



Newsletter

Words from The Chair

As those who read the local press or have visited our website in recent months will know, the Society has been urging councillors and others to defer any decision on whether to become part of a Combined County Authority until after the results of both the general election and next year's County Council elections are known.

Until we know what the future holds, and were the new Authority to come in to being, there is the very real possibility that our District Council could, amongst other issues, lose control over planning – an eventuality that cannot sit comfortably with any concept of devolution. You can read more on page 3.

Before that on page 2 we again make the argument that 'enforcement needs to be enforced'. In our October Newsletter last year we reported on what we felt were enforcement failures on land at West End Garage in Salcombe, where the developer had clearly failed to comply with conditions 4, 10, 12, 13, 14, 21 and 25 of their planning consent. Despite our concerns the Local Planning Authority chose to do nothing.

Then, at the start of this year the Enforcement Team finally wrote to inform us that they also intended to do nothing to ensure a field in West Alvington, previously used as a temporary construction compound for an adjacent development, was restored. Even though the LPA has a statutory duty to 'conserve and enhance' the South Devon Area of Outstanding Natural Beauty (South Devon National Landscape), it was simply to be left as an eyesore. In response the Society has issued a formal Stage 1 Complaint to the Council.

Thankfully, and as you can read on page 8, sometimes our efforts do pay off. In our January Newsletter we told the story of 'the never ending saga of Butterford', and how the Society had persuaded the Enforcement Team to re-open their investigation after we had argued it had been incorrectly closed. An Enforcement Notice has since been issued and, subject to the outcome of an appeal submitted by the landowner,

the land will now be restored to its previous condition.

Another topic on which the Society has been campaigning for over a year is sewage, and on page 4 our Environment Lead Martin Fodder analyses the latest published sewage spills data, followed by a 'Bottom 30' of our worst polluting locations. And, as you can discover on page 12, Martin will be discussing such matters when he gives our next Crabshell Conversation on April 18.

Of course, flooding in Kingsbridge and elsewhere in the South Hams is nothing new, as our Secretary and Archivist Nicola Fox reveals on page 13.

Planning begins on page 7 with our response to the proposed development at Baltic Wharf in Totnes, one of the most extensive and exhaustive applications with which the Society has ever had to contend. Two pages later we explore the Council's Chillington conundrum, with news of other applications then following on.

The recently announced National Management Plan priorities for Protected Landscapes are examined on page 6, with the Society concerned to discover that neither 'Beauty' nor planning seem of be amongst them. Following on from the South Devon Area of Outstanding Natural Beauty being 'rebranded' as the South Devon National Landscape it would seem the focus is now to be on improving biodiversity rather than conserving and enhancing our landscape.

Some relief is provided on pages 10 and 11 with news that, following the recent consultation, many developments in protected landscapes will still not simply be 'Permitted', while the attempt by the Collapit Creek House developer to play the 'permitted' game has, so far, proven unsuccessful.

News about forthcoming Events can be found on page 14, along with wise advice from our Trees Lead Peter Breach on how to make the most of Springtime. But we begin this issue with an update on the Joint Local Plan review. •

No new Joint Local Plan, at least not for now



Our existing Joint Local Plan remains in force

According to Paragraph 33 of the National Planning Policy Framework (NPPF), local planning authorities are required to review their local plan every five years to establish whether it needs updating. That review needs to consider changes in circumstances affecting the area, such as a noticeable change in housing need, or any relevant changes in national policy.

The first Review should be completed no later than five years from the adoption date of a plan and, as the Plymouth & South West Devon Joint Local Plan was originally adopted in March 2019 that Review needed to be completed before the end of March this year.

So, on 7 March the Executive of South Hams District Council met to agree to 'the continued use of the Plymouth and South West Devon Joint Local Plan with full weight in the determination of planning applications and to be referred to as appropriate in reports.'

As Cllr Dan Thomas told the meeting:

Following a comprehensive review the five year review clearly sets out that our JLP remains up to date and sound and can continue to be the starting point for making planning decisions based on our local planning policies and a strategy going forward.

It was an opinion with which Cllr Mark Long, Chair of the Council's

Development Management Committee, agreed.

It's a robust assessment and an excellent response. And I think what we've seen with the JLP, even if we've got criticisms of it and we believe that areas of it are weak, it has provided us with the strength to respond in planning in a very definite way.

Many would agree with his assessment. As it stands, the JLP leaves much to be desired. And it can certainly be improved. But there is, as Cllr Thomas explained, good reason to delay:

There are very many changes taking place nationally which are going to change the planning system nationally following the publication of the Levelling-up and Regeneration Act. We're still awaiting the secondary legislation to set out the process by which our Joint Local Plan will be reviewed and developed going forward to ensure that local matters continue to be at the heart of our planning strategy.

Whether that legislation will have managed to pass through Parliament before the forthcoming general election could well be open to question. Nor is there any guarantee the next government will continue with any of the currently proposed policies.

Consequently it is worth noting the Review Report presented to members at the meeting made the very valid point:

The primary issue for JLP is not the delivery of housing per se, nor
...Continued page 3

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Enforcement needs to be enforced



The view that travellers along the A381 in to West Alvington used to be able to enjoy

More than five years ago application 3444/18/FUL was submitted to construct five new dwellings on Home Field in West Alvington. In June 2019 the application was refused with the case officer noting in her report:

Whilst currently used as a car park following the temporary construction compound for the adjacent development at Homefield, there doesn't seem to be any consent which changes the use of the land away from agriculture. Presumably it was used as a temporary construction compound under PD rights, which require the land to be reinstated to its previous condition as soon as reasonably practicable.

Yet eighteen months later nothing had changed so the Society raised the matter with the Local Authority, resulting in the Enforcement Team opening case reference number 024733 on 18 January 2021, and promising 'this breach will be now be allocated to an Officer who will investigate the allegation.'

Just a fortnight later the Senior Case Manager Enforcement informed the Society:

there is a requirement to reinstate the land under the General Permitted Development Order and the matter will be pursued under this heading.

Despite this, nothing more was then heard until the Society again contacted the Enforcement Team on 6 September 2022. Case reference number 027337 was promptly opened, only for the Team to discover some 24 hours later there was already an existing enforcement case on the site, namely 024733.

The Society's then Chair thanked the Enforcement Team for their response and explained:



The view that now greets travellers

The fact this is an existing case is the reason why I also wrote direct to David Bate, the previously named officer in charge. I don't know whether he is still working for SHDC or whether my email reached him so I reported the breach online too.

The point is that I am very concerned that no progress has been made after all this time. Do I have to keep reporting the same planning breach? What more can be done to get this resolved?

The answer, according to the Enforcement Team, would not now be to require the owners to reinstate the land, but instead that they should submit a retrospective planning application to permit the land to be used as a car park.

However no such application was ever submitted. And nothing more was heard until the start of this year when, on 16 January, the Enforcement Team wrote to say:

Further to our investigations, the Council hereby advise you that the following decision regarding the alleged Breach of Planning has been made.

The owners of the above site have been advised that Alleged Failure to Reinstate Land as Required by General Permitted Development Order constitutes a breach of planning regulations. Local Planning Authorities have a discretion whether or not to pursue a breach of planning regulations when it is expedient to do so. Additional guidance to Local Planning Author-

ities is contained within para 58 of the NPPF. (National Planning Policy Framework) However, formal enforcement action is a discretionary power which is only to be used where expedient to do so – ie where the breach in question causes material harm to planning interests.

The land in question was used as a site office during the construction of houses on nearby land and has not been fully reinstated to its original condition. The owners have conducted some works to the land which is used occasionally by the local community.

The Council have made the decision that it is currently not expedient to pursue this case as it is not in the public interest to do so and the case will now be closed.

That has resulted in the Society registering a Stage One Complaint on 6 March in which we have argued that, as a result of its decision, the public body has failed to carry out its statutory duty to 'conserve and enhance' the South Devon Area of Outstanding Natural Beauty (South Devon National Landscape) in accordance with the requirements of Section 85 of the Countryside and Rights of Way (CRoW) Act.

Section 85 states that public bodies 'must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty' and, in our opinion, it clearly could not be in the public interest for the Council to allow developers to ignore planning conditions and, as a consequence, condone damage to a protected landscape.

As we explained, prior to the commencement of construction of the 17 mixed tenure dwell-



The view of the site for walkers from West Alvington Footpath 3

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A vote for Devolution could end local control of planning

The Consultation is now closed. The responses are being collated and a summary of those responses will subsequently be published. And then, on Monday 29 April at 10:30am Devon County Councillors will meet.

At that meeting they will vote on whether to submit a final proposal to the Secretary of State requesting the creation of the a 'Combined County Authority' for Devon and Torbay.

Nor will it matter what that carefully-managed Consultation concludes. Respondents were offered no opportunity to opt out from the proposed authority. Nor could they assess whether there might be any better means by which to achieve some or all of the hoped for outcomes. Their only option was to agree or disagree with the proposed Authority's objectives and, if so, how strongly.

More pertinently, despite Devon County Council Leader Cllr John Hart having told the Society on 16 February there would be a series of public consultation meetings to be held over the county area at which residents would be able to ask questions, not a single such meeting has taken place.

At the same time he promised to provide answers as to the budgeted set-up costs of the CCA, its projected annual budget, and the number of full time staff or their equivalent that the CCA intended to employ.

But once more, no answers have been forthcoming.

Yet in an article published last week on March 21 in the *North Devon Gazette* Cllr Hart still



Devon County Council Leader Cllr John Hart

claims 'I firmly believe this will be one of the most ground-breaking developments in decades for the one million people we represent in Devon and Torbay.'

He has left residents with no choice but to take his word. We have had no chance to ask questions. We still have no idea of the costs. All we do know, because the Levelling-up and Regeneration Act tells us, is that council tax payers will end up footing the bill.

And if Cllr Hart wants the CCA to proceed it will. As leader of the Conservative group he commands a comfortable majority on the County Council and can whip his members to vote in favour.

