

App. No.: **65980** Reg. : **11/12/2018** Applicant: **MR IAN BERWICK**  
L. Bldg. : Expired: **05/02/2019** Agent : **ACORUS**  
Parish : **PILTON WEST**  
Case Officer : **Mr M Brown**

Proposal: **REMOVAL OF CONDITIONS 3 (PEDESTRIAN / VEHICULAR ACCESS), 4 (ALTERNATIVE ACCESS ARRANGEMENTS) & 5 (EXISTING ACCESS) ATTACHED TO PLANNING PERMISSION 62729 (CONVERSION OF BUILDING TO FORM ONE DWELLING) TO ALLOW THE USE OF THE EXISTING ACCESS**  
Location: **TWINMOOR VIEW, BARNSTAPLE EX31 4JG**

## **PROPOSAL**

This application seeks to remove planning conditions 3, 4 and 5 imposed to secure a new access as part of a detailed planning permission for the conversion of a barn to form one dwelling.

The decision notice for permission 62729 states:-

(1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason:

The time limit condition is imposed in order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

(2) The development hereby permitted shall be carried out in accordance with the plans submitted as part of the application, numbers JW/0802/0212 200-04 and JW/0802/0714/200-01 A and received on 21st April 2017, ('the approved plans').

Reason:

To confirm the drawings to which the permission relates and to ensure the development accords with the approved plans.

**(3) Within two months of the date of this decision, details of an alternative pedestrian and vehicular access arrangements reflecting either of the arrangements noted in this Agenda Report so as to serve as the sole pedestrian and vehicular access to the application site shall be submitted to and approved in writing by the LPA.**

Reason:

In the interests of residential amenity.

**(4) The alternative access arrangements required by Condition 3 above shall be practically and substantially completed to the written satisfaction of the LPA within nine months of the date of this Decision Notice and thereafter retained as the sole pedestrian and vehicular access to the application site.**

Reason:

In the interests of residential amenity.

**(5) Within 9 months of the date of this Decision Notice, use of the existing access in connection with the application site, other than to serve the properties known as The Barns and The Gables, shall permanently cease and exclusive and sole access to the application site shall be via the alternative access arrangements required by Condition 3 above.**

Reason:

In the interests of residential amenity.

(6) The development shall thereafter be implemented fully in accordance with the above noted requirements of the above noted conditions.

Reason:

In the interests of residential amenity.

## **RECOMMENDATION**

### **REFUSE**

## **SITE AND SURROUNDINGS**

The application site is located to the north of Roborough Road, Barnstaple, which is to the north of the District Hospital. The present access to the site is shown by way of an un-adopted access lane which results in movement to and from the site passing across land in the ownership of the immediately adjoining properties known as The Gables and The Barns (it is this access that the current application seeks to continue to use).

There are currently three buildings on the application site which comprises elevated land which forms part of the attractive rural backdrop to Barnstaple. The building the subject of this application is to the north of the complex, there is an approved holiday let barn conversion to the south. The holiday let although part converted has not to date been used for that purpose it is understood. There is also a shippen on the site which when last inspected was used for the storage of tools in the main. The shippen also benefits from a planning permission for use as a holiday let.

The barn the subject of this application has permission for B1 use. Your Officers have been declined access to the site so are unable to give an up to date picture of the use of this building or site.

## **REASON FOR REPORT TO MEMBERS**

To determine the application given the deliberations of members with regard to the original application and having regard to the extensive planning history.

## **POLICY CONTEXT**

Development Plan

Adopted North Devon and Torridge Local Plan

STY1 Settlement Policy

DM04 Design

DM04 Landscaping

DM01 Amenity Considerations

ST03 and ST14 Flooding and Water Quality

ST14, DM02 and DM08 Biodiversity

DM05 and DM06 General Highway Considerations and Parking

DM27 The Re-use of Buildings in the Countryside

Material Considerations

National Planning Policy Framework

## **CONSULTEE RESPONSES**

**Pilton West Parish Council:** As the time scale for construction of the access has not been met the District Council advise the applicant that the Planning Permission has lapsed and instruct their legal team appropriately.

**Natural England:** Standing advice to be applied – no objection raised.

## **REPRESENTATIONS**

At the time of preparing this report 7 letters of representation have been received relating to the application (copies of these letters have been appended to this report).

The issues raised relate to:

- Planning and enforcement history
- Highways/access arrangements

## **PLANNING HISTORY**

Reference No.	Details	Decision	Date
NI 5238	Proposed school classrooms	Approved	28.11.61
NI 7022	Proposed building sites (4)	Refused	11.03.64
NI 10123	Proposed residential development and accesses	Refused	16.06.67
NI 11010	Proposed dwellings (3) and conversion: Barn to Garages	Refused Appeal Dismissed	26.03.68 14.10.68
83/1873/51/3	Proposed conversion of disused stables and outbuildings to bungalow and studio flat	Refused	20.12.83
84/515/51/3	Proposed conversion of disused stables and outbuildings to bungalow and studio flat	Refused Appeal Dismissed	05.06.84 06.12.84

Reference No.	Details	Decision	Date
85/160/51/3	Conversion of outbuilding to form bungalow and studio flat and formation access	Refused Appeal Dismissed	10.05.85 27.02.86
22114	Application for consent for works to trees in an area covered by a Tree Preservation Order in respect of felling of beech tree and to clear area of woodland for replanting plus lopping and topping of various trees	Approved	01.07.96
23309	Agricultural building notification in respect of proposed erection of extension to existing agricultural building	Prior approval not required	11.05.97
35527	Conversion of barn to form 1 no. dwelling	Refused	10.02.04
38364	Application for consent for works to trees covered by a tree preservation order in respect of various works to various trees	Approved	07.10.04
38727	Conversion of barn to form 1 unit of holiday accommodation	Refused	10.12.04
39869	Temporary siting of caravan for use as a dwelling	Refused	26.05.05
40235	Conversion of stables to form 1 dwelling	Refused	18.11.05
42593	Conversion of stables to form 1 unit of holiday accommodation, change of use of barn to form workshop & temporary siting of mobile caravan	Approved	06.10.06
46859	Conversion of stable into holiday unit, change of use of barn to rural workshop & temporary siting of caravan	Approved	29.04.09
49029	Application for lawful development certificate for an existing use of barn as one residential dwelling	W	30.09.09
53709	Change of use of barn (with current B1 permission) to a live/work unit, the conversion of a shippen to tourist accommodation, and the change of use of land for the siting of 1 log cabin to provide tourist accommodation.	Refused Appeal Dismissed	06.09.12 16.09.13
55052	Change of use of a barn (with current B1 permission) to an occupational dwelling and conversion of shippen to tourist accommodation	Withdrawn	13.06.14
57352	Prior Approval for proposed change of use of building from office (use class B1) to single dwelling house	Withdrawn	27.05.14
57817	Conversion of barn to residential use and former shippen to self catering tourist accommodation	Refused Appeal Dismissed	02.10.14 30.01.15
62729	Conversion of barn to form one dwelling.	Approved	22/09/17
63840	Approval of details in respect of discharge of condition 3 (vehicular & pedestrian access arrangements) attached to planning permission 62729	Approved	04/12/17

Reference No.	Details	Decision	Date
63846	Conversion of shippon building to residential accommodation (restricted to holiday use by planning condition) Not implementable until access sought by 62729 is provided.	Approved	21/12/17

### **ENFORCEMENT HISTORY**

An Enforcement Notice dated 3 June 2010 was served regarding non-compliance with conditions 3 and 4 attached to planning permission 46859 which restricted use of the former barn building, the subject of this application, to B1 and sought removal of a caravan and cessation of permanent residential use of the site.

