



# Newsletter

## Words from The Chair

As we discuss on this page the Society has, from its earliest years, been working to save Salcombe's trees. Founding Committee Member Pippa Woods has also been with us from that time, and you can read Cathy Koo's interview with her and Ilona Tobey, the daughter of our first chairman Burton Tobey, on page 3.

Another tale from the late '60s can be found on page 2 when there were plans for an airport here in the South Hams at California Cross, while Planning and what has happened to some of our objections begins on page 5.

Thankfully, at least for the moment, Robert Jenrick is no longer the Minister in charge of housing policy and the Government's proposed changes to the planning regulations have been shelved, if only temporarily. However we await the changes Michael Gove will inevitably bring forward with trepidation.

Finally, we welcome Kate Bosworth as our new Membership Secretary and, at the same time, offer our grateful thanks to her predecessor Lynne Bentley for all she has tirelessly done through these recent unprecedented and challenging times.

## Meet our new Membership Secretary



Hi, my name is Kate Bosworth and I live in the South Hams with my partner Steve and our two dogs Barney and Dylan.

We have lived in this beautiful area for the last five years and enjoy everything it has to offer in terms of its amazing views, fantastic countryside, rugged coastline and great beaches. The dogs love to explore everywhere.

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## Saving Salcombe's trees: sadly vigilance is still required

As the front page of the *Kingsbridge Gazette* reported on 21 July 1961: "Salcombe's charm is the luxury of having houses and trees in a delightful balance – and local societies will, in future, have to be very vigilant (they believe) if the ominous word 'development' – a cover for every form of barbarism from the late 20's onwards – is not once again to threaten these rare and wonderful things."

The chairman of the South Hams Society Mr Tobey "will be contacting the Salcombe group with a view to seeing what help might be offered, now or in the future", readers were told.

Today, more than 60 years later, the Society is still fighting to stop Salcombe's trees being axed. Nor has the battle become any the easier. Many of those urging clearance, often for no better reason than to improve their view, are all too often well-heeled second home owners, able to throw money at any challenge placed in their way.

Yet thankfully we have some notable recent successes to report.

For example, early in August an application was submitted to fell

### HELPING OTHERS

Meanwhile the good work being done at Salcombe by those who have been working to save Salcombe trees around Cliff House has been noted. Mr. Tobey, the chairman of the South Hams Society, will be contacting the Salcombe group with a view to seeing what help might be offered, now or in the future.

Salcombe's charm is the luxury of having houses and trees in a delightful balance – and local societies will, in future, have to be very vigilant (they believe) if the ominous word 'development' – a cover for every sort of barbarism from the late 20's onwards – is not once again to threaten these rare and vulnerable things.

*Kingsbridge Gazette, 1961*

a mature Sitka Spruce to allow construction vehicles to access a nearby development site at Sandnes. We objected, arguing that delegated consent was given on the strict understanding the access road was capable of accommodating the required construction vehicles, without causing destruction to the environment.

In his assessment the Council's

Tree Officer agreed, noting the applicants had previously stated "the build could be enacted without the need to fell trees". He also disagreed with their claim the threatened tree was largely obscured from public view. Instead he emphasised it was "an integral part of the woodland mosaic and its removal would be harmful to the sylvan character of the area, and the ensuing contribution to visual amenity therein."

As a result the Sitka Spruce remains standing, although the development itself is likely to proceed.

Murrawingi was another case in point. Here the applicant was seeking to partially demolish the existing rear extension and a projecting timber balcony and replace both. We objected, believing the much larger balcony being proposed, the roofline alterations and the very substantial

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*The threatened Sitka Spruce at Marhaba*

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## ..Salcombe's trees

balcony supports that would be required collectively presented visually impactful features detrimental to the special qualities of a protected landscape.

The site itself sits prominently on an extensively wooded sloping coastal hillside. Consequently we were also concerned that the significant increase in the size of the property would require the removal of a number of mature trees, important features in this sensitive landscape.

In his report the Council's Tree Officer wrote: "I note the proposed removal of three Holm Oaks and the siting of an extensive decking under the canopies of trees of highly significant landscape import. The impact of the overhang of these trees is not considered within the tree report."