That outcome would be profoundly undemocratic. Neither Cllr Hart nor any of his fellow County Councillors has a mandate from those they represent to introduce an additional layer

of inevitably costly bureaucracy. And nor have they asked for one.

So it's no surprise opposition group leaders have already expressed concern. What is on offer, they suggest, hardly amounts to 'devolution'. Central government will still tell the new Authority what it can and can't do. And if ministers subsequently don't like what is being done they can simply step in and take back control.

This was amongst the reasons why, at their recent meeting, South Hams District Councillors voted to request any decision on whether to proceed with the CCA be deferred until after both the forthcoming general election and the County Council elections to be held in little more than 12 months time.

Noticeably a number of our Councillors would have been happy to scrap the CCA alto-

gether but, without the power to do so, the majority thought it expedient not to include that in their response to the Consultation, fearful that should the CCA proceed, the new Authority might penalise the South Hams as a consequence.

Instead, by calling for a delay, it would be possible to discover what the next government intends devolution to mean and what, if any, financing might be available. At the same time candidates for the County Council could answer the questions residents might wish to ask and obtain democratic consent to whatever might be on offer.

Consequently it's significant that since the Consultation closed, Sir Kier Starmer has been reported by the *Financial Times* as saying combined authorities will secure greater control over policies affecting transport, skills, housing, planning, employment support and energy. They will also be required by statute to develop "local growth plans" setting out how they plan to kick-start growth.

Given Sir Kier has previously gone on record as saying he sees 'reform' of the planning system as the key to kick-starting growth it can only be sensible to wait to discover precisely what is being proposed, rather than risk our District Council losing control over planning matters to a new, distant bureaucracy.

In the meantime we can all still email our County Councillors and ask them to commit to vote to defer when they meet in Exeter on 29 April. You can find details of the County Councillor who represents your Parish here. •

... Enforcing Enforcement

ings in the nearby field, vehicle occupants approaching West Alvington enjoyed long views over the surrounding countryside.

Today, no vehicle passenger enjoys those views. Instead are two earth banks blocking the view of what is now the gravel area beyond, but which remains all too visible to walkers along West Alvington Footpath 3 linking West Alvington to Kingsbridge.

In our opinion the Statutory Duty of conserving and enhancing the natural beauty of an AONB (National Landscape) must be the overriding and pre-eminent requirement that is in the public interest. This failure to do so would suggest the accusation levelled by the Liberal Democrats

in their manifesto for last May's District Council elections that 'over recent years the planning and enforcement function of the Council has left a lot to be desired' sadly still remains the case.

Making a commitment to 'overhaul the Enforcement Service' those now running our Council went on to say in their manifesto:

This service is not effective. It needs more officers, better systems, better prioritisation, better categorisation of cases, better communication with members, better alerting and deadlines. It also needs to prioritise cases involving environmental damage.

If West Alvington is anything to go by it would seem there is sadly still work to be done. •

... No new Joint Local Plan

an inadequate supply of housing sites, but the need for more affordable housing... there is an ever growing need for more affordable housing, particularly social rented accommodation throughout the whole plan area.

The Report also correctly identifies the problem:

As it currently operates, the housing market delivers affordable homes as a percentage of market homes depending on viability. This is unrelated to the existing needs of the population and the planning system is not equipped to deliver the quantity of affordable housing needed to meet the needs of the existing population.

However this is not something any revision of the JLP in itself is likely to be able to successfully

address. Merely increasing the affordable percentage demanded will inevitably be challenged by developers on grounds of viability. Instead, and as 6.12 of the Report Appendix A makes clear:

Radical reform of the whole housing market and state intervention to prioritise increased delivery of social housing is required to address this crisis.

Unfortunately it is hard to envisage this happening any time soon.

In the meantime we can only await the secondary legislation and any changes to the existing planning system, including whether our District Council will still have control once a new government takes office. •

Martin Fodder: More bad news on sewage spills

In earlier newsletters I have written in detail about the causes of water course pollution in the South Hams and the way in which sewerage is managed and regulated. By way of a reminder, if you need it, Combined Sewer Overflows (CSOs), the are valves which, when they are opened, cause a mix of groundwater and sewage in the sewer to be "spilled" directly into a natural watercourse without being treated in the usual way. It may, and usually is, "screened". Grills catch large solids. But the effluent is not otherwise processed.

It is important to emphasise that this is not "pure" sewage. Indeed, given that spill events only take place (or at least should only take place) when there has been a lot of rainfall the spill should be fairly dilute. It is also important to appreciate that a narrow focus on the number of spills may be misleading because it does not take account of the duration of the spills (which is measured) or the instantaneous or overall volume (which is not measured) and/or concentration of sewage within the mix. The larger the CSO and the greater the load then the greater the dump. Sewage in water courses is harmful to the environment. There is a useful summary of recent research into its effects in a paper by Wildfish. And it isn't very nice to swim in either.

The latest data for these spills, euphemistically referred to as - "events", - and their duration, covers 2023 and was published on 27th March. It has attracted a spate of headlines- eg "Water companies in England face outrage over record sewage discharges" from the Guardian and "England's sewage shame" from the Times.

In the three catchment areas which dominate the South Hams, the Dart, the Erme/Yealm and the Kingsbridge Estuary there are at total of 128 Event Duration Monitors. South West Water's E(vent) D(uration) M(onitoring) data is available listing the results from all 1,376 EDMs operated by the company across the South West. I will focus (of course) on the South Hams but it worth noting that no less than 189 of SWW's CSOs spilled for more than a thousand hours in 2023. Actually the very worst was at Princetown Sewage Treatment works which, although not in the South Hams, discharges into the Blackbrook River and therefore the West

<https://www.facebook.com/SouthHamsSociety>



Sewage spilling out in to Mill Street in Kingsbridge on the night of 27 March

Dart and thus the Dart. In 2023 the Princetown CSO discharged for a staggering total of 5,244.14 hours which is more than 218 days. Within the South Hams the CSO at Harbertonford Waste Water Treatment Works was opened for a total of 3,308.15 hours or 137 days and the one at Harberton for 2,994 hours or 124 days. And both of those CSOs discharged into the poor old Harbourne River which joins the Dart at Bow Creek.

I could go on. But I will mention just two more. The CSO at Ivybridge STW discharged for 2,280.18 hours and that at Totnes WWTW for 1,079.20 hours. There are various ways of alleviating the problem, reducing the degree to which groundwater and sewage are combined in the first place, reducing the amount of groundwater that goes into the combined drainage system by, eg, eliminating or reducing hard standing and providing or increasing storage capacity to store effluent during periods of overload.

Each sewerage undertaker has published its plans for the the next 5 year period 2025-2030. The National Storm Overflows Plan for England March 2024 by Water UK https://www.water.org.uk/sites/default/files/2024-03/WEB_Water%20UK%20National%20Storm%20Overflows%20Plan%20for%20England_0.pdf and an interactive map can be accessed at <https://www.water.org.uk/overflows-plan> is an attempt to set out the specific measures which are going to be

implemented at specific CSOs. I found it to be a bit clunky but it is possible to, eg, click on the blue dots that represent the two CSOs at Ivybridge. Ivybridge already has two storm water storage tanks, the original one and a (large) additional tank added in 2015. However as already noted significant and regular spills from Ivybridge are still taking place.

Through the Water UK interactive map SWW say that the relevant targets in the Government's Storm Water Overflows Reduction Plan which relate to the two Ivybridge CSOs will be met in 2035 and that this will mean that the number of spills will be down from 103 and 61 in 2020 to 50 and 12 in 2030 and 8 and 8 in 2050. This will apparently be achieved by "Storage, New screen, Operational (eg blockages), Nature Based (eg SuDS or Wetland Treatment) Bespoke solution. Other improvements to be confirmed." This strikes me as more than a little vague. It says nothing about the dates or details of the work to be done but is really just a list of all the various measures that might be deployed. And of course it focusses on the number of spills, not duration, volume or concentration.

But there does at least seem to be a plan for Ivybridge. For Totnes WWTW there is nothing. This is more than little odd because SWW's Level 2 Plan for the Dart says that the existing storage capacity at Totnes will be increased by 5,885 cubic metres (see p65) albeit (like the other plans) this is footnoted by the

warning "Please note that these are high level strategic planning proposals and do not represent a commitment. The plans and overall programme need to be assessed against other risks and against the wider South West Water programme for risk and affordability". So what is going to happen at Totnes to reduce the more than 1,000 hours of spillage into the Dart? I and others are trying to find out.... •

1. The technically minded may find this article interesting and useful in understanding the issues. Combined sewer overflows: relating event duration monitoring data to wastewater systems' capacity in England T. Giakoumis and N. Voulvoulis Centre for Environmental Policy, Imperial College London <https://pubs.rsc.org/en/content/articlehtml/2023/ew/d2ew00637e>
2. https://wildfish.org/wp-content/uploads/2024/03/Sewage-Campaign-Summary_040324.pdf. For the research itself see "The combined effects of treated sewage discharge and land use on rivers", Albin and others <https://onlinelibrary.wiley.com/doi/10.1111/gcb.1693>
3. <https://environment.data.gov.uk/dataset/21e15f12-0df8-4bfc-b763-45226c16a8ac>
4. For SWW these can be found at <https://www.southwestwater.co.uk/about-us/what-we-do/improving-your-service/drainage-and-waste-water-management-plan>. Engaging with these documents is not for the faint hearted!
5. https://www.southwestwater.co.uk/siteassets/documents/about-us/dwmp/strategic-catchments/dart_l2_dwmp_plan.pdf

<https://SouthHamsSociety.org>

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Where sewage pollution was worst in 2023

Many of the figures our Environment Lead Martin Fodder quotes on the previous page sadly understate the true levels of the problem we face.

For example, several locations have more than the one outlet. Princetown, for which figures are available for the first time for 2023, has two. So instead of sewage being dumped in to a tributary of the Dart for 5,244

hours as Martin mentioned, the combined total comes to an astonishing 7,911 hours, or the equivalent of 54 minutes in every hour throughout the year!