This was subject to an appeal, which upheld the requirements of the Enforcement Notice on 5 May 2011 following a Public Inquiry.

The Notice remains to be complied with in terms of residential occupation of the site (it is understood that the holiday let (former stables) is essentially occupied as a permanent residential unit).

Notwithstanding this requirement and continuing concerns being presented to the Council requesting that it enforce compliance with the requirements of the upheld Notice, no further legal action has been taken to date. It was however anticipated that the appropriate determination of the previous application and compliance with the imposed conditions would have resolved these enforcement concerns and thereby avoided the need to consider further action.

### **SUMMARY OF ISSUES**

- Principle of Development
- Highways
- Amenity

### **PLANNING CONSIDERATIONS**

Members will recall that the original application was considered at their meeting in June 2017 with the application having an Officer recommendation of refusal. The recommendation stated:-

(1) The creation of a new dwelling in this location would conflict unacceptably with the development plan and national policy for guiding the location and circumstances of new homes in the countryside due to its countryside location. Furthermore the intensification of use on the site would be likely to have a significant harmful impact on the living conditions of nearby residential occupiers of the properties known as The Gables and The Barns due to the increase in noise and disturbance associated with vehicular movements in association with the site. The proposal is therefore considered to be contrary to Policies DVS3 of the local plan and a core planning principle of the National Planning Policy Framework, which always seek a good standard of amenity for all existing and future occupants of land and buildings and Policy ECN5 of the adopted North Devon Local Plan which seeks to restrict development in the countryside.

At this June 2017 meeting the Planning Committee resolved:

*'Resolved (9 for, 2 against, 1 abstained) that the conversion of the building to form one dwelling be supported in principle and that the application be DEFERRED for two cycles pending an investigation to see if it is feasible and viable to find an alternative access to the site so as to address neighbours' concerns'.*

An update was provided to Committee at the August 2017 meeting and at their meeting in September 2017 when members were updated by the Planning Delivery Team Leader who advised the Committee that following discussions with the applicant and objectors a new access formed off of Roborough Road had been agreed. It was understood that the objectors had withdrawn their objections to the application on the basis of this. Mr Neve who had been registered to speak as an objector confirmed that he did not wish to address the Committee.

Members subsequently *'resolved (unanimous) that the application be approved as recommended by the Chief Planning Officer.'* This decision is reflected in the planning conditions outlined above.

#### Principle of Development

The application is considered to be sufficiently detailed and accurate to be valid and enable the Local Planning Authority to determine the application.

As set out by the Planning Inspector in his consideration of the most recent planning appeal in January 2015, the site lies outside, albeit fairly close to, the settlement boundary for Barnstaple, but nevertheless within the countryside.

Since this time and since the previous application was granted the North Devon and Torridge Local Plan has been adopted.

Adopted Local Plan Policy DM27 allows for the conversion of disused and redundant rural buildings. The applicant states that the building is used for B1 purposes. As such it would seem to fall foul of the policy as it is not redundant.

Furthermore Criterion (b) of Policy DM27 would require any such conversion to have a positive impact on its immediate setting, which is also in accordance with the Framework. This supports a residential use but only if it would lead to an enhancement of the immediate setting. In determining the most recent planning appeal, the Planning Inspectorate was not convinced that the re-use of the barn as a dwelling would lead to an enhancement to the building's immediate setting and the special circumstances required by the Framework were not considered to have been met.

#### Highway and Amenity

There have been extensive discussions regarding theoretical traffic movements generated with the use of the site. This was most recently addressed in the January 2015 Appeal Decision Letter, a copy of which is attached to this Agenda Report.

Paragraph 11 of the Decision letter stated " *...my findings remain consistent with those of the previous appeal Inspector who concluded that there could be a considerable increase*

*in noise and disturbance that would significantly harm the living conditions in these properties. This would be contrary to LP Policy DVS3 and a core planning principle of the Framework, which is to always seek a good standard of amenity for all existing and future occupants of land and buildings.*

This current application reverts to the issues considered previously. Central to determination of the previous application was that an alternative access arrangement was proposed and as such addressed amenity concerns. However, the alternative access is no longer proposed. In this regard the applicant states:-

*"The applicant has made all reasonable attempts to provide a new access as required by the planning conditions, however it is not viable to proceed as planned as there are financial and operational restrictions to the viable alternative options."*

This is set out further in section 5 of the applicants statement which is appended to this report. This also includes vehicular movements that may result if permission 63846 (conversion of shippen to holiday let) is implemented.

The previous Inspector concluded that *"The traffic figure for the B1 use has been derived from figures given by the Highway Authority. These are based on the floorspace of the building. It is plain however that no such traffic has ever been generated by any such use of the site. Neither is there any substantive evidence to indicate that such traffic numbers, or movement by a vehicle heavier than a car or light van, would ever occur in relation to the use of the barn which, in my opinion, would be unlikely given the restricted width of the access and the limited parking, servicing and vehicle turning space that is available around these buildings. Although it would be appropriate to take an estimated figure for traffic movements that are permitted from the site, this should reasonably take on board the capability and constraints of the site, as well as the floorspace of the building. It is my view that the figures given are an exaggeration of what would ever be likely to happen if a B1 use were to take hold. Moreover, given that neither of the permitted uses appear to have commenced, it is also clear that actual traffic movements to and from the site, in terms of both numbers and frequency, are significantly below the appellant's estimated figures.*

*In the absence of a clear and evidenced analysis of the site's actual capabilities in terms of accommodating traffic associated with a viable B1 use, I am unable to make a firm judgement over the true impact of traffic numbers associated with the proposal. I have no reason to question the 13 movements that are estimated from the proposed uses. However, when these are added to the 5 that would be associated with the permitted holiday let, it is possible that the result would be a serious escalation of movement to and from the site passing close to the immediately adjoining properties at The Gables and The Barns. In these circumstances my findings remain consistent with those of the previous appeal Inspector who concluded that there could be a considerable increase in noise and disturbance that would significantly harm the living conditions in these properties. This would be contrary to LP Policy DVS3 and a core planning principle of the Framework, which is to always seek a good standard of amenity for all existing and future occupants of land and buildings."*

These latter vehicle movement numbers (13 and 5) were reflected in correspondence between the Planning Manager and the Applicant in July 2014. However, the Planning Inspector concluded, as set out above, in January 2015.

