



VIEW FROM THE GRADE II LISTED LIMEKILNS ON FROGMORE CREEK



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Charity number: 263985

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



Planning Application Ref: 0591/21/FUL

Applicant Name: Mrs T Oakley

Description: Erection of a single storey rural worker's dwelling

Address: Pool Farm Frogmore TQ7 2NU

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.

Introduction.

Pool Farm at Frogmore had a very short history.

When the South Devon Area of Outstanding Natural Beauty was first designated in 1960, Pool Farm did not exist. The South Hams Society, in its sixtieth year is also older. Like much of the extensive development in the towns, villages, hamlets and countryside, Frogmore's extensive changes came post 1960 and post the AONB designation.

By 1983, Pool Farm being used for boat storage. In 1985, a planning application for three dwellings was approved on the '**site of the redundant Pool Farm buildings**' (48/0624/85/1 & 42/0860/86/3). A further two dwellings were applied for in 1988 (43/1483/88/3) and approved. All five properties were completed by the Elliott family. Planning application 43/1517/92/4 - change of use of redundant barns and yard to storage of boats and their equipment, completely ended Pool Farm's agricultural purpose.

There is no record of any farming interest by the Elliott family who have concentrated on the two companies now recorded as Elliott Hire Ltd and Frogmore Marine Services Ltd.

Finally, in 2007, the site was conditioned for boat storage use only and the surrounding area now has numerous new protected dwellings, removing permitted rights for livestock buildings.

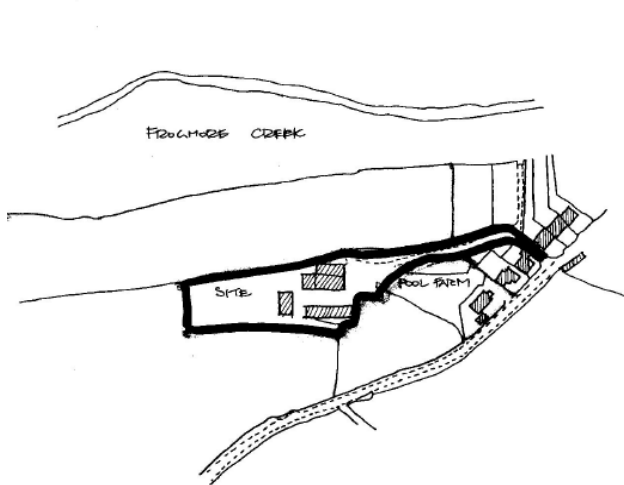
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We refer you to planning permission 43/1076/07 with this conditioned site plan extract:

Application No.: 43/1076/07/F
 Date Received: 14th May 2007
 Applicant: Messrs L E & G L Elliott, Pool Farm, Frogmore, Kingsbridge
 Agent: Andrew Guard Associates, Suite 1, Duke Street Chambers, Kingsbridge, Devon, TQ7 1HU
 Proposal: Erection of additional buildings for boat storage and maintenance
 Location: Pool Farm, Frogmore, Kingsbridge



scale 1:2500
 location plan

43/1076/07		
SOUTH HAMS DISTRICT COUNCIL DEVELOPMENT CONTROL RECEIVED 14 MAY 2007 REF		
Client		
L.E. & G.L. Elliott		
Job title		
Additional storage buildings Pool Farm Frogmore Kingsbridge		
Drawing title		
plans		
Scale	Date Apr. 07	Drawn
Andrew Guard Associates Chartered Architect Suite 1, Duke Street Chambers, Kingsbridge Telfax 01548 853797		
287 01		

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The application was approved with the following conditions:

Subject to the following condition(s):

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: To comply with Section 91 of the Town and Country Planning Act, 1990 (as amended).

2. No development shall commence until a schedule of materials and finishes, and samples of the materials to be used in the construction of the external surfaces, including roofs, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out only in accordance with the details so approved.

Reason: To enable the Local Planning Authority to consider the details of the materials.

3. Within the site hereby approved the storage shall be restricted to boats and ancillary equipment only and no external storage shall occur other than within the central courtyard between buildings and within the silage pit.

Reason: To protect the appearance of the locality.

4. The use of the site approved shall be restricted to the storage of boats and ancillary maintenance and no repair work shall be carried out therein.

Reason: To protect the appearance of the locality.

INFORMATIVE

This Decision Notice refers to drawing nos. 287.01 (includes location plan) and 287.02 received on 14 May 2007.

Following that planning decision, the Pool Farm site itself is conditioned only for the use of boat storage and ancillary maintenance.

This and the earlier removal of the 'redundant' Pool Farm buildings that were replaced with a number of dwellings, along with the disposal of farmland other than land alongside the estuary, further supports our opinion that the area has for the last 38 years revolved around boating enterprise. The applicant would require planning permission to keep livestock on the site as a large area of protected properties are within 400 metres of this site.

