



Application Ref: 2831/22/FUL

Description: Construction of a two storey house

Address: Land Adjacent To Stonehanger Court Devon Road Salcombe TQ8 8HJ

8th November 2022

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.

South Hams District Council has a legal duty to protect and enhance the South Devon AONB which is a nationally prized landscape and a major economic asset. Section 85 of the Countryside and Rights of Way Act 2000 requires that the Local Authority adheres to the purpose of conserving and enhancing the landscape and natural beauty of AONBs. The National Planning Policy Framework (NPPF) paragraph 172 specifies that **great weight** must be given to this purpose. The applicants are therefore required to demonstrate how the location, siting, layout, scale and design of the proposed development will 'conserve and/or enhances what is special and locally distinctive to the site'.

Introduction.

This site was previously recorded as Lower Rockledge in earlier planning applications (0201/19/FUL and 4159/19/FUL). The Society objected to both these applications. The first application was withdrawn, the second rightly refused by the local planning authority and dismissed by the Planning Inspectorate at appeal.

Natural open space and retention of trees and vegetation around houses on the hillside south of the main town centre are an attractive feature of this part of Salcombe. The proposed development would remove a significant area of green space to the detriment of the low density development character of the area and the wider view of the town, including from and across the estuary. As with the previous applications, this proposal for a new two storey dwelling would clearly neither conserve the location's special qualities or distinctive natural beauty. The South Hams Society (SHS) therefore considers it to fail the key test for development within the AONB.

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Salcombe Conservation Area Appraisal

As evidence of the particular importance of green spaces and trees in this area, we refer to the SHDC document 'Salcombe Conservation Area Appraisal', adopted in February 2010 (available online), which provides compelling reasons for protecting the site at Lower Rockledge. Devon Road is specifically referenced on page 15:

'Green spaces and trees

Salcombe has few clearly visible green spaces within its core; more often, foliage and vegetation are only glimpsed over high boundary walls or through gateways. The almost total lack of front gardens means that those that do exist should be jealously guarded for the dash of colour and texture they contribute to their urban surroundings. On the periphery of the Conservation Area, green areas are much more prevalent. The large historic land plots of Devon Road and Allenhayes allow room for lush planting fronting the roadside and landscaped and cultivated gardens to the rear, which also contribute to the townscape due to the steep terrain. Public green spaces are also important, from the isolated green area of verge with park bench in Devon Road with its spectacular views over the estuary or larger public green spaces such as Courtenay Park, Cross Cottage Garden, the Churchyard and Cliff House gardens and terraces that provide small natural oases within this waterfront town. Certain boundary hedges and trees provide structural features that contribute to the aesthetic value of the area; the mature hedges on the corners of Acland Road, the monkey puzzle on Allenhayes Road and the tree at the junction of Allenhayes Lane and Devon Road.'

The map contained in the Salcombe Conservation Area (Annex 1) illustrates the landscape described above and shows the position of woodland below Lower Rockledge.

The submitted Design and Access Statement.

It is unclear to the Society why the the Design & Access statement concentrates on Stone Hanger Court.

Referring to the statement below from page 1, the Society consider the last sentence to be incorrect.

The land falls from north to south and west to east. It rises 16 metres from an OS datum of around 35.5m at its southern corner to 51.5m at its northern end with some small plateau areas. Consequently it is never used and not readily maintainable which has led to its rather neglected state over the years.

No less than 680 square metres of the proposed building site is recorded as W1 TPO 676 (formally TPO 151) - an area first protected in 1978 (TPO 151 deleted 2004). Vicarage house stood below this site for many years, expanding to become the Great Gate Hotel that closed

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in 1975. The hotel was demolished, to make way for the Poundstone Court development in the early 1980's

The proposed site was the last remnants of a mixed woodland recorded by mapping and historical images.