Similarly at Harberton it means total hours increase from 2,994 to 4,659 and in Totnes from 1,079 to 1,357.

It's also worth noting just how much the totals in many locations have increased between 2021 and

2023. And last year, of course, we saw a hosepipe ban! So it wasn't raining all the time.

Some of the largest increases are those for Buckfastleigh, Dartington, Moreleigh, Ipplepen, Stoke Fleming and East Allington. Sometimes new housing developments could either be the cause or a contributory factor. But that will not be the case everywhere. Again, percentage wise, dramatic

increases are to be seen in some smaller locations such as Stoke Gabriel, Diptford and Scorrifton.

Nor is it only South West Water that should be held responsible for this ecological and environmental disaster.

As we said in our January Newsletter, planners and politicians of all persuasions at all levels of government should also take their share of the blame. •

The Bottom 30 in 2023 order				2023			2022			2021		
Location	DWF	EA Permit	Discharges to:	Spill Hours	Spill No.	Op%	Spill Hours	Spill No.	Op%	Spill Hours	Spill No.	Op%
Princetown*	1,023	see notes	Dart	7,911.37	433	98.70%	-	-	-%	-	-	-
Harberton*	150	see notes	Dart	4,659.94	327	97.75%	4,019.90	260	92.50%	4,860.33	324	100.00%
Buckfastleigh*	3,165	see notes	Dart	3,562.72	280	100.00%	1,738.81	185	100.00%	2,113.95	219	100.00%
Harbertonford	242	203562	Dart	3,308.15	160	96.82%	2,141.50	102	91.00%	2,229.52	109	96.00%
Sherford		NRA-SW-6171	Sherford Stream	3,131.82	262	98.33%	1,253.69	217	100.00%	2,003.27	226	100.00%
Kingston	203	203413	Kingston Stream	2,835.56	141	100.00%	1,739.07	88	100.00%	-	-	-
Cornworthy	56	200926	Dart	2,725.13	152	100.00%	1,446.39	104	100.00%	1,212.24	119	100.00%
Dartington*		see notes	Dart	2,690.86	240	82.96%	971.79	115	63.33%	1,254.56	142	70.33%
Lutton*	211	see notes	Erme	2,614.86	179	75.81%	1,543.81	104	100.00%	-	-	-
Rattery		NRA-SW-1494	Dart	2,429.08	149	100.00%	1,955.52	140	100.00%	-	-	-
Ivybridge*	2,961	see notes	Erme	2,280.10	111	100.00%	1,625.61	105	100.00%	1,601.63	96	100.00%
South Brent*	509	see notes	Avon	2,243.62	173	65.88%	783.33	62	74.00%	1,174.31	87	92.50%
Sparkwell*	76	see notes	Erme	2,067.94	118	92.48%	1,279.99	80	90.00%	2,338.05	139	94.00%
East Prawle		202193	English Channel	1,791.33	146	100.00%	1,454.40	163	100.00%	-	-	-
Broadhempston	75	NRA-SW-1075	Dart	1,760.67	87	100.00%	1,049.59	113	100.00%	1,503.28	303	100.00%
Holne	36	SWWA 2251	Dart	1,674.78	131	94.52%	1,320.34	124	75.00%	1,275.53	130	100.00%
Moreleigh		NRA-SW-6964	Avon	1,665.13	135	99.95%	749.36	88	100.00%	352.48	45	100.00%
Scorrifton	25	203887	Dart	1,632.24	132	100.00%	890.57	107	100.00%	196.94	35	100.00%
Blackawton*	104	see notes	The Gara	1,620.38	115	91.36%	758.67	71	100.00%	1,119.16	95	100.00%
Lee Mill*	390	see notes	Yealm	1,597.95	288	100.00%	883.41	171	99.50%	488.30	166	100.00%
Ipplepen*	475	see notes	Dart	1,524.17	163	100.00%	434.22	61	100.00%	676.73	93	96.50%
Stoke Fleming	260	203363	Leonards Cove Stream	1,479.46	94	100.00%	1,014.27	63	98.00%	399.51	51	100.00%
Ringmore		203013	Ringmore Stream	1,474.50	69	95.70%	-	-	-	-	-	-
East Allington	69	SWWA 852	Kingsbridge Estuary	1,250.81	76	100.00%	305.94	39	100.00%	370.18	37	100.00%
Totnes*	3,967	see notes	Dart	1,357.27	275	87.11%	1,503.20	209	66.00%	1,678.82	371	98.00%
Torbryan		203002	Dart	1,162.66	57	100.00%	-	-	-	-	-	-
East Charleton		201660	Frogmore Creek	952.76	49	95.40%	672.91	35	87.00%	914.80	47	99.00%
Diptford		200400	Avon	875.52	122	90.38%	306.25	119	100.00%	97.69	83	100.00%
Stoke Gabriel		202852	Dart	854.16	54	100.00%	128.18	17	100.00%	45.57	13	100.00%
Strete	122	203410	Start Bay	836.67	83	100.00%	195.81	46	97.00%	264.66	53	100.00%

Environment Agency Permit Numbers for locations with multiple outlets

*Princetown = Princetown Sewage Treatment Works (201064) + Blackbrook North CSO (201856)

*Harberton = Harberton WWTW SSO (NRA-SW-5295) + Harberton WWTW SO (NRA-SW-5295)

*Buckfastleigh = Buckfastleigh STW (NRA-SW-5003) + Buckfastleigh STW (NRA-SW-5004)

*South Brent = South Brent WWTW (DRA 1062) + Brent Mill CSO (201720)

*Lutton = Lutton STW SSO (033125/SS/01) + Lutton STW SO (033125/SF/01)

*Ivybridge = Ivybridge STW SSO (203299) + Ivybridge STW SSO (203299) + Erme Road CSO (201862) + Pavilion Pumping station (202170) + Station Road CSO (201860)

*Sparkwell = Sparkwell STW SSO (15/47/1/P/9) + Tinwood CSO (301876)

*Blackawton = Blackawton STW SSO (NPSWQD006916) + Field Adjacent Council Houses CSO (201809)

*Dartington = Dartington B CSO (202963) + Dartington C CSO (202968) + Textile Mill CSO (202967)

*Ipplepen = Ipplepen STW SSO (203406) + Ipplepen STW SO (203406)

*Totnes = Totnes STW (203080) + Totnes Town SPST (201662) + Steamer Quay Bridgetown CSO (201695) + Swallofields CSO (202964) + 31 Fore Street CSO (201955) + Quarry Close CSO (202965) + St Katherine's Way CSO (EPR/DB3893NP) + St John's Terrace CSO (202242) + Lower Collapark CSO (EPR/DB3993NS)

*Lee Mill = Lee Mill SPS (301626) + Lee Mill STW (NRA-SW-0237)

Beauty in the National Landscape Management Plan

Some five years ago the then Parliamentary Under Secretary of State for Rural Affairs and Biosecurity Lord Gardiner of Kimble wrote in his Ministerial Foreword to the South Devon AONB Management Plan 2019 - 2024:

The Government has set its ambition in the 25 Year Environment Plan which states clearly the importance of natural beauty as part of our green future, while AONBs retain the highest status of protection for landscape through national planning policy.

As a consequence, a key policy objective of the Plan was 'to use planning policy and the mitigation hierarchy to conserve and enhance AONB special qualities', and in order to do:

the AONB Staff Unit will provide representations to a wide range of plan makers to ensure that due regard is had to conserving and enhancing the natural beauty and special qualities of the South Devon AONB in the development of policy and strategy.

The Plan then went on to promise:

The AONB Staff Unit will respond to those planning applications that significantly impact on the natural beauty and special qualities of the South Devon AONB.

Unfortunately, and for almost a year, the Staff Unit has largely failed to meet that commitment. As far as the Society can ascertain, in the last eleven months the Unit has only submitted responses to 11 applications, all but one of which have been written by the Unit's Estuaries Officer and 'made from a marine nature conservation viewpoint only'.

Consideration of other applications, many of which would have an adverse impact on the natural beauty and special qualities of our protected landscape, have almost invariably gone through

**Protected Landscapes
Targets & Outcomes Framework**

Target 1: Restore or create more than 250,000 hectares of a range of wildlife-rich habitats within Protected Landscapes, outside protected sites by 2042 (from a 2022 baseline).

Target 2: Bring 80% of SSSIs within Protected Landscapes into favourable condition by 2042.

Target 3: For 60% of SSSIs within Protected Landscapes assessed as having 'actions on track' to achieve favourable condition by 31 January 2028.

Target 4: Continuing favourable management of all existing priority habitat already in favourable condition outside of SSSIs (from a 2022 baseline) and increasing to include all newly restored or created habitat through agri-environment schemes by 2042.

Target 5: Ensuring at least 65% to 80% of land managers adopt nature friendly farming on at least 10% to 15% of their land by 2030.

Target 6: Reduce net greenhouse gas emissions in Protected Landscapes to net zero by 2050 relative to 1990 levels.

Target 7: Restore approximately 130,000 hectares of peat in Protected Landscapes by 2050.

Target 8: Increase tree canopy and woodland cover (combined) by 3% of total land area in Protected Landscapes by 2050 (from 2022 baseline).

Target 9: Improve and promote accessibility to and engagement with Protected Landscapes for all using existing metrics in our Access for All programme.

Target 10: Decrease the number of nationally designated heritage assets at risk in Protected Landscapes.

The Targets and Outcomes Framework

without comment.

This omission is justified by a lack of resource. And despite South Hams District Council having agreed more than a year ago to help fund a part-time planning consultant who would work one and a half days a week on behalf of the Staff Unit, that individual has yet to be recruited.

It is an issue has been raised at each of the last three AONB Partnership Committee meetings by the Amenity Groups representative on behalf of both the Society and the other Amenity Group members. And on each occasion action has been promised.

