

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

**Ref:** 22/1584/FUL                      **Date Received** 21.12.2022  
**Appellant:** Mr James Brennan  
**Appeal Site:** Mount Houlditch Farm Toadpit Lane West Hill Devon  
EX11 1LQ  
**Proposal:** Demolition of two barns and three outbuildings and the  
construction of a residential annexe ancillary to the main  
dwelling house, a pool house also ancillary to the main  
dwelling house and an extension to the house for a home  
office.  
**Planning** APP/U1105/W/22/3313627  
**Inspectorate Ref:**

---

**Ref:** 22/1600/FUL                      **Date Received** 03.01.2023  
**Appellant:** Mr G Braddick  
**Appeal Site:** Land Adjacent To Hamlet House Nags Head Road  
Gittisham  
**Proposal:** Extension of an existing commercial building on the land  
north of Hamlet House  
**Planning** APP/U1105/W/23/3314033  
**Inspectorate Ref:**

---

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

**Ref:** 21/1512/FUL                      **Appeal Ref:** 22/00020/REF  
**Appellant:** Mr and Mrs Rob and Claire Hilton  
**Appeal Site:** 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.  
**Decision:** **Appeal Dismissed**    **Date:** 13.12.2022  
**Procedure:** Written representations  
**Remarks:** Delegated refusal, accessibility, countryside and green wedge protection reasons upheld (EDLP Strategies 7 & 8 and Policy TC2, Lymptone NP Policies 2 & 3).  
**BVPI 204:** **Yes**  
**Planning** APP/U1105/W/22/3296441  
**Inspectorate Ref:**

---

**Ref:** 22/0276/FUL                      **Appeal Ref:** 22/00038/REF  
**Appellant:** Mr Simon Lancaster  
**Appeal Site:** 18 Minifie Road Honiton EX14 1NF  
**Proposal:** Erection of a semi-detached dwelling  
**Decision:** **Appeal Dismissed**    **Date:** 14.12.2022  
**Procedure:** Written representations  
**Remarks:** Delegated refusal, off street parking provision reasons upheld (EDLP Policy TC9).  
**BVPI 204:** **Yes**  
**Planning** APP/U1105/W/22/3303968  
**Inspectorate Ref:**

---

**Ref:** 22/0318/FUL                      **Appeal Ref:** 22/00030/REF  
**Appellant:** Mr Andrew Vickery  
**Appeal Site:** Oak Tree House Old Ebford Lane Ebford Exeter EX3 0QR  
**Proposal:** Erection of replacement dwelling.  
**Decision:** **Appeal Dismissed**    **Date:** 19.12.2022  
**Procedure:** Written representations  
**Remarks:** Delegated refusal, conservation, ecology and amenity reasons upheld (EDLP Policies D1, EN5 & EN9 and CSG NP Policies 8 & 9).  
**BVPI 204:** **Yes**  
**Planning** APP/U1105/W/22/3301884  
**Inspectorate Ref:**

---

**Ref:** 21/1837/FUL **Appeal Ref:** 22/00033/REF  
**Appellant:** Russell and Julie Payne  
**Appeal Site:** 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  
**Decision:** **Appeal Dismissed** **Date:** 19.12.2022  
**Procedure:** Written representations  
**Remarks:** Delegated refusal, accessibility reasons upheld (EDLP Policies D8, E16 & TC2 and Strategies 5B & 7).  
**BVPI 204:** **Yes**  
**Planning** APP/U1105/W/22/3302272  
**Inspectorate Ref:**

---

**Ref:** 22/0262/FUL **Appeal Ref:** 22/00031/REF  
**Appellant:** Gerry Bird  
**Appeal Site:** Stanzita King Edward Road Axminster EX13 5PP  
**Proposal:** Formation, laying out and construction of a means of access to a highway.  
**Decision:** **Appeal Dismissed** **Date:** 28.12.2022  
**Procedure:** Written representations  
**Remarks:** Delegated refusal, highway safety reasons upheld (EDLP Policy TC7 & Strategy 6).  
**BVPI 204:** **Yes**  
**Planning** APP/U1105/W/22/3301943  
**Inspectorate Ref:**