The material planning concerns in respect of access and traffic movements do not relate to highway safety concerns but instead relate to the unacceptable impact of increased use of the existing access on the residential amenities of occupants of the adjoining dwellings. As set out in the previous appeal decision an increased use of existing access arrangements whilst considered acceptable on highway safety grounds was not considered acceptable on the grounds that this would exacerbate concerns relating to the unacceptable impact on the residential amenities of occupants of adjoining dwellings.

The applicant sets out that the proposal will generate less traffic than the current uses on the site. Appendix 1 of their supporting statement sets this out. Irrespective of what may or may not be agreed as a baseline for existing traffic generation from the site, the resolution of Members at the June 2017 Planning Committee reasonably required consideration of alternative access arrangements so as to overcome these residential amenity concerns.

The application falls to be determined on the basis of using the existing access which runs past the residential properties that the appeal Inspector sought to protect in terms of amenity.

In terms of consistency, having regard to the planning appeal, and application of planning policy it is concluded that an unacceptable amenity impact on neighbouring properties will occur due to vehicles passing neighbouring residential properties.

## **CONCLUSION**

Importantly, in the previous decision members were advised that as a feasible and viable revised access arrangement was achievable and it clearly represented a material change in planning circumstances allowing the application to be approved subject to planning conditions.

As this is no longer the case the previous concerns with regard to amenity are raised again. The proposal will result in a change of character of traffic passing the residential properties adjacent to the site resulting in an amenity impact on these occupiers. This concern was raised by an Inspector who noted the constraints of the site in terms of access and authorised use in terms of likely vehicular movements and associated amenity.

On this basis, it is considered that a recommendation of refusal be put forward due to negative amenity impacts.

## **HUMAN RIGHTS ACT 1998**

The provisions of the Human Rights Act and principles contained in the Convention on Human Rights have been taken into account in reaching the recommendation contained in this report. The articles/protocols identified below were considered of particular relevance:

Article 8 – Right to Respect for Private and Family Life  
THE FIRST PROTOCOL – Article 1: Protection of Property



## **DETAILS OF RECOMMENDATION**

**REFUSE** for the following reason:-

The intensification of use on the site would be likely to have a significant harmful impact on the living conditions of nearby residential occupiers of the properties known as The Gables and The Barns due to the increase in noise and disturbance associated with vehicular movements in association with the site. The proposal is therefore considered to be contrary to Policy DM01 of the adopted North Devon and Torridge Local Plan and a core planning principle of the National Planning Policy Framework, which always seeks a good standard of amenity for all existing and future occupants of land and buildings.

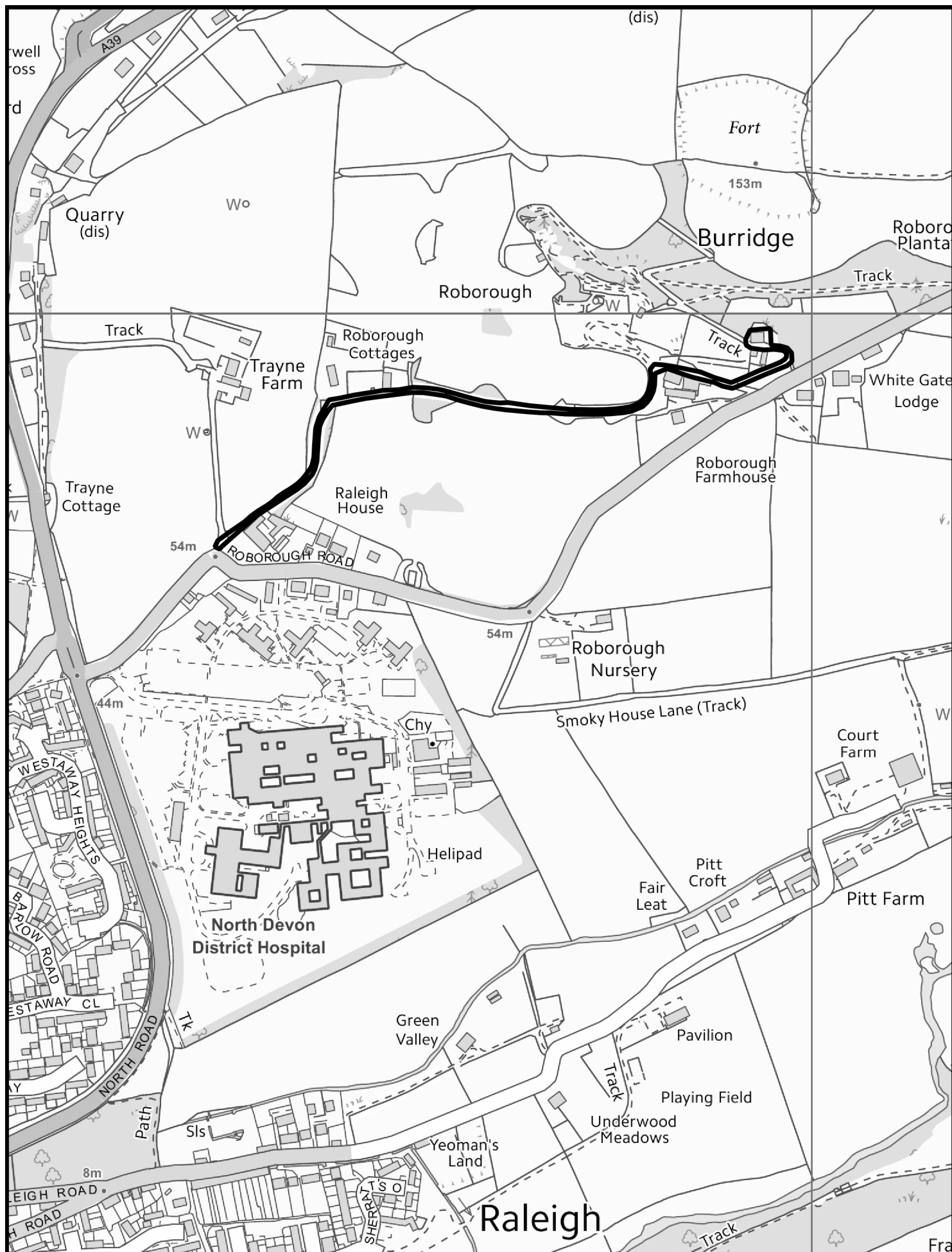
### Statement of Engagement

In accordance with paragraph 38 of the National Planning Policy Framework the Council works in a positive and pro-active way with Applicants and looks for solutions to enable the grant of planning permission. This has included consideration of amenity impacts.

However in this case the proposal is not sustainable development for the reasons set out and the Council was unable to identify a way of securing a development that improves the economic, social and environmental conditions of the area.

### **INSERT(S) TO FOLLOW OVERLEAF**

1. OS Location Plan
2. List of representations names and addresses
3. Representations x7
4. Appeal decision 57817
5. Applicant's supporting statement



Lynton House, Commercial Road,  
Barnstaple, EX31 1EA

## 65980 - Twinmoor View, West Pilton

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Committee Report

Scale: 1:5000  
Date: 13th February 2019

# Neighbour Representations List for Application No 65980

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## 3 LETTER(S) OF OBJECTION

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MR R NEVE	THE GABLES ROBOROUGH	<i>Date Received:</i> 10-Jan-19
MIKA CLAYTON	THE BARNS ROBOROUGH	<i>Date Received:</i> 11-Jan-19
HAWK CREST	JOHN BAYNES-REID SHEVISHAIES FARM	<i>Date Received:</i> 17-Jan-19

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## 4 LETTER(S) OF SUPPORT

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THE OWNER/OCCUPIER	WINDEN WOOD PILTON WEST	<i>Date Received:</i> 24-Jan-19
KATIE PALMER	TWINMOOR VIEW PILTON WEST	<i>Date Received:</i> 18-Jan-19
		<i>Date Received:</i> 21-Jan-19
		<i>Date Received:</i> 14-Jan-19

The Barns,  
Roborough,  
Barnstaple,  
North Devon,  
EX31 4JG

9th January 2019

Dear Mr Brown,

We wish to raise our concerns and objections regarding application 65980 for the lifting of conditions regarding the Twinmoor application 62729.

We have objected to 4 previous applications and 62729 made on behalf of the applicant to gain residential planning permission for Twinmoor View. These applications have previously been refused, upheld on appeal or withdrawn as permission was known to be likely to be refused. The reasons for refusal have been around the adverse effects of traffic on privacy and amenity that increased occupancy of the site would have on nearby neighbours. The latest inspectors report in January 2015 dismissed the appeal in part because "the intensification of use on the site would be likely to have a harmful impact on the living conditions of nearby occupiers."

The latest Twinmoor application 62729 was granted in September 2017 subject to conditions that had been agreed after much negotiation involving planning officers and the Chairman of the Planning Committee that would best meet the needs of all parties on both sides, by opening up a private entrance to Twinmoor View directly from Roborough Road.

The time frame for these conditions to be met is long past. The applicant continues to live on the site without complying with the conditions, despite an enforcement notice that has been in place since 2010.

During this time the access road owners have all done as suggested by the council and have used a solicitor to act on our behalf to hold funds to be utilised to help fund the work required to open up a private entrance to the site. This money is still being held by the solicitor, and has been for over a year, to be paid on completion of the works and complying with the agreement.

We would ask the planning department/committee to consider the significant and detrimental effect this ongoing situation has had, and is having, on **all** the parties concerned when considering the decision.

There has been a long history of applications and appeals for this site that have continued to be denied due to the effects it would have on others living close by. Those reasons have not changed and we would ask that the lifting of conditions set out in 62729 not be granted.

Yours sincerely,

Dr Mark and Mrs Mika Clayton.

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# HAWKCREST

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SHEVISHAIES FARM \* CULLOMPTON \* EX15 1PF

Telephone : +44 (0)1884 35808 \* Mobile : 07836 612175

Email : [john@hawkcrestland.com](mailto:john@hawkcrestland.com)

Dear Mr. Brown,

**TWINMOOR VIEW, Roborough Road.**

**Reference** : Planning Application No : **65980** - for the removal of conditions set by the Planning Committee for provisional approval of Application **62729**.

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We believe that the submission by Acorus, acting as as Agent for the applicant, is incorrect in its outline and report of the process of negotiations both before and following the decision to grant a “provisional planning approval” under Application 62729, subject to Conditions, to which the Planning Officers and the Committee had given careful consideration.

Prior to the Conditions being set out both the Planning Officers and Committee Members spent considerable time negotiating with all parties and spelled out to the applicant that only by the achievement of the alternative access to Twinmoor View, could the Planning become extant.

The Contractor who was to facilitate the works in providing the new access, met with the Planner and the applicant several times on Site and finally agreed a route for the Driveway. The Contractor also agreed the cost for the initial contract with the applicant.

Independently a sum sufficient to cover the initial contracted works was passed to and held in escrow by a local Solicitor payable in full to the applicant upon completion of the New Access and the construction of the Wall closing off of the existing Twinmoor View Driveway, the Deed of Surrender entered into by all Parties would have been activated and the monies paid over to the Applicant. This money is still held, some one year on, by the Solicitor on behalf of the Neves, Claytons and Timperleys.

However, when the Contractor attempted to establish final details of the works, the Applicant sought to alter the route and thereby the depth of excavation and finishing works, raising the amount of spoil that would result by 5 times.

Finally, the Contractor having returned several times to negotiate and agree the route with both the Planner and the Applicant, became totally frustrated with the Applicants constant alterations and demands and resigned from the project.

In retrospect it could be considered that the Applicant has prevaricated to avoid carrying out the works to meet the Conditions attached to the provisional Planning Application as the time period for completion of the works is long overdue.

One of the main reasons for the last application being considered for Approval, was due to the inclusion of the conditions. These were determined by the Planners and the Committee as necessary and without which the Application should fall.

The current application seeks to remove all the Conditions as applied for very good reasons, and as such and would unduly exacerbate the problems that necessitated them being applied in the first instance.

We respectfully request, taking account of the foregoing, that this Application be refused.

Yours sincerely

John Baynes-Reid  
Acting as Agent for  
John Timperley  
15th January 2019

Winden Wood  
Pilton West  
Barnstaple  
Devon  
EX31 4JQ

24<sup>th</sup> January 2019

Ref Twinmoor View Application 65980

Dear Mr Brown,

I would like to submit this representation in support of the application.  
I note that representations have already been submitted by owners of neighbouring properties and the agent acting on behalf Mr. Timperley who owns land adjoining this site.

After reading the above representations it is clear that both agent and owners of the neighbouring properties continue to misrepresent the facts surrounding this, and previous applications in a manner which seeks to discredit the applicant. Those urging the Planning Authority to refuse this application continue to be manipulative and exaggerate the impact on them by the applicant. The 'adverse effects' which are described as having an impact on the neighbouring properties privacy and amenity due to traffic generated by Twinmoor View seem grossly overstated, given that this still remains a public right of way. This same right of way is in regular daily use by other cars and commercial vehicles and equally impacts the privacy and amenity of neighbours, however, this is never mentioned and sadly not in their control.

The applicant has done all he can to comply with the demands placed upon him by neighbours and has agreed to forfeit his rightful access should a viable alternative be proposed. The events that led up to the applicant's decision to submit this application and reasons why are set out below and I hope to illustrate that those seeking to oppose this application are distorting the facts of the matter.

Should this application be considered at Committee stage it seems pertinent to remind application was conditionally approved.

