

EAST DEVON DISTRICT COUNCIL
LIST OF PLANNING APPEALS LODGED

Ref: 24/0892/FUL **Date Received** 07.10.2024
Appellant: Mr Mathew Swabey
Appeal Site: Beachcroft Burrow Road Seaton Devon EX12 2NF
Proposal: Change of use from ancillary accommodation to holiday let (retrospective)
Planning Inspectorate Ref: APP/U1105/W/24/3353308

Ref: 24/0556/FUL **Date Received** 08.10.2024
Appellant: Mr P Groves
Appeal Site: Land to West of Marles Close Awliscombe
Proposal: Erection of a dwelling, to include a detached single garage, creation of a driveway and associated soft and hard landscaping.
Planning Inspectorate Ref: APP/U1105/W/24/3353376

Ref: 23/2422/FUL **Date Received** 16.10.2024
Appellant: Mr & Mrs Brinton
Appeal Site: Land To Rear of Great Halls Aylesbeare EX5 2FD
Proposal: Erection of highly sustainable self-build dwelling with associated landscaping and biodiversity enhancements.
Planning Inspectorate Ref: APP/U1105/W/24/3353886

Ref: 24/F0125 **Date Received** 21.10.2024
Appellant: Mr Graham Willett-Dalglish
Appeal Site: Land adjoining Harcombe Farm, Harcombe, Lyme Regis.
Proposal: Appeal against enforcement notice served in respect of the unauthorised siting of a residential caravan on the land.
Planning Inspectorate Ref: APP/U1105/C/24/3354198

Ref: 24/0640/FUL **Date Received** 27.10.2024
Appellant: Mr William Pratt
Appeal Site: Lily Farm Vineyard Dalditch Lane Budleigh Salterton EX9 7AH
Proposal: Construction of managers' accommodation and extension to Lily Farm Vineyard business premises
Planning Inspectorate Ref: APP/U1105/W/24/3354532

EAST DEVON DISTRICT COUNCIL
LIST OF PLANNING APPEALS DECIDED

Ref: 22/0686/MFUL **Appeal Ref:** 23/00020/REF
Appellant: Mr Troy Stuart
Appeal Site: 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)
Decision: **Appeal Allowed** **Date:** 07.10.2024
(with conditions)
Procedure: Written representations
Remarks: Officer recommendation to refuse, Committee refusal.
Countryside protection and amenity reasons overruled (EDLP Policies D1, D2, E4, E5, E7, Strategy 7).

The Inspector found that the site is not a suitable location in terms of access to services and facilities and the development harms the intrinsic character and beauty, including tranquillity, of the landscape. It also harms the living conditions of occupiers of neighbouring dwellings with particular regard to light, noise and disturbance, although this can be overcome through the use of appropriate conditions. The proposal would conflict with policies of the development plan and, as a result, it conflicts with the development plan as a whole.

The Inspector also found that there is a demonstrable and significant shortfall in the provision of employment land in the area and businesses within Hill Barton Business Park require additional space to enable their operation. The emerging Local Plan and draft Framework indicate support for this type of business and seek to find additional land to meet those needs. The appeal site can assist with meeting the identified need and contributing to the logistics sector in the short term. The appeal site and other land around Hill Barton Business Park may be allocated for development of a new settlement through the emerging Local Plan.

Taking account that the application is for use of the land for a temporary period of 3 years that would be removed at the end of that period, he considered that the above factors outweigh the harm arising from the conflict with the development plan for that period.

BVPI 204: Yes
Planning APP/U1105/W/23/3323252
Inspectorate Ref:

Ref: 21/F0364 **Appeal Ref:** 22/00012/ENFAPP
Appellant: Mr Troy Stuart
Appeal Site: Hill Barton Business Park Sidmouth Road Clyst St Mary
Proposal: Appeal against an Enforcement Notice served in respect of the carrying out of a material change of use of the land from agriculture to a mixed use agricultural and commercial parking area used by Lorries, Commercial Vehicles, Cars, Plant and Machinery and the siting of skips and shipping containers by the importation of aggregate, hard-core and underlying synthetic membrane.

Decision: **Appeal Dismissed** **Date:** 07.10.2024
Procedure: Written representations
Remarks: Enforcement Notice corrected and upheld.

This is a redetermination of the appeal following a judicial review. This decision supersedes that issued on 26 June 2023 which was quashed by order of the High Court.

BVPI 204: **No**
Planning APP/U1105/C/22/3295011
Inspectorate Ref:

Ref: 24/0017/FUL **Appeal Ref:** 24/00014/REF
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

Decision: **Appeal Dismissed** **Date:** 09.10.2024
Procedure: Written representations
Remarks: Delegated refusal, conservation and amenity reasons upheld (EDLP Policies D1, EN8, EN9, EN10).

BVPI 204: **Yes**
Planning APP/U1105/W/24/3340283
Inspectorate Ref:

Ref: 24/0325/FUL **Appeal Ref:** 24/00031/REF
Appellant: Mr D J Blackmore
Appeal Site: Southlands Gardens King Street Honiton
Proposal: Demolition of storage building and erection of a one-bedroom bungalow.

Decision: **Appeal Dismissed** **Date:** 09.10.2024
Procedure: Written representations
Remarks: Delegated refusal, access and amenity reasons upheld (EDLP Policy D1).

BVPI 204: **Yes**
Planning APP/U1105/W/24/3345160
Inspectorate Ref:

Ref: 23/1115/FUL **Appeal Ref:** 24/00012/REF
Appellant: Antony Paul
Appeal Site: 24 Cherry Close Honiton Devon EX14 2XT
Proposal: Construction of a new dwelling.
Decision: **Appeal Dismissed** **Date:** 15.10.2024
Procedure: Written representations
Remarks: Officer recommendation to refuse, Committee refusal.
Amenity and parking reasons upheld (EDLP Policies D1, TC9, Strategy 6).
BVPI 204: Yes
Planning APP/U1105/W/24/3339579
Inspectorate Ref:

Ref: 23/1317/LBC **Appeal Ref:** 24/00024/LBCREF
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 Dismissed** **Date:** 15.10.2024
Procedure: Written representations
Remarks: Delegated refusal, conservation reasons upheld (EDLP Policies EN8, EN9).
BVPI 204: No
Planning APP/U1105/Y/24/3343238
Inspectorate Ref:

Ref: 23/1670/FUL **Appeal Ref:** 24/00038/REF
Appellant: Mr Michael Stevens
Appeal Site: Coxes Farm Sidmouth Road Clyst St Mary Devon EX5 1DN
Proposal: Proposed two storey 2 bed house with parking.
Decision: **Appeal Dismissed** **Date:** 18.10.2024
Procedure: Written representations
Remarks: Delegated refusal, conservation, amenity and countryside protection reasons upheld (EDLP Policies D1, EN8, EN9, Strategy 7. NP Policy BiC07).
BVPI 204: Yes
Planning APP/U1105/W/24/3342434
Inspectorate Ref:

Ref: 22/2582/FUL **Appeal Ref:** 23/00049/REF
Appellant: Mr Justin Werb
Appeal Site: Barnards (land Adjoining) Harepath Hill Seaton EX12 2TF
Proposal: Erection of one dwelling and associated works.
Decision: **Appeal Allowed** **Date:** 22.10.2024
Procedure: **(with conditions)** Written representations
Remarks: Officer recommendation to refuse, Committee refusal.
Accessibility and amenity reasons overruled (EDLP Policies D1, TC2, Strategies 5B,7,8).

Whist acknowledging that the site is in a countryside location outside of the built-up area boundary for Seaton, the Inspector considered that future occupiers of the proposed dwelling would likely be able to walk or cycle to various services and facilities, including a local shop, a primary school, a hospital and a day nursery. Furthermore, regular bus services into the town centre can be accessed via bus stops only a short walk from the site.

The Inspector concluded that the site is in a sustainable location and the proposal would conform with Strategy 5B and Policy TC2, which in part seek to ensure that development is located in areas that promote the use of sustainable forms of transport.