However at the most recent of those meetings in March Partnership Committee Chair Peter Sandover acknowledged planning matters currently enjoy low priority, explaining:

At the moment much of the work

load falls to Roger (English, the Unit Manager) in his spare time or Nigel (Mortimer, the Estuaries Officer). However this will not change the priority or status given to planning matters at Partnership meetings. This will only change, in my view, if the National Landscapes receive Statutory Consultee Status and further resources/funding are forthcoming from Government for this. Recent advice suggests that this is not a priority.

Disconcertingly, with a new Management Plan in the course of development, 'the importance of natural beauty as part of our green future' is noticeably absent from the ten Targets & Outcomes the Government is now instructing the Unit to address. Instead the emphasis is almost exclusively on improving and increasing biodiversity.

To quote Roger English:

Focus is provided in this Targets & Outcomes Framework on ten

separate targets. That means understandably we have to focus more in the future on those items rather than everything that we do. And these are embedded in the environmental improvement plan for the nation and the expectation is that within eighteen months all protected landscapes will have woven the Targets & Outcomes Framework in to Management Plans and the work of the Partnership and the staff units.

Natural England's Senior Protected Landscapes Advisor Becky Hughes picked up on this point at the same meeting:

One of my interesting things about it is that there's no target specifically related to landscape condition, landscape quality and maintaining and enhancing natural beauty, which I think is interesting for a protected landscapes framework. I think it's probably because it doesn't link back directly to environmental improvement plan targets but it will be interesting trying to see if there's an appetite for proposing a specific target or how it's represented in Management Plans.

Consequently it is to be hoped that the rebranding of the South Devon Area of Outstanding Natural Beauty as the South Devon National Landscape is not to be taken as further confirmation that the current Government now appears less concerned than previously in thinking our National Landscape staff unit should 'respond to those planning applications that significantly impact on the natural beauty and special qualities of the South Devon AONB'.

And it will indeed 'be interesting' to see whether 'the importance of natural beauty as part of our green future' will be both represented and emphasised in the next Management Plan. •

Sir Simon Day

Sir Simon Day, who died earlier this year aged 88, had a long and varied career in public service. He was also a life member of the South Hams Society and maintained an interest in its activities.

He was a well known local politician and farmer, From his home near Ermington he was active in West Country affairs of all sorts. On the political stage, Sir Simon was a Devon County councillor for 49 years, leading the council in the early 1990s and chairing it in 2001-2002; he also stood three times for Parliament. He was elected to the County Council in 1964 to represent Modbury, and



Sir Simon Day

despite boundary changes served until 2013 when he was elected an honorary alderman.

He also served on a variety of regional and national committees, and had considerable business interests in Devon and Cornwall.

At various times he was president of the South Devon Herd Book Society and the Devon County Show, chaired the governors of Bicton College of Agriculture, and was a member of the court of Exeter University. He was High Sheriff of Devon for 1999-2000, as well as a hereditary Freeman of the City of Norwich. He was knighted in 1997. •

Baltic Wharf: destined to go under?



The Boatyard, currently at a scale that is an appropriate reminder of the Town's marine heritage, would largely be lost

This application to impose no fewer than 194 new dwellings on the site of the Baltic Wharf Boatyard is one of the most detailed, extensive and exhaustive with which the Society has had to contend. It has also generated a considerable number of objections, both from statutory consultees and members of the public.

Were the case officer not to recommend refusal, even though she has more than sufficient grounds to do so, few would expect the proposal to be approved by the majority of Development Management Committee members.

The application is therefore likely to go to appeal. However, given the timing, that is unlikely to be heard until after the next election. By then changes to the planning system could allow this proposal, predicated as it would appear on the desire of the developer to generate a projected profit of almost £13 million, to proceed.

Regrettably, and as it stands, the development makes no noticeable contribution to satisfying existing housing needs in Totnes, improving the air quality, safeguarding the high street, or

enhancing the natural and built environment both in and on the edge of the town.

And, were it to go ahead, the character of both of the town and its setting beside the banks of the Dart, as enjoyed both by walkers on both banks of the river and those arriving by boat from the south, would be drastically and damagingly altered.

Not only have both the Council's Landscape and Tree specialists objected, but the Totnes Neighbourhood Plan has emphasised the importance of the site, noting:

The River Dart is a key feature in the local landscape and the prime reason for the town's location. The Dart valley is Totnes' essential landscape feature, has been a mainstay of its economy and is an important resource for leisure and recreation.

As a consequence Neighbourhood Plan Policy En5 states:

Development on or adjacent to the river should... conserve or improve local identity and the appearance of the riverside.

So it's relevant that even the applicant's own submitted Landscape and Visual appraisal had no option but to acknowledge the sensitivity of many of the local

visual receptors and accept the resulting scale of change caused by the development would be high or substantial.

Other factors we endeavoured to address in our letter of representation included flood risk and electric vehicle fire safety considerations, air pollution, traffic and travel, insufficient car parking, the lack of affordable housing, the scale of the development, environmental considerations, and the impact on the town itself.

We also examined the planning history of the site in some detail, demonstrating that this latest application was unable to rely on any previous application. Instead it had to be considered purely as a new application on its own merits which, were it to comply with the Joint Local Plan, could only seek approval to construct a further 95 dwellings on the site.

And, although Policy TTV21 of the Plan requires the 'retention of boatyard and associated facilities', we noted the applicants were now claiming the boatyard 'cannot be in the form as it is now otherwise the remainder of the allocated uses will not be possible to deliver on site.' Were this agreed and the development to proceed, we argued, the

proposed reduction in both size and facilities would render the boatyard unsustainable.

In total our objection ran to 44 pages, with a front page courtesy of the Totnes Image Bank, showing the River Dart overflowing its banks back in March 2008. This was prescient. A few weeks ago, and after our objection had been submitted, on 13 March the Dart broke its banks again.

It is therefore notable that the development is proposing 262 undercroft car parking spaces at 'Baltic Wharf level', providing one of the largest densities of EV charging points in Totnes. Yet the applicant has not appeared to have 'risk assessed' the practicalities of placing so many EV vehicles in an area lacking any flood prevention measures, potentially putting hundreds at risk of both seawater and fresh water flooding.

Government guidance suggests that this is not a good idea, while the *Zurich Resilience Solutions Risk Insight: Electrical Vehicle Charging* makes it clear that:

Charging units should not be installed in any location where flood or excessive surface water run-off and pooling is considered a risk.

The application has yet to be determined. ●

Newsletter / 8

Butterford saga goes to appeal

As readers of our January Newsletter will recall we devoted almost 2,500 words to telling 'The never ending saga of Butterford', a long and exhaustive tale that began on 9 February 2022.

At issue was both a planning application for a proposed agricultural storage building approved on the basis of incorrect information provided by the applicant, coupled with two further retrospective applications for a track leading to the intended location for that building.

According to the applicant the track, which had already been constructed, was no more than a replacement for an existing track. Unsurprisingly, this claim was also incorrect.

And as we detailed in our January Newsletter, throughout the process the Society provided evidence to challenge all these claims.

Once the second of the two retrospective applications had been withdrawn and the Enforcement Team had been persuaded to reopen their investigation in to whether the existence of the track constituted a breach of planning control after closing their initial investigation on the basis 'that the track has been cleared, to a satisfactory standard', another claim the Society was able to refute, a second investigation was still underway when our January Newsletter went to press.

The outcome of that second investigation is now known. And the Society finds itself vindicated.



Stone scraped from the track left dumped on the land

On 8 February a formal Enforcement Notice was issued by the Council's Solicitor and Head of Legal Services, requiring the removal of all rubble/hardcore and stone piles and the soil banks to be scraped back over the line of the track to ensure the levels of this field are returned to their original levels and sloping nature.

To quote from the Notice:

It appears to the Council that the above breach of planning control has occurred within the last four years.

The track has been created across the Land to gain access to an agricultural building which was the subject of a Prior Notification application and which is yet to be constructed in the field adjacent to the Land.

A retrospective planning application seeking to regularise and retain the track was submitted to the Council for consideration in May 2022 but the application was withdrawn in July 2022.

A further retrospective planning application seeking to regularise and retain the track was submitted to the Council in November 2022 but that application was withdrawn in April 2023.

The Council has since been engaged in ongoing investigation and dialogue with the landowner. In October 2023 a site visit by the Council revealed the stone surfacing to the track had been largely removed and deposited in piles on the Land, as shown in the photographs annexed to this Notice. The Council is not aware of any need for the creation of the track for the purposes of agricultural trade or business. The Council has not witnessed any agricultural activity on the Land which is fallow and has not yet been used as pasture for livestock.

In the absence of any proven current agricultural or other justification the track is in breach of Policy TTV26 of the Plymouth and South West Devon Joint Local Plan.

The Land is situated within the Area of Outstanding Natural Beauty, now called the South Devon National Landscape. As such, local planning policy and the South Devon Area of Outstanding Natural Beauty Management Plan recognise that the Area of Outstanding Natural Beauty is a living and working landscape where local needs can be met through high quality development in appropriate locations.

The track is not considered to conserve and enhance the landscape, natural beauty or special qualities of the South Devon National Landscape.

The track together with the associated increase in vehicular movements has a negative impact on the existing tranquil character of the Land and the wider South Devon National Landscape.

The track is considered to conflict with the principal policy sets set out in the Plymouth and South West Devon Joint Local Plan policy DEV25, the South Devon Area of Outstanding Natural Beauty Management Plan and Paragraph 182 of the National Planning Policy Framework which requires that "great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues..." and that "the scale and extent of development within all these designated areas should (be) limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas."

The Council consider that planning permission should not be given, because planning conditions could not overcome these objections to the track.

Sadly the Enforcement Notice is not, as yet, the end of the matter. The owners of the land have exercised their right to appeal the Council's decision to the Planning Inspectorate.

And the appeal process has yet to begin. ●

As we reported in our January Newsletter, two applications were submitted last year to which the Society objected, and both of which were refused.

The first, in March, sought consent to demolish the existing house and garage, erect a replacement, and add an outside pool and boathouse.