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Planning History of Pool Farm Frogmore.

<p><u>3770/20/PAA Ms T Oakley</u> Prior approval application for proposed erection of agricultural storage building Pool Farm Frogmore Kingsbridge TQ7 2NU</p>	<p>Prior Approval Given 16 November 2020</p>
<p><u>3358/20/AGR Mrs T Oakley</u> Application to determine if prior approval if required for proposed agricultural building for machinery and fodder Pool Farm Frogmore TQ7 2NU</p>	<p>Prior Approval Details required 19 October 2020</p>
<p><u>2036/20/PAA Mrs T Oakley</u> Prior approval application for agricultural store for machinery and fodder Pool Farm Frogmore TQ7 2NU</p>	<p>Prior Approval Refused 08 July 2020</p>
<p><u>1635/20/AGR Mrs T Oakley</u> Application for prior notification of agricultural storage building for machinery and fodder Pool Farm Frogmore TQ7 2NU</p>	<p>Ag Determination details required 08 June 2020</p>
<p><u>43/2654/13/CLP Mr & Mrs Elliott</u> Certificate of lawfulness for proposed removal of existing garden shed and replacement with a static caravan Pool Farm Frogmore Kingsbridge Devon TQ7 2NU</p>	<p>Cert of Lawfulness (Proposed) Certified 07 November 2013</p>
<p><u>43/2235/13/F Mr & Mrs L & B Elliott</u> Householder application for siting of mobile home for ancillary use Pool Farm Frogmore Kingsbridge Devon TQ7 2NU</p>	<p>Withdrawn 13 September 2013</p>
<p><u>43/0830/13/F Mr R Lines</u> Householder application for replace existing wooden windows and doors with brown uPVC Captiva 3 Pool Farm Frogmore Devon TQ7 2NU</p>	<p>Conditional Approval 04 April 2013</p>
<p><u>43/0559/13/O Mr Garry Elliott</u> Outline planning application for provision of occupational dwelling for rural worker to serve boatyard. Frogmore Boatyard Pool Farm Frogmore Kingsbridge TQ7 2NU</p>	<p>Conditional Approval 06 March 2013</p>
<p><u>43/0461/12/F Mr G Elliott</u> Construction of new slipway and associated works Pool Farm Frogmore Kingsbridge Devon TQ7 2NU</p>	<p>Withdrawn 01 March 2012</p>
<p><u>43/1508/11/DIS Mr G Elliott</u> Discharge of condition 4 (landscape Plan) of planning application 43/0369/11/F (Amendment to planning ref: 43/1076/07/F to provide additional boat storage) Pool Farm Frogmore Kingsbridge Devon TQ7 2NU</p>	<p>Discharge of condition Approved 15 June 2011</p>
<p><u>43/0369/11/F Mr G Elliott</u> Amendment to planning ref: 43/1076/07/F to provide additional boat storage Pool Farm Frogmore Kingsbridge Devon TQ7 2NU</p>	<p>Conditional Approval 04 February 2011</p>
<p><u>43/2225/10/MIN Mr G Elliott</u> Non material minor amendment to planning permission 43/0047/09/F. Amendments include changes to fenestration, addition of solar panels, clarification of position on site and clarification of eaves detail Pool Farm Frogmore Kingsbridge Devon TQ7 2NU</p>	<p>Conditional Approval 28 September 2010</p>
<p><u>43/1292/09/DIS Mr G Elliott</u> Discharge of conditions for planning ref 43/0047/09/F Pool Farm Frogmore Kingsbridge Devon TQ7 2NU</p>	<p>Approval 20 July 2009</p>
<p><u>43/0047/09/F Mr G Elliott</u> Erection of office building for use in association with Frogmore boatyard (B1 use) Pool Farm Frogmore Devon Devon TQ7 2NU</p>	<p>Conditional Approval 14 January 2009</p>

