

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

Ref: 23/2535/PIP **Date Received** 16.02.2024
Appellant: Mr Gary Moore (The Land & Planning Consultancy Ltd)
Appeal Site: Land Adjacent Elsdon House Elsdon Lane West Hill
Proposal: Permission in principle for the demolition of an existing
greenhouse and the construction of two dwellings
Planning APP/U1105/W/24/3338889
Inspectorate Ref:

Ref: 23/1270/CPE **Date Received** 20.02.2024
Appellant: Mr and Mrs C M Summers
Appeal Site: 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.
Planning APP/U1105/X/24/3339119
Inspectorate Ref:

Ref: 23/0810/FUL **Date Received** 26.02.2024
Appellant: Mr Alan Stevenson
Appeal Site: 8 Mill Street Sidmouth EX10 8DF
Proposal: Proposed two storey rear extension
Planning
Inspectorate Ref:

Ref: 23/1115/FUL **Date Received** 27.02.2024
Appellant: Antony Paul
Appeal Site: 24 Cherry Close Honiton Devon EX14 2XT
Proposal: Construction of a new dwelling.
Planning APP/U1105/W/24/3339579
Inspectorate Ref:

Ref: 23/0176/FUL **Date Received** 27.02.2024
Appellant: Mrs Eileen Wilkins
Appeal Site: 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)
Planning APP/U1105/D/24/3339590
Inspectorate Ref:

Ref: 24/0017/FUL **Date Received** 08.03.2024
Appellant: Ms Sam Knighton
Appeal Site: The Maltsters Arms Greenway Woodbury Exeter EX5 1LN
Proposal: Retrospective application for retention of marquee to be used
as ancillary accommodation to the Maltster's Public House
Planning APP/U1105/W/24/3340283
Inspectorate Ref:

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

Ref: 22/2030/FUL **Appeal Ref:** 23/00021/REF
Appellant: Alice Johnson (Queen's Drive CIC)
Appeal Site: 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
Decision: **Appeal Allowed** **Date:** 12.02.2024
(with conditions)
Procedure: Written representations
Remarks: Officer recommendation to approve, Committee refusal. Application for a full award of costs against the Council refused. Amenity reasons overruled (EDLP Policies D1 & D2, Exmouth NP Policy EB2).

The Inspector considered that the siting of the proposed structure would ensure that views of the sea from the promenade would not be interrupted. Furthermore, the building would occupy a relatively small part of a grassed area and would not therefore compromise the openness of the site and its surroundings.

The Inspector concluded that the proposed development would not cause harm to the character and appearance of the area and therefore complies with Policies D1 and D2 of the East Devon Local Plan 2013 – 2031 and Policy EB2 of the Exmouth Neighbourhood Plan 2018 – 2031.
BVPI 204: **Yes**
Planning APP/U1105/W/23/3323724
Inspectorate Ref:

Ref: 22/2216/MFUL **Appeal Ref:** 23/00010/REF
Appellant: Enso Green Holdings B Limited
Appeal Site: 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.
Decision: **Appeal Dismissed** **Date:** 16.02.2024
Procedure: Inquiry
Remarks: Officer recommendation to approve, Committee refusal. Landscape, fire safety and potential pollution reasons upheld (EDLP Strategies 7,39 & 46, Policies 7 & 46).
BVPI 204: **Yes**
Planning APP/U1105/W/23/3319803
Inspectorate Ref:

Ref: 22/1836/FUL **Appeal Ref:** 23/00011/HH
Appellant: Mr Joe Priday
Appeal Site: Hux Shard Church Hill Exeter Devon EX4 9JJ
Proposal: Erection of annexe
Decision: **Appeal Dismissed** **Date:** 20.02.2024
Procedure: Written representations
Remarks: Delegated refusal, amenity reasons upheld (EDLP Policy D1 & Strategy 5).
BVPI 204: **Yes**
Planning APP/U1105/D/23/3319877
Inspectorate Ref:

Ref: 23/F0056 **Appeal Ref:** 23/00014/ENFAPP
Appellant: Donovan George Galling
Appeal Site: Unit 1 The Workshops Deer Park Farm Buckerell Honiton
Proposal: Appeal against the serving of an enforcement notice in respect of the unauthorised use of a building for use as a gymnasium.
Decision: **Appeal Dismissed** **Date:** 27.02.2024
Procedure: Written representations
Remarks: Enforcement Notice corrected and upheld. Accessibility reasons upheld (EDLP Policies RC2, TC2 & Strategy 7).
BVPI 204: **No**
Planning APP/U1105/C/23/3320164
Inspectorate Ref:

Ref: 22/1782/FUL **Appeal Ref:** 23/00056/REF
Appellant: Mr & Mrs Paul and Sarah Howes
Appeal Site: Land and outbuilding at North Star Ottery Street Otterton
Proposal: Conversion of 2no. barns into an MOT testing centre with associated office and waiting room; new hard surface parking area, 2no. EV charging points, turning circle and sales vehicle parking
Decision: **Appeal Withdrawn** **Date:** 28.02.2024
Procedure:
Remarks:
BVPI 204: **No**
Planning APP/U1105/W/23/3333929
Inspectorate Ref:

Ref: 23/0532/CPE **Appeal Ref:** 23/00039/NONDET
Appellant: Richard Holman
Appeal Site: 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)
Decision: **Appeal Dismissed** **Date:** 29.02.2024
Procedure: Written representations
Remarks: Appeal against the non-determination of the application within
the prescribed time limit. Application for a full award of costs
against the Council refused.

The Council resolved that on the balance of probabilities the evidence provided was not considered to confirm that the entirety of the site has been used for B8 storage use for more than ten years, as there had been no material change of use of the land from its original agricultural use.

The Inspector concluded that the Council's reasons were well founded and refused to grant a Certificate of Lawful Use.

BVPI 204: **No**
Planning APP/U1105/X/23/3330560
Inspectorate Ref:

Ref: 22/2802/AGR **Appeal Ref:** 23/00025/REF
Appellant: Mr Justin Lacey
Appeal Site: Land At Woodhouse Fields Lyme Road Uplyme
Proposal: Prior approval for general purpose forestry building
Decision: **Appeal Dismissed** **Date:** 01.03.2024
Procedure: Written representations
Remarks: Delegated refusal.
The Inspector agreed with the Council that the proposal did not constitute Permitted Development under Schedule 2 Part 6 of the GPDO 2015.

BVPI 204: **No**
Planning APP/U1105/W/23/3325082
Inspectorate Ref:

Ref: 23/0298/FUL **Appeal Ref:** 23/00040/REF
Appellant: F W S Carter & Son
Appeal Site: Greendale Farm Shop NHS Drive Through Vaccination
Centre Sidmouth Road Farringdon Devon
Proposal: Retention of NHS Vaccination Centre and associated car park
Decision: **Appeal Dismissed** **Date:** 01.03.2024
Procedure: Hearing
Remarks: Officer recommendation to refuse, Committee refusal.
Accessibility and landscape reasons upheld (EDLP Strategies 1, 5B, 7 & 46, Policies D1 & TC2).

BVPI 204: **Yes**
Planning APP/U1105/W/23/3330631
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: 22/0975/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:
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 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: 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: 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