This was then followed towards the end of August by an application for a Certificate of Lawfulness to permit refurbishment of and alterations to the existing dwelling, the addition of a new conservatory, as well as two new outbuildings intended to accommodate an indoor swimming pool and an outdoor waterside storage and changing area.

In refusing the second application the case officer concluded

Harbour Watch approved

that neither the conservatory, the outdoor waterside storage and changing area or the indoor swimming pool would be considered permitted development.

Planning permission, we noted, would therefore be required and a further application could yet be forthcoming.

Suffice to say, that application was submitted during January, again seeking a Certificate of Lawfulness, this time limited to the refurbishment of and alterations to the existing dwelling.

According to the applicant's agent:

The proposed alterations to the main house including window and door alterations and the introduction of new flush fitting

roof lights, can be constructed without planning permission as 'Permitted Development' by virtue of Class A and Class C respectively, (Part1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 ("the Order") as amended).

Even so it is worth noting that the proposed window and door alterations and the introduction of new flush fitting roof lights will add significantly to the glazed area of the existing dwelling. Indeed, when considering the previous application for a Certificate of Lawfulness, the case officer concluded:

When seen in this context the alterations to openings are extensive and will be relatively prominent on public facing elevations. They will materially alter the

appearance of the dwelling and increase light spill and in this respect they are considered to represent development.

Even so, the case officer concluded the alterations that are the subject of this application would be permitted development, meaning that the agent's interpretation of the legislation is correct.

So despite the house sitting within the AONB, the Undeveloped Coast and SSSI Designations, in which the environmental and aesthetic qualities of the waterfront landscape presents precious public amenity benefits much appreciated by both locals and visitors alike, the Certificate was almost certain to be granted.

And, needless to say, a few weeks ago, it was. ●

Chillington creates conundrum for Council

Eight years ago, in 2016, the Society first objected to 0771/16/OPA, an outline application for planning permission to erect up to 65 dwellings to the rear of Green Park way in Chillington.

The proposed development, we argued, would bring significant long term disadvantages. It would be outside the village's development boundary. It would add to the trend for the suburbanisation of the South Hams countryside. And though it would be outside the AONB it would adversely affect it, by virtue both of its appearance and of the general loss of open countryside in long views.

In addition, we added:

The occupants would have to use cars to access the schools, shops and services of Kingsbridge. Even if the objection of increased traffic on the very busy A379 is brushed aside for the present, the additional traffic would contribute to future pressure for the road to be upgraded, to the disadvantage of the environment, character and amenity not only of Chillington but also of the other villages between there and Kingsbridge.

Against these objections, so clearly made by the people of Chillington, the possible advantage is the provision of affordable housing. Yet the application has come forward with that element left almost entirely open. If the benefits and disadvantages of the proposal are to be sensibly considered by the public, the developer needs to specify the number of affordable houses he will provide, together with their size and type of tenure, and with a clear statement of how they would remain affordable when they come up for resale. It cannot be right that these matters would be left for subsequent negotiation by officers in a situation where outline approval had been granted and the project had thereby been given momentum. They need to be nailed down as part of any outline permission.

As it is currently made, the proposal is inadequate and the council is urged to refuse it.

Unfortunately, even though the application went before the Development Management Committee, it was approved. Members were no doubt in no way influenced to learn the development had the potential to attract a New Homes Bonus of £77,155 per annum, payable for a period of 6 years.

Since then we have submitted a number of further letters of representation, concerned about such issues the harmful visual



It is obvious development has progressed well beyond slab level

impacts that would be created by raising the ground levels to accommodate the new dwellings, surface water drainage and sewage.

But despite our protestations development has continued until, just before Christmas, application 4263/23/VAR was received, applying to vary conditions 1 (approved drawings), 5 (materials), 6 (boundary treatments and retaining walls/structures), 7 (external levels) and 9 (planting proposals) following grant of planning permission 0742/23/VAR.

Condition 7 made it clear that:

Prior to development continuing above slab level on any plot, details of external levels within the site as a whole, including levels of gardens and areas of public open space shall have previously been submitted to and approved in writing by the Local Planning Authority. Development shall take place in accordance with the approved details.

This latest application proposes that Condition be reworded as follows:

Prior to occupation details of external levels within the relevant phase of the development, as identified on the approved Condi-

tion Phasing Plan, including levels of gardens and areas of public open space shall have previously been submitted to and approved in writing by the Local Planning Authority. Development shall take place in accordance with the approved details.

It is also requested that drawing 311 2420T07 External Levels Plan - Phase 1 Overall is approved to partially discharge condition 7 for Phase 1 only'.

Significantly, and as the Society's photos show, the development has already gone well above slab level without any plans being submitted and the required written approval obtained.

Then, more recently, a notice has appeared at the entrance to the site announcing that works have been temporarily suspended. It would seem the development might be in difficulties.

Indeed it is entirely possible that, unless the Council will be prepared to condone the very obvious breach of Condition 7 by approving the requested amendment, the development will be unable to proceed.

The Council therefore find themselves between the proverbial rock and a very hard place. Allow developers to ignore planning conditions with impunity or be left with a half-completed building site. ●



The Notice that has recently appeared

Newsletter / 10

Some developments are still not simply 'Permitted'

On 14 February a Commons Library Research Briefing – *Planning in England: Permitted development and change of use* was published.

It thankfully allayed some of the fears the Society had originally feared when the Government had first published its consultation on Permitted Development Rights in July last year. The response the Society submitted to that consultation can be found on our website.

We were particularly concerned about proposals that would allow barns, stables and other buildings in both the South Devon National Landscape (South Devon AONB) and other protected landscapes to be converted in to residential dwellings without any requirement for planning consent.

As a consequence the Society wrote to both our MPs, Sir Gary Streeter and Anthony Mangnall, asking them to do everything in their power to ensure the changes being proposed in protected landscapes did not take place.

Fully accepting both were fully aware that our landscape



The published Research Briefing

remains under considerable pressure from often inappropriate development in far from sustainable locations, we pointed out that relaxing the existing rules in protected landscapes would benefit nobody, save for a very small number of landowners.

With more than twice the number of dwellings identified in our Joint Local Plan as being necessary to be delivered by 2034

either consented or built, our existing infrastructure is already incapable of coping. Allowing yet more dwellings in isolated rural areas would only exacerbate the problem.

And, given the prices houses in such locations can demand, it is hard to believe there would not be an explosion in the number of buildings being converted. None would be affordable to the

vast majority of local residents, and none would do anything to help resolve our appalling lack of genuinely affordable housing.

Having encouraged members to add their voices to our appeal we can only thank those who did. We have no idea whether our combined efforts carried any weight with our elected representatives, but at least the outcome is as we hoped.

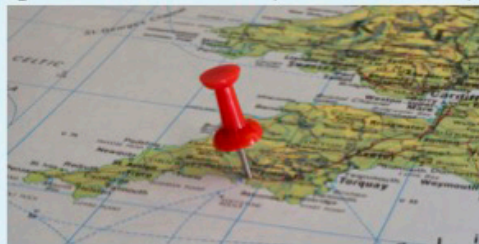
To quote page 10 of the Commons Library Research Briefing:

many PDRs do not apply in protected areas, namely on 'article 2(3) land'. This is land in conservation areas, National Parks, National Landscapes, the Broads and World Heritage Sites that is identified by article 2(3) of General Permitted Development Order 2015.¹⁶ Many PDRs also do not apply to listed buildings and other protected heritage assets.

Article 3(2) land includes National Landscapes, conservation area, National Parks and SSSIs, while being able to convert agricultural buildings to homes under Class Q in such areas thankfully remains impossible as part of the prior approval process. •



Thursday, April 25, 6:30pm
The Ballroom, Royal Seven Stars, The Plains, Totnes, TQ9 5DD



The Benefits the Freeport will bring to the South Hams

A great opportunity to answer all your questions regarding Plymouth and South Devon Freeport.

This special event will allow Freeport Chief Executive **Richard May**, Freeport board member and SHDC Executive Member for Economic Development, Commercial Strategy and Governance **Cllr John Birch** and **Chris Brook**, SHDC Director of Place and Enterprise, to provide insights to the UK Freeport policy and the benefits and opportunities it provides the residents of South Hams and wider region.

Our guests will explain key elements such as the specific Freeport Tax Sites in South Hams, the rationale and purpose of the Freeport Outer Boundary, planning regime and adherence.

They are keen to answer any questions you might have to address any concerns or misunderstandings

So if you have a question which you would like answered, please email it to southhamsociety@gmail.com.

And, if you would like to attend, please email membership@southhamsociety.org to reserve your place. Admission is free and all are welcome but, if oversubscribed, priority will be given to Society members.

Newsletter / 11

Collapit plays the Permitted game

Used during WW1 as a convalescent home for recovering soldiers, Collapit Creek House is listed on the Devon Heritage site.

Because of this, when evaluating any planning application, officers should be required to take in to consideration JLP Policy DEV21, which states 'development proposals will need to sustain the local character and distinctiveness of the area by conserving and where appropriate enhancing its historic environment, both designated and non-designated heritage assets and their settings, according to their national and local significance'.

But by applying for a Certificate of Lawfulness for a new rear extension and various alterations to facilitate the refurbishment of the existing house, along with the construction of some outbuildings for incidental use, the applicant hoped to use permitted development to avoid that requirement.

To quote the applicant: 'the proposed rear extension, roof lights and outbuildings for incidental use can be constructed without planning permission as 'Permitted Development' by virtue of Class A, Class C and Class E, Part1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 ("the Order") as amended.'

And, in determining the application (3327/23/CLP), the case officer agreed, noting:

Now that the size of the buildings has been reduced in scale from the earlier application, I consider that the proposals are incidental and relate to the reasonable needs of the occupiers of the house. It is for this reason that a certificate of proposed lawfulness is granted.

