

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

Ref: 23/1849/FUL **Date Received** 14.05.2024
Appellant: Mr Mark Weekes
Appeal Site: Land South Of Dunsmore Farm Rewe Exeter EX5 4DX
Proposal: Proposed erection of a permanent rural workers dwelling, 2x proposed car port and installation of 28x solar panels on roof.
Planning Inspectorate Ref: APP/U1105/W/24/3344323

Ref: 23/2418/PDQ **Date Received** 22.05.2024
Appellant: Mr and Mrs Willis
Appeal Site: Higher Berry Farm Clyst St Lawrence Cullompton EX15 2NW
Proposal: Prior approval application to convert existing farm building to a residential dwelling with associated development
Planning Inspectorate Ref: APP/U1105/W/24/3344843

Ref: 24/0525/COU **Date Received** 24.05.2024
Appellant: M Stephen Hartwell
Appeal Site: Land Adjacent To Grange Farm Newton Poppleford EX10 0BY
Proposal: Change of use of agricultural land to residential garden
Planning Inspectorate Ref: APP/U1105/W/24/3345084

Ref: 24/0325/FUL **Date Received** 28.05.2024
Appellant: Mr D J Blackmore
Appeal Site: Southlands Gardens King Street Honiton
Proposal: Demolition of storage building and erection of a one bedroom bungalow.
Planning Inspectorate Ref: APP/U1105/W/24/3345160

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

Ref: 23/0402/FUL **Appeal Ref:** 23/00029/REF
Appellant: Mr K Mooney
Appeal Site: Land Lying to The South of Rull Barton Rull Lane Whimble
Proposal: Construction of dwelling and associated works
Decision: **Appeal Dismissed** **Date:** 08.05.2024
Procedure: Written representations
Remarks: Delegated refusal, countryside protection and amenity reasons upheld (EDLP Policy D1, Strategy 7).
BVPI 204: **Yes**
Planning APP/U1105/W/23/3326357
Inspectorate Ref:

Ref: 23/1316/FUL **Appeal Ref:** 24/00023/REF
Appellant: Mr & Mrs Halse
Appeal Site: Combehayes Farm Buckerell Devon EX14 3ET
Proposal: Demolition of existing extension and proposed replacement single storey extension, reconfiguring external stone wall and hard landscaping
Decision: **Appeal Invalid** **Date:** 08.05.2024
Procedure:
Remarks: Appeal submitted out of time.
BVPI 204: **No**
Planning APP/U1105/D/24/3343239
Inspectorate Ref:

Ref: 23/2343/FUL **Appeal Ref:** 24/00008/HH
Appellant: Mr James Werb
Appeal Site: 13 Parkside Crescent Exeter EX1 3TW
Proposal: New garage and parking spaces.
Decision: **Appeal Dismissed** **Date:** 09.05.2024
Procedure: Householder
Remarks: Delegated refusal, amenity reasons upheld (EDLP Policy D1, Broadclyst NP Policy D1).
BVPI 204: **Yes**
Planning APP/U1105/D/24/3338080
Inspectorate Ref:

Ref: 23/1419/FUL **Appeal Ref:** 24/00006/HH
Appellant: Ms J Grigg
Appeal Site: 41 Fleming Avenue Sidmouth Devon EX10 9NH
Proposal: Erection of first floor side extension
Decision: **Appeal Allowed** **Date:** 09.05.2024
(with conditions)
Procedure: Householder
Remarks: Delegated refusal, amenity reasons overruled (EDLP Policy D1, SVNP Policy 6).

The Inspector acknowledged that this residential area is not overly spacious given its original layout and also a number of extensions which have been undertaken. However, residents would rightly expect a reasonable level of amenity and outlook.

The Inspector considered that the proposal would not have a dominating impact for neighbours at 24 Drakes Avenue and they would continue to enjoy good quality living conditions.

The Inspector concluded that the appeal proposal would not have unacceptable adverse effects on living conditions for neighbours and is therefore in accordance with the relevant Local Plan and Neighbourhood Plan Policies which amongst other matters, seek to ensure that new development would safeguard the amenity of neighbours.

BVPI 204: **Yes**
Planning APP/U1105/D/24/3337466
Inspectorate Ref:

Ref: 22/0058/FUL **Appeal Ref:** 22/00045/REF
Appellant: Sophie, Harriet and Oliver Persey
Appeal Site: 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.
Decision: **Appeal Dismissed** **Date:** 10.05.2024
Procedure: Written representations
Remarks: Officer recommendation to refuse, Committee refusal, accessibility reasons upheld (EDLP Policy TC2, Strategies 7 & 27).
BVPI 204: **Yes**
Planning APP/U1105/W/22/3305830
Inspectorate Ref:

Ref: 23/0615/VAR **Appeal Ref:** 23/00045/REF
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.
Decision: **Appeal Allowed** **Date:** 21.05.2024
(with conditions)
Procedure: Written representations
Remarks: Officer recommendation to approve, Committee refusal,
accessibility and justification reasons overruled (EDLP Policy
TC2, Strategies 7 & 33).

