Wills Marine Boatyard from the Embankment Road Footpath.



Wills Marine Boatyard from the Embankment Road Footpath.



Part of the building on the left is proposed to be demolished. The straight red line is the current flat roof level that we anticipate being the level of new build. The new build is to wrap around the boundary wall of the two ground floor flats.

PLANNING REF: 3329/25/FUL

DESCRIPTION: READVERTISEMENT (Revised description and plans): Extension to existing marine retail unit to provide a new showroom on existing boat storage yard & demolition of part of building

ADDRESS: Wills Marine Ltd, The Promenade, Kingsbridge, TQ7 1JF

3rd June 2026

LETTER OF OBJECTION FROM THE SOUTH HAMS SOCIETY

The South Hams Society interest

For the last 60 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.

The South Hams Society previously wrote to **object** to this proposed development.

Several changes have been made to the design such that the submitted Heritage Statement does not reflect the removal of one apex roof replaced by a flat roof and the lowering of the remaining two ridge lines.

The Society have reviewed the new updated drawings.

We note that the café has been removed. The apex rooflines have also been lowered, but the flat roof wrapped around the boundary wall continues to be the major issue for the two ground floor flats.

This is best demonstrated in the two previous images where a flat roof line has been extended across the boundary wall. This illustrates that flat roof line is well above the window lintel line of the ground floor flats.

The two flats each only have a small courtyard as an outside recreational area.

The revision B and C Embankment Road frontage drawings are placed together to compare the changes.

2738/24 Revision B



Proposed Front (South West) Elevation Plan
(1:100)

Proposed Ecology Measures in accordance with Preliminary Ecological Appraisal Report ref.: 00124/GLE
Swift Box
Bat Box

2738/24 Revision C



Proposed Front (South West) Elevation Plan
(1:100)

Proposed Ecology Measures in accordance with Preliminary Ecological Appraisal Report ref.: 00124/GLE
Swift Box
Bat Box

Daylight & Sunlight Impact

The Society has reviewed the applicant's Daylight & Sunlight Report and finds it materially deficient. The assessment relies on unverified and mirrored room layouts, contrary to BRE 209 (2022). Overshadowing analysis of outdoor amenity space for flat 3 proves that the courtyard amenity space will not receive an acceptable level of sunlight. The BRE results demonstrate severe losses of daylight to the principal habitable rooms of 2 and 3 The Malt, with reductions far exceeding the 20% BRE threshold (retained values of 0.42 and 0.49). These represent major adverse impacts. The report's narrative misstates VSC compliance and its conclusion is not supported by the evidence. The proposal therefore fails to protect residential amenity as required by JLP DEV1, DEV2 and the NPPF, and should not be supported.

The Anstey Horne Daylight and Sunlight report significantly under-reports harm and contains methodological weaknesses, unsupported assumptions, and internal contradictions.

We can now only consider what were the impacts for the previous plans.

The worst daylight losses are severe (50–60% losses) and far exceed BRE limits.

For both 2 and 3 The Malt, the main Living-Kitchen-Dining rooms retain only **0.42 and 0.49** of former daylight respectively.

The BRE threshold is **0.80**.

These are **major adverse impacts**, not "slight" or "acceptable".

The report uses assumed room layouts and mirrored plans for 3 The Malt.

This is explicitly admitted:

'We have modelled and assessed this property based on information from estate agent's website… mirrored the layout.'

BRE 2022 requires **verified layouts** for DD/NSL testing.
Assumed layouts = **invalid DD results**.

The report incorrectly applies "urban flexibility" to a suburban riverside context.

Kingsbridge Quay is **not** an urban canyon.

BRE flexibility does **not** apply.

The overshadowing of outdoor amenity space.

BRE requires the **2-hour sun test** for gardens.

Flat 3, the Malt courtyard does not receive the minimum level of sunlight required despite having a south facing courtyard.

The conclusion contradicts the data.

The report claims:

'the proposed development… will not significantly reduce sunlight or daylight'

Yet the tables show **50–60% losses** to the main habitable rooms.

This is indefensible.

The arial image below shows the two ground floor flats. The Society are of the opinion that surrounding the stone boundary wall with a commercial building to the southern elevation will have a damaging impact on the residential outlook for the residents.



'DEV1.1 – Impact of new development

3.5 DEV1.1 aims to ensure new development ***provides for satisfactory daylight, sunlight, outlook****, privacy and the protection from noise, vibration and odour disturbance for both new and existing residents, workers and visitors.*

Impact on neighbours

13.65 Fences and walls should be designed ***and located so that they do not unreasonably restrict light entering a neighbouring property or have an unacceptable effect on outlook'****.*

JLPSPD - Outlook

13.27 While views from a private house or garden are not safeguarded by planning

legislation, an extension should not be constructed in close proximity to either a habitable

room window of a neighbouring property or its private garden where it would have an

unacceptable overbearing effect on a household's outlook.