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<p><u>43/2032/08/F Mr G Elliott</u> Erection of office building for use in association with Frogmore boatyard (B1 use) Pool Farm Frogmore Kingsbridge Devon TQ7 2NU</p>	<p>Withdrawn 22 October 2008</p>
<p><u>43/1076/07/F Messrs L E & G L Elliott</u> Erection of additional buildings for boat storage and maintenance Pool Farm Frogmore Kingsbridge Devon TQ7 2NU</p>	<p>Conditional Approval 14 May 2007</p>
<p><u>43/1411/97/3 Robin East,</u> Construction of surfaced track, pad and slipway for seasonal removal of boats from water for storage, Pool Farm Frogmore Frogmore/Sherford</p>	<p>Refusal 18 August 1997</p>
<p><u>43/1373/95/4 Mr. R. East,</u> Continuance of use of barns and yard for boat storage without complying with condition (a) of permission 9/43/1517/92/4 (time limit), Pool Farm Frogmore Frogmore/Sherford</p>	<p>Conditional Approval 11 September 1995</p>
<p><u>43/1517/92/4 Mr.R. East,</u> Change of use of redundant barns and yard to storage of boats and their equipment, Pool Farm Frogmore Sherford/Frogmore</p>	<p>Conditional Approval 16 October 1992</p>
<p><u>43/1067/92/4 Mr. R. East,</u> Use of land for storage of boats and their equipment from 1st. September to 1st. June each year, Pool Farm Frogmore Sherford/Frogmore</p>	<p>Refusal 17 July 1992</p>
<p><u>43/0482/92/3 Messrs. L. & G. Elliott,</u> Formation of new access together with associated landscape and highwayimprovements, Pool Farm Frogmore Sherford/Frogmore</p>	<p>Withdrawn 30 March 1992</p>
<p><u>43/0324/92/3 Mr. Elliot,</u> Alterations and extension to dwelling, Pool Farm Frogmore Sherford/Frogmore</p>	<p>Conditional Approval 04 March 1992</p>
<p><u>43/1018/91/4 Mr. R. East,</u> Use of land to store boats from 1st October to 1st June, Pool Farm Frogmore Sherford/Frogmore</p>	<p>Conditional Approval 19 June 1991</p>
<p><u>43/2050/90/4 L. E. Elliott,</u> Change of use of land for storage and maintenance/ repair of boats andboat trailers for 12 months of the year, Pool Farm Frogmore & Sherford</p>	<p>Withdrawn 01 November 1990</p>
<p><u>43/0376/89/3 Mr. Elliott,</u> Garage, Pool Farm Frogmore</p>	<p>Conditional Approval 23 February 1989</p>
<p><u>43/1661/88/3 L. & G. Elliott,</u> Two new dwellings, Pool Farm Frogmore</p>	<p>Conditional Approval 22 July 1988</p>
<p><u>43/1483/86/4 Mr. L. E. Elliott,</u> Use of part of field for storage of boats from 1st November to 1st June each year, Pool Farm Frogmore Kingsbridge</p>	<p>Conditional Approval 12 September 1986</p>

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43/0860/86/3 Mr. L. E. Elliot,
Three houses,
Pool Farm Frogmore Kingsbridge

Conditional Approval
30 May 1986

48/0624/85/1 Mr. L.E. Elliott,
Erection of three dwellings,
Site Of Redundant Buildings At Pool Farm Frogmore

Conditional Approval
22 April 1985

48/0891/84/4 Chesford Marine,
Renewal of temporary permission for storage of boats during winter months, 15th October - 15th June,
Pool Farm Frogmore

Conditional Approval
06 June 1984

48/1094/83/4 Mr. R.D. East,
Storage of boats during winter months 15th Oct. - 15th June,
Pt Os 4349 Pool Farm Frogmore

Conditional Approval
25 July 1983

The planning history of the site has, until 2020, consisted almost entirely of dwelling development and boat storage. Consequently it is obvious that Pool Farm has not had a farming background for some time, and even the original Pool Farm building itself does not sing out that it is a typical south Devon farm.



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The original 'Pool Farm' 2009.



It is worth stating that the proposed site is also the location of the Permissive Right of Way to a public pontoon (Note the gate sign and complete lack of record of a Farm).



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The development proposal – SHDC Landscape Specialist submission.

The South Hams Society are fortunately in a position to review the Specialist Natural Environment Team assessment. We state fortunately because the failings within the document are extraordinary.

Stephen Wadsworth – Specialist; Natural Environment Team, Place Making

'Date: 26 March 2021

This response is based upon an examination of the planning file and submitted plans together with reference to GIS, OS mapping and aerial imagery. No site visit has been made.

In considering this application and assessing potential impacts of the development proposal against nationally protected landscapes, in addition to the Development Plan, the following legislation, policies and guidance have been considered:

Section 85 of the Countryside and Rights of Way (CROW) Act;

Sections 12 and 15 of the NPPF in particular paragraphs; 127, and 170, 172 & 173;

The National Planning Practice Guidance (NPPG) particularly Section 8-036 to 8-043 on Landscape; and

The South Devon AONB Management Plan and its Annexes.

In respect of the principle policy tests in the NPPF, this application is not considered to constitute “major development” in the context of paragraph 172.

Landscape Character

The site is entirely within the South Devon AONB.