He continued: "The continual seasonal debris fall from trees above this aspect of the decking will lead to increased dissatisfaction and fear of harm from users below. The risk will be elevated to land use below and as a consequence of both factors it is likely to lead to applications to prune or fell trees that would otherwise be under no such pressure, such applications being difficult to resist if planning consent allowed the use below."

Not long after the Tree Officer submitted his report at the start of September, the application was withdrawn.

We are fortunate that Salcombe's substantial areas of woodland are largely covered by Tree Preservation Orders, with many individual trees additionally afforded the same protection. Both Murrayngi and Sandnes demonstrate, TPOs can clearly have a value, and the more of our trees that we can protect in this way, the better.

Back in March 2019 the Society supported the serving of a Woodland TPO for the area of the Moul, Moulhaven and Bridleway House. This area of woodland had previously been protected by an area TPO confirmed in 1958, but the Council's Tree Officer felt that, as the TPO had been in place for 60 years, there might be some ambiguity as to which trees were protected. The new 2019 TPO covers Moul Hill and its environs and was described by Tree Warden Mark Long as another important step to protecting the treescape of Salcombe.

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## Grounded: the California Cross airport



Apart from the daily round of smaller planning applications in the South Hams, there have always been suggested developments on a larger scale which, if implemented, would have changed the character of our area substantially and permanently. One of these was the scheme to develop a new regional airport at California Cross, between Loddiswell and the A38, which first saw the light in the late 1960s.

The committee minutes of January 1968 originally mention a possible aerodrome at Thurlstone, which seems an even more unlikely site: successive reports concentrate on California Cross. There are reports of special meetings to discuss tactics to oppose the plan, contacts with other amenity societies, and representations to the various local councils and the then Totnes MP Ray Mawby. A formal statement from the Society was sent to the local press in September 1968, as follows:

"The Committee of the South Hams Society have discussed the proposal for an airport at California Cross. The Committee unanimously agreed that as an amenity society pledged to protect the unspoiled rural character of the district they must oppose the proposal as totally unacceptable. An airport implies large buildings, runways, added population, increased traffic and noise nuisance over a wide area. The general amenities of this fringe of Dartmoor and of the South Hams generally would be seriously injured. The report on the Survey commissioned by Devon County Council did not convince the Committee that a

case for a new airport west of Exeter had been made."

Vigorous discussions continued through the rest of 1968 and into 1969, and the Society's newsletter in May 1969 reported that:-

"The possibility of siting an airport at California Cross has remained a major talking point throughout the winter. The most recent document is a new Report, this one by the Board of Trade. It examines the technical situation again, and seems to indicate that, while neither Exeter nor California Cross is an ideal site for a major airport, either is probably capable of development to sub-regional standards.

The most significant sentence in this Report, from our point of view, is "Noise disturbance would not affect a large number of people, although the character of the South Hams would change." This Society has tried to point out that you cannot place a large airport in a piece of landscape and leave the surroundings unaffected. Luckily the commission of enquiry into London's third airport site has been in the news and has emphasised this very fact."

There was further correspondence with Devon County and Kingsbridge Rural District Council, and in October 1969 it was reported that the proposal would be shelved for a possible five years, although Plymouth City Council were apparently still exploring the idea for their benefit. However members would have been relieved to hear, in the October 1970 newsletter, that:-

"The decision has now been taken to develop Exeter Airport, rather than build a new one at California Cross. This is most sat-

isfactory from the point of view of the amenities of the South Hams. It would also seem to be a triumph of common sense. Public interest in the choice of site for the airport has been high, and this has ensured that the problem has been discussed from every possible angle. We certainly did our best to point out the likely consequences of building at California Cross. Can we claim a share in a "victory", or would reason have prevailed without us?"

*(Both of these newsletters were produced by our founder member Pippa Woods, who was the Society's newsletter editor for many years – see page 3).*

As a footnote, one of our committee members, Flo Stathers, was trawling the archives on the Society's 50th anniversary and also noted the airport proposals!