The Inspector considered that whilst the proposed variation of the condition would allow an unrestricted dwelling in an area of open countryside, it had not been demonstrated that the occupancy of the dwelling, otherwise than in connection with the caravan and camping park, would have a material impact on the number of journeys by private car to and from the site, having regard to its existing use as a dwelling. Furthermore, there was no substantive evidence that the accommodation was required in connection with the day-to-day operational needs of the site, or that the unfettered occupation of the property would undermine the current or future viability of the business.

The Inspector concluded that the appeal site is not a suitable location for an unrestricted dwelling when judged against relevant development plan policies relating to the location of residential development and to minimise the need to travel by car. As such, it would not accord with the development plan as a whole. However, the weight to be given to this conflict is modest because the harm that would arise would be very limited.

The disputed condition is not necessary, in the interests of the operation of the business and, as such, the variation of the condition as proposed would not be contrary to Strategy 33 of the LP which seeks to support and facilitate high quality tourism in East Devon or the aims of the Framework with regards to supporting a prosperous rural economy.

BVPI 204: **Yes**
Planning APP/U1105/W/23/3331385
Inspectorate Ref:

Ref: 22/1082/FUL **Appeal Ref:** 23/00030/REF
Appellant: Pete Gibbins
Appeal Site: Wild Flowers Seaton Road Colyford EX24 6QW
Proposal: Construction of 1 no. dwelling, means of access and associated works
Decision: **Appeal Dismissed** **Date:** 22.05.2024
Procedure: Written representations
Remarks: Delegated refusal, amenity reasons upheld (EDLP Policy D1, Strategy 7, Colyton NP Policy Coly 6).
BVPI 204: **Yes**
Planning APP/U1105/W/23/3326385
Inspectorate Ref:

Ref: 22/0074/FUL **Appeal Ref:** 23/00017/REF
Appellant: Penelope Jane Cook
Appeal Site: Country West Trading Estate Tytherleigh Axminster EX13 7BE
Proposal: Construction of 5 no. dwellings, means of access and associated works
Decision: **Appeal Dismissed** **Date:** 24.05.2024
Procedure: Written representations
Remarks: Delegated refusal, accessibility, amenity and ecology reasons upheld (EDLP Policies D1, D3, TC2, EN5, Strategies 3, 5, 5B, 7, 47, Chardstock NP Policy CPNP04).
BVPI 204: Yes
Planning APP/U1105/W/23/3321677
Inspectorate Ref:

Ref: 23/0743/FUL **Appeal Ref:** 23/00060/HH
Appellant: Mr I Davies
Appeal Site: Magnolia Cottage Coburg Road Sidmouth Devon EX10 8NF
Proposal: Retention of a boundary screen.
Decision: **Appeal Dismissed** **Date:** 29.05.2024
Procedure: Householder
Remarks: Delegated refusal, amenity and conservation reasons upheld (EDLP Policies D1, EN9, EN10, SVNP Policy 7).
BVPI 204: **Yes**
Planning APP/U1105/D/23/3334607
Inspectorate Ref:

Ref: 23/0401/OUT **Appeal Ref:** 23/00026/REF
Appellant: Philip Jordan
Appeal Site: Exton Lodge Mill Lane Exton EX3 0PJ
Proposal: Outline proposal for a single dwelling with all matters reserved other than access
Decision: **Appeal Dismissed** **Date:** 31.05.2024
Procedure: Written representations
Remarks: Officer recommendation to refuse, Committee refusal, accessibility reasons upheld (EDLP Policy TC2, Strategies 7 & 27).
BVPI 204: **Yes**
Planning APP/U1105/W/23/3325280
Inspectorate Ref:

East Devon District Council List of Appeals in Progress

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: 2 July 2024

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:
Hearing
Questionnaire Due Date: 2 November 2023
Statement Due Date: 30 November 2023
Hearing Date: 30 July 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: 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: 23/0809/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: 23/0102/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

App.No: 23/1270/CPE
Appeal Ref: APP/U1105/X/24/3339119
Appellant: Mr and Mrs C M Summers
Address: 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.
Start Date: 14 March 2024
Procedure: Written reps.
Questionnaire Due Date: 28 March 2024
Statement Due Date: 25 April 2024

