



We live on Moss Edge Lane and understand that it is usually the case that one private road can only provide access to 5 dwellings. There are already four dwellings at the bottom of the lane and the fifth dwelling would be Moss Edge farmhouse, itself. Any development at Moss Edge Farm that wished to utilise the red line access would exceed the five dwellings rule.

The access road is to give access to the farmhouse for residential purposes but the access to the barns and pole barn is only for agricultural purposes. If the pole barn and the other two barns were developed into dwellings, then these would be new dwellings using the access in respect of which the right of way/access was never designed nor intended. The case of Parker v Roberts [2019] EWCA Civ 121 illustrates that new housing accessing a road/lane/driveway owned by a third party is not permitted. There will be substantial additional traffic in relation to those living at Moss Edge Farm, and additional vehicles including delivery vans, maintenance and other vehicles. The road has no passing places, is not maintained and unsuitable for additional traffic.

There have been other local planning applications including opposite Elysium Barn and adjacent to Moorfield House/Mistake Farm application numbers [2019/62/93134/W and 2022/91760] where planning permission has been refused on the grounds of those properties being in the green belt, remote and isolated. Both of those properties were significantly closer to the adopted highways than Moss Edge Farm, it being 801 metres approximately away from the adopted highway with a steep incline. The above referenced Elysium Barn application was refused and then dismissed at appeal (Appeal Ref: APP/Z4718/W/21/3279690).

The revised plans to a single dwelling do not mean that there will be less impact on the green belt and may, if a permanent dwelling, cause even more impact as it is likely to be occupied 52 weeks of the year. The changed proposal uses the same footprint as the original plans, with the same number of parking spaces and terrace to the rear. Allowing this development to take place would set a dangerous precedent for future similar developments within the greenbelt.

The amended application should there be refused because it continues to contravene the National Planning Policy Framework including paragraphs: 79, 137, 138, 147, 148, 149, 150.