"An airport has a ferocious impact on any community but in 1969 plans to build one near the Georgian market town of Modbury had local people up in arms. As part of the South Hams Society's fifty year anniversary, the group is finetooth combing its annals to muse upon some of the district's more eccentric proposals. One such plan threatened to shatter the quiet of hamlets and villages surrounding California Cross near Modbury ... In the winter of 1969 members of the society were gripped by a trade report which reluctantly conceded California Cross had the capacity for such a development. An ardent alliance of councils and pressure groups breathed a collective sigh of relief when a decision was taken ... to expand Exeter Airport instead. The move, which had attracted pockets of support from the more commercially minded, was described by the society as 'a triumph of common sense.' Also in that decade was the grandiose vision of Sir Ralph Newman, who set his sights on building a replica of a Mississippi show boat on Blackpool Sands. Unfortunately for Sir Ralph his plan was unable to float the society's approval. An article advocating the felling of all the trees on the sunny side of the river Avon to give fish more light received a similar reception."

All these plans would seem improbable today, although they were seriously considered at the time – but just think how much the South Hams would have been changed as the fringe of a regional airport!

## Getting right back to where we started from

"My father started it and I can remember the meetings around the dining room table at our house, The Shelter in Chillington," Ilona recalled. "There were some very passionate people there. Pippa was an absolute stalwart and there was another lady called Bridget Eccles, who I think was also a founder member, and who may have been something to do with the local council.

"Much of it was about planning. They wanted to protect the South Hams from development, from change really. They were horrified at some of the decisions and wanted to try and look after it better."

"I was involved right from the very beginning," Pippa went on to say, "along with Bob my husband. I was 35 at the time and I think the first meeting was in a room attached to the pub in Chillington. It was just to get like-minded people together. There wasn't much of a society, it was just evolving, and although Bob lost interest I maintained mine.

"Burton Tobey was a farmer from the Prawle area and I'm still friends with his daughter Ilona," she added. "We used to monitor the plans to see if the right decisions were made. If we thought something had been let through.... if a local person had been allowed something and we thought it was the wrong decision, we went above the local officer to the Divisional Planning Officer who was between the top planner for Devon and the local officer. We would complain that this was a wrong decision and at least we would know that it had been properly considered and not permitted just because the applicant was really determined.

*Cathy Koo spoke separately to Pippa Woods MBE of Osborne Newton Farm, one of our founding members, and Ilona Tobey, the daughter of the Society's Founding Chairman, Burton Tobey, about their memories of our earliest days*



*Pippa Wood, photo Farmers Guardian*

"I sat on the Society's planning committee for many years. As time went on times the developer who has money on his side would appeal against a refusal.....so there would be an official public enquiry which became a public debate where each side would put forward its thoughts. We would always have a say. But when it came to a formal appeal the developer could afford to hire a better, stronger person than the council could provide, so the developer had more behind him and he would win the day.

"We always tried to be constructive. There were one or two County Officers who were committed to the environment and we tried to support them. A lot of people wanted development and a lot wanted preservation.

"Today everybody is much more commercial around here. Housing development has become much more commercial - they think that they can make lots of money. Councils are keen.... Government is keen because it's more money - which to a

certain extent is accepted by the conservationists because it means some areas are protected. The Government's attitude is that you have to accept development if you want conservation."

Pippa also recalled that in its early days the Society "started the business of planting primroses where new roads had been built or where old roads had disappeared. We started planting primroses on the new banks - there a picture somewhere of my husband Bob doing that. At one time we used to go to a farmer and, as he was taking down a bank, he told us we could take all the primroses from it. We got a lot from there that we planted at Drunkards Hill, Batson Creek, Challons Combe and Prospect Cottage in Bigbury Parish."

Pippa then explained how her mother, Lady Hendy, had also played an important role in the history of the Society.

"Her experience as a London County Councillor meant that she understood local government," said Pippa, "but she was also the

membership secretary. She made sure that members stayed signed up and continued to pay their subs.

"When she retired the finances declined rapidly. People stopped paying in and were therefore no longer members. It was quite amusing the way that happened. My mother was a force to be reckoned with. Oh Yes! I expect she sent them a note to say they were overdue.... she had a card index and it was noted if they had paid their subs, she had some sort of magic way of indexing them. She only gave up when she was 90 - after that membership numbers dropped."