In 2019, the SHDC Tree Specialist wrote in his assessment of arboricultural submissions:

2. *I have undertaken review of the submitted tree report data during a site visit. Of principal note is absence of any discussion upon Woodland tree preservation Order TPO676 W1 within the arborists submission or the Design and Access Statement. The order was confirmed in 2004 without modification and protects trees of all species. The order is formed so as to closely follow the curtilage of the subject site.*
3. *During the site visit I noted recently cut stumps of sprouting vegetation, potentially forming part of the TPO.*
7. *The dwelling, if approved, would cover the majority of the area of the woodland order in terms of the physical structure and the further use of the site as domestic garden would in effect remove all available area for normal woodland tree growth and seed emergence.*
8. *Whilst the nature of the site following intense management does not bear significant woodland attributes the cessation of clearance works would allow regrowth from cut stumps and/ or trees to potentially emerge from the seed bank in the soil such that its visual amenity benefits would return more fully in due course.*

This statement below from page one of the D&A is simply not true.

'Consequently it is never used and not readily maintainable which has led to its rather neglected state over the years'

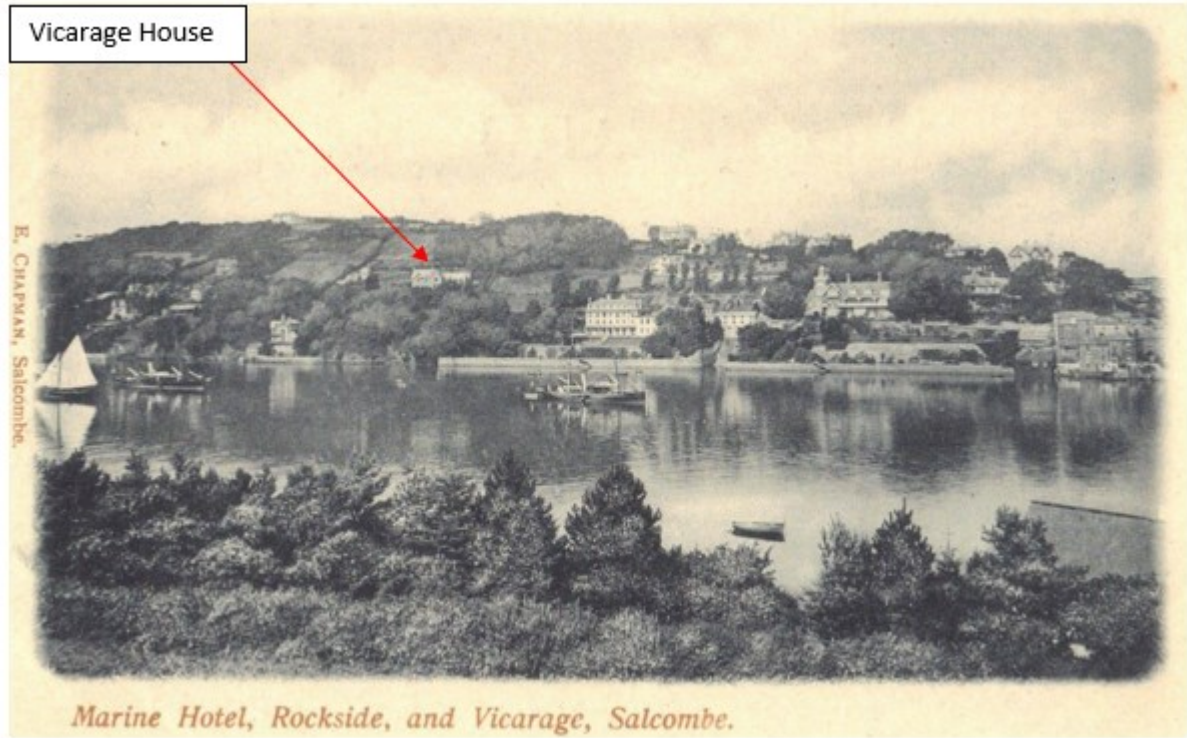
The 680 square metres should be woodland, an area first protected in 1978, reconfirmed in 2004 and recorded in the 2010 Salcombe Conservation Area Appraisal.

