



North Devon Council

Report Date: 21 August 2024

Topic: Planning and Enforcement Appeal Decisions received since last report to Planning Committee. See Agenda for Planning Committee held on 3 July 2024.

Report by: Sheena Hare – Planning Support Officer.

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 70347 - Part retrospective application for erection of one temporary mobile live/work unit & erection of 1 honey shed & 1 storage shed - Field at NGR 275673/130926, Barcombe Down, High Bullen, North Molton, Devon, EX36 3LW - Appeal Dismissed on 5 July 2024. Appellant's Application for Appeal Costs – Dismissed.

4.2 **Appendix B** – Planning Appeal re 75487 – Conversion of agricultural building to form two dwellings and associated works – Barn adjacent to Centery Lane, Bittadon, Barnstaple, Devon, EX31 4HN - Appeal Dismissed on 22 July 2024.

4.3 **Appendix C** – Planning Appeal re 77187 - Conversion of 2 agricultural barns to residential dwellings with associated works – Barns, Westacott, Road From Ford Cross To Poadmarsh Cross, Ash Mill, Devon – Appeal Dismissed on 8 August 2024.

4.4 **Appendix D** – Planning Appeal re 77201 - Erection of single story dwelling with associated amenity and parking - 99 Yelland Road, Fremington, Devon, EX31 3DT – Appeal Dismissed on 9 August 2024.

4.5 **Appendix E** – Planning Appeal re 78005 - Variation of condition 2 (plans) of planning consent 77330 (extension & alterations to dwelling) to allow for increased size of dormer - 14 West Croyde, Croyde, Braunton, Devon, EX33 1QA – Appeal Withdrawn

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 Planning Dept).

11.1 Information extracted from MasterGov Appeals Records

12. STATEMENT OF INTERNAL ADVICE

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