



North Devon Council

Report Date: 31st July 2023

Topic: Planning and Enforcement Appeal Decisions received since last report to Planning Committee. See Agenda for Planning Committee held on 14th June 2023.

Report by: Sue Thomas – Senior Planning Support Officer (Appeals).

1. INTRODUCTION

1.1. This report is to inform Planning Committee Members of the Planning and Enforcement Appeal Decisions received from the Planning Inspectorate.

2. RECOMMENDATIONS

2.1. That Members and other interested parties note the appeal decisions reported.

3. REASONS FOR RECOMMENDATIONS

3.1. The Appeal Decisions are reported for general information and to enable consideration of any implications they may have on future cases.

4. REPORT

- 4.1 **Appendix A** – Planning Appeal re 75072 – Erection of additional agricultural storage shed to that currently in situ to store tractors & agricultural machinery & fodder, Overdale, Buzzacott Lane, Combe Martin EX34 0NL - Appeal Allowed on 5th June 2023.
- 4.2 **Appendix B** – Planning Appeal re 75025 – Retrospective application for change of use of redundant agricultural buildings to B8 storage units (resubmission of application 73277), Hartland View Farm, Shirwell EX31 4LA – Appeal Allowed on 6th June 2023.
- 4.3 **Appendix C** – Planning Appeal re 74974 - Erection of permanent reception building associated with existing campsite to replace portable units, Ocean Pitch Campsite, Moor Lane, Croyde EX33 1NZ – Appeal Dismissed on 14th June 2023
- 4.4 **Appendix D** – Planning Appeal re 74800 – Outline application for erection of dwelling (all matters reserved), 2 Lane Head Cottage, Moor Lane, Croyde EX33 1NN – Appeal Dismissed on 16th June 2023
- 4.5 **Appendix E** – Householder Appeal re 75842 – Removal of garden wall & levelling of garden to create off-road parking, 11 Gwythers, New Road, South Molton EX36 4AZ – Appeal Dismissed 19th June 2023
- 4.6 **Appendix F** – Planning Appeal re 75635 - Removal of condition 11 (PD Rights) attached to planning permission 73466 (erection of 2 dwellings & associated landscaping (amended plans & proposal), Lovacott Grove, Lovacott EX31 3SY – Appeal Allowed 19th June 2023
- 4.7 **Appendix G** – Householder Appeal re 75968 - Retrospective application for a rear extension and alterations, Morsha, King Street, Combe Martin EX34 0DA – Appeal Dismissed 22nd June 2023

- 4.8 **Appendix H** – Householder Appeal re 75606 - Extension to dwelling to create annexe, 30 Saltmer Close, Ilfracombe EX34 8LY – Appeal Dismissed 23rd June 2023
- 4.9 **Appendix I** – Planning Appeal re 75269 - Erection of 2 bedroom dwelling house, land adjacent to 80 Silverwood Heights, Barnstaple EX32 7RL – Appeal Dismissed 21st July 2023
- 4.10 **Appendix J** – Planning Appeal re 75705 – Demolition of existing garage & construction of a single new dwelling, garden of 3B Seymour Villas, Woolacombe EX34 7AQ – Appeal Dismissed 21st July 2023

5. RESOURCE IMPLICATIONS

- 5.1. Where an application by the appellant for an award of Appeal Costs is successful it is expected that this will be paid from the Planning budget (financial resource implication)
- 5.2. Where an application by the LPA for an award of Appeal Costs from the appellant is successful it is expected that this will be paid into the Planning budget (financial resource implication)
- 5.3. There may be a financial implication if Consultants are employed to confirm that any claim for Appeal Costs is reasonable/acceptable (financial resource implication)
- 5.4. There may be a call on NDC staff (Planning/Legal) to confirm that any claim for Appeal Costs is reasonable/acceptable (staffing resource implication)

6. EQUALITIES ASSESSMENT

- 6.1. There are not any equalities implications anticipated as a result of this report.

7. ENVIRONMENTAL ASSESSMENT

- 7.1. It is considered by the Author that, as this report is simply to advise Planning Committee Members and other interested parties of recent Planning and Enforcement Appeal decisions, there are no Environmental implications arising from its contents.

8. CORPORATE PRIORITIES

- 8.1. What impact, positive or negative, does the subject of this report have on:
 - 8.1.1. The commercialisation agenda: - Positive as will learn lessons to reduce potential costs awards against the Council
 - 8.1.2. Improving customer focus and/or – Positive as will learn lessons for future consideration
 - 8.1.3. Regeneration or economic development – Positive as will learn lessons for future consideration

9. CONSTITUTIONAL CONTEXT

- 9.1. Article of Part 3 Annexe 1 paragraph: - Not applicable



9.2. Referred or delegated power? – Not applicable

10. STATEMENT OF CONFIDENTIALITY

This report contains no confidential information or exempt information under the provisions of Schedule 12A of 1972 Act.

11. BACKGROUND PAPERS

The following background papers were used in the preparation of this report: (The background papers are available for inspection and kept by the author of the report).

11.1 Information extracted from MasterGov Appeals Records (Appendix A to Appendix J)

12. STATEMENT OF INTERNAL ADVICE

The author (below) confirms that advice has been taken from all appropriate Councillors and Officers:

Sue Thomas – Senior Planning Support Officer (Appeals) - Planning, Housing & Health