The site is located within the 3G River Valley Slopes and Combes landscape character type (LCT). The key characteristics and valued attributes of the LCT include references to a pastoral landscape of rounded hills with steep sides, wide field boundaries and Devon Banks and a vernacular of white washed cottages, thatch or slates roofs and exposed stone.

Context

The submitted Design and Access Statement correctly identifies the policy context of the site and its sensitive location within the AONB close to the edge of the Frogmore Creek.

The proposal is for a modest scale, modern style, single storey dwelling and separate garage within a curtilage defined by a new Devon Bank along the curtilage’s northern and western boundaries. The new dwelling would occupy part of a currently undeveloped field.

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Visual matters

Intervisibility between the proposed development and the wider landscape would be restricted. Key views would be from the north and west looking across the creek to the site. However, the proposed dwelling would not be seen in isolation but would be visible only in the context of existing development behind it. This back drop of existing development would reduce the perception of the proposed development encroaching into open countryside. Much of the proposed built form would be hidden from view by the proposed Devon Banks.

*Publicly accessible vantage points from the south and west are limited. **There is a general absence of public rights of way. Views of the proposals from the nearby public highway would generally be restricted by existing development in the intervening landscape between the potential observer and the site boundary. However, it is considered that the proposals would benefit in visual terms from extending the proposed Devon Bank along the eastern and southern boundaries of the site rather than leaving these open and undefined as currently shown.*** (Emphasis added)

Policy

In respect of Policy DEV25 which seeks to conserve the landscape and natural beauty of the AONB, it is considered that the proposed development would not appear wholly incongruous. In the immediate vicinity of the site, the traditional vernacular has given way to a more modern one and single storey dwellings are common throughout the wider settlement. The proposed dwelling is not isolated but is set immediately adjacent to the edge of the existing built up area of settlement.

The materiality of the proposals will still be important to detail so as to ensure the local sense of place is maintained.

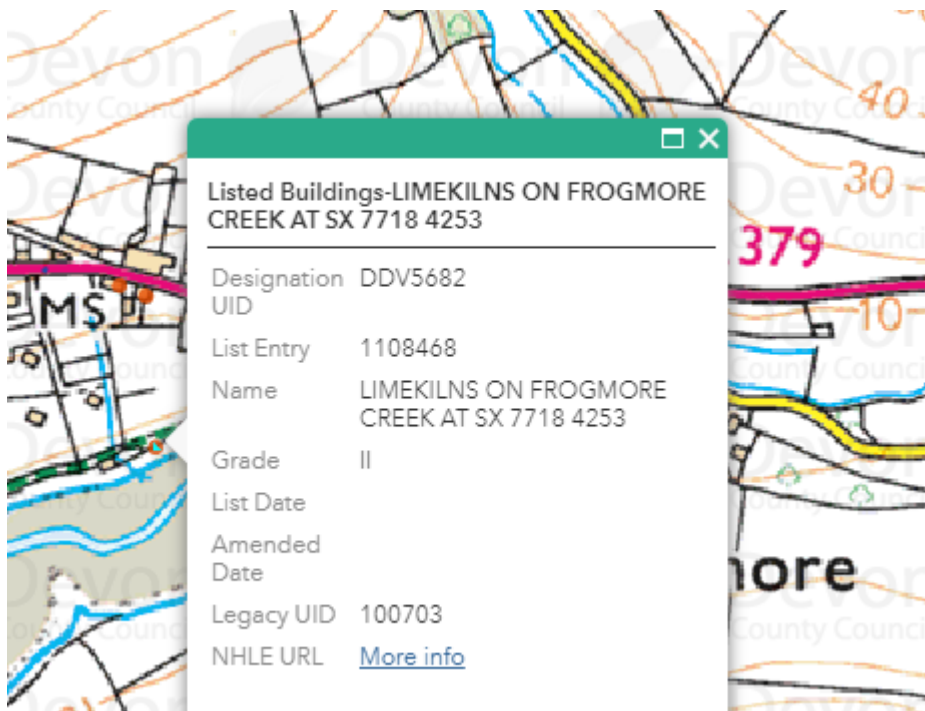
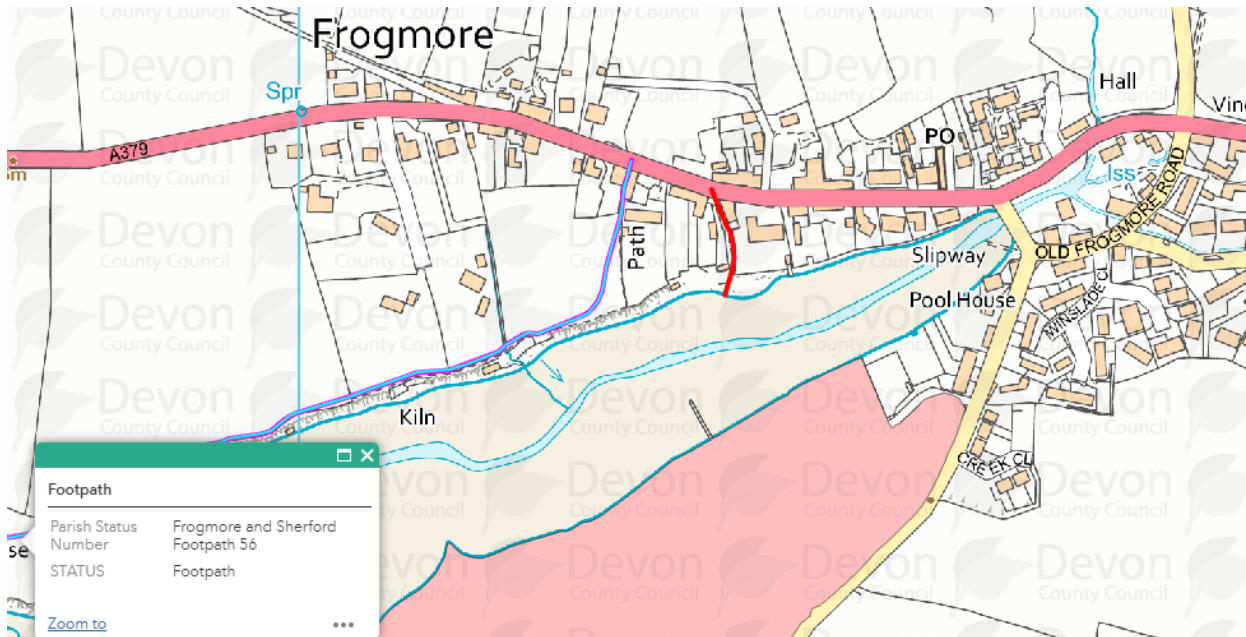
*The inclusion of the Devon Banks to define the site boundaries has the potential to provide an element of enhancement to the landscape. As a point of detail, it is noted that the proposed planting mix includes Oak (*Quercus*). Large scale trees are actively encouraged where space on a site allows but in this instance space is more restricted. A substitution of the Oak for another smaller scale native species such as Hazel (*Corylus avellana*) is recommended.*

Recommendation

There is no objection in principle to the proposed development in landscape and visual terms subject to suggested amendments as outlined above'.



The Public Rights of Way, footpath no 56, bridleway number 8 (View of site - Annex A) and the Limestone Kiln on the plan (View - Front Page).



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The South Hams Society is of the opinion that the Landscape Specialist report is inadequate due to the failure to identify the undeveloped coast and its policies and the extensive public rights of way around this site.

It also appears that no site visit has been made by the specialist as no visit was recorded.

The applicants Design and Access Statement.

D&A Introduction page 1.

'Pool Farm is one of only two remaining farms in the village of Frogmore. Pool Farm has been owned by the Elliott family for generations and has evolved and changed over the years. It is presently the home to three primary family businesses, a boatyard, a farm and a groundworks firm'.

The South Hams Society has earlier highlighted three planning permissions where it is abundantly clear Pool Farm is a farm in name only. It is a planning conditioned boatyard.

It was the eldest generation who removed the redundant farmstead buildings back in the mid 80's.

Reviewing the planning history, we find no reference to livestock or farm use.

*'Tamsin is instrumental in the operation of the Groundworks and Boatyard Business, but primarily farms Lower Pool Farm's 45 cattle. As well as using the existing barns at Pool Farm, **she has recently had a new livestock building permitted and is reinstating the strength of the farm** (which has now been named Lower Pool Farm), which has taken a back seat with the family over recent years in favour of the boat and groundworks businesses.'* (Emphasis added)

The application in question was 3770/20/PAA - Prior approval application for proposed erection of **agricultural storage building. The building does not have permission for livestock.** No livestock should be held in any building onsite because of the planning condition and because many protected properties lie within the 400 metres zone of Pool Farm Boatyard.

The D&A must remove any reference to livestock buildings on site as they are conditioned for boat purposes only. There are currently no livestock buildings.



'For clarity, Pool Farm is the historic name of the farm and holding and Lower Pool Farm is the new name of farming operation on much of the same land'.

No planning permission exists for a farm holding on site, the original farm buildings were demolished for housing and the remaining and new barns permitted for boat storage only. There are no buildings on the land to the south of the creek with approval for holding livestock.

3.0 The Proposal - Page 2

'The new dwelling is clearly designed for the applicant's need to access the farmyard and boatyard, providing surveillance over the driveway and buildings, as well as immediate access to the rest of their land'.

The site is conditioned for boat storage only and cannot be described as a farmyard. The site already has approval with the built up area for a property that was justified because of the requirement to monitor the business site (43/0559/13/O - Outline planning application for provision of occupational dwelling for rural worker to serve boatyard).

4.0 Planning Policy – Page 3

'Frogmore does not have an identified village boundary and the application site is effectively directly adjacent to the built limits of the village, but within the Undeveloped Coast'.

The fact that the site is in the undeveloped coast, it could not be within any settlement boundary as the policies are diametrically opposed. This planning application has to conform to the planning tests of the undeveloped coast (DEV24).

Page 4

The unusual factors of this proposal are that the applicant works in both farming and the marine industry and the location of the proposal is directly on the edge, some might say within, the village of Frogmore which is a relatively sustainable settlement in terms of services, public transport and accessibility.

The site is in the undeveloped coast, the policy is designed to protect the finite resource that is the heritage coast (DEV24).

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Page 5 - 6.0 Elliott Family Background

'Mrs Elliott is 81 years old and lives in Pool Farm house on South Pool road. Pool farm is now a village house within the built envelope of Frogmore.

Mr Garry Elliott is 55 years old and lives in Pool Farm. He has permission for a rural worker's dwelling and is working on building a cost effective house for him and his daughter.

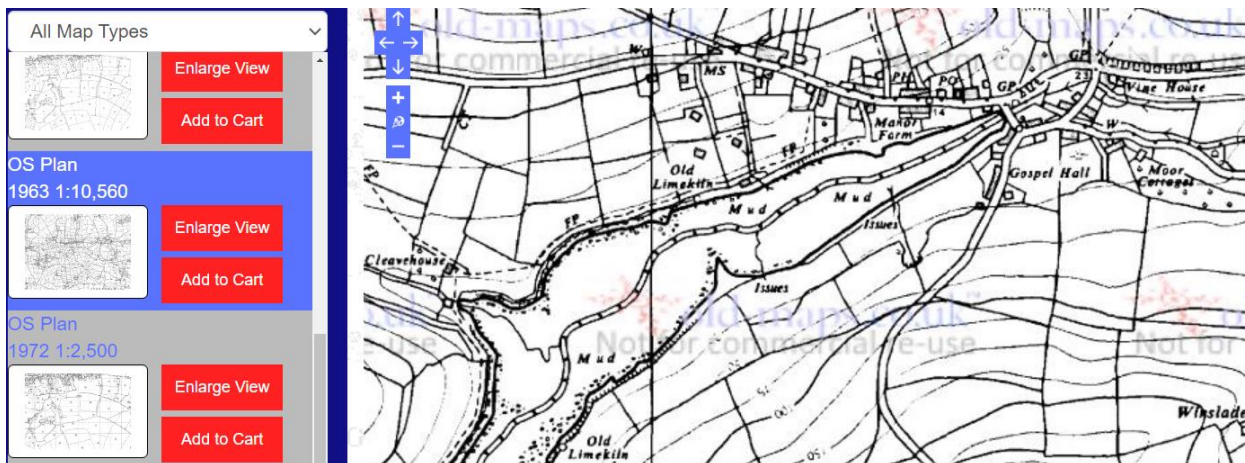
Tamsin Oakley (nee Elliott-Friend)(the applicant) is 29 years old and lives in temporary accommodation in the garden at Pool Farm with Jason her husband and her two young children.

The Elliott Family have been at Pool Farm since 1934'.

We note the confirmation that Pool Farm House is just a village house. We also note that Garry Elliot is living at Pool Farm, but has a planning permission for another dwelling on the site of the office.

Clearly the Elliott family has not lived at Pool Farm since 1934. Pool Farm had a very short history.

1963 OS map:





1972 OS map:



The farming operation had ended by 1983.

'12.0 Functional Need to Live on Site'.

We note that considerable use of the boatyard facility is made as justification which is not warranted. This boatyard justification was used previously for an onsite worker and has a planning consent attributable to it.

This leaves the newly established farm use.

As we have previously stated, the farming practice ended with the removal of the redundant farm buildings and the construction of five dwellings. The D&A clearly agrees with this, stating Pool Farm is a village house within the built village environment. This change of use from farm to boat storage and ancillary use is extensively documented within the planning history.

The buildings within the boatyard have all been approved for boat storage and ancillary purposes only.

It is stated within the D&A that the site is now being used for housing livestock in breach of those planning applications. There are no permitted development rights to allow this change as the site is now part of the village settlement with extensively more domestic housing in close proximity.

Page 7 of the Design and Access Statement contains evidence that the boatyard storage is now being used for livestock. This in breach of planning approval 43/1076/07 conditions 3 & 4 following the demolition of farmstead buildings and planning permissions of change of use of barns to boat storage use.

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Planning Policy.

DEV24 Undeveloped Coast and Heritage Coast - the forgotten policy:

Policy DEV24

Undeveloped Coast and Heritage Coast

Development which would have a detrimental effect on the undeveloped and unspoilt character, appearance or tranquility of the Undeveloped Coast, estuaries, and the Heritage Coast will not be permitted except under exceptional circumstances. Development will only be permitted in the Undeveloped Coast where the development:

1. Can demonstrate that it requires a coastal location.
2. It cannot reasonably be located outside the Undeveloped Coast.
3. Protects, maintains and enhances the unique landscape and seascape character and special qualities of the area.
4. Is consistent with policy statements for the local policy unit in the current Shoreline Management Plan.
5. Is consistent with the relevant Heritage Coast objectives, as contained within the relevant AONB Management Plan.

Development for the purposes of agriculture, forestry, public access and enjoyment of the coast and estuaries, or community facilities that meet the objectively assessed needs of the local community, will be supported if it meets the above tests.



6.92 This policy seeks to protect this region's valuable undeveloped coast and defined Heritage Coast, ensuring that only development that contributes positively to its character is permitted. The South Devon AONB Management Plan incorporates the objectives and targets for the South Devon Heritage Coast.

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We called it the forgotten policy for good reason. It appears to the South Hams Society that this policy is being conveniently forgotten. The internal landscape submission has unforgivably overlooked this policy. We have reviewed a recently approved and recent planning application for this boatyard, 3770/20/PAA - Prior approval application for proposed erection of agricultural storage building, where Case Officer Jacqueline Houslander failed to give any consideration in her analysis to the policies of the undeveloped coast or assess it against the 5 tests.

DEV24 is mentioned once in a list at the end of the report. (It is also noted that no consideration was given to the nearby Frogmore Creek SSSI designation and the decision notice did not place any restrictions on what the agricultural building could hold, which is unacceptable given the SSSI site was not considered).

This is and was unacceptable.

Again, in this application the internal consultee for landscape and visual impact assessment has failed to identify the undeveloped coast which is particularly relevant to assess test 3 - *'Protects, maintains and enhances the unique landscape and seascape character and special qualities of the area'*.

DEV25 Nationally protected landscapes

Areas of Outstanding Natural Beauty have a single statutory purpose - the conservation and enhancement of the natural beauty of an AONB - contained within the Countryside and Rights of Way Act 2000. The AONB Management plan for South Devon sets out the policy framework and priorities for action. Where there is a perceived conflict between policies the statutory purpose for AONBs overrides following the established Sandford Principle. **Supportive rural economy policies, such as Econ/P3, are only engaged where the primary purpose is achieved.**

Econ/P3 Rural business - Sustainable rural business and farm diversification initiatives will be supported where these maintain or enhance the special qualities or distinctive landscape character of the AONB and contribute to employment and prosperity.

Additional policies relevant to this proposal are Lan/P1, Lan/P2, Lan/P3, Lan/P4.

The South Hams Society are not convinced that this proposal can be justified by these policies.

Other Policies DEV23 - Landscape character and in particular paragraph 2 *'Conserve and enhance the characteristics and views of the area along with valued attributes and existing site features such as trees, hedgerows and watercourses that contribute to the character and quality of the area'*.

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Although the parish does not have a neighbourhood plan adopted, the public have been consulted and their opinions are worthy of consideration.

The parish neighbourhood plan public comments.

96% of community respondents agreed, *'we should retain the rural character of our parish.'*
95% agreed *'we need to retain and protect our beautiful countryside'* and 91% agreed that *'development should be restricted in areas of outstanding natural beauty.'*

42% of the community respondents agreed that *'we need to plan for more businesses and employment opportunities.'* 30% thought not.
76% agreed that *'areas of outstanding natural beauty are not suitable locations for new homes.'*
73% agreed that *'we have traffic safety problems on our roads.'*

79% of community respondents agreed that *'new homes should be restricted to satisfying local need.'*
59% said *'priority should be given to affordable tenure homes.'*
65% said new homes *'should be sited within existing village boundaries.'*

Summary

Planning history confirms that the site only has approval for boat storage and ancillary use. The planning application, in particular the Design and Access Statement supports this application with the justification that a rural workers dwelling is required because of farming operations that are themselves in breach of planning application planning condition. **It is impossible to see how the local planning authority could approve a development that is supported by evidence of failure to comply with a planning condition.**

There is no consideration of the tests required to be satisfied to allow development in the undeveloped coast by the applicant.

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The South Hams Society believe this proposal is harmful to the undeveloped coast and the Area of Outstanding Natural Beauty in a very prominent location and the internal LVIA specialist has failed to adequately access the planning policies that protect the designated site.