The Shelter in Chillington, where many of the Society's earliest meetings were held, became the family home after selling up in Chilvestone, one of two farms that Ilona's father Burton purchased when he moved to Devon.

"He was a polymath," according to Ilona, "and would have been an academic. But he fought in the Great War and came back altered by his experience and went into farming. His family had been wealthy Liverpool merchants and he originally settled in Bedfordshire before moving to Devon."

The other farm Burton purchased was at East Prawle, where he built the house that Ilona Tobey was born in, Middletown. That has since been demolished and replaced by the Secular Retreat, an outstanding example of modern architecture, designed by the architect Peter Zumthor.

"I think my father would have approved," was Ilona's considered opinion. "He was interested in architecture."

### ..Salcombe's trees

Proof of this was provided when an application for extensive tree work in part of the woodland associated with Bridleway House was submitted in June this year. We objected, arguing that the excessive tree work being proposed, and specifically the removal of four mature trees, would detrimentally erode and degrade the area of woodland and, consequently compromise the integrity, purpose and function of the 2019 TPO.

In the main the Council's Tree Officer agreed, refusing much of what had been proposed, with the proviso that "some minor works would be beneficial in terms of lifting lower branches

to allow light into the woodland floor to enhance flora."

At Lower Rockledge an application to construct a new two storey house with ancillary external paths and terraces and the renewal of an external staircase had previously been refused in December 2019. The Society had objected, noting the proposed development would remove a significant area of green space, to the detriment of the low density development character of the area and wider view of the town, including from across the estuary.

The applicants appealed, and earlier this year in August the Planning Inspector issued his decision. As he said: "In addition to the increased likelihood of loss

or reduction in protected trees, the consequent harm to the AONB is a matter of great weight according to paragraph 176 of the (National Planning Policy) Framework. The harm to the setting of the Salcombe Conservation Area (CA) from this would be less than substantial, and in this event, paragraph 202 of the Framework states that this harm should be weighed against the public benefits of the proposal. The minor public benefit from the contribution of one house to the local supply and economy would not outweigh the harm to the CA, which is also a matter of great weight according to the Framework."

The appeal was refused, and a

precedent hopefully created.

Society member Michael Richards has played a key role in all of our objections, but the efforts of both Council Tree Officer Lee Marshall and Tree Warden and Salcombe District Councillor Mark Long, who recently have also combined to place a TPO on a Copper Beech at Hazeldene and an Area Order on all deciduous and coniferous tree species to be found on land to the east of Sandhills Road, also merits much praise.

Nonetheless, more than 60 years on we must continue to remain vigilant if we wish to retain what still remains of Salcombe's charm, the luxury of having houses and trees in a delightful balance.

## A catalogue of errors, omissions & missed opportunities

On Wednesday September 22nd David Wyborn, an Inspector appointed by the Secretary of State, delivered his verdict.

“The appeal is allowed,” he wrote, “and planning permission is granted for the erection of a replacement dwelling and garage, relocation of access and associated works at Appleford, Bowcombe Road, Kingsbridge TQ7 2DJ in accordance with the terms of the application, Ref 3943/20/FUL, dated 2 December 2020, subject to the conditions set out in the attached schedule.”

The appeal had been made as a consequence of South Hams District Council falling to issue a decision notice within the statutory period, normally eight weeks from the date the application is first submitted. At that time, the Council had originally set a target determination date of 15 March 2021. But, more than ten weeks later, with still no sign of any decision, the appeal was lodged.

In response, Council planning officers finally produced their report, which concluded that “if the local planning authority had been in a position to determine the application in the absence of an appeal on grounds of failure to give notice of its decision within the appropriate period it would have refused the application.”

“This is explained,” wrote the Inspector, “because, in summary, the proposed development would introduce large glazed reflective surfaces, particularly in the southern and eastern elevations, and a significant increase in artificial light pollution and would result in increased visual prominence of the site in this sensitive countryside location in the Area of Outstanding Natural Beauty and Landscape Character Area.”

Significantly, the Inspector noted, “The planning report, however, does not raise a concern with the size or floorspace of the replacement dwelling or in the main with the approach to the design of the building set within this designated rural area.”