Unlike the agent acting on behalf of Mr. Timperley, I did attended the Planning Meeting along with others when application 62729 was considered by the Planning Committee on 14th June 2017, and it was evident to us that in the light of recent changes to the N.D.Planning Policy, the majority of Members were minded to give approval. Members were then persuaded to support a suggested last minute deferral by the Planning Manager, who proposed that a feasible and viable alternative access be sought in order to address neighbour's concerns. Members then agreed that the final decision should be deferred for two cycles. Members quite reasonably agreed that this delay in resolving the application would be worthwhile *if a 'feasible and viable alternative access'* could be found to address neighbour's concerns.

At the Planning Committee meeting of 9th August 2017, the Planning Manager provided an update and advised that substantial progress had been made in relation to an alternative

access, the estimated cost being in the region of £10,000. The estimated cost had been provided by a local contractor, but clearly did not take into consideration the removal of spoil from the site and other associated works. Following discussions with all parties Mr. Timperley, via his agent, agreed to the dispersal of the spoil on his land.

Given the commitment on the part of Mr. Timperley, the applicant agreed to the proposal and this led to the decision by Members to give conditional consent at the following Committee Meeting on 13th Sept 2017.

During that meeting, a letter of intent from Mr. Timperley's agent was read to Members expressing willingness on the part of the other parties to contribute towards the estimated cost.

After further fraught negotiations and much more detailed work between parties over many weeks the revised estimate of cost was agreed at £21,800 to be shared 4 ways, the applicant's share being £5,400. Clearly at that point the estimated cost had escalated to more than double that suggested at the August Planning Meeting.

A proportion of the required funding from the other parties was then placed in escrow with an agent.

Soon after what appeared to be a reasonably amical agreement between parties it became apparent that significantly more spoil would have to be accommodated on the adjoining land owned by Mr. Timperley. This prompted Mr. Timperley and his agent to withdraw the offer to accommodate the spoil, leaving the applicant with the responsibility and cost of disposal.

(Estimated at 2500 tons or Qty. 250 x 10 ton loads, the cost running into tens of thousands of pounds)

Fifteen months on it has not been possible for the applicant to satisfy the conditions imposed on him and this has resulted in a total breakdown amongst the parties involved.

This situation has mainly arisen due to the following;

- a) Mr. Timperley (and his agent) refused to accommodate the increased amount of spoil on his land.
- b) An attempt by the applicant to find an alternative site for disposal of spoil failed, and the issue cost and how to dispose of the spoil continues to be a problem.
- c) Mr. Timperley's agent, contrary to what was said in his recent representation attempted to change the routing of the proposed access so as to generate less spoil. This would have been completely unacceptable to the applicant.  
*The applicant has always supported the access route originally submitted and approved by planning, contrary to the statement made by Mr. Timperley's agent.*

It is now apparent that the proposal presented to Members at the August meeting by the Planning Manager with an estimated cost in the region of £10,000 was, in retrospect, totally unrealistic, Members being persuaded at that time that the proposal was indeed feasible and viable.

It is clear that cooperation of Mr. Timperley and his agent was always key to the viability of the project and sadly it was withdrawn.



The conclusion must be that any alternative access to this site is neither feasible or viable, the applicant's existing access be accepted by all parties, and that the conditions imposed should now be removed.

The time has now come for the habitual objectors who have had their say and had their way for many years to recognise that the applicant has rights too, and I urge Planners and Members to approve this application and finally put this matter to rest.

Yours sincerely,

Peter Molony

**Planning Comments re Application 65980.**

The information contained in this submission by Acorus does not tell the story as I understand it.

I do not agree with their statement that The Planning Committee were ever of a mind to approve application 62729. A considerable amount of time and effort involving planning officers and the Chairman of the Committee went into the negotiations and compilation of the conditions imposed to meet the needs of all parties on both sides.

Since that agreement was verbally made there has been considerable argument about what was originally agreed. The applicant has continually changed his view causing the contractor who was involved to lose patience and Mr Timperley's agent to completely disagree about the original amount of spoil to be dumped on his land.

A significant amount of time and money involving a solicitor has been invested by myself, my family and the Timperleys in trying to reach a reasonable solution to this saga which has been going on for over eight years. The maximum amount of money agreed last year is still lodged with our solicitor awaiting successful completion of the conditions.

The applicant has repeatedly disregarded planning regulations, building regulations and run roughshod over the enforcement notice that is still extant and has been since 2010.

In my view it would be a complete travesty of justice for this application to be approved. Bearing in mind the long history of applications and appeals for this site it would be more appropriate for approval 62729 to be withdrawn for failure to meet the imposed conditions by the required timescale.

R Neve.

Owner of The Gables and associated access

**Sheena Hare**

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**From:** [REDACTED]  
**Sent:** 13 January 2019 21:49  
**To:** Planning Comments  
**Subject:** North Devon Council Online Planning - Comment

Application Number: 65980

Name: Katie Palmer

Address: Twinmoor view ,pilton west ,Barnstaple ,N Devon ex314jg Comment Type: Support

Comment: Dear sir,

I would ask you to pass this application.

I am the partner of Ian Berwick who has submitted this planning application.

Yet again the objectors are trying to control both us and the planning committee by painting an inaccurate picture.

Firstly they are trying to convince you that a residential access is more of an impact on amenity than a B1

commercial access the nonsense of which should demonstrates to you another agenda.

With regards to the agreement to form a new drive we initially agreed to pay a percentage only in the name of fairness despite us already having a perfectly good access however we had no wish to appear unreasonable. only when the contract for the initial estimate was signed did they backtrack from accepting the spoil leaving us with considerable increased disposal cost payable only by us in addition to our 25% share of the costs which makes it unviable as well as unfair & unreasonable.

We also tried to buy the strip at the top but again this was not possible, there is nothing more we can do but to waste more money on yet another application so I would ask you to finally bring this whole sorry saga to a close once and for all by passing this application.

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**Sheena Hare**

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**From:** Planning  
**Subject:** FW: Twinmoor View 65980

From: Ian Berwick  
 Sent: Friday 18 January, 17:15  
 Subject: Twinmoor View  
 To: Michael Tichford, Ken Miles, Mike Mansell, Jasmine Chesters, david worden, Councillor Jacqueline Flynn

Dear Mr Tichford

As I am not the applicant I would like to add a representation for publication on your web site to address the issues raised by the objectors.

I've just submitted a rebuttal letter to try to undo the damage they are trying to cause. It reads.