App.No: 22/2582/FUL
Appeal Ref: APP/U1105/W/23/3332347
Appellant: Mr Justin Werb
Address: Barnards (land adjoining) Harepath Hill Seaton EX12 2TF
Proposal; Erection of one dwelling and associated works.
Start Date: 20 March 2024
Procedure: Written reps.
Questionnaire Due Date: 27 March 2024
Statement Due Date: 24 April 2024

App.No: 23/1246/FUL
Appeal Ref: APP/U1105/W/23/3334501
Appellant: Mr & Mrs D Moll
Address: Flat 2 7 Louisa Terrace Exmouth EX8 2AQ
Proposal; Proposed window/doors, revised terrace and guarding (amended fenestration opening detail)
Start Date: 25 March 2024
Procedure: Written reps.
Questionnaire Due Date: 1 April 2024
Statement Due Date: 29 April 2024

App.No: 23/2155/FUL
Appeal Ref: APP/U1105/W/24/3336452
Appellant: Mr & Mrs D Moll
Address: Flat 2 7 Louisa Terrace Exmouth Devon EX8 2AQ
Proposal; For proposed window/door
Start Date: 25 March 2024

Procedure:
Written reps.

Questionnaire Due Date: 1 April 2024
Statement Due Date: 29 April 2024

App.No: 23/0176/FUL
Appeal Ref: APP/U1105/D/24/3339590
Appellant: Mrs Eileen Wilkins
Address: Whiteleaf Poltimore EX4 0AD
Proposal; The construction of a fence between the property and the road to replace a ten feet high Leylandii hedge (retrospective)
Start Date: 25 March 2024

Procedure:
Householder

Questionnaire Due Date: 1 April 2024

App.No: 23/1279/FUL
Appeal Ref: APP/U1105/W/23/3335680
Appellant: Mr Alban Connell
Address: Land Adjacent Poppins Goldsmith Lane All Saints
Proposal; Conversion of an agricultural barn to form a 1-bedroom dwelling.
Start Date: 26 March 2024

Procedure:
Written reps.

Questionnaire Due Date: 2 April 2024
Statement Due Date: 30 April 2024

App.No: 22/0349/OUT
Appeal Ref: APP/U1105/W/23/3334118
Appellant: Mr & Mrs Reeves
Address: Kilmore House Poltimore Exeter EX4 0AT
Proposal; Outline application for an exception site comprising of 4 affordable houses and 2 open market houses
Start Date: 3 April 2024
Procedure:
Written reps.
Questionnaire Due Date: 10 April 2024
Statement Due Date: 8 May 2024

App.No: 23/0332/FUL
Appeal Ref: APP/U1105/W/24/3337198
Appellant: Mrs H Mitchell
Address: Land Adjacent to The Gardens Blackhorse
Proposal; Construction of 5 dwellings with associated new vehicular access off Blackhorse Lane, parking and landscaping
Start Date: 8 April 2024
Procedure:
Written reps.
Questionnaire Due Date: 15 April 2024
Statement Due Date: 13 May 2024

App.No: 23/2209/FUL
Appeal Ref: APP/U1105/W/24/3336804
Appellant: Gill Parry
Address: 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]
Start Date: 8 April 2024
Procedure:
Written reps.
Questionnaire Due Date: 15 April 2024
Statement Due Date: 13 May 2024

App.No: 22/1973/MOUT
Appeal Ref: APP/U1105/W/24/3336475
Appellant: ALD Developments (Mr A Davis)
Address: 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.
Start Date: 10 April 2024
Procedure:
Written reps.
Questionnaire Due Date: 17 April 2024
Statement Due Date: 15 May 2024

App.No: 23/0810/FUL
Appeal Ref: APP/U1105/D/24/3341105
Appellant: Mr Alan Stevenson
Address: 8 Mill Street Sidmouth EX10 8DF
Proposal; Proposed two storey rear extension
Start Date: 12 April 2024
Procedure:
Written reps.
Questionnaire Due Date: 19 April 2024
Statement Due Date: 17 May 2024

App.No: 23/2535/PIP
Appeal Ref: APP/U1105/W/24/3338889
Appellant: Mr Gary Moore (The Land & Planning Consultancy Ltd)
Address: 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
Start Date: 15 April 2024
Procedure:
Written reps.
Questionnaire Due Date: 22 April 2024
Statement Due Date: 20 May 2024

App.No: 23/1477/FUL
Appeal Ref: APP/U1105/W/23/3331844
Appellant: Mrs Charlotte Macadam
Address: Parmiters Combpyne Axminster EX13 8TE
Proposal; Change of use of land to residential garden.
Start Date: 16 April 2024
Procedure:
Written reps.

