

East Devon District Council

List of Planning Appeals Decided

Ref: EN 08/025 **Appeal Ref:**

Appellant: Ms F Carter

Appeal Site: Pooh Cottage Holiday Site, Budleigh Salterton

Proposal: Stationing of two mobile washrooms, subject of an enforcement notice

Decision: **Appeal Allowed** **Date:** 06.07 2009

Procedure: Written representations

Remarks: Enforcement Notice quashed, application for award of costs against the Council allowed. The Inspector did not consider that the Council's description of the alleged breach of planning control was correct. The Council alleged that the breach of planning control was- 'Without planning permission, the making of a material change in use of the land for the stationing of two mobile washroom units.' The Inspector considered that the alleged breach should have been described as – 'Without planning permission, the change of use of the land to use an extension to the lawful caravan and camping site.' In these circumstances, the Inspector considered that a material injustice would occur if the allegation was corrected and consequently quashed the notice and allowed the appeal.

BVPI 204: **No**

Planning Inspectorate Ref: APP/U1105/C/08/2070467

Ref: EN 08/044 **Appeal Ref:**

Appellant: C J Tonking

Appeal Site: Lansdown, Courtlands Lane, Lympstone

Proposal: Use of garage as hairdressing salon, subject of an enforcement notice

Decision: **Appeal Dismissed** **Date:** 08 07 2009

Procedure: Informal Hearing

Remarks: Enforcement Notice upheld, Highway safety and Policy reasons upheld. (DSP PolicyTR2 and EDLP Policies TA7 & SH1.)

BVPI 204: **No**

Planning Inspectorate Ref: APP/U1105/C/08/2089273

Ref: 08/2097/OUT **Appeal Ref:** 09/00020/REF
Appellant: Mr R Gillingham
Appeal Site: Barcombe Farm Berry Lane Hawkchurch Devon
Proposal: Conversion and extension of storage building to agricultural dwelling
Decision: **Appeal Dismissed** **Date:** 20.07.2009
Procedure: Informal Hearing
Remarks: Delegated refusal. Policy reasons upheld. (DSP Policy ST5 & EDLP Policies S5 & H8.)
BVPI 204: **Yes**
Planning APP/U1105/A/09/2100264/NWF
Inspectorate Ref:

Ref: 09/0052/COU **Appeal Ref:** 09/00021/REF
Appellant: Mr S Vincent
Appeal Site: Holcombe Park Holcombe Lane Ottery St Mary Devon EX11 1PG
Proposal: Change of use of agricultural land/building to horticultural/landscape gardening business and site office
Decision: **Appeal Allowed (with conditions)** **Date:** 23.07.2009
Procedure: Written representations
Remarks: Delegated refusal. Policy, sustainability and highway safety reasons overruled. (DSP Policy TR10 and EDLP Policies TA7, D10 & S5.) The Inspector considered that the use of the site for horticultural storage would be sympathetic to the rural character of the existing building and surrounding area. The restriction of open air storage to the rear of the building would ensure that the proposed development would not harm the character and appearance of the surrounding countryside. With regard to highway safety, the Inspector did not consider that the proposal would result in any significant increase in traffic movements and would not therefore have an adverse impact on highway safety.
BVPI 204: **Yes**
Planning APP/U1105/A/09/2100587/NWF
Inspectorate Ref:

Ref: 08/2582/FUL **Appeal Ref:** 09/00012/REF
Appellant: Mrs M Kelly
Appeal Site: Krinthia Barline Beer Devon EX12 3LS
Proposal: Detached Dormer bungalow
Decision: **Appeal Dismissed** **Date:** 27.07.2009
Procedure: Written representations
Remarks: Delegated refusal. Amenity reasons upheld. (DSP Policy CO6 and EDLP Policies S4 & D1.)
BVPI 204: **Yes**
Planning Inspectorate Ref: APP/U1105/A/09/2097494/WF

Ref: 07/2785/FUL **Appeal Ref:** 09/00024/REF
Appellant: Mr G King
Appeal Site: 25 St Johns Road Exmouth Devon EX8 4BY
Proposal: Erection of detached house
Decision: **Appeal Dismissed** **Date:** 30.07.2009
Procedure: Written representations
Remarks: Delegated refusal. Highway safety reasons upheld. (EDLP Policy TA7.)
BVPI 204: **Yes**
Planning Inspectorate Ref: APP/U1105/A/09/2102906/WF

Ref: 08/2333/FUL **Appeal Ref:** 09/00026/REF
Appellant: Mr Ashman
Appeal Site: 77 Bradham Lane Exmouth EX8 4AW
Proposal: Alterations to form vehicular access (retrospective)
Decision: **Appeal Dismissed** **Date:** 30.07.2009
Procedure: Written representations
Remarks: Delegated refusal. Highway safety reasons upheld. (EDLP Policy TA7.)
BVPI 204: **Yes**
Planning Inspectorate Ref: APP/U1105/A/09/2103567/WF

Ref: 09/0017/FUL **Appeal Ref:** 09/00027/REF
Appellant: Mr G Armstrong
Appeal Site: 96 Alexandria Road Sidmouth EX10 9HG
Proposal: Proposed extension to existing bunglaow
Decision: **Appeal Dismissed** **Date:** 30.07.2009
Procedure: Written representations
Remarks: Delegated refusal. Amenity reasons upheld. (EDLP Policies D1 & H7.)
BVPI 204: **Yes**
Planning Inspectorate Ref: APP/U1105/A/09/2103712/WF

Ref: 08/2544/FUL **Appeal Ref:** 09/00030/REF
Appellant: Mr & Mrs G Colley
Appeal Site: Little Hawley Hawley Bottom Axminster Devon EX13 7HR
Proposal: Re-position garage from site approved on planning application 07/1632/FUL
Decision: **Appeal Dismissed** **Date:** 30.07.2009
Procedure: Written representations
Remarks: Delegated refusal. Landscape and listed building conservation reasons upheld. (DSP Policies CO3 & CO7 and EDLP Policies EN1 & EN9.)
BVPI 204: **Yes**
Planning Inspectorate Ref: APP/U1105/A/09/2104134/WF

East Devon District Council
List of Planning Appeals Lodged

Ref: 08/2693/COU **Date Received** 10.07.2009
Appellant: G Carleton
Appeal Site: Courtlands House Lypstone Exmouth EX8 3NZ
Proposal: Change of use from function room and three flats to 20 bedroom
hotel and conference suite
Planning APP/U1105/A/09/2108217/NWF
Inspectorate
Ref:

Ref: 09/0692/FUL **Date Received** 16.07.2009
Appellant: Mr Bennett
Appeal Site: The Gallery Convent Road Sidmouth Devon EX10 8RE
Proposal: Construction of first floor balcony and external staircase
Planning APP/U1105/A/2108895/WF
Inspectorate
Ref:
