questionnaire Due Date: 3 October 2022
Statement Due Date: 31 October 2022

App.No: 21/2531/FUL
Appeal Ref: APP/U1105/W/22/3303671
Appellant: Mr Michael Huxtable
Address: Land South Of Treetops Toadpit Lane West Hill
Proposal; Two storey detached dwelling, and change of use of land to residential curtilage.
Start Date: 26 September 2022
Procedure:
Written reps.
Questionnaire Due Date: 3 October 2022
Statement Due Date: 31 October 2022

App.No: 21/1837/FUL
Appeal Ref: APP/U1105/W/22/3302272
Appellant: Russell and Julie Payne
Address: Lucehayne Cottage Widworthy Honiton EX14 9JS
Proposal; Change of use of annexe building, approved under permission 18/2546/FUL, for use as either an annexe and/or for holiday accommodation purposes
Start Date: 6 October 2022
Procedure:
Written reps.
Questionnaire Due Date: 13 October 2022
Statement Due Date: 10 November 2022

App.No: 21/0103/FUL
Appeal Ref: APP/U1105/W/22/3303990
Appellant: Mr D Crocker
Address: Chestnuts 65 Salterton Road Exmouth EX8 2EJ
Proposal; Demolition of existing buildings and construction of 9 no. apartments with associated parking, cycle and bin stores and creation of new vehicular access onto Salterton Road.
Start Date: 6 October 2022
Procedure:
Written reps.
Questionnaire Due Date: 13 October 2022
Statement Due Date: 10 November 2022

App.No: 22/0352/OUT
Appeal Ref: APP/U1105/W/22/3304675
Appellant: Mr and Mrs Mears
Address: 77 Seaton Down Road Seaton EX12 2HA
Proposal; Construction of a single storey dwelling accessed from Marlpit Lane following demolition of an existing car port; and construction of a parking bay accessed from Seaton Down Road. (Outline application with all matters reserved.)
Start Date: 6 October 2022
Procedure:
Written reps.
Questionnaire Due Date: 13 October 2022
Statement Due Date: 10 November 2022

App.No: 21/2781/FUL
Appeal Ref: APP/U1105/W/22/3303190
Appellant: Mr. D Brazendale
Address: Sceat Cottage Colyton EX24 6DP
Proposal; Change of use from holiday cottage to unrestricted residential dwelling (Use Class C3)
Start Date: 7 October 2022
Procedure:
Written reps.
Questionnaire Due Date: 14 October 2022
Statement Due Date: 11 November 2022

App.No: 22/0817/FUL
Appeal Ref: APP/U1105/W/22/3303809
Appellant: Mr & Mrs R & H Bennett
Address: Land At SY 22647 92588 Colyton Hill Colyton (Landfill Site At Whitwell Farm, Seaton)
Proposal; Siting of shepherd's hut for holiday accommodation.
Start Date: 11 October 2022
Procedure:
Written reps.
Questionnaire Due Date: 18 October 2022
Statement Due Date: 15 November 2022

App.No: 21/2332/FUL
Appeal Ref: APP/U1105/W/22/3308364
Appellant: A & S Barnes Sons
Address: Stopgate Farm Yarcombe Honiton EX14 9NB
Proposal; New farm access
Start Date: 2 November 2022

Procedure:
Hearing

Questionnaire Due Date: 9 November 2022
Statement Due Date: 7 December 2022
Hearing Date: 7 February 2023

App.No: 22/0758/FUL
Appeal Ref: APP/U1105/D/22/3307905
Appellant: Mr Barnaby Griffith
Address: 43 Halsdon Avenue Exmouth Devon EX8 3DW
Proposal; Single storey front extension, single storey rear extension and first floor extension with rear balcony with alteration to fenestration.

Start Date: 9 November 2022
Procedure:
Householder

Questionnaire Due Date: 16 November 2022

App.No: 22/0721/FUL
Appeal Ref: APP/U1105/D/22/3309277
Appellant: Mr Michael Anaman
Address: 16 Windsor Square Exmouth Devon EX8 1JX
Proposal; Removal of garden wall to rear garden, creation of off street parking with electric charging points, replacement of outbuilding, restoration of steps to rear door and associated landscaping.

Start Date: 11 November 2022
Procedure:
Householder

Questionnaire Due Date: 18 November 2022