I think it important to clarify a number of points to assist the committee in their deliberations. The background in accorus,s submission is factually correct all be it a short summary of events. This entire situation has been caused by Mr Neve trying to turn a drive which has access over it into a private drive which despite all the signs to the contrary it currently isn't in an attempt to improve privacy and an uplift in value of their two properties. Much was said at committee stage but particularly notable was it was highlighted by members that the onus of responsibility was on the objectors to find & agree a solution not the applicant. Another member said this bullying by the objectors has to stop & it has to stop now. Clearly this hasn't happened. The objectors would have you believe they are unwilling victims and portray an unjustifiable loss of amenity however this is not the case for number of reasons. The barns occupied by the Clayton's obtained planning consent many years ago while in the ownership of roger Neve at that time his application presented the identical impact on amenity to the owners of the house in the private drive passing next to their windows within feet. Similarly Mr Neve then purchased his current house and again obtained planning again despite any impact of amenity to that same house down the lane he chooses to ignoring this fact but at the same time suggests to the committee it's intolerable for him to endure the same, no he feels he is entitled to special consideration despite his self infliction of loss of privacy by his new build by adding additional rear windows near the drive exacerbating any lack of privacy particularly being all too aware of our existing b1 commercial and holiday use access entitlement at twinmoor View. The delay was not of our making it was caused by the objectors despite my constant documented attempts to speed things up which is a matter of record. We have done our utmost to arrive at a fair solution for all parties but it always proves unachievable the last attempt was quite recently again to try to buy the strip of scub land to the north including now with the addition of us accepting to meet all the cost to establish a new drive however yet again John timpery is the stumbling block as he is unwilling to help which is why we now are seeking to remove the conditions given the lack of viable alternatives.

We submitted drawings for the new drive which were passed by the council at no time did we want or ask to deviate from those drawings which again is documented with n many letter between Graham Townsend and my partner.

Katie palmer



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**From:** [REDACTED]  
**Sent:** 18 January 2019 21:42  
**To:** Planning Comments  
**Subject:** North Devon Council Online Planning - Comment

Application Number: 65980

Name: Katie palmer

Address: Twinmoor View, Pilton West, Barnstaple, North Devon, EX31 4JG Comment Type: Support

Comment: As the partner of the applicant I think it extremely important to clarify a number of points to assist the committee in their deliberations to redress some inaccuracies.

The background in accorus,s submission is factually correct all be it a short summary of events.

This entire situation has been caused by Mr Neve trying to turn a drive which has access over it into a private drive which despite all the signs to the contrary it currently isn't in an attempt to improve privacy and an uplift in value of their two properties.

Much was said at committee stage but particularly notable was it was highlighted by members that the onus of responsibility was on the objectors to find & agree a solution not the applicant. Another member said this bullying by the objectors has to stop & it has to stop now. Clearly this hasn't happened.

The objectors would have you believe they are unwilling victims and portray an unjustifiable loss of amenity however this is not the case for number of reasons. The barns occupied by the Clayton's obtained planning consent many years ago while in the ownership of roger Neve at that time his application presented the identical impact on amenity to the owners of the house in the private drive passing next to their windows within feet. Similarly Mr Neve then purchased his current house and again obtained planning again despite any impact of amenity to that same house down the lane he chooses to ignoring this fact but at the same time suggests to the committee it's intolerable for him to endure the same, no he feels he is entitled to special consideration despite his self infliction of loss of privacy by his new build by adding additional rear windows near the drive exacerbating any lack of privacy particularly being all too aware of our existing b1 commercial and holiday use access entitlement at twinmoor View. The delay was not of our making it was caused by the objectors despite my constant documented attempts to speed things up which is a matter of record.

We have done our utmost to arrive at a fair solution for all parties but it always proves unachievable the last attempt was quite recently again to try to buy the strip of scub land to the north including now with the addition of us accepting to meet all the cost to establish a new drive however yet again John timperly is the stumbling block as he is unwilling to help which is why we now are seeking to remove the conditions given the lack of viable alternatives.

We submitted drawings for the new drive which were passed by the council at no time did we want or ask to deviate from those drawings which again is documented with n many letter between Graham Townsend and my partner.

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# Appeal Decision

Site visit made on 7 January 2015

**by John D Allan BA(Hons) BTP MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 30 January 2015**

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**Appeal Ref: APP/X1118/A/14/2227707**

**Twinmoor View, Roborough, Barnstaple, EX31 4JG**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr I Berwick against the decision of North Devon Council.
  - The application Ref 57817, dated 15 July 2014, was refused by notice dated 2 October 2014.
  - The development proposed is the conversion of a barn to a residential use and a former shippen to self-catering tourist accommodation.
- 

## Decision

1. The appeal is dismissed.

## Main Issues

2. The main issues are: - (i) whether the proposed residential use is appropriately located having regard to the housing objectives of the development plan and national policy, and (ii) the effect of the proposal on the living conditions of nearby occupiers with particular regard to noise and disturbance.

## Reasons

3. The appeal site relates to two buildings, a former barn and a shippen. These are sited adjacent to a former stable block that is also within the appellant's ownership. The barn has an extant planning permission (Ref 46859 dated 29 April 2009) for change of use to B1 (business). I saw that the shippen was in use for general storage. Despite what was stated on the application form, the barn was not in any obvious use for business purposes but appeared to be partly used as a residence and partly for ad-hoc storage. The 2009 permission also included the conversion of the stable block to tourist accommodation, works for which have commenced.
  4. The site lies outside, albeit fairly close to, the settlement boundary for Barnstaple and within the countryside. In such locations Policy ECN5 (*The Reuse of Buildings in the Countryside*) of the North Devon Local Plan 1995 to 2011 (LP), adopted in July 2006, allows for the reuse of a building where:- (a) it is for employment, tourism, recreation or community uses; or (b) it is a residential conversion subordinate to a business reuse, or for an agricultural or forestry worker; or (c) it is a residential conversion which meets an identified
-

housing need in the local community. The aims and objectives of this Policy are consistent with the National Planning Policy Framework (the Framework) insofar as it seeks to promote a strong rural economy by supporting the sustainable growth of all types of business and enterprise in rural areas, but which also advises against the creation of new dwellings in the countryside unless there are special circumstances.