He reached this conclusion despite earlier in his Report noting:

This lawful development certificate proposal proposes a number of separate buildings each of a relatively large size. The total extent of buildings and their disposition suggests that the application is seeking to provide something unusual and may be providing a fall-back position for some other future development. Their grouping and their position close to such a prominent elevation overlooking the creek raises questions as to the real purpose of the application. No occupier would wish to promote a group of buildings which would have the potential affect the main views from the house. There is therefore a



Proposal could damage the special properties of the Estuary

question as to whether the buildings are reasonably required or whether there is another purpose to the application.

Needless to say, his suspicions were correct. There was indeed another purpose. Because a mere two weeks after the decision notice had been issued a new application (4207/23/FUL) was submitted. The applicant now wished to demolish and replace Collapit Creek House and its ancillary Gatehouse.

Nor did the applicant make any attempt to deny there had indeed been another purpose. As their Design & Access Statement admitted:

The applicants purchased the land and house at Collapit Creek with the intention to create an exemplary dwelling of exceptional quality, set within an enhanced landscaped garden, befitting of this protected landscape.

Not, you will note, to refurbish the existing house or construct some outbuildings for incidental use. Consequently it was obvious

that their Certificate of Lawfulness had only been acquired in order to help:

achieve a design of such exceptional high quality, the applicant undertook an architectural competition, selecting internationally renowned Architectural practices to visit the site and submit design proposals. They were provided with a detailed client brief, along with thorough, contextual LVIA analysis, landscape and environmental assessments.

Yet despite this, and after noting on page 18 of the Statement that 'A certificate of lawfulness was sought for the establishment of permitted development extensions to the existing property, Ref no. 3327/23/CLP. This application was approved on 30/11/2023', the Statement then goes on to disingenuously suggest:

Upon reflection, it was felt that the approved design could potentially be detrimental to the sensitive setting.

One glance at the time scales involved, and the fact the

architectural competition was almost certainly underway before 3327/23/CLP was submitted on 3 October 2023, only 11 weeks prior to this latest application being submitted, any reflection can have been no more than a box-ticking exercise.

Instead the real reason why the Certificate of Lawfulness was acquired was to confirm:

the applicant has a right to significantly extend to the rear and side of the property and alter window fenestration, in addition to providing additional ancillary accommodation within the plot.

In other words its purpose was to establish that the footprint of what was built on the site could be noticeably increased. As a result it comes as no surprise that in one of other 42 documents that accompanied the application, the Planning Statement, the applicant's agent admits (3.12):

The combined footprint of the proposed main dwelling and ancillary Gatehouse is larger than that of the existing dwellings at the site. However, in aligning with the principle of paragraph 84 of the NPPF, the architectural design and proposed integral landscaping is of such exceptional quality, reflecting the highest standards of architecture that it will undoubtedly help to raise the standards of design more generally in this rural area.

That was not a claim with which the Council's Landscape Officer concurred. She wrote:

The proposed development fails to respect the area's distinctive sense of place, and to reinforce local distinctiveness, and would have adverse effects upon the character of the area and which would detract from the Special Qualities of the South Devon National Landscape...

I believe there may be potential to address the concerns and policy conflicts but, on the basis of the submitted proposals, I am unable to support the application, and so my recommendation is an Objection.

She also noted and agreed:

with the SHDC Tree Officer's concerns in respect of the recent removal from the site of a large group of mature Black Pine trees, which are visible in images contained within the LVIA and DAS documents, which were locally characteristic features and visually prominent within the wider landscape. Also noted is the recent removal of trees and vegetation closer to the foreshore – also visible in submitted documentation, but since cleared, and resulting

...Continued page 12



Foul water outfall would be in conflict with Rule 8 of the GBR

Newsletter / 12

in an erosion of the well-wooded appearance of the creek sides. The Parish Council have also submitted an objection, saying:

The existing property has a lot of historic importance as well as being a beautiful building in a stunning location overlooking Collapit Creek. Many believe the property should be listed to protect it for future generations. It would appear that little thought has been given to preservation of any aspect of the existing building (and surrounding buildings) with the new owners wanting to demolish buildings in favour of creating their own vision. A vision which, could be argued, is not unique and is more in keeping with small coastal towns that are not protected via the AONB or conservation areas/heritage coast.

Similarly Natural England believe the application, as submitted, would 'damage or destroy the interest features for which Salcombe to Kingsbridge Estuary Site of Special Scientific Interest (SSSI) has been notified.'

Again, the Devon County Council Ecologist has echoed those concerns, saying that 'at present, the application (is) contrary to policy and/or legislative requirements

... Collapit plays the 'Permitted' game

and we recommended refusal (and) further information is required prior to determination'.

Even so, by cynically exploiting Permitted Development Rights to prepare the way for this latest application the applicant's agent has made it possible, in the words of the Council's Landscape Officer, that 'a beautiful building in a stunning location overlooking Collapit Creek' will be demolished to make way for 'a strongly contemporary dwelling that has a substantially larger footprint than the dwelling it seeks to replace', adding:

the proposal does not adopt a conventional response to the local vernacular in relation to the form, scale, appearance, and materiality, which conflicts with adopted policy and guidance in relation to local distinctiveness and the area's distinctive sense of place.

Suffice to say the Society has objected to the application, noting that the proposed surface water and treated foul water outfall would be more than 930 metres above the average low water mark at the time of spring tides, and so in conflict with Rule 8 of

the General Binding Rules.

Similarly Rule 17 states you cannot meet the general binding rules if the discharge will be in or within 500 metres of biological sites of special scientific interest, special protection areas, special areas of conservation, Ramsar wetland sites, designated bathing water or protected shellfish water.

We therefore found it impossible to see how the Environment Agency could issue a permit for this proposal.

And we were also concerned that tree clearance has continued on the site while the demolition of buildings is recorded as being bad for the environment.

In other words, and as we made clear in our objection, this application should be refused. And it was.

Not only was the case officer concerned that the proposed dwelling would be much larger than the original dwelling, but that by virtue of its form and design it would fail to respect the area's distinctive sense of place, and have adverse effects upon the

character of the area that would detract from the special qualities of the South Devon National Landscape and the Undeveloped Coast policy area.

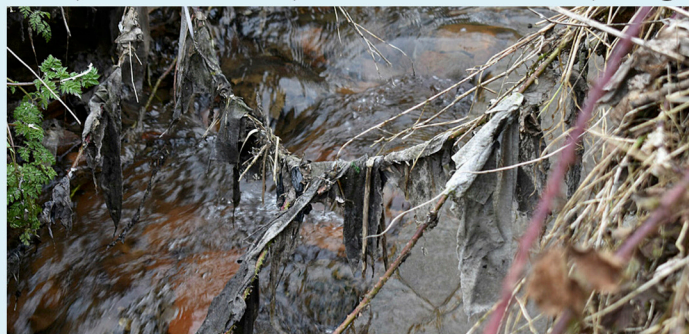
She also feared the proposed development would pose a high risk of long-term harm to valued trees through construction or post constructional pressure for inappropriate works that would diminish their amenity contributions.

And amongst her other reasons for refusal she noted that insufficient information had been submitted to assess the impact of the proposed development on the Salcombe-Kingsbridge SSSI, in relation to both the drainage proposals at the site, and the lack of information in respect of an area of timber decking shown at the base of the steps down to the foreshore.

But this unfortunately is unlikely to be the end of the story. Such is the desire of the applicants 'to create an exemplary dwelling of exceptional quality, set within an enhanced landscaped garden' that an appeal or a further application will almost certainly be forthcoming. •



Thursday, April 18, 12:00pm
Upstairs Restaurant, Crabshell Inn, Embankment Road, Kingsbridge, TQ7 1JZ



Pollution Problems and Nutrient Neutrality **Making our waters both fit to drink and swim in!**

Former barrister and South Hams Society Environment Lead Martin Fodder on the problems we face here in the South Hams, on whether they can be overcome and, if so, at what cost and by when.

The meeting starts at noon, lasts about 30mins with questions to follow. Admission is free and all are welcome, members and non-members alike.

The Crabshell management are providing the venue to us free of charge so please do support them by staying for a drink and a bite to eat after the talk. If you would like to attend please email membership@southhamsociety.org to let us know you might be coming and also whether you think you will be able to join us for lunch.

High Water – today and fifty years ago

Flooding incidents at the lower end of Kingsbridge have been much in the news recently. Although the sewage problem experienced in the latest floods is relatively new, finding the Quay and surrounding streets under water is not. A copy of the Kingsbridge Gazette from February 1974 – almost exactly fifty years ago – has come to light in the Society's records and shows a particularly notable example.

Kingsbridge has a picturesque setting at the head of a tidal estuary or ria, but its geography puts it at a disadvantage in some ways. Much of the property at the bottom of the town is on reclaimed land, and every valley running down to the quay has its watercourse discharging into the estuary. The combination of high spring tides, heavy rain and gales invariably causes flooding, as the surface water cannot drain away until the tide goes out.

Flooding seems to have become less severe over the last century, as there has been more gradual infilling around the head of the estuary. There are anecdotal reports from the early 1900s of residents rowing through the flooded streets from the Seven Stars at the far end of Mill Street, across to the King of Prussia at the bottom of Church Street, which would have needed a greater depth of water than is usually seen. The head of the estuary was filled in in the 1950s, forming the area which is now the Town Square.

In February 1974 extreme weather conditions affected the entire area, with gales and heavy rain causing damage and flooding all along the South Hams coast. As can be seen from the photographs here, high water affected the whole of the Quay, Mill Street, Bridge Street, the Embankment and the Recreation Ground (which is another example of reclaimed land, previously a tidal inlet). There are reports of damage to sea defences at Hallsands, Beesands,



Kingsbridge Embankment underwater February 1974



Kingsbridge Quay in the 1930s



Kingsbridge Quay and Pharmacy underwater February 1974

Torcross, Thurlstone and North Sands, with two feet of water in Salcombe's Fore Street.