“The main issue for consideration,” the inspector concluded, “concerns the extent of glazing and the impact that this would have on the area, especially any light spill that may affect the night sky.”



*The site as it was in 2018 above, and as it is now below*



Along with many others, the Society had objected to this application, submitting two separate letters of representation. Our primary concerns were the noticeable increase in the size of the replacement dwelling, the evidence of pre-application tree clearance, the adverse visual impact of the proposed new property, and the apparent discrepancy in the submitted site plans.

In their report, which included our objection in full, officers suggested that the internal area of the existing property was 419m<sup>2</sup>, while the proposed area of the replacement dwelling was 456m<sup>2</sup>. As a result, officers argued, “No concerns are raised in respect of the size of the replacement dwelling both in terms of volume, GIA and footprint.”

Yet according to the Savills brochure ([https://assets.savills.com/properties/GBETREXES180328/EXS180328\\_EXS19001554.PDF](https://assets.savills.com/properties/GBETREXES180328/EXS180328_EXS19001554.PDF)) for the property, the original house had “an approximate gross internal area of 330.6 square metres”. As estate agents are hardly famous for understating the attractions of the properties they are marketing, and as the applicants’ own Design & Access & Energy Planning Statement made clear “the existing dwelling has an internal floor area of 330m<sup>2</sup>”, it is initially difficult to understand how officers chose to increase the floor area by more

than a quarter.

Similarly, if the figure of 330m<sup>2</sup> is correct, and even if the proposed floor area of the replacement dwelling is no more than 456m<sup>2</sup>, it will be almost 40% greater than the building it is replacing. This matters, because Policy TTV29 of the South West Devon Joint Local Plan only supports the principle of replacement dwellings providing... the size of the replacement dwelling is ‘not significantly larger than the original house volume’.

As the ceiling heights of the replacement dwelling are unlikely to be lower than those of the existing house, and indeed may well be higher, its volume is certainly going to be noticeably greater.

However, on 11 December 2020, the same day the Design & Access & Energy Planning State-

ment was posted to the Council’s website a further document, ‘Additional plans - GA010-RevPL1 Existing Dwelling Plans’ was also posted. Both documents are shown as having been originally created in the previous month, but the stated scale of the Additional Plans makes it possible to conclude that the combined internal floor areas of both the ground and first floors total actually 417m<sup>2</sup>, far closer to the 419m<sup>2</sup> stated in the officer report.

That said, as far as can be ascertained, at no point have the applicants suggested that the figure of 330m<sup>2</sup> quoted in their Design & Access & Energy Planning Statement is incorrect. Consequently, if the Additional Plans are misleading and officers have their measurements wrong, as could feasibly be the case, TTV29 would also have offered grounds for refusal, and the size of the replacement dwelling would have become an issue the Inspector would have needed to consider.

In addition, although officers note in their report “Objectors have commented about the loss of existing trees”, they limit their response to simply saying “However this was in respect of a previous planning permission rather than the current proposal. This is clearly regrettable.” In doing so they miss the point.

The previous planning permission to which they refer, 28/0464/01/F for the erection of a garage/garden store at the property, conditioned in perpetuity the landscaping of the site, including the trees that were then there. Photographic evidence dating from 2018 show numerous trees that have since disappeared. The applicants purchased the property in 2019. Rather than describing the loss

*...Continued page 5*



*The architect’s impression of the replacement dwelling*

## Marhaba, Salcombe

As we detail earlier in *Saving Salcombe's Trees* we objected to this application (3098/21/TPO) to fell a Sitka Spruce to enable construction vehicles to access the nearby development site at Sandnes. The Council's Tree Officer agreed with our contention that "as part of the planning submissions for the application a detailed CEMP supported by arboricultural survey work confirmed that the existing access was suitable for the passage of smaller sized plant to achieve the build."

The application was refused.

## Murrawingi

Part of our objection to this application (1934/21/FUL) to permit the partial demolition of the existing rear extension and other works was based on our concern that the significant increase in the new built form would require the removal of trees that are important features in this sensitive landscape, causing the proposal to fail to comply with the published SHDC guidance on Retaining Trees on Development Sites.