The Inspector found conflict with Strategy 7 in terms of the location of the site, however, considered that there would be no resulting harm to the character or the appearance of the area.

BVPI 204: Yes
Planning APP/U1105/W/23/3332347
Inspectorate Ref:

Ref: 24/0525/COU **Appeal Ref:** 24/00032/REF
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
Decision: **Appeal Allowed** **Date:** 22.10.2024
Procedure: (with conditions)
Remarks: Written representations
Delegated refusal, Countryside protection and amenity reasons overruled (EDLP Policy D1, Strategies 7,46).

The Inspector noted that the site itself is undeveloped, and as such, its openness and verdancy ensure that it contributes positively to the character of the area. The site is, however, well contained by mature hedgerows and given the extensive planting on the boundaries of the site, any views of it from public spaces are very limited.

The Inspector concluded that the development would not result in harm to the character and appearance of the area and would therefore conform with Strategies 7 and 46, and Policy D1 of the Local Plan.

BVPI 204: Yes
Planning APP/U1105/W/24/3345084
Inspectorate Ref:

Ref: 23/2167/FUL **Appeal Ref:** 24/00037/REF
Appellant: Churchill Estates Management
Appeal Site: Tanyards Court Beer Road Seaton Devon EX12 2PA
Proposal: Erection of seagull netting on roof of Tanyard's Court [Retrospective]
Decision: **Appeal Dismissed** **Date:** 22.10.2024
Procedure: Written representations
Remarks: Delegated refusal, conservation reasons upheld (EDLP Policies D1, EN9, EN10).
BVPI 204: Yes
Planning APP/U1105/W/24/3345882
Inspectorate Ref:

Ref: 24/0217/FUL **Appeal Ref:** 24/00041/HH
Appellant: Mr Neil Hitt
Appeal Site: 1 Pithayes Cottages Church Road Whimple Devon EX5 2TG
Proposal: Construction of detached double garage with workshop and gym/storage on first floor.
Decision: **Appeal Dismissed** **Date:** 22.10.2024
Procedure: Written representations
Remarks: Delegated refusal, amenity and green wedge reasons upheld (EDLP Policy D1, Strategy 8).
BVPI 204: Yes
Planning APP/U1105/D/24/3347667
Inspectorate Ref:

Ref: 23/2548/COU **Appeal Ref:** 24/00034/REF
Appellant: Paul FitzHenry
Appeal Site: Ivy Green Farm Chardstock EX13 7BY
Proposal: Change of use of existing annexe accommodation to enable dual use as either annexe and/or holiday accommodation
Decision: **Appeal Dismissed** **Date:** 23.10.2024
Procedure: Written representations
Remarks: Delegated refusal, accessibility reasons upheld (EDLP Policies E16, TC2, Strategy 5B). Application for a full award of costs against the Council refused.
BVPI 204: Yes
Planning APP/U1105/W/24/3345720
Inspectorate Ref:

Ref: 23/2373/PIP **Appeal Ref:** 24/00033/REF
Appellant: Mr David Selway
Appeal Site: Land West of Backwells Mead Northleigh
Proposal: Permission in principle for 4no. dwellings
Decision: **Appeal Dismissed** **Date:** 24.10.2024
Procedure: Written representations
Remarks: Delegated refusal, accessibility and landscape reasons upheld (EDLP Policy TC2, Strategies 55, 7, 46).
BVPI 204: Yes
Planning APP/U1105/W/24/3345706
Inspectorate Ref:

Ref: 22/0349/OUT **Appeal Ref:** 23/00058/NONDET
Appellant: Mr & Mrs Reeves
Appeal Site: Kilmore House Poltimore Exeter EX4 0AT
Proposal: Outline application for an exception site comprising of 4 affordable houses and 2 open market houses
Decision: **Appeal Dismissed** **Date:** 30.10.2024
Procedure: Written representations
Remarks: Delegated resolution to refuse, accessibility and amenity reasons upheld (EDLP Policies D1, D2, TC2, Strategy 35).
BVPI 204: No
Planning APP/U1105/W/23/3334118
Inspectorate Ref:

East Devon District Council

List of Appeals in Progress

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:	23/2540/VAR	
Appeal Ref:	APP/U1105/W/24/3341698	
Appellant:	Mr and Mrs Anthony	
Address:	Land South Of Underhill Close Lymestone	
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: 24/0216/FUL
Appeal Ref: APP/U1105/W/24/3343467
Appellant: Mr Darrol Moss
Address: Brackenrigg Cathole Lane Yawl Devon DT7 3XD
Proposal: Site Log Cabin
Start Date: 25 June 2024 **Procedure:**
Written reps.
Questionnaire Due Date: 2 July 2024
Statement Due Date: 30 July 2024

App.No: 24/0088/FUL
Appeal Ref: APP/U1105/D/24/3345795
Appellant: Mrs Sascha Kranen
Address: 31 Oaklea Honiton EX14 1XH
Proposal: Construction of a two-storey rear extension
Start Date: 13 June 2024 **Procedure:**
Householder
Questionnaire Due Date: 20 June 2024

App.No: 24/0216/FUL
Appeal Ref: APP/U1105/W/24/3343467
Appellant: Mr Darrol Moss
Address: Brackenrigg Cathole Lane Yawl Devon DT7 3XD
Proposal: Site Log Cabin
Start Date: 25 June 2024 **Procedure:** Written reps.
Questionnaire Due Date: 2 July 2024
Statement Due Date: 30 July 2024
Hearing/Inquiry Date:

App.No:	23/0571/MFUL	
Appeal Ref:	APP/U1105/W/24/3341996	
Appellant:	Mr Paull (McCarthy and Stone Retirement Lifestyles Ltd)	
Address:	Former Council Offices Knowle Sidmouth EX10 8HL	
Proposal:	Redevelopment of site to provide: a) Care home building (Class C2) with associated parking, landscaping, staff and resident facilities and associated works, b) Extra care apartment building (53 units) with associated communal lounge, wellbeing suite, restaurant and care provision (class C2) c) Retirement living apartment building (33 units) with associated communal lounge d) Erection of 4 houses, and 3 townhouses (Class C3) along with accesses; internal car parking, roads, paths, retaining walls, refuse and landscaping associated with development. Retention/refurbishment of building B, erection of habitat building and sub-stations. (Demolition of buildings other than building B) Former Council Offices Knowle Sidmouth EX10 8HL	
Start Date:	9 July 2024	Procedure:
		Hearing
Questionnaire Due Date:	16 July 2024	
Statement Due Date:	13 August 2024	
Hearing Date:	5 November 2024	

App.No: 23/2523/FUL
Appeal Ref: APP/U1105/W/24/3347765
Appellant: Mr & Mrs Eccles
Address: Northcombe Farm Salcombe Regis EX10 0JQ
Proposal: Proposed annexe (conversion of redundant rural building)
Start Date: 19 August 2024

	Procedure:	Written reps.
Questionnaire Due Date:	26 August 2024	
Statement Due Date:		23 September 2024

App.No:	24/0164/FUL	
Appeal Ref:	APP/U1105/W/24/3351943	
Appellant:	Simon Barry	
Address:	15 Harepath Road Seaton EX12 2RP	
Proposal:	Planning permission and listed building consent for the demolition of a section of boundary wall, creation of access and parking space, construction of retaining walls and installation of an electric car charging unit to the front, east, elevation.	
Start Date:	18 October 2024	Procedure: Written reps.
Questionnaire Due Date:	25 October 2024	
Statement Due Date:	22 November 2024	

App.No:	24/0512/FUL	
Appeal Ref:	APP/U1105/W/24/3352912	
Appellant:	Teresa Loynd	
Address:	Woodentop Littledown Lane Newton Poppleford	
Proposal:	Alteration to design of agricultural building approved under ref. 17/1130/COU (retrospective), change of use of part of the land holding for amenity use including retention of a timber amenity hut.	
Start Date:	28 October 2024	Procedure:
		Written reps.
Questionnaire Due Date:	4 November 2024	
Statement Due Date:	2 December 2024	