Over the last fifty years, changes to Kingsbridge and its surroundings including new developments, and more frequent

and heavier rainfall, have put pressure on the sewage disposal system, and undesirable sewage overflows have now become a regular problem. Let us hope that there is a break in the wet weather soon, to allow the water

table to drop and deficiencies in the sewage system to be properly dealt with. However even with flood resilience precautions, there is no guarantee that lakes at the bottom of the town will ever be a thing of the past! •

On March 7 a Hope Cove resident appeared in Plymouth Magistrates Court, having felled two trees in December 2022 that were subject to a Woodland Tree Protection Order.

Pleading guilty, he was fined £10,000 and ordered to pay costs of £3,530 together with a £2,000 victim surcharge.

The resident had contracted an

<https://www.facebook.com/SouthHamsSociety>

Tree feller fined

independent gardening service to cut down the protected trees, who were unaware of their protected status.

He will now be required to replace the trees, which will continue to be protected by the same Tree Preservation Order once planted.

According to South Hams District Council, who brought the prosecution, 'our focus is to educate first to prevent any damage or breach of tree regulations. However, harm to trees, woodland and hedgerows does still happen and action will be taken where necessary to protect the beautiful environment and our rich

biodiversity for the residents and visitors of the South Hams.'

Cllr Dan Thomas, Executive Member for Planning, said:

I am very pleased with the outcome of this case and more importantly with the clear message it sends. We never want to take our residents to court, but when planning law is deliberately ignored, we can and we will. •

<https://SouthHamsSociety.org>

Making the most of Springtime

For us gardeners, as seasons go, this is surely the best. Springtime is here. To see the first touch of green on the trees is exhilarating. Spring began early this year with some Camellias and Magnolias starting their displays in late January.

Now is a good time to plant vegetable seeds in trays and Broad Beans are happy to be planted outside now.

I doubt any of us do all we have planned for our gardens at the right time, particularly so this year with not only the amount of rain but the number of outside working days spoiled by wet or waterlogged soil. Troublesome for us, but pity the poor farmers.

Pruning is one winter job which never seems completed but I don't worry too much if what is recommended as 'winter pruning' has to be done in Springtime. Walnut trees are an exception as their sap does not readily stop



Magnolia displays herald the first signs of Spring

bleeding once Spring is underway.

On the other hand, Prunus, both flowering and fruiting cherries and, also, plums should not be pruned until their sap is clearly rising with leaves and blossom appearing. They are susceptible to a fungus called Chondrostereum Purpureum which dam-

ages the trunk and branches and affects the provision of nutrients to leaves which makes them turn a silvery colour. Hence the term 'silverleaf disease' for which there is no cure. Once the sap is rising the fungus is not drawn into the branches from the cut and pruning is deemed safe.

It is easy to worry about pruning. 'I don't have the expertise' you may think but pruning is seldom fatal. Nature recovers quickly. The object is to shape the plant as you want it to be. If you have a plant which is becoming 'straggly' and you want it to look more bushlike then shape it by cutting branches just above a bud and, in all likelihood, several new branches will start to appear near the cut and start to form a bush.

Side branches are fairly straightforward but it is the main stem which requires more thought as it is likely to put an end to upward growth but it does mean the sap and nutrients (which the roots are pushing up all the time) are directed into invigorating side branches. There is nothing like doing it and finding out! *(These comments are intended for deciduous trees and plants and not evergreens which do not react to the seasons as deciduous plants do and can behave differently.)* •

Events: a solid start with our Plans for the year

On 7 March we held the first of this year's Crabshell Conversations. Architect and community engagement consultant Peter Sandover joined us to talk about Neighbourhood plans, explaining why they are needed, the process by which they are developed and the benefits they offer.

Nor do we think we could have found anyone more qualified to address us. Peter previously helped the Design Council produce their original guidance to communities, and he has since worked with many rural and urban communities, including those in both Salcombe and Dartmouth, to produce their own Neighbourhood Plans.

Along with a good number of our members we were also joined by representatives from a number of parish and town councils wishing to learn more. It was arguably amongst the most informative and the very best Conversations we've held to date.

That means our Environment Lead Martin Fodder has a very hard act to follow when he joins us on 18 April to discuss Pollution Problems and Nutrient Neutrality. No doubt picking up on some of the points he has raised elsewhere in this Newsletter he intends to address the problems we face here in the South Hams, on whether they can be overcome and, if so, at what cost and by when.

You can find out more about how we can make our waters both fit to drink and swim in by joining us at noon in the upstairs restaurant at the Crabshell Inn in Kingsbridge.

Unfortunately, because of the Half Term holidays, we were unable to hold a Conversation on 21 March, but we hope to return again with a full programme this autumn. If you would like to speak, or if you know of someone from whom you think we should hear, please email our Chair Richard Howell (southhamsociety@gmail.com) with your suggestions.

And finally this Spring before we once again hit the road to enjoy the delights of the summer shows we are to hold our AGM in the Ballroom of the Royal Seven Stars Hotel on The Plains in Totnes on 25 April.

Joining us will be Freeport Chief

Executive Richard May, Freeport board member and SHDC Executive Member for Economic Development, Commercial Strategy and Governance Cllr John Birch and Chris Brook, SHDC Director of Place and Enterprise.

As many of you will know, since inception the Plymouth and South Devon Freeport has been the cause of both considerable concern and controversy.

Between them our three guests will not only provide answers as to the benefits the Freeport will bring to the South Hams and its residents, but also be happy to explain such key elements as the specific Freeport Tax Sites in South Hams, the rationale and purpose of the Freeport Outer Boundary, as well as planning regime and adherence.

They are also willing to answer any questions you might have. So, if you have a question, please

email it to southhamsociety@gmail.com and we will not only do our best to ask it but also ensure that it is answered.

The meeting starts promptly at 6:30pm. The first 20 or so minutes will be taken up with Society matters before the meeting proper starts. We aim to finish by 8:15pm so that those who need to travel by car can take advantage of the two hours free parking in the Morrisons' car park close by. Further free parking can be found after 6:00pm in the Council car park a little further distant at the bottom of St Katharine's Way.

We really hope you can join us. Otherwise we look forward to meeting as many of you as possible at one or more of the Shows we will be attending this summer, for which volunteers are rather desperately needed to help us old folks move and erect both the display boards and gazebo! If you think you could help, once again please email southhamsociety@gmail.com.

Otherwise you should be able to find us on Kingsbridge Quay during Kingsbridge Fair Week on the morning of 27 July, then at the Totnes Show on the following day, Yealmpton a few days later on 30 July, Hope Cove Weekend 26 August and the Kingsbridge Show on 7 September. Hopefully more will be added in the coming weeks. •

Summer Events Programme (to date)

**Kingsbridge Fair Week - Town Square - Saturday
27th July, 9am - 12noon.**

**Totnes and District Show - Sunday 28th July
Yealmpton Show - Wednesday 30th July, 9am
- 5pm**

**Hope Cove Weekend - Sunday 26th August
Kingsbridge Show, Borough Show Ground - Satur-
day 7th September**

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Cove Guest House: still the appeals go on

Ostensibly this long-running saga appeared to have finally concluded. On 14 February the case officer finally approved application re. 4114/23/VAR and finally permitted the applicant to build a two-level timber framed Haus-style dwelling on the site.

Located within the South Devon National Landscape and the designated Undeveloped Coast and extensively glazed, a factor that had previously resulted in the refusal of a previous application (2268/23/VAR). To quote from the Decision Notice:

The extent of glazing proposed to the dwelling is likely to result in an unacceptable level of light spill which would have a harmful impact on the dark skies character of the surrounding landscape, failing to conserve and enhance the scenic beauty and tranquillity of the South Devon Area of Outstanding Natural Beauty, and the Undeveloped Coast. The proposed design by virtue of the level of glazing fails to have regard to the local pattern of development and does not represent good design, and the development conflicts with policies SPT12, DEV2, DEV20, DEV23, DEV24 and DEV25 of the Plymouth & South West Devon Joint Local Plan ...

However in assessing this latest application the case officer decided the Huf Haus-style dwelling would be 'acceptable and meets the requirements of DEV20 for a high quality of design', while 207m2 of glazing was marginally less than that of a previously approved scheme 1411/21/VAR and, as a result:

the scheme now submitted does not increase the overall area of glazing on the dwelling. There are minor changes to the area on each of the elevations which officers do not consider to be material to an overall consideration of the effects on light pollution.... Officers therefore conclude that the current scheme overcomes the committee's concerns with the previous application (2268/23/VAR).

Yet even though construction can now finally commence there are still obstacles the applicant will first have to overcome, not least as the case officer noted:

One of the reasons previously put forward by the Parish Council in objecting to the scheme is the poor access for large vehicles delivering prefabricated material to the site. This applies to all development schemes along this section of coast with narrow road widths and often single lane widths through the nearby villages...



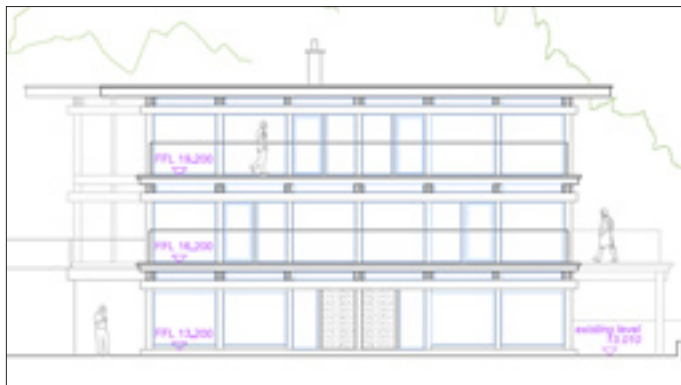
The site of the proposed building is immediately below the white cottage

Access up Tor Church Road and into the site itself is also of a

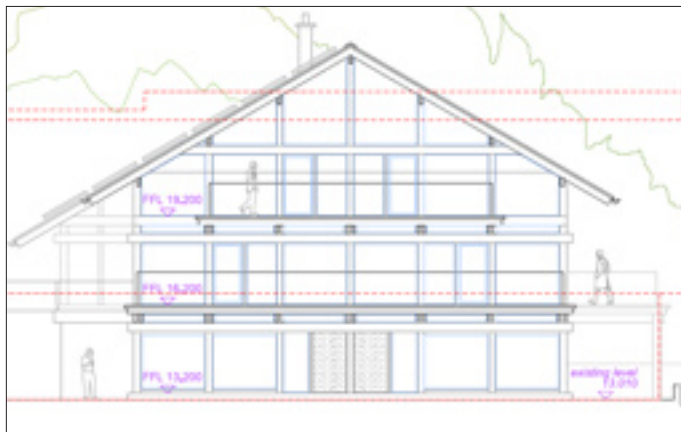
very restricted width. As with the extant permission, a construction

management plan is requested via condition and to address the requirements the onus will be on the applicants to explain how the contractors would deal with the restricted access. It will also have to address a range of other issues including measures for the protection of the SSSI which abuts the site on the seaward side and protection to the trees lining the access which overhang the drive.