As we again reveal in *Saving Salcombe's Trees*, after the Council's Tree Officer submitted his report, the application was withdrawn.

## Bridleway House

An application for extensive tree work in part of the woodland associated with Bridleway House was submitted in June this year (2609/21/TPO). Further details can again be found in *Saving Salcombe's Trees*, with the Tree Officer again largely agreeing with the points we raised in our objection and refusing much of the work the applicants had requested.

## ... catalogue of errors

of the trees as "regrettable", officers should have attempted to establish whether the applicants were responsible for their removal.

Had those trees still been present it is highly unlikely that the applicants would have been given consent to remove them and, had that been the case, they would not have been able to construct their replacement dwelling in their desired location. Their removal would also have offered further grounds for refusal.

"I have noted the concerns that have been raised that trees and other vegetation on the site

Following the failure of Council planning officers to determine the Appleford application within the proscribed period, with the result that consent was granted by the Planning Inspector when the applicants appealed, there must be some concern that a

similar fate could befall some of the other applications where decisions have been delayed.

It can only be hoped that this will not prove to be the case.

Fortunately, as with the trees in Salcombe, where decisions

have recently been reached, many of the outcomes have been favourable. Consequently our thanks must once again go to our Planning Team for all their outstanding work, and we can only hope for more good news in the months to come.

## Planning: Overview

## Cove Guest House, Torcross – 1411/21/VAR



Architect's impression of the dwelling above, the site below



The Society objected to this application for a variation of condition 2 (approved plans) of planning consent 53/3160/11/F. We did so because we believed the application sought to submit a completely new set of plans,

fundamentally different to the approved plans, making the point that where an amendment is considered to be a 'material amendment' a completely new planning application is required. The applicant subsequently

responded to our initial objection, arguing it had no basis in planning law.

We disagreed, and submitted a second letter of representation, contending that were this section 73 application to be approved, it would effectively create a new planning permission in addition to the original planning permission, and that it should therefore conform to current planning policies.

The applicant again disagrees and planning officers will have to decide. Were they to give consent the length of the proposed dwelling along the foreshore would increase by 62%, from the 30.2 meters originally approved to 48 meters, dramatically increasing its visible impact.

A decision is awaited.

## Applications still to be decided

Three of the applications included in our July newsletter have yet to be decided, namely Pool Farm, Frogmore (0591/21/FUL), for which the original target date was 14 April 2021. Dennings, Kingsbridge (3830/20/FUL), target date 10 September 2021. And Seymour Drive, Dartmouth (0319/20/CLE), for which the appeal result is awaited.

have been cut back and in places removed," wrote the Inspector, adding: "I do not know the background to these matters but at the present time the dwelling, like the adjoining dwellings, is fairly exposed in views from the road and adjoining countryside."

It was also our view that the proposed development would introduce a new and inappropriate built form into this highly sensitive estuary setting. Consequently, it was unfortunate that in recommending refusal of the application, the officer report failed to include the comments of their own landscape officer, who made the point that "taken together, the cumulative effects of the issues raised above on

published landscape character and on views in this part of the SD AONB are of great concern," amongst their reasons.

A further noticeable omission from the officer report was mention of any comment on the application from the AONB Partnership. Presumably therefore, none was received, even though the Partnership were fully aware of the application and had been alerted as to its potential impact upon the AONB.

"Accordingly," the inspector found it possible to "conclude that the proposal would have an acceptable impact on the character and appearance of the area, having particular regard to the nature and extent of glazed

areas and the effect on artificial light pollution within this part of the AONB and Landscape Character Area."

It would be an understatement to suggest both the officer report and the silence of the AONB Partnership are disappointing. In addition, and as presented, the grounds for refusal that were offered would in all probability have been overturned upon appeal.

Given the sensitivity of Bowcombe Creek many might have hoped that a greater effort could have been made by both the AONB Partnership and the LPA, with the application at least being determined within the proscribed time.

## Land at Alston Gate, Malborough

The Society objected to this application (2586/21/VPO ) by the developer to modify their S106 commitment that, of the 16 dwellings to be built on this site, eight would be affordable. We argued that had it not for that affordable housing commitment, consent would not have been granted, given that the development was itself a departure from adopted Development Plan policies.