5. As with the 2009 permission in relation to the former stables, and consistent with the findings of a previous Inspector for an appeal decision dealing with similar issues relating to this site in September 2013 (Ref APP/X1118/A/13/2194051), the conversion of the shippen to tourist accommodation would, in principle, satisfy the tests within Policy ECN5. However, there is no evidence to suggest that the use of the former barn as a dwelling would be necessary in relation to any business use on the site. Neither would it be provided for an agricultural or forestry worker or to satisfy an identified local housing need. The proposal would therefore be in clear conflict with LP Policy ECN5.
6. The appellant has argued that the emerging local plan offers support for the reuse of rural buildings for, amongst other things, residential use and he points to Policy DM27 of that document. However, whilst the emerging plan has been subject to public consultation it has not been through an examination in public. Neither have I been provided with any other policies of the emerging plan that may be relevant but which I note the pre-amble to Policy DM27 advises may need to be considered so that the development plan is taken as a whole. Given these circumstances I attribute little weight to an argument that would appear, on the surface, to support the unregulated conversion of any rural building to a residence. In any event, I note that criterion (b) of Policy DM27 would require any such conversion to have a positive impact on its immediate setting, broadly in accordance with paragraph 55 of the Framework. This supports a residential use but only if it would lead to an enhancement of the immediate setting.
7. All of the buildings are in some kind of use and two have extant permissions for alternative purposes. They occupy a fairly prominent position on top of an escarpment and I have no doubt that they can be seen as a fairly tight-knit group from long distance views within the surrounding countryside. Nevertheless, they are remote from publicly accessible areas, being positioned at the end of a long, private access, and are reflective of many typical rural buildings. Furthermore, each is in a reasonable state of repair and I could detect nothing about the appearance of the barn, or its setting, that was harmful to the visual amenities of the area. As such, I am not persuaded that the re-use of the barn as a dwelling would lead to an enhancement to the building's immediate setting. The special circumstances required by the Framework for a new home in this location are therefore not demonstrated.
8. The appellant has also argued that recent changes to planning legislation would enable the barn to change to a residential use without planning permission. However, there is no evidence to show a B1(a) (office) use is established at the premises. Neither is there any evidence to suggest that one is ever likely to occur, notwithstanding the unfettered and long-standing planning permission for B1 use. Furthermore, the building is not an established agricultural unit. These arguments therefore carry little weight in favour of the proposal.

9. The appellant has argued that the proposal would result in a net reduction in traffic movements to and from his land. This is based on a theoretical estimate of 17 potential vehicle movements per day from the permitted B1 use and 5 vehicle movements from the permitted holiday let; 22 movements in total. In the appellant's estimate the proposal would result in 18 movements per day from his land, 8 from the dwelling, 5 from the proposed holiday let, and 5 from the permitted holiday let.
10. The traffic figure for the B1 use has been derived from figures given by the Highway Authority. These are based on the floorspace of the building. It is plain however that no such traffic has ever been generated by any such use of the site. Neither is there any substantive evidence to indicate that such traffic numbers, or movement by a vehicle heavier than a car or light van, would ever occur in relation to the use of the barn which, in my opinion, would be unlikely given the restricted width of the access and the limited parking, servicing and vehicle turning space that is available around these buildings. Although it would be appropriate to take an estimated figure for traffic movements that are permitted from the site, this should reasonably take on board the capability and constraints of the site, as well as the floorspace of the building. It is my view that the figures given are an exaggeration of what would ever be likely to happen if a B1 use were to take hold. Moreover, given that neither of the permitted uses appear to have commenced, it is also clear that actual traffic movements to and from the site, in terms of both numbers and frequency, are significantly below the appellant's estimated figures.
11. In the absence of a clear and evidenced analysis of the site's actual capabilities in terms of accommodating traffic associated with a viable B1 use, I am unable to make a firm judgement over the true impact of traffic numbers associated with the proposal. I have no reason to question the 13 movements that are estimated from the proposed uses. However, when these are added to the 5 that would be associated with the permitted holiday let, it is possible that the result would be a serious escalation of movement to and from the site passing close to the immediately adjoining properties at The Gables and The Barns. In these circumstances my findings remain consistent with those of the previous appeal Inspector who concluded that there could be a considerable increase in noise and disturbance that would significantly harm the living conditions in these properties. This would be contrary to LP Policy DVS3 and a core planning principle of the Framework, which is to always seek a good standard of amenity for all existing and future occupants of land and buildings.
12. I have noted an alternative access to the site that would avoid passing any nearby properties. However, as this is not part of the appeal proposal it would not be appropriate to consider a condition that would require its use.
13. Overall, I have found that the creation of a new dwelling in this location would conflict with the development plan and national policy for guiding the location and circumstances of new homes in the countryside. I have also found that the intensification of use on the site would be likely to have a harmful impact on the living conditions of nearby occupiers. I have noted that, according to the appellant, one of the nearby properties is a converted barn and the other a replacement dwelling. However, I have no details of the specific circumstances behind the grant of any past permissions relating to these properties. In any event, the current appeal falls to be determined on its own merits and none of



the arguments that have been put to me alter my conclusion that the appeal should fail.

*John D Allan*

INSPECTOR



CHARTERED SURVEYORS & PLANNING CONSULTANTS

**VARIATION/REMOVAL OF CONDITIONS RELATING TO APPLICATION 62729 -  
CONVERSION OF A BARN TO A RESIDENTIAL USE**



*Prepared for:*

**Mr I BERWICK**  
Twinmoor View  
Pilton West  
Roborough  
Barnstaple  
Devon  
EX31 4JG

*Date*  
**December 2018**

*Prepared By:*

**Laura Wall** MRICS MBAC  
Associate

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## **Acorus Rural Property Services Ltd**

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Ted Rogers FRICS Brian Barrow MRICS Mike Bamforth MCIOB James Whilding MRICS FBIAC  
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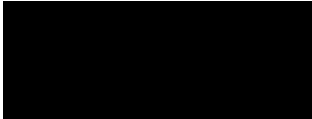
### Appendix 1 - Previous Highways Information Relating to Twinmoor View

## 1. Terms of Reference

- 1.1 Mr I Berwick (the applicant) has instructed Acorus Rural Property Service Limited to assist with the submission of an application seeking to remove planning conditions on application 62729 which was approved on 22<sup>nd</sup> September 2017 and allowed for the conversion of a building to form a dwelling at Twinmoor View, Roborough.
- 1.2 This report considers relevant planning policy, the merits of the proposal and the key issues relating to sustainability, design and access.
- 1.3 The report has been prepared by Laura Wall, an Associate of Acorus. I hold a Degree in Rural Enterprise and Land Management and a Professional Membership of the Royal Institution of Chartered Surveyors. I am also a Member of the British Institute of Agricultural Consultants. As a Chartered Surveyor I am bound by the Practice Statements issued by the Royal Institute of Chartered Surveyors, and I confirm that I have the necessary expertise to provide an opinion on the subject matter and that my evidence is produced in accordance with the RICS rules.

## 2. Disclaimer

- 2.1 This report is for the sole use of the named client. While it may be shown to other professionals acting for them, the contents are not to be disclosed to nor made use of by any third party without our express prior written consent. Without such consent we can accept no responsibility to any third party.

Signed .  .....

**Laura Wall MRICS MBIAC**

on behalf of Acorus Rural Property Services Limited

Dated ..... 10 December 2018 .....

### **3. The Proposal**

- 3.1 The proposed development relates to the removal of condition numbers 3, 4 and 5 imposed on planning application reference 62729 and the provision of a new access to serve the proposed development.