There is a less harmful solution to protect the integrity of the undeveloped coast if the local planning authority is minded to cause harm to the undeveloped coast and not satisfy the requirements of DEV24. This is demonstrated at Annex C, provided that the building is kept level with the existing Pool Farm bungalow and appropriate mitigation.

However it must be stressed that in light of the current planning breach, there is no justification for an onsite rural workers dwelling supported by the D&A as there is a planning breach currently occurring. There are no livestock barns on this site with planning approval.

For the reasons contained within this letter, the South Hams Society respectfully request that this planning application is refused.

Richard Howell

For and on behalf of the South Hams Society



Annex A - View from foreshore Bridleway No. 8 location of proposed dwelling.



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Annex B - Frogmore Marine Services Site – alternative site plus remove caravan.



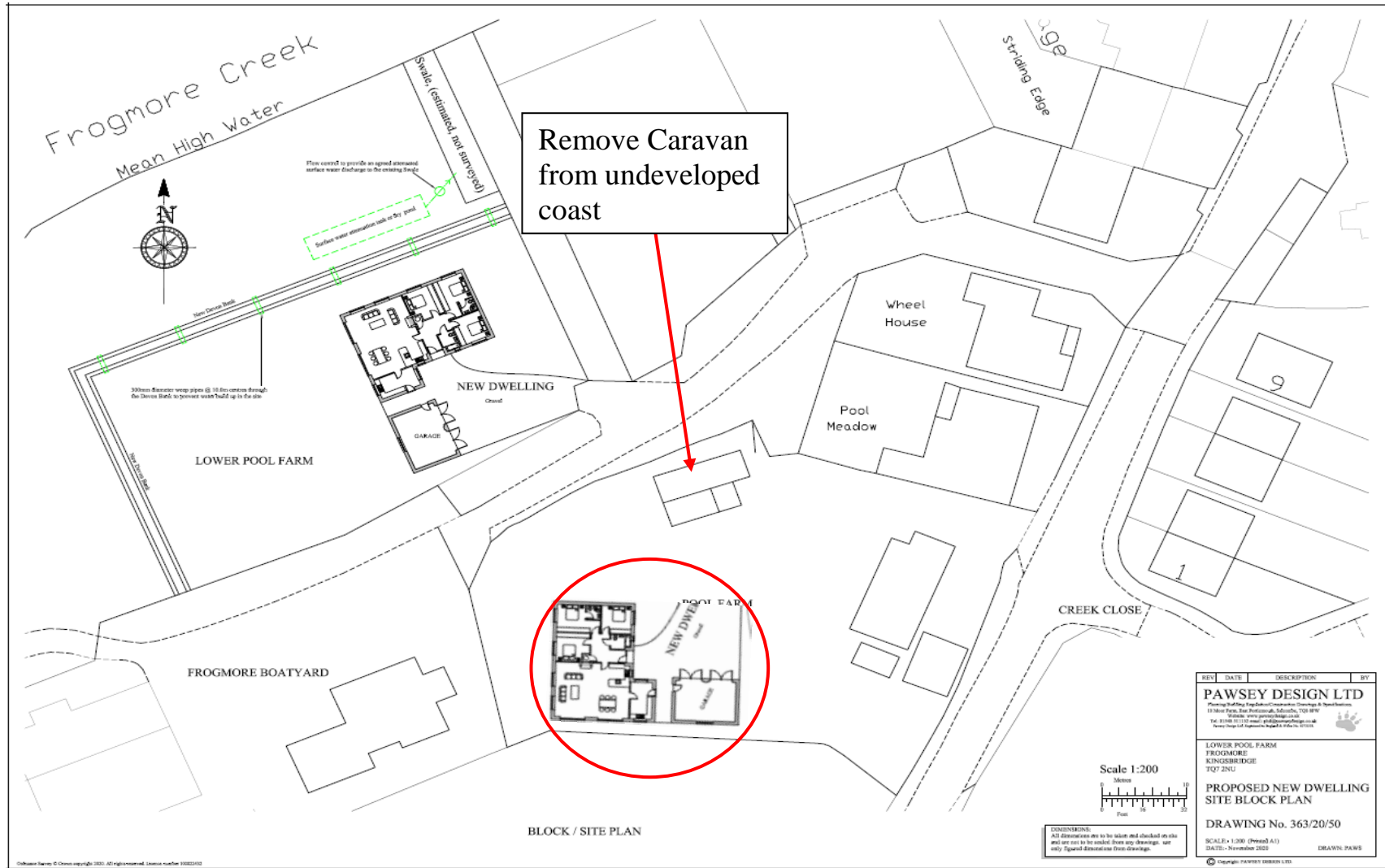
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Annex C - Alternative location of dwelling redesigned to suit.



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