---

**Ref:** 21/2531/FUL **Appeal Ref:** 22/00036/REF  
**Appellant:** Mr Michael Huxtable  
**Appeal Site:** Land South Of Treetops Toadpit Lane West Hill  
**Proposal:** Two storey detached dwelling, and change of use of land to residential curtilage.  
**Decision:** **Appeal Dismissed** **Date:** 28.12.2022  
**Procedure:** Written representations  
**Remarks:** Delegated refusal, accessibility reasons upheld (EDLP Strategies 5B, 7 & 27 and Policy TC2).  
**BVPI 204:** **Yes**  
**Planning** APP/U1105/W/22/3303671  
**Inspectorate Ref:**

---

**Ref:** 21/2781/FUL      **Appeal Ref:** 22/00035/REF  
**Appellant:** Mr. D Brazendale  
**Appeal Site:** Sceat Cottage Colyton EX24 6DP  
**Proposal:** Change of use from holiday cottage to unrestricted residential dwelling (Use Class C3)  
**Decision:** **Appeal Allowed**      **Date:** 04.01.2023  
**(no conditions)**  
**Procedure:** Written representations  
**Remarks:** Officer recommendation to refuse, Committee refusal. Accessibility reasons overruled (EDLP Policies D8 & TC2 and Strategies 5B & 7).

The Inspector considered that although the nature of the local road network is likely to limit the practicality of walking and cycling to access services and facilities, there would be some opportunity to use the bus. The appeal building is subject of a condition that limits its use as holiday accommodation, however, the condition does not limit the period(s) when the dwelling can be occupied. As it already exists, the broad acceptability of both its location and any travel-related environmental impacts arising from its residential use have already been established and there is no substantive evidence that any increase in travel from an unrestricted residential use would be significant.

The Inspector concluded that the site would provide a suitable location for an unrestricted residential dwelling, with particular regard to access to services and facilities and found no conflict with the provisions of Strategies 5B and 7 or Policies TC2 and D8 of the Local Plan. The proposal also complies with the general thrust of paragraph 105 of the Framework.

**BVPI 204:** **Yes**  
**Planning** APP/U1105/W/22/3303190  
**Inspectorate Ref:**

---

**Ref:** 21/0293/TRE **Appeal Ref:** 22/00050/TRE  
**Appellant:** Mrs Elaine Bancroft  
**Appeal Site:** 22 Highbury Park Exmouth EX8 3EJ  
**Proposal:** Lime - Fell to ground level.  
**Decision:** **Appeal Allowed (with conditions)** **Date:** 05.01.2023  
**Procedure:** Written representations  
**Remarks:** Delegated refusal, amenity reasons overruled.

The Inspector considered that the Lime tree has some amenity value as a maturing specimen at the end of the estate road. Its amenity value is however limited by its constrained position close to the rear of the dwelling and in most views it is significantly obscured by the dwelling. Its value is also lessened by the attractive and more easily appreciated group of open grown trees to the south that stand prominently to either side of the road and are not partly obscured by buildings.

The Inspector also noted that the Lime tree has caused some damage to the adjacent area of paving where slabs have lifted. The low brick wall that contains the bed that the Lime grows within has also broken up near the trunk.

The Inspector concluded that there would be some modest harm from the loss of the Lime. However, the reasons given for felling, in combination with the benefit of planting a replacement tree in a more prominent location were sufficient to outweigh the harm caused by the felling of the tree, sufficient to justify the works.

**BVPI 204:** **No**  
**Planning** APP/TPO/U1105/8517  
**Inspectorate Ref:**

---

**Ref:** 22/0758/FUL **Appeal Ref:** 22/00053/HH  
**Appellant:** Mr Barnaby Griffith  
**Appeal Site:** 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.  
**Decision:** **Appeal Dismissed** **Date:** 13.01.2023  
**Procedure:** Written representations  
**Remarks:** Delegated refusal, amenity reasons upheld (EDLP Policy D1 & Strategy 6 and ENP Policy EB2).  
**BVPI 204:** **Yes**  
**Planning** APP/U1105/D/22/3307905  
**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:** 21/3265/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:** 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:** 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:** 22/0721/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

---

**App.No:** 22/0961/FUL  
**Appeal Ref:** APP/U1105/W/22/3307458  
**Appellant:** Russell and Helen Hayman  
**Address:** Land West Of 8 Mill Lane Alfington  
**Proposal;** Erection of 2no. two storey 3-bed detached dwellings,  
erection of 2no. detached single garages, means of access  
and associated works  
**Start Date:** 21 December 2022  
**Procedure:**  
**Written reps.**  
**Questionnaire Due Date:** 28 December 2022  
**Statement Due Date:** 25 January 2023

---