



PLANNING REF: 3098/21/TPO

Description: T1: Sitka Spruce - Fell to provide space for construction vehicle access.

ADDRESS: Marhaba, Beadon Road Salcombe TQ8 8LU.

LETTER OF OBJECTION FROM THE SOUTH HAMS SOCIETY

The South Hams Society interest

For the last 50 years, the South Hams Society has been stimulating public interest and care for the beauty, history and character of the South Hams. We encourage high standards of planning and architecture that respect the character of the area. We aim to secure the protection and improvement of the landscape, features of historic interest and public amenity and to promote the conservation of the South Hams as a living, working environment. We take the South Devon Area of Outstanding Natural Beauty very seriously and work hard to increase people's knowledge and appreciation of our precious environment. We support the right development - in the right places - and oppose inappropriate development, as we believe to be the case with this application.

The South Hams Society Objection.

This application is directly connected to planning application 4063/19/FUL, which received planning consent on the 30th April 2021. When approved by the DMC it was given delegated consent on the understanding that the access road was capable of accommodating the required construction vehicles, without causing destruction to the environment. The list of vehicles to be used is conditioned in the CEMP document. A full access route assessment to the development site at Sandnes, was conducted by the specialist tree consultancy of this application, as part of the Construction and Ecology Management Plan (8th April, 2021, Rev K).

APPENDIX 7 ARBORICULTURAL ACCESS ROAD ASSESSMENT of the CEMP contains the photographic record of the access route by Aspect Tree Consultancy and we refer you to figure 9 & 10 of that document that dealt with the Sandnes / Mandalay access section.

In the supporting letter to this application the applicant provides the following supporting statement.

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Charity number: 263985

Registered address: Olde Stones, West Alvington, Kingsbridge, South Devon TQ7 3PN



Aspect Tree Consultancy.

'There is existing full planning consent subject to conditions for the construction of a replacement dwelling at Sandnes, Beadon Road Salcombe. The driveway access up to Sandnes is challenging due to the steep gradient, width and winding route. Whilst every effort is being made to use construction vehicles that are suited to these limitations, there is a mature Sitka spruce located in a position which will prevent access to some of those vehicles. Therefore its removal is necessary to provide space to allow construction vehicle access'.

In the CEMP section that covered this section of road, with a survey completed in May 2020, there is no record of a Sitka Spruce having any clearance issue or requiring removal.

Conditions 2 and 13 of planning application 4063/20/FUL conditions the Construction Management Plan (Eclipse Construction) Rev K, dated 8 April 2021.

Condition 13 is very specific in its description.

13. The Construction Management Plan (Eclipse Construction) Rev K, dated 8 April 2021 shall be strictly adhered to. For the avoidance of doubt only those vehicles specified in appendix 10 shall be used, and there shall be no deliveries outside of the site hours specified (Monday – Friday 08.00-18.00 & 08.00-13.00 Saturdays).

The Society believe this TPO request would be a planning breach of the above planning application planning condition. Further we find it hard to understand how the applicant could have failed to identify the requirement to remove this tree and declare the need to do so to the Development Management Committee and general public when consulting on the proposal.

The extract from appendix 7 of the CEMP is shown overleaf.

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Our ref: 05368



Fig 9: showing beech trees along the driveway to Sandnes and Mandalay. Small diameter low branches are present at 3m (the red arrow indicates a 2m height) but can be easily cleared by a banksman.



Fig 10: showing sweet chestnut 830, The lower arrow shows a 2m height and the higher arrow shows a secondary branch at 3.7m. The removal of this branches would be very minor but there is scope for the branch to be avoided.

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This planning application request also raises concerns around the application form and whether the proposed mitigation agreement can be conditioned.

The applicant is not the owner of the land concerned, and the applicant fails to name the owner/s of that land or demonstrate that they have reached any agreement with them to remove the tree and plant the two new trees proposed.

Consequently the Society are of the opinion that without that written agreement, the council could be held liable to assisting in criminal damage of third party property and would be powerless to uphold the planning condition to provide the two new trees.

Yours sincerely,

For and on behalf of the South Hams Society.

Richard Howell.

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