### **4. Background**

- 4.1 The original application sought the conversion of the main barn (which had B1 permission) to form a 3 bed dwelling which would provide residential accommodation for the applicant and his partner. This would enable them to live and work on the holding.
- 4.2 The conversion was considered to be sustainable development and in accord with both (at the time) emerging Local Plan policies and the NPPF. It provided social, economic and environmental benefits to the applicant and his partner and resulted in the re-use of an existing building, and given the site's location near to Barnstaple, it was deemed to be a sustainable location as the necessary services and facilities required for day to day life are within a short distance from the holding.
- 4.3 The application was considered at planning committee on 13<sup>th</sup> September 2017, and at the time Councillors resolved (unanimously) that the application be APPROVED as recommended by the Chief Planning Officer. Previous objections from nearby residents had been withdrawn, as they had agreed between the applicant and the objectors that a new access would be provided off Roborough Road.
- 4.4 Notwithstanding the above, it is understood that whilst it was approved subject to the provision of the new access, Planning Committee members were of a mind to grant approval of the application if a suitable alternative access could not be forthcoming at an affordable price.
- 4.5 The application was subsequently approved subject to planning conditions requiring the new access to be formed.

## 5. Planning Conditions

- 5.1 The planning conditions imposed on application 62729, which are relevant to this submission state:

*(3) Within two months of the date of this decision, details of an alternative pedestrian and vehicular access arrangements reflecting either of the arrangements noted in this Agenda Report so as to serve as the sole pedestrian and vehicular access to the application site shall be submitted to and approved in writing by the LPA.*

*Reason:*

*In the interests of residential amenity.*

*(4) The alternative access arrangements required by Condition 3 above shall be practically and substantially completed to the written satisfaction of the LPA within nine months of the date of this Decision Notice and thereafter retained as the sole pedestrian and vehicular access to the application site.*

*Reason:*

*In the interests of residential amenity.*

*(5) Within 9 months of the date of this Decision Notice, use of the existing access in connection with the application site, other than to serve the properties known as The Barns and The Gables, shall permanently cease and exclusive and sole access to the application site shall be via the alternative access arrangements required by Condition 3 above.*

*Reason:*

*In the interests of residential amenity.*

- 5.2 Prior to the application being granted approval, discussions had taken place between the applicant and the neighbouring properties/landowners. It had been agreed that:

- A new access would be provided from Roborough Road.

- The cost for this was to be equally split between those who gained advantage including the applicant at the same percentage 25% each.
- The spoil would be deposited on John Timperley's land above which was thought to minimise costs to all parties.

- 5.3 It is understood that a solicitor was engaged by the other parties, and a legal undertaking was then entered into by all, at a fixed amount to cover the costs as outlined (a fixed sum contract). However, once the contract was signed, estimates from various contractors began to rise and at the same time John Timperley's agent backed away from the agreement to take all the excavation spoil, with the result being that they were only willing to accept a fifth of the expected volume.
- 5.4 The above left the applicant with the potential for a dramatic increase in costs outside of the legal agreement and the likelihood of landfill disposal, on top of other escalating costs, all of which were not covered by the initial contract. The additional costs would make the new drive unviable when left to applicant's sole responsibility.
- 5.5 The applicant did take further steps to locate another party to take the spoil. Despite an initial indication from a third party that he would take the spoil, this offer was subsequently withdrawn.
- 5.6 The applicant has considered alternative viable options, and has concluded that the only other remaining viable option is to create an access through the thin strip of trees to the north. The applicant does not own the land and, despite a number of attempts to try to purchase it, unfortunately the owner Mr J Timperley is unwilling to sell it.
- 5.7 The applicant has made all reasonable attempts to provide a new access as required by the planning conditions, however it is not viable to proceed as planned as there are financial and operational restrictions to the viable alternative options.
- 5.8 Given the above, the applicant now seeks the removal of the stated conditions (3, 4 and 5) and proposes to revert back to the use of the existing access to the site.



## 6. Planning Considerations

### Highways

- 6.1 Throughout the consideration of applications relating to this site, the applicant has maintained that the proposed residential use on the holding would represent a reduction in potential traffic accessing the site and therefore there would be a net reduction in traffic leading to an improved situation both in terms of highways and impact on residential amenity<sup>1</sup>.
- 6.2 The site is well located in relation to the existing road network. Access is via Roborough Road and the A39 leading to the wider Devon area.
- 6.3 Paragraph 32 of the NPPF states that plans and decisions should take account of whether safe and suitable access to the site can be achieved for all people. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. In this instance the traffic generated by one dwelling which replaces a more generally commercial permission, the impact would in fact be less and therefore any potential impact would be far from severe.

### Amenity

- 6.4 There are two properties, "The Gables" and "The Barns", which lie adjacent to the private road which currently provides access to Twinmoor View.
- 6.5 Given it is maintained that traffic movements in this case will be reduced as a result of the proposed development, it is reasonable therefore to conclude that the level of noise and disturbance will reduce and hence the living conditions at the neighbouring properties will improve, representing a positive benefit arising from the proposed development.

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<sup>1</sup> See Appendix 1 for previous calculation of likely traffic numbers

## **7. Evaluation and Conclusion**

- 7.1 It is considered that all reasonable attempts have been made by the applicant to create a new access to the site at Twinmoor View, however the prohibitive costs involved severely affect the viability of the options available.
- 7.2 The applicant believes that as the costs of the removal and disposal of the remaining spoil are now prohibitive, the proposal for a new drive is now unviable.
- 7.3 It is suggested that the proposal for a single dwelling in this location is sustainable without the need for a new access. It will reduce potential traffic generation compared to the permitted commercial use, and the proposal will result in minimal traffic generation. Safety on the nearby highway and the residential amenity of neighbouring residential properties will not be detrimentally affected.
- 7.4 It is understood that the Planning Committee were prepared to approve the original application if a satisfactory alternative access was not a feasible option, and this is the current situation.
- 7.5 It is therefore respectfully requested that this application, which would allow the use of the existing access rather than the provision of a new access through the removal of conditions 3, 4 and 5 from planning approval 62729, is supported by North Devon Council.

## **APPENDIX 1**

### **Previous Highways Information Relating to Twinmoor View**

Discussions have previously been held with the planning department and County Highways to determine both current and future traffic numbers in view of the amenity issues raised as a result of an increase in traffic.

County Highways has confirmed the following expected level of movements:

#### **EXISTING**

1. B1 use - 17 no. vehicle movements per day based on floor area
2. Existing holiday use - 5 no. vehicle movements per day
3. Redundant shippen - 0 no. vehicle movements per day

#### **TOTAL**

22 vehicle movements/day potentially generated by the existing development

(It should be noted that the building is currently being used by a greengrocer as his distribution hub for vegetable boxes).

#### **PROPOSED**

1. Proposed dwelling up to 8 no. vehicle movements per day.
2. Existing holiday use - 5 no. vehicle movements per day.
3. Shippen to holiday - 5 no. vehicle movements per day.

#### **TOTAL**

18 vehicle movements/day potentially generated by the new development (at that time the above figures were collated).

The net result is a reduction in expected traffic movements from 22 to 18 movements per day – a reduction of approximately 20%. Furthermore, the replacement of the B1 unit with a residential (C3) use will result in a change in the type of vehicles potentially visiting the site with the residential users in the future being motor car based as opposed to the potential larger vans/lorries for the B1 use.