Questionnaire Due Date: 23 April 2024
Statement Due Date: 21 May 2024

App.No: 23/1829/FUL
Appeal Ref: APP/U1105/W/24/3336569
Appellant: Mr Harry Carter
Address: 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
Start Date: 16 April 2024
Procedure:
Written reps.

Questionnaire Due Date: 23 April 2024
Statement Due Date: 21 May 2024

App.No: 23/2031/FUL
Appeal Ref: APP/U1105/W/24/3340405
Appellant: Mr and Mrs Gaskin
Address: Castlewell Stockland Devon EX14 9DB
Proposal; Demolition of existing building. Replacement dwelling and associated works, including alterations to outbuilding to create a bat loft.
Start Date: 16 April 2024
Procedure:
Written reps.

Questionnaire Due Date: 23 April 2024
Statement Due Date: 21 May 2024

App.No: 23/1888/FUL
Appeal Ref: APP/U1105/W/24/3341824
Appellant: Mr and Mrs Peek
Address: Land Adjacent Irongate Lodge Escot Park Ottery St Mary
Proposal; Proposed dwelling and removal of timber structures and a summerhouse including 28 solar panels.
Start Date: 16 April 2024
Procedure:
Written reps.
Questionnaire Due Date: 23 April 2024
Statement Due Date: 21 May 2024

App.No: 23/1115/FUL
Appeal Ref: APP/U1105/W/24/3339579
Appellant: Antony Paul
Address: 24 Cherry Close Honiton Devon EX14 2XT
Proposal; Construction of a new dwelling.
Start Date: 23 April 2024
Procedure:
Written reps.
Questionnaire Due Date: 30 April 2024
Statement Due Date: 28 May 2024

Ref.No: 21/F0358
Appeal Ref: APP/U1105/C/24/3342728
Appellant: Mr Barry Hooper
Address: Higher Wick Farm, Luppitt
Proposal; Appeal against the serving of an enforcement notice in respect of the change of use of a former agricultural barn to a steel fabrication workshop.
Start Date: 25 April 2024
Procedure:
Inquiry
Questionnaire Due Date: 9 May 2024
Statement Due Date: 6 June 2024
Inquiry Date: 13 August 2024

App.No: 24/0017/FUL
Appeal Ref: APP/U1105/W/24/3340283
Appellant: Ms Sam Knighton
Address: 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
Start Date: 7 May 2024
Procedure:
Written reps.
Questionnaire Due Date: 14 May 2024
Statement Due Date: 11 June 2024

App.No: 23/1472/FUL
Appeal Ref: APP/U1105/W/24/3339709
Appellant: Mr Darren Pyne
Address: 18 Colleton Way Exmouth Devon EX8 3PX
Proposal; Separating existing property into two dwellings including gardens and driveways and addition of front porch.
Start Date: 14 May 2024
Procedure:
Written reps.
Questionnaire Due Date: 21 May 2024
Statement Due Date: 18 June 2024

App.No: 23/1978/FUL
Appeal Ref: APP/U1105/W/24/3341070
Appellant: Mr & Mrs Dan and Claire McCandlish
Address: Land Adjacent to Park House Plymtree
Proposal; Proposed new dwelling and relocated site access with associated landscaping and parking
Start Date: 23 May 2024
Procedure:
Written reps.
Questionnaire Due Date: 30 May 2024
Statement Due Date: 27 June 2024

App.No: 23/2540/VAR
Appeal Ref: APP/U1105/W/24/3341698
Appellant: Mr and Mrs Anthony
Address: Land South Of Underhill Close Lypstone
Proposal; Variation of conditions 1 (Approved plans), 8 (Privacy screen) and 9 (Void space) of 22/2410/RES (Application for approval of reserved matters (appearance, landscaping, layout and scale) for the construction of a predominantly single storey dwelling following outline application (20/0933/OUT) (pursuant to the grant of outline planning permission appeal ref: APP/U1105/W/21/3282445) to update the house design and drawing reference numbers

Start Date: 28 May 2024
Procedure: Written reps.

Questionnaire Due Date: 4 June 2024
Statement Due Date: 2 July 2024

App.No: 23/1333/FUL
Appeal Ref: APP/U1105/D/24/3341610
Appellant: Mr. & Mrs. M. Luckman
Address: Perky Pool Cottage Talaton Road Whimple Exeter EX5 2QZ
Proposal; Proposed extension to garage, including addition of external stair with bin store beneath, formation of half hipped roof extension on the rear elevation and alteration to fenestration.

Start Date: 29 May 2024
Procedure: Householder

Questionnaire Due Date: 5 June 2024
