

Mr Welchman- Closing submission

Throughout this Inquiry we have seen proof of evidence and witness statements from both the appellant and the Local Council along with the objections prepared by Interested Parties. It is clear in reviewing all the evidence submitted that the original reasons for refusal have not changed:

- 1) The proposed development will be located outside the settlement boundary of Tiverton with the Mid Devon Local Planning Authority requiring development in such locations to preserve and enhance the character and appearance of the countryside.
- 2) The proposed development will bring harm to the character, appearance, setting and significance of the Grand Western Canal, Tidcombe Farm and to the setting of Tidcombe Hall with any public benefits not outweighing the harm identified.
- 3) The proposed development will bring harm to the character and appearance of the surrounding area.

My closing statement will return to these points later. Before we remind ourselves of what this Inquiry has confirmed we should again pause and reflect on the similarities of this proposal with the housing development at Hartnoll Farm which was also subject to an Inspector led Inquiry. Similarities include:

- 100 plus houses to be developed
- in locations outside the Tiverton Settlement Area.
- harm being caused to the surrounding countryside including the Grand Western Canal.
- harm being caused to the character, appearance and setting of the countryside including Conservation Areas.
- development which would be contrary to the strategy for the location of development in the local plan and not aligning to Policy S2 and the provisions of Policy S14.

We can start by saying in the absence of any identified public benefits which outweigh these impacts, this appeal should be dismissed and adopt the same judgement as seen with Hartnoll Farm.

I've listened carefully throughout this Inquiry and what is clear and beyond refute, is:

- the Grand Western Canal is a stunning location, rich in history, a Country Park, a Conservation Area, a Wildlife Zone and an integral part, in our view the leading part, of the Tourism Strategy for Mid Devon.
- it provides an escape from urban development, with the area where the Grand Western Canal travels beyond Tidcombe Bridge, being the area where one escapes into the surrounding countryside.
- it is clear this development will be clearly visible from the Grand Western Canal Towpath and this is evident from the latest Design and Access Planning Statement. Images from the towpath demonstrate the direct line of sight to this isolated development in rural countryside.

- this development changes the vista, the setting, the character and the experience for canal users and in doing so fails to recognise the Grand Western Canal as a place of special and architectural interest, and seen as an historic route through the rural landscape. Users of the Canal Towpath beyond Tidcombe Bridge will have their views blighted by this development. There will be no escape.

- this will be a sub optimal island development located in complete isolation and surrounded by beautiful countryside. It will result in Major and Moderate Adverse Harm to the views from a number of additional locations which include Tidcombe Farm, Tidcombe Hall, Tidcombe Lane, Tidcombe Bridge, Newtes Hill, Knightshayes and Warnicombe Lane. Such a development naturally leads to subsequent infill applications, followed by others extending the town's settlement area further along the south bank of the canal.

- the aggregation of these impacts demonstrate the Major Adverse Harm being caused to the surrounding countryside. We cannot accept or believe the suggested mitigations will result in appropriate screening and hence the clear definition of Major Adverse Harm on this beautiful setting.

- the Devon Wildlife Trust profile how such a development would bring harm to the Grand Western Canal and the Tidcombe Fen SSSI, with the likely impact on species sensitive to noise, pollution, disturbance and light, reducing the ability of this important reserve to deliver its biodiversity functions.

- this development would bring material risk to the surrounding area and in particular the Grand Western Canal through the lack of drainage installation. These risks were profiled in detail by the Grand Western Canal Joint Advisory Committee who provide the expertise in this space. Flooding risks to the surrounding existing developments and Tidcombe Fen SSSI have at no stage been properly addressed, and the attenuation measures proposed, the viability of which has been challenged, also require permanent, long-term maintenance, paid for by the residents of the new housing. Failure of these measures, in the face of ever-increasing severe climate events, would be disastrous.

- this development takes away the future of the horse drawn barge which in itself is a key feature of the Conservation Area. This barge which travels beyond Tidcombe Bridge into open countryside will now face directly into an island development that shatters the experience, the silence and the beauty previously enjoyed.

- The appellant concedes that the development would aggravate the traffic overload already being experienced in Tidcombe Lane, by supporting the suggestion to cut the Tidcombe community in half, by closing Tidcombe Bridge. It has however been clearly demonstrated, that this would actually severely increase traffic dangers throughout the neighbouring residential areas, as well as creating serious inconvenience for existing residents. This view is supported by two nearby schools, who have expressed their concerns to me, regarding the threat to the safety of their pupils.

The appellant has stated that Tiverton's homeless persons need affordable housing, however the current number of such persons, in our area, is very low. A Devon Live survey identified around 1000 unoccupied properties in Mid Devon, some of which would certainly be more affordable than a new build in a prime country area.

In closing I conclude this development has clear similarities with Hartnoll Farm, the points illustrated above are beyond refute and we have a range of planning policies, local and national, not being adhered to. So let me return to the original reasons this development was refused. To recap:

- 1) The proposed development will be located outside the settlement boundary of Tiverton with the Mid Devon Local Plan requiring development in such a location to preserve and enhance the character and appearance of the countryside.
- 2) The proposed development will bring harm to the character, appearance, setting and significance of the Grand Western Canal, Tidcombe Farm and Tidcombe Hall with any public benefits not outweighing the harm identified.
- 3) The proposed development will bring harm to the character and appearance of the surrounding area.

On the basis of what this Inquiry has evidenced including no material that addresses the original refusal reasons, we now believe the dismissal of this appeal is the appropriate result.

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