To begin with the site fell outside the designated village development boundary and within the South Devon Area of Outstanding Natural Beauty, the Highways Authority had raised a "Non-overriding sustainability objection if there is not sufficient justification for this type of housing in this location", and paragraph 116 of the then National Planning Policy Framework made reference to "major developments" in AONB's and stated that planning permission should be refused for major developments in such designated areas except in exceptional circumstances where it can be demonstrated that they are in the public interest.

In other words, without the s106 agreement the development would not have been acceptable in planning terms.

We also questioned why, when over the past five years average house prices in Malborough had increased by more than twice the rate of inflation in construction costs, it was only now the development was supposedly unviable.

Officers have since refused the application, citing two reasons. Firstly, "based upon the current transparency of assumptions and evidence of the AVA, the proposal has failed to demonstrate that the provision of the required 50% affordable housing is not viable, in compliance with the requirements of Para 58 of the National Planning Policy Framework and accompanying Planning Practice Guidance, Viability."

And, secondly, "the removal of the affordable housing from the proposal would result in a development, which would fail to comply with the requirements of Policies TTV1, TTV27 and DEV25 of the Plymouth and South West Devon Joint Local Plan (2014-2034); Policies 1, 2 and 3 of Malborough's Neighbourhood Plan 2014-2034; the National Planning Policy Framework and South Devon AONB Management Plan."

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

## Old School House, Ringmore – 1683/21/FUL



*The photo shows how the domestic curtilage has extended in to the field*

The Society objected to this application for a change of use of an agricultural field adjacent to The Old School House in Ringmore to a residential garden for growing vegetables, and the erection of a poly tunnel and a shed/stable.

As the officer report noted, we did so because permitting this application to change the undeveloped coast to domestic gardens is completely at odds with policy DEV24 and would set a precedent that undermined the LPA's planning policy for the undeveloped coast. Were approval to be permitted, any resident in Ringmore

could obtain undeveloped coast farmland and transform it into part of a domestic garden and the LPA would struggle, if not be powerless, to stop that transition. That would probably also be true elsewhere in the protected coastal region. Exceptional circumstances, we argued, had not been demonstrated.

The planning officer agreed, and gave as their reason for refusal "the proposed loss of this agricultural land and its use as a residential garden, along with the proposed sheds and poly tunnels represent an unwelcome

intrusion into an undeveloped countryside location, which would be harmful to the South Devon AONB, Undeveloped Coast and wider landscape character area, contrary to the guidance contained within the National Planning Policy Framework including, but not limited to, paragraph 174; Policies SPT1, SPT2, TTV1, TTV26, DEV2, DEV23, DEV24 and DEV25 of the Plymouth & South West Devon Joint Local Plan 2014-2034 and the South Devon Area of Outstanding Natural Beauty Management Plan 2019-2024."

## The Sycamores, Ringmore – 0497/21/HHO

"The objection received by the South Hams Society with regard to the detrimental visual impact that this increase in roof height and insertion of a dormer on the west elevation facing the street and Grade II\* Listed Church of St Hallows neighbouring graveyard," wrote the planning officer in his report, "is noted."

However, he added, he did not consider it "to result in significant visual detriment impact upon the character and appearance of the neighbouring Grade II\* Listed church, Area of Outstanding Natural Beauty or wider local area."

He continued: "The claim by the South Hams Society that the proposal fails to comply with emerging Ringmoor Neighbourhood Plan with regard to policies NP2 (General design principles for new development) and NP5 (Other development, subdivision of existing plots and extensions to existing dwellings) is acknowledged." But, he concluded, "The Ringmoor Neighbourhood Plan is

at stage Regulation 16 (Consultation) and therefore only limited weight can be given to these policies."

The officer then went on to say "The objection received by the South Hams Society and neighbours to the issue that the proposed garage is to be built on land outside of the property's residential curtilage is noted." However following a site visit officers decided this was not the case.

Similarly, although "The concern raised to the removal of Devon bank/field boundary and extension of three properties private gardens into the agricultural field is noted... The Council's Enforcement Officer has confirmed that the removal of the bank is a field boundary not a Devon bank as claimed by the objectors and a separate planning application has been submitted to consider the proposed extension of residential curtilages into the agricultural field and will be judged on its own merits."