And it is far from guaranteed that will prove possible. So another application to once more vary the design, we suspected, could yet be submitted. And it was.



The building dismissed on appeal by the planning inspector (above) and the revised design (below)



Application 0602/24/VAR was received on 19 February, this time wishing to vary 'Condition 2 (approved plans) of planning consent 53/3160/11/F'.

This would appear no more than an attempt to resubmit another proposal previously dismissed by the Planning Inspectorate. The only immediately recognisable difference between the two is that what had previously been a flat roof now slopes, so increasing the ridge height of the roof.

In our opinion this does nothing to successfully address the Planning Inspectors original concerns. ●

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The storage containers in use by the Academy (above) and the wash down area out of season (below)



Hendham View, Woodleigh

This retrospective application is the fourth attempt to obtain consent for some agricultural tracks. The first three were all submitted as Prior Notification applications even though, and as we had previously pointed out, construction of the tracks had already begun.

But it was not until the third application that officers finally accepted this was the case and informed the applicants that a full planning application would be required.

As with the original three applications, and as the Society has made clear in its submission, the information provided by the applicants is once again less than accurate in every respect.

The application site also falls within the South Hams SAC Greater Horseshoe Bat Sustainment Zone and the development will result in the loss of more than 2.7ha of grassland. It is therefore open to question whether a loss of this magni-

tude is ecologically significant. A Habitat Regulations Assessment could provide the answer, and should be undertaken before the application is determined.

Nor is the Society alone in objecting. The Devon Wildlife Trust also objected, pointing out that the extent of habitat loss was such and because of the proximity of the site to the Higher Marks Barn GHB roost, bat activity surveys were required to assess any impact on commuting and/or foraging bats.

Before determining the application the LPA needed to be satisfied that there were no impacts on the integrity of SAC. Something not possible, according to the Trust, without bat activity survey data.

It is also questionable whether all the lengths of track are actually necessary.

The application has yet to be determined. •

Land at SX 663436, Bantham

Since the Spring of 2016 two storage containers owned by The Bantham Estate and leased by Bantam Surfing Academy have been located on a supposedly 'natural plateau' in amongst the sand dunes.

The Academy, who run surfing and paddleboarding lessons, group kayaking tours and also offer surfing and paddleboarding equipment for general hire, primarily use the containers to store their surfing equipment.

The site lies outside of the settlement boundary for Bantham and is situated within the South Devon National Landscape, the Undeveloped Coast and Heritage Coast and within a Scheduled Ancient Monument.

Not only are the two former shipping containers an unsightly feature within the dunes but around them, and as we pointed out in our objection, mats were strewn that were in a poor state and disintegrating, leaving the surrounding sand contaminated with fragments of rubber mat. Kayaks had been left lying on the verge, a wash down area with a water supply pipe had been installed nearby complete with

garden hose, and a generator unit had been installed next to the waste storage area.

As we emphasised in our objection, the presence of the shipping containers not only fails to either conserve or enhance the South Devon National Landscape, but the development itself is clearly causing material harm to the sand dunes, polluting the area with degrading and environmentally damaging materials.

Significantly, the Landscape Officer is in agreement. Recommending the application should be refused, she writes:

The proposed development fails to conserve and enhance the natural beauty of the South Devon National Landscape, and fails to respect the area's scenic qualities and distinctive sense of place. The siting of shipping containers detract from the Special Qualities of the South Devon National Landscape, and conflict with JLP policies DEV23, DEV24 and DEV25, and policies TP1.5, TP22 and TP23 of the Thurlestone Neighbourhood Plan.

The applicant has since appealed her decision to the Planning Inspectorate. The outcome is awaited. •

Higher Manor withdrawn

Following the refusal of 0633/23/HHO, to which the Society had also objected and in which the applicant had sought consent 'for minor amendments to design, layout, materials & the introduction of ancillary accommodation in detached garage building approved under planning consent 1412/19/HHO', the applicant tried again.

The Society had previously made the point those proposed amendments were anything but minor.

'What was a single story garage', we wrote, 'is now a two-storey building with living accommodation on the first floor. The total floor area has doubled. The ridge height of the roof has noticeably increased. The addition of the three Dormer Windows has radically changed the design of the roof, while the Redlands Farmhouse Red clay tiles are an incongruous and arguably inappropriate visual intrusion in to the locality.'

Regrettably this latest application, 3273/23/HHO, did little more than remove the three garage dormer windows and make some cosmetic alterations to the eaves, while its ridge height

remained 1.2 metres higher than the previously approved height of 6m in application 1412/19/HHO.

And when recommending refusal of 0633/23/HHO the case officer took the view that at a height of 7.2m the garage (as had been built):

creates an overbearing structure which is not appropriate in terms of scale or design in the context of the host dwelling or the wider landscape.

before going on to add:

Officers consider this increase in building mass significant, especially considering the rural location on the very outskirts of the village with open farmland beyond. It is also deemed that the increase is not appropriate in scale of the context of the setting or the host property and therefore against the provisions of TTV29.

In our objection we also identified a number of other reasons the application should be refused. But, before it could be determined, at the start of February the application was withdrawn.

However we have still to discover whether the applicant will be required to lower the ridge height to that which was previously approved. •

Two pines save Stonehanger Court



Green space that would be lost if development was to proceed

Onnalea

Even though the Parish Council argued permitted development 'cannot be used as a bargaining tool to achieve a large development in such a highly protected area' the case officer was not convinced, instead deciding:

The property is located within the South Devon National Landscape, Undeveloped Coast and Heritage Coast where the principle of extending and altering residential properties is acceptable subject to its impact upon the surrounding protected landscape.

And despite the internal floor area increasing by 58% from 228m² to 361m², the case officer considered the outcome would be 'a demonstrable uplift in the quality of the built form' and would not 'have a significant detrimental impact on the unspoilt character, appearance, or tranquillity of this area.'

As for the applicant not long previously having exploited permitted development to obtain consent to construct two large outbuildings within the rear

garden area of the property, so establishing the principle of a larger built footprint on the site, the case officer offered the following explanation:

It is understood that the intention of this application was to set out a fallback position and relative impact of the surrounding landscape both proposed scale and massing and, the impact from the amount of glazing achievable.

Or, in other words, if you do not agree to what we are now proposing, you could end up with something far worse.

But even though the applicant has now got what they wanted they have not given an undertaking to prevent the possibility of subsequently also exercising their permitted development rights.

So what the Society considers a bad outcome for the South Devon National Landscape and the special qualities of the Heritage Coast and Undeveloped Coast policy areas could still yet turn out to be something far worse. •

Since the start of 2019 no fewer than four attempts have been made to build a house on this site, one of the few remaining green spaces on the Salcombe hillside.

The first, for the construction of a new two storey studio house 0201/19/FUL was submitted after pre-application tree clearance had taken place, and was subsequently withdrawn.

Two months later a second application was submitted and as we wrote in our objection:

This site at Lower Rockledge is particularly sensitive and the previous application, which we objected to, was rightly rejected by SHDC. Natural open space and retention of trees and vegetation between the properties on this hillside are a rare and attractive feature of this part of Salcombe.

The application was rejected. The applicant appealed. The appeal was dismissed.

The third application 2831/22/FUL followed in October 2022. This also was refused, with the case officer concluding:

The proposed scheme in terms of its scale, form, design, massing, fenestration pattern and features is such that the development lacks harmony and fails to integrate

with the local built surroundings and respect the site context. This would have a transformative effect on the verdant character of the site, spaciousness of the area, and density of development.

And as we emphasised in our objection to the latest application (4036/23/FUL) the same conclusions should apply. Yet despite our concerns, those of the Council's Landscape Officer and the Town Council, the case officer nonetheless decided:

the size of the dwelling is such that the site would not appear overdeveloped, and a sufficient area of open space would be retained around the building.

Even so, the application was still refused, as the case officer still accepted:

The proposed development by virtue of its siting and proximity to the 2no. off-site Corsican Pine Trees (identified as T1 and T2 in Tree Protection Order Ref: 1010) would be likely to amplify fear of harm from any future occupiers and would likely give rise to pressure upon the tree owner to inappropriately prune or fell the aforementioned third-party trees earlier in their lifespan than if the present land use was continued.

We can only hope no harm ever befalls the two pines. •

Land at SX 766533 Moreleigh

As we pointed out in our objection, this is the third application for a barn in this location this year, and the second from this applicant. His first was withdrawn, ostensibly to allow his Design and Access Statement to be amended in order to explain that this proposed location would be closer to his home than the other land he owns.

However, and as we pointed out, the applicant had previously used

the fact they owned this 7.5 acre site to help support an earlier application to support a previous barn extension on their other and larger site some 1.3 miles away. So it was hard to see how yet another barn in a highly prominent location could be justified.

We urged the LPA to review the buildings at both locations and independently establish the claimed agricultural requirement for this latest proposal. •

Letters of Representation submitted by the Society to these and other applications can be found on our website:
www.southhamsociety.org/objectionlist