13.28 In order to protect the outlook of neighbouring properties, the minimum distance

between a main habitable room window and a blank wall, should be at least 12m.

The Heritage Statement.

The South Hams Society considers that there will heritage harm, non-compliance with statutory duties, failure to meet the requirements of the NPPF, and material deficiencies in the submitted Heritage Statement (Avalon Planning & Heritage, July 2024).

The proposal would cause harm to the setting of Grade II Pindar Lodge, harm to the Kingsbridge Conservation Area, and harm to the historic quayside townscape. It conflicts with the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF, the Joint Local Plan, and the Kingsbridge Neighbourhood Plan.

The Heritage Statement does not provide the "clear and convincing justification" required by NPPF paragraph 213.

Section 66(1) – Listed Buildings

The Council must give **special regard** to preserving the setting of Pindar Lodge.

The applicant's own Heritage Statement concedes:

'The proposals would conceal the front elevation of Pindar Lodge in directly opposite views… (HS para 5.8)

This is **harm.**

Yet the Statement concludes that no harm arises. This is a **misapplication of the statutory duty** and contrary to the principles established in **Barnwell Manor, Forge Field, and Mordue**.

Section 72(1) – Conservation Areas

The Council must give **special attention** to preserving or enhancing the character or appearance of the Kingsbridge Conservation Area.

The proposal:

- introduces a **large, visually assertive commercial block** on a sensitive quayside frontage
- erodes the **historic openness** of the Promenade
- diminishes the **public realm experience** of the Conservation Area

The Heritage Statement does not assess these impacts and therefore **does not assist the LPA in discharging its statutory duty**.

No identification of the level of harm

The Statement asserts:

'The effects of the proposals will not meet the threshold of less than substantial harm…' (HS para 6.6)

This is **unsupported** and contradicted by its own evidence.

No 'clear and convincing justification' (NPPF 213)

The Statement relies on the argument that:

'Historic warehouses were still in situ when Pindar Lodge was listed' (HS para 5.10)

This is irrelevant.

Listing is not a snapshot of 1972.

The statutory test concerns **current significance**, not historic industrial clutter.

No assessment of public benefits

The Statement does not identify or weigh public benefits, as required by NPPF 214–215.

Harm to Pindar Lodge

The Statement acknowledges:

'The demolition of the warehouses partially restored the views between the quay and Pindar Lodge…' (HS para 4.16)

The proposal **re-introduces the very obstruction** that was removed.

This is **less than substantial harm**, likely **mid-range**, requiring clear and convincing justification.

Harm to the Conservation Area

The Statement describes the Conservation Area as:

'distinctive… an amalgamation of building types and uses' (HS para 4.32)

Yet concludes the site makes only a 'neutral contribution' (HS para 4.34).

This ignores:

- the **public realm importance** of the Promenade
- the **historic openness** of the quayside
- the **sensitivity of the estuary edge**

The proposed double-pitched commercial block would:

- erode openness
- diminish the Conservation Area's character and appearance

Reliance on historic warehouses is invalid

The Statement repeatedly argues that because warehouses once stood here, new massing is acceptable.

This is flawed because:

- the warehouses were **not heritage assets**
- they were **industrial intrusions**, not part of the area's significance
- they were **removed decades ago**
- their removal crucially **improved** the setting of Pindar Lodge and the Conservation Area

Historic industrial clutter is **not** a baseline for new development.

No cumulative impact assessment

The Statement ignores:

- the adjacent Malthouse redevelopment
- the intensification of commercial frontage
- the cumulative effect on the Conservation Area

JLP Policy DEV21

The proposal fails DEV21 because:

- it does not conserve or enhance designated heritage assets
- it introduces harm without justification
- it does not respond positively to Conservation Area character

JLP SPT11 and SP3

The proposal does not enhance the quayside or conserve historic character.

Neighbourhood Plan Policies KWAC BE2 and BE4

The proposal:

- does not avoid harm to heritage assets
- does not reflect the character of the Historic Urban Character Area
- does not use materials or forms that reinforce local distinctiveness

Conclusion

The proposal would cause **harm to the setting of Grade II Pindar Lodge** and **harm to the Kingsbridge Conservation Area**, contrary to statute, national policy, and local policy.

The submitted Heritage Statement:

- understates significance
- downplays harm
- misapplies policy
- omits required assessments
- provides no clear and convincing justification

The Society is of the opinion that the proposed buildings will bring substantial change to the frontage of the listed building as seen from the Promenade while the development proposal will harm the Conservation Area and impact adversely on residential homes.

Consequently, the Society is of the opinion that the application should be refused.

For and on behalf of the South Hams Society,

Leslie Pengelly
Planning Lead.