

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

Ref: 23/0891/FUL **Date Received** 05.10.2023
Appellant: Johanna Leonard
Appeal Site: 6 Ash Grove Exmouth EX8 3BN
Proposal: Retention of porch to front of dwelling.
Planning APP/U1105/D/23/3330810
Inspectorate Ref:

Ref: 23/1451/FUL **Date Received** 13.10.2023
Appellant: John Shiel
Appeal Site: Seagull House 1 Morton Crescent Exmouth EX8 1BE
Proposal: Extension to front entrance and render existing boundary wall.
Planning APP/U1105/W/23/3331313
Inspectorate Ref:

Ref: 23/0615/VAR **Date Received** 16.10.2023
Appellant: Mr Gary Burns (Serenity Leisure Parks Ltd)
Appeal Site: 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.
Planning APP/U1105/W/23/3331385
Inspectorate Ref:

Ref: 23/1352/FUL **Date Received** 18.10.2023
Appellant: Mr Bruce Bailey
Appeal Site: 13 Mount Pleasant Avenue Exmouth EX8 4QG
Proposal: To install wooden featheredge board corner fence along boundaries adjacent to Mount Pleasant Avenue and Swiss Close. [Retrospective]
Planning APP/U1105/D/23/3331532
Inspectorate Ref:

Ref: 23/1477/FUL **Date Received** 23.10.2023
Appellant: Mrs Charlotte Macadam
Appeal Site: Parmiters Combyne Axminster EX13 8TE
Proposal: Change of use of land to residential garden.
Planning APP/U1105/W/23/3331844
Inspectorate Ref:

Ref: 22/1377/FUL **Date Received** 24.10.2023
Appellant: Mr & Mrs D Branker
Appeal Site: 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
Planning Inspectorate Ref: APP/U1105/W/23/3331872

Ref: 23/1111/OUT **Date Received** 01.11.2023
Appellant: Mr A Watts
Appeal Site: Land Adjacent 1 Ball Knapp Dunkeswell Honiton EX14 4QQ
Proposal: Outline application with all matters reserved for the erection of one dwelling
Planning Inspectorate Ref: APP/U1105/W/23/3332359

Ref: 22/2582/FUL **Date Received** 01.11.2023
Appellant: Mr Justin Werb
Appeal Site: Barnards (land Adjoining) Harepath Hill Seaton EX12 2TF
Proposal: Erection of one dwelling and associated works.
Planning Inspectorate Ref: APP/U1105/W/23/3332347

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

Ref: 22/0173/FUL **Appeal Ref:** 23/00003/REF
Appellant: Ms Susan Wakley-Stoyle
Appeal Site: Brake View Rockbeare Hill Rockbeare EX5 2EZ
Proposal: Erection of a replacement two storey 4-bed detached dwelling.
Decision: **Appeal Dismissed** **Date:** 09.10.2023
Procedure: Written representations
Remarks: Delegated refusal, tree amenity reasons upheld (EDLP Policy D3). Partial award of costs awarded against the Council due to incorrect reason for refusal given on decision notice.
BVPI 204: **Yes**
Planning APP/U1105/W/23/3315663
Inspectorate Ref:

Ref: 22/0767/FUL **Appeal Ref:** 23/00022/REF
Appellant: Mr Anthony Whale
Appeal Site: 5 Meadow View Longmeadow Road Lypstone EX8 5LH
Proposal: Demolition of the front garden wall and construction of a paved hard standing driveway (retrospective)
Decision: **Appeal Allowed** **Date:** 12.10.2023
(no conditions)
Procedure: Written representations
Remarks: Delegated refusal, conservation and highway safety reasons overruled (EDLP Policies D1, EN10 & TC7 and Lypstone NP Policy CA24).
The application was refused on the basis of the impact of the proposal on the extended conservation area for Lypstone and highway safety. The Inspector considered that as the proposed extended conservation area had not been formally designated, the site was not considered to be within such an area for the purposes of the statutory duty in relation to conservation areas. Given the considerable distance of the site from the designated Lypstone conservation area, the Inspector also considered that it was not necessary to assess the effects of the proposed development on its significance. The Inspector concluded that the character and appearance of the host property and its surroundings would be preserved and the proposal would therefore comply with Policy D1 of the Local Plan.
Having regard to highway safety, the Inspector concluded that the proposed development would not introduce additional risk of danger to users of Longmeadow Road and as such, complies with Policy TC7 of the Local Plan.
BVPI 204: **Yes**
Planning APP/U1105/D/23/3324450
Inspectorate Ref:

Ref: 22/2031/RES **Appeal Ref:** 23/00004/REF
Appellant: Mr and Mrs Thomas
Appeal Site: 29 Winters Lane Ottery St Mary EX11 1AR
Proposal: Application for approval of reserved matters (layout, scale and appearance) for the erection of a new dwelling following approval of outline application ref. 21/1692/OUT.
Decision: **Appeal Dismissed** **Date:** 25.10.2023
Procedure: Written representations
Remarks: Delegated refusal, amenity reasons upheld (EDLP Policy D1 and OSM & WH Neighbourhood Plan Policy NP2).
BVPI 204: **Yes**
Planning APP/U1105/W/23/3316374
Inspectorate Ref:

Ref: 22/0990/MFUL **Appeal Ref:** 23/00015/REF
Appellant: Low Carbon Alliance
Appeal Site: Land At Marsh Green Farm Marsh Green EX5 2EU
Proposal: Construction and operation of a ground mounted solar farm and associated landscaping and ecological habitat, with permission being required for 40 years, comprising solar arrays, equipment housing, substation, fencing, ancillary development and associated development; and temporary change of use of land for construction compound (off site).
Decision: **Appeal Allowed** **Date:** 30.10.2023
(with conditions)
Procedure: Inquiry
Remarks: Officer recommendation to approve, Committee refusal. Landscape, heritage, flooding and best and most versatile land reasons overruled (EDLP Policies EN9, EN13 & EN22 and Strategies 39 & 46).

Application for a partial award of costs against the Council refused.

In advance of the Inquiry the Council agreed in the Statement of Common Ground not to contend its reason for refusal relating to agricultural land. Furthermore, it was clarified that flooding impacts were not disputed by the Council in the Decision Notice but rather the opportunities or steps to improve flood risk impacts.

The Inspector found that the proposal would have a material adverse effect on the character and appearance of the local landscape, predominantly within the site itself, but also accounting for wider views and the subsequent contribution the site makes to the local area as a valued landscape, which carried significant weight.

The Inspector also considered that there would be some limited harm to a non-designated archaeological asset. There would be temporary erosion of local amenity from disruption, noise and construction activity and these were significant adverse implications to factor relative to the advice of the Framework.

The Inspector considered that the benefits of the proposal were material considerations which outweighed the harm. When weighed in the planning balance the magnitude of the combined benefits was considerable when balanced against the harms.

The Inspector concluded that taking account of all of the matters raised, the overall benefits of the development substantially outweighed the harms it would cause.

BVPI 204:

Planning

Inspectorate Ref:

Yes

APP/U1105/W/23/3320714

East Devon District Council List of Appeals in Progress

App.No: 22/0120/FUL
Appeal Ref: APP/U1105/W/22/3305821
Appellant: Mr & Mrs Charles Isaac
Address: 3 Trefusis Place Exmouth EX8 2AR
Proposal; Loft conversion to a habitable use, Changes to external elevation finishes with alteration to fenestration, Replacement of existing conservatory with a garden room and alterations to Garden Annex with front extension and relocation of front door.

Start Date: 28 February 2023
Procedure:
Written reps.

Questionnaire Due Date: 7 March 2023
Statement Due Date: 4 April 2023

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: 21/3275/FUL
Appeal Ref: APP/U1105/W/22/3306620
Appellant: Mr & Mrs Jenny & Richard Wiggins
Address: 5 Fairfield Road Exmouth EX8 2BL
Proposal; First floor extension to an existing dwelling as well as altering the external appearance to form a modern dwelling and a new detached single storey garage of matching materials, and conversion of existing garage and a rear extension with alteration to fenestration.

Start Date: 1 March 2023
Procedure:
Written reps.

Questionnaire Due Date: 8 March 2023
Statement Due Date: 5 April 2023

App.No: 22/0912/FUL
Appeal Ref: APP/U1105/D/22/3307801
Appellant: Mr John Lomax
Address: The Workshop Longmeadow Road Lympstone EX8 5LF
Proposal; Addition of first floor with alteration to fenestration.
Start Date: 20 April 2023
Procedure:
Householder
Questionnaire Due Date: 27 April 2023

App.No: 22/2216/MFUL
Appeal Ref: APP/U1105/W/23/3319803
Appellant: Enso Green Holdings B Limited
Address: Pound Road BESS Land North East Of Axminster National
Grid Substation Pound Road Hawkchurch
Proposal; Installation of a battery energy storage system with
associated infrastructure and works.
Start Date: 9 May 2023
Procedure:
Inquiry
Questionnaire Due Date: 16 May 2023
Statement Due Date: 13 June 2023
Inquiry Date: 5 September 2023

App.No: 23/F0056
Appeal Ref: APP/U1105/C/23/3320164
Appellant: Donovan George Galling
Address: The Workshops Deer Park Farm Buckerell Honiton
Proposal; Appeal against an enforcement notice served in respect of
the change of use from workshop to gymnasium, without
planning permission.
Start Date: 10 May 2023
Procedure:
Written Reps.
Questionnaire Due Date: 24 May 2023
Statement Due Date: 21 June 2023

App.No: 22/1836/FUL
Appeal Ref: APP/U1105/D/23/3319877
Appellant: Mr Joe Priday
Address: Hux Shard Church Hill Exeter Devon EX4 9JJ
Proposal; Erection of annexe
Start Date: 14 June 2023
Procedure:
Householder
Questionnaire Due Date: 21 June 2023

App.No: 22/2126/FUL
Appeal Ref: APP/U1105/W/23/3318928
Appellant: Mr Josh Baker
Address: Annexe At Huxham View (Church Hill Cottage) Pinhoe
Exeter EX4 9JJ
Proposal; Change of use from redundant annexe to C3 dwelling house.
Start Date: 19 June 2023
Procedure:
Written Reps.
Questionnaire Due Date: 26 June 2023
Statement Due Date: 24 July 2023

App.No: 22/2389/PIP
Appeal Ref: APP/U1105/W/23/3315470
Appellant: Mr Luke Drakes
Address: 1 Colliton Cross Broadhembury Honiton EX14 3LQ
Proposal; Permission in principle for a two storey 4-bed dwelling and
garage on amenity land
Start Date: 21 June 2023
Procedure:
Written Reps.
Questionnaire Due Date: 28 June 2023
Statement Due Date: 26 July 2023

App.No: 21/F0248
Appeal Ref: APP/U1105/C/23/3322437
Appellant: Helen Dawn Cutler, Mr Tom Horridge & Mrs Amy Horridge
Address: Land north east of Clyst William Cross , Plymtree, EX15 2LG
Proposal; Appeal against an enforcement notice served in respect of -

- i) Operational development consisting of the siting of a shipping container for use as an agricultural machinery store together with a storage shed and the creation of an entrance onto the highway and hardstanding, without planning permission, and;
- ii) Change of use of part of the land to residential use by the stationing of a touring caravan for residential occupation together with a solar array and other domestic paraphernalia associated with the residential use of the land, without planning permission.

Start Date: 21 June 2023

Procedure:
Written Reps.

Questionnaire Due Date:

05 July 2023

Statement Due Date:

02 August 2023

App.No: 22/2120/MFUL
Appeal Ref: APP/U1105/W/23/3324701
Appellant: Churchill Retirement Living
Address: Jewson Ltd Fore Street Exmouth EX8 1HX
Proposal; Redevelopment for 54 retirement living apartments and 6 retirement living cottages, including communal facilities, access, car parking and landscaping and 178sqm of commercial use (Class E)

Start Date: 25 July 2023

Procedure:
Inquiry

Questionnaire Due Date:

1 August 2023

Statement Due Date:

29 August 2023

Inquiry Date:

14 November 2023

App.No: 22/1622/FUL
Appeal Ref: APP/U1105/W/23/3319921
Appellant: Mr Mark And Mrs Lisa Clouter
Address: Kings Arms Farm Nags Head Road Gittisham Devon EX14 3AP
Proposal; Construction of a two storey 18-unit residential home for vulnerable people.
Start Date: 2 August 2023
Procedure:
Written Reps.
Questionnaire Due Date: 9 August 2023
Statement Due Date: 6 September 2023

App.No: 23/0665/FUL
Appeal Ref: APP/U1105/D/23/3325341
Appellant: Mr Tim Prince
Address: 42 Springfield Road Exmouth Devon EX8 3JY
Proposal; Conversion of roof space to habitable use to include front flat roof dormer and single storey rear extension with roof terrace.
Start Date: 10 August 2023
Procedure:
Householder
Questionnaire Due Date: 17 August 2023

App.No: 23/0325/PIP
Appeal Ref: APP/U1105/W/23/3320367
Appellant: Mr Dan Nicholls
Address: Land At Toadpit Lane West Hill Ottery St Mary EX11 1LQ
Proposal; Permission in principle for 2 no. new dwellings
Start Date: 26 September 2023
Procedure:
Written Reps.
Questionnaire Due Date: 3 October 2023
Statement Due Date: 31 October 2023

App.No: 22/2196/AGR
Appeal Ref: APP/U1105/W/23/3321823
Appellant: Chadstone Farm Estate
Address: Chadstone Farm Rousdon Lyme Regis DT7 3XP
Proposal; Purpose built agricultural barn for the storage of tractors and machinery
Start Date: 26 September 2023
Procedure:
Written Reps.
Questionnaire Due Date: 3 October 2023
Statement Due Date: 31 October 2023

App.No: 22/2030/FUL
Appeal Ref: APP/U1105/W/23/3323724
Appellant: Alice Johnson (Queen's Drive CIC)
Address: Exmouth Beach Queens Drive Exmouth Devon EX8 2GD
Proposal; Construction of a single storey flexible office/community hub building, single storey side extension to existing bin store to provide 5 WCs and installation of 23 x photovoltaic panels
Start Date: 27 September 2023
Procedure:
Written Reps.
Questionnaire Due Date: 4 October 2023
Statement Due Date: 1 November 2023

App.No: 23/0532/CPE
Appeal Ref: APP/U1105/X/23/3330560
Appellant: Richard Holman
Address: Land Adjacent to Main Yard Lodge Trading Estate Broadclyst Devon EX5 3BS
Proposal; Certificate of lawfulness for the continued use of storage/distribution (class B8)
Start Date: 6 October 2023
Procedure:
Inquiry
Questionnaire Due Date: 20 October 2023
Statement Due Date: 17 November 2023
Inquiry Date: 30 January 2024

App.No: 22/2802/AGR
Appeal Ref: APP/U1105/W/23/3325082
Appellant: Mr Justin Lacey
Address: Land At Woodhouse Fields Lyme Road Uplyme
Proposal; General purpose forestry building
Start Date: 11 October 2023

Procedure:
Written Reps

Questionnaire Due Date: 18 October 2023
Statement Due Date: 15 November 2023

App.No: 23/0298/FUL
Appeal Ref: APP/U1105/W/23/3330631
Appellant: F W S Carter & Son
Address: Greendale Farm Shop NHS Drive Through Vaccination
Centre Sidmouth Road Farringdon Devon
Proposal; Retention of NHS Vaccination Centre and associated car park
Start Date: 13 October 2023

Procedure:
Hearing

Questionnaire Due Date: 20 October 2023
Statement Due Date: 17 November 2023
Hearing Date: 9 January 2024

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: 22/0975/MFUL
Appeal Ref: APP/U1105/W/23/3330735
Appellant: Eagle One MIII Limited
Address: 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
Start Date: 19 October 2023
Procedure:
Hearing
Questionnaire Due Date: 26 October 2023
Statement Due Date: 23 November 2023
Hearing Date: 21 February 2024

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: 22/2779/PIP
Appeal Ref: APP/U1105/W/23/3326363
Appellant: Mr Tony Bowden
Address: 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).
Start Date: 30 October 2023
Procedure:
Questionnaire Due Date: 6 November 2023
Statement Due Date: 4 December 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 Whimble
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: 23/1352/FUL
Appeal Ref: APP/U1105/D/23/3331532
Appellant: Mr Bruce Bailey
Address: 13 Mount Pleasant Avenue Exmouth EX8 4QG
Proposal; To install wooden featheredge board corner fence along boundaries adjacent to Mount Pleasant Avenue and Swiss Close. [Retrospective]
Start Date: 1 November 2023
Procedure:
Householder
Questionnaire Due Date: 8 November 2023