As a result the householder application for alterations to include raising roof to create a second floor with two bedrooms with en-suites, new extensions for a garage and entrance porch was given conditional approval.

However, and as reported above (*Old School House, Ringmore – 1683/21/FUL*) the separate planning application to extend the residential curtilages into the agricultural field was refused.

**Please don't forget to renew your membership in January.**

**And why not introduce a friend?**

<https://SouthHamsSociety.org>

## Lock's Hill

Despite Stop Orders being issued, and despite the applicants failing to receive approval for their Construction Management Plan, construction work on the list had continued while lawyers for the developer and the Council continued to disagree.

The Council has now finally issued legal proceedings against both the developer and one of its directors. The case is due to be heard at Poole Magistrates' Court on 16th October, from where it may be referred to a higher court.

Were the developer to be found guilty the maximum fine the magistrates' court can impose would be £20,000. However, were the case to be referred to the Crown Court the fine can be unlimited.

## Green Park Way

As we reported in the July newsletter, we had previously objected to the original application (3193/18/ ARM) for the development of 64no. dwellings in a field to the rear of Green Park Way, Chillington, as well as the subsequently submitted drainage scheme.

Although the Council refused the application, the applicants appealed, and the Planning Inspector has recently found in their favour.

## Boathouse, Kingsbridge – 2623/21/HHO



*The Boathouse is the white building with the protruding balcony*

The Society objected to this application for a replacement single storey entrance hall extension to the ground floor of the building, the partial reconstruction of the first floor and the addition of a new second floor.

We believed that what was being proposed would result in unacceptable harm to the surrounding estuary public views from the West Alvington footpath No 15, the Kingsbridge Quay and public slipway and Kingsbridge footpath

number 15, and alongside the Boat House would cast Kingsbridge Footpath No. 15 in to shade.

The application has since been withdrawn.

## Lilleby, Salcombe – 0998/21/HHO



*The prominent location of the proposed development site*

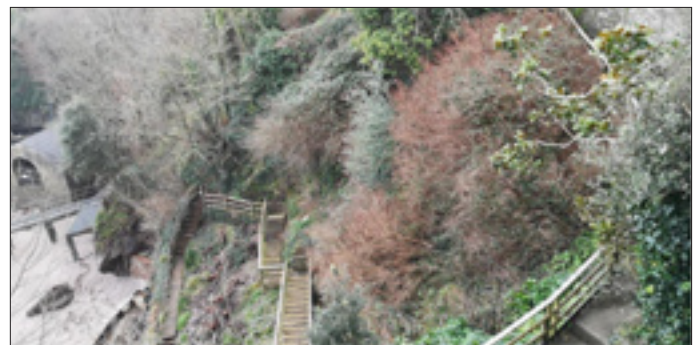
Our objection to this application for alterations and extension to the existing dwelling was based on our belief that the proposal would result in a significant over-development of the site.

The property in question is prominently located on a steep hillside that enjoys extensive tree cover that greatly enhances this highly scenic area of the South Devon AONB. The proposed development, we argued, would

introduce an increase in scale and massing that would be detrimental to the public amenity of the area, conflicting with policy guidance that required the protection of the special qualities of the landscape character of the AONB, Heritage Coast and Undeveloped Coast.

Not long after our letter of representation was submitted, the application was withdrawn.

## Woodside, Salcombe – 4110/20/FUL



*The very steep site of the development below Cliff Road*

As reported in our last newsletter the Society submitted two letters of representation objecting to both the original and the revised applications for a single storey ancillary outbuilding and associated landscaping.

A history of erosion events at this location meant we feared that any engineering operations could potentially threaten the integrity of Cliff Road.

The site itself was directly adjacent to an earlier cliff fall in the 1980s.

We were also concerned about the design of the new building, which in terms of scale, design and layout seemed far more like a functional residential dwelling than the garden storage building for which permission was supposedly being sought.

It would, we argued, fail to either conserve or enhance the landscape character of the AONB.

Less than a fortnight after our second objection was posted to the Council's website, the application was withdrawn.