

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

Ref: 23/1246/FUL **Date Received** 05.12.2023
Appellant: Mr & Mrs D Moll
Appeal Site: Flat 2 7 Louisa Terrace Exmouth EX8 2AQ
Proposal: Proposed window/doors, revised terrace and guarding
(amended fenestration opening detail)
Planning APP/U1105/W/23/3334501
Inspectorate Ref:

Ref: 23/0743/FUL **Date Received** 06.12.2023
Appellant: Mr I Davies
Appeal Site: Magnolia Cottage Coburg Road Sidmouth Devon EX10
8NF
Proposal: Retention of a boundary screen.
Planning APP/U1105/D/23/3334607
Inspectorate Ref:

Ref: 23/1279/FUL **Date Received** 20.12.2023
Appellant: Mr Alban Connell
Appeal Site: Land Adjacent Poppins Goldsmith Lane All Saints
Proposal: Conversion of an agricultural barn to form a 1-bedroom
dwelling.
Planning APP/U1105/W/23/3335680
Inspectorate Ref:

Ref: 23/2155/FUL **Date Received** 05.01.2024
Appellant: Mr & Mrs D Moll
Appeal Site: Flat 2 7 Louisa Terrace Exmouth Devon EX8 2AQ
Proposal: For proposed window/door
Planning APP/U1105/W/24/3336452
Inspectorate Ref:

Ref: 22/1973/MOUT **Date Received** 06.01.2024
Appellant: ALD Developments (Mr A Davis)
Appeal Site: Land East Of Sidmouth Road Ottery St Mary
Proposal: Outline application with some matters reserved (access) for
the residential development of up to 63 dwellings and
associated infrastructure.
Planning APP/U1105/W/24/3336475
Inspectorate Ref:

Ref: 23/1829/FUL **Date Received** 09.01.2024
Appellant: Mr Harry Carter
Appeal Site: H Carter And Sons 50 High Street Budleigh Salterton EX9 6LJ
Proposal: Replacement shop front and installation of 2no new UPVC windows to replace existing bay windows
Planning Inspectorate Ref: APP/U1105/W/24/3336569

Ref: 23/2209/FUL **Date Received** 10.01.2024
Appellant: Gill Parry
Appeal Site: 1A Jarvis Close Exmouth Devon EX8 2PX
Proposal: Revised proposals for the construction of a two storey dwelling with associated car parking and amenity space [Previously submitted under 22/1516/FUL]
Planning Inspectorate Ref: APP/U1105/W/24/3336804

Ref: 23/2237/FUL **Date Received** 14.01.2024
Appellant: Mr M Tubbs
Appeal Site: 7 Greenway Seaton EX12 2SE
Proposal: Construction of garden room.
Planning Inspectorate Ref: APP/U1105/D/24/3336866

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

Ref: 22/2126/FUL **Appeal Ref:** 23/00009/REF
Appellant: Mr Josh Baker
Appeal Site: Annexe At Huxham View (Church Hill Cottage) Pinhoe Exeter EX4 9JJ
Proposal: Change of use from redundant annexe to C3 dwelling house.
Decision: **Appeal Allowed Date:** 07.12.2023
(with conditions)
Procedure: Written representations
Remarks: Delegated refusal, accessibility and reasons overruled (EDLP Policies D8 & TC2 and Strategy 5B).

The Inspector acknowledged that it was highly likely that the proposed development would result in future occupiers being largely reliant on the private car to access services and facilities in the local area. However, given that the appeal site is only a short distance from a wide variety of services and facilities, the Inspector considered that it was reasonable to conclude that the majority of these trips would be very short and as such, the associated harm arising from the increase in car travel would be limited.

The Inspector found conflict with Policies D8 and TC2 and Strategy 5B of the East Devon Local Plan, however, considered that the benefits of the proposal included the provision of a single new home that would assist in meeting need in the area, and provide support for local facilities.

The Inspector concluded that when assessed against the policies in the Framework taken as a whole, the adverse impacts would not significantly and demonstrably outweigh the benefits. The development therefore accords with the presumption in favour of sustainable development.

BVPI 204: **Yes**
Planning APP/U1105/W/23/3318928
Inspectorate Ref:

Ref: 23/0325/PIP **Appeal Ref:** 23/00013/REF
Appellant: Mr Dan Nicholls
Appeal Site: Land At Toadpit Lane West Hill Ottery St Mary EX11 1LQ
Proposal: Permission in principle for 2 no. new dwellings
Decision: **Appeal Dismissed Date:** 12.12.2023
Procedure: Written representations
Remarks: Delegated refusal, accessibility reasons upheld (EDLP Policies TC2 & D1 and Strategy 5B).

BVPI 204: **Yes**
Planning APP/U1105/W/23/3320367
Inspectorate Ref:

Ref: 22/2196/AGR **Appeal Ref:** 23/00018/REF
Appellant: Chadstone Farm Estate
Appeal Site: Chadstone Farm Rousdon Lyme Regis DT7 3XP
Proposal: Purpose built agricultural barn for the storage of tractors and machinery
Decision: **Appeal Allowed** **Date:** 12.12.2023
Procedure: (no conditions)
Remarks: Written representations
Delegated refusal, countryside protection landscape and justification reasons overruled (EDLP Policies D1 & D7 and Strategies 7, 44 & 46).

The Inspector considered that in the absence of any compelling or convincing evidence to the contrary, the proposed building would be reasonably necessary for the purposes of agriculture as set out in the GPDO.

Having regard to the location of the building, the Inspector considered that the proposal would be typically agricultural in its appearance and of a very small scale such that it would not appear unduly prominent or out of place. As such, the proposed siting of the development would not have a visually harmful effect on the surrounding area.

The Inspector concluded that the proposal would be permitted development and would be acceptable with respect to the character and appearance of the area resulting from the siting of the proposed building.

BVPI 204: **No**
Planning APP/U1105/W/23/3321823
Inspectorate Ref:

Ref: 22/2389/PIP **Appeal Ref:** 23/00002/REF
Appellant: Mr Luke Drakes
Appeal Site: 1 Colliton Cross Broadhembury Honiton EX14 3LQ
Proposal: Permission in principle for a two storey 4-bed dwelling and garage on amenity land
Decision: **Appeal Dismissed** **Date:** 13.12.2023
Procedure: Written representations
Remarks: Delegated refusal, accessibility reasons upheld (EDLP Policy TC2 & Strategy 5B).
BVPI 204: **Yes**
Planning APP/U1105/W/23/3315470
Inspectorate Ref:

Ref:	21/F0248	Appeal Ref:	23/00023/ENFAPP
Appellant:	Helen Dawn Cutler		
Appeal Site:	Land Northeast of Clyst William Cross Plymtree		
Proposal:	Appeal against enforcement notice served in respect of the siting of a shipping container and storage shed, the creation of access and hardstanding and the change of use of part of the land to residential use by the stationing of a touring caravan for residential occupation, without planning permission.		
Decision:	Split Decision	Date:	14.12.2023
Procedure:	Written representations		
Remarks:	Countryside protection and justification reasons upheld (EDLP Policies D1 & H4 and Strategy 7). Enforcement Notice corrected and upheld. Appeal dismissed with the exception of the creation of the access which has been allowed.		
	The Inspector considered that the creation of the access did not cause any harm to the character and appearance of the area.		
BVPI 204:	No		
Planning	APP/U1105/C/23/3322437		
Inspectorate Ref:			

Ref:	22/2120/MFUL	Appeal Ref:	23/00024/REF
Appellant:	Churchill Retirement Living		
Appeal Site:	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)		
Decision:	Appeal Allowed (with conditions)	Date:	21.12.2023
Procedure:	Inquiry		
Remarks:	Officer recommendation to approve, Committee refusal, loss of employment land and affordable housing reasons overruled (EDLP Policy H2 and Strategies 4, 32 & 34, Exmouth NP Policy EE3).		
	Following legal advice, the Planning Committee decided to withdraw all of the reasons for refusal and not contest the appeal.		
BVPI 204:	Yes		
Planning	APP/U1105/W/23/3324701		
Inspectorate Ref:			

Ref:	22/0120/FUL	Appeal Ref:	22/00044/NONDET
Appellant:	Mr & Mrs Charles Isaac		
Appeal Site:	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.		
Decision:	Appeal Dismissed	Date:	09.01.2024
Procedure:	Written representations		
Remarks:	Appeal against non-determination of the application within the statutory time period. Application for a full award of costs against the Council refused.		
	The Inspector concluded that the proposal would have a harmful impact on the character and appearance of the conservation area and on the amenity of neighbours (EDLP Policies D1 & EN10, Exmouth NP Policies EB1 & EB2).		
BVPI 204:	Yes		
Planning	APP/U1105/W/22/3305821		
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: 22/2216/MFUL
Appeal Ref: APP/U1105/W/23/3319803
Appellant: Enso Green Holdings B Limited
Address: Pound Road BESS Land northeast 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: 22/2030/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 MMLL 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:
Written Reps.
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: 22/2533/MOUT
Appeal Ref: APP/U1105/W/23/3322776
Appellant: Morrish Homes & Messrs Compton, Stephenson, Olliff & Sanders
Address: Land North of Oak Road West Hill EX11 1SJ
Proposal; Outline application for the erection of 23no. dwellings with all matters reserved save for formation of vehicular and pedestrian access.

Start Date: 13 November 2023
Procedure:
Hearing
Questionnaire Due Date: 20 November 2023
Statement Due Date: 18 December 2023
Hearing Date: 28 February 2024

App.No: 22/0974/FUL
Appeal Ref: APP/U1105/W/23/3327489
Appellant: Mr Andrew Rennie
Address: 11 Mill Lane Branscombe Devon EX12 3DS
Proposal; Retrospective planning application for the installation of one 7KW Air Source Heat Pump (ASHP).

Start Date: 14 November 2023
Procedure:
Written Reps.

Questionnaire Due Date: 21 November 2023
Statement Due Date: 19 December 2023

App.No: 22/2485/FUL
Appeal Ref: APP/U1105/W/23/3326441
Appellant: Mr and Mrs Browne
Address: Stables And Sand School adj. Willowmead Toby Lane
Woodbury Salterton
Proposal; Change of use from stable to self-build dwelling including
associated works and parking.
Start Date: 15 November 2023
Procedure:
Written Reps.
Questionnaire Due Date: 22 November 2023
Statement Due Date: 20 December 2023

App.No: 22/2353/FUL
Appeal Ref: APP/U1105/W/23/3326573
Appellant: Mr & Mrs J Taylor - Bashford
Address: Land Adjoining 12 The Copse Exmouth Devon EX8 4EY
Proposal; Erection of a two storey 3-bed detached dwelling.
Start Date: 15 November 2023
Procedure:
Written Reps.
Questionnaire Due Date: 22 November 2023
Statement Due Date: 20 December 2023

App.No: 23/0891/FUL
Appeal Ref: APP/U1105/D/23/3330810
Appellant: Johanna Leonard
Address: 6 Ash Grove Exmouth EX8 3BN
Proposal; Retention of porch to front of dwelling.
Start Date: 16 November 2023
Procedure:
Written Reps.
Questionnaire Due Date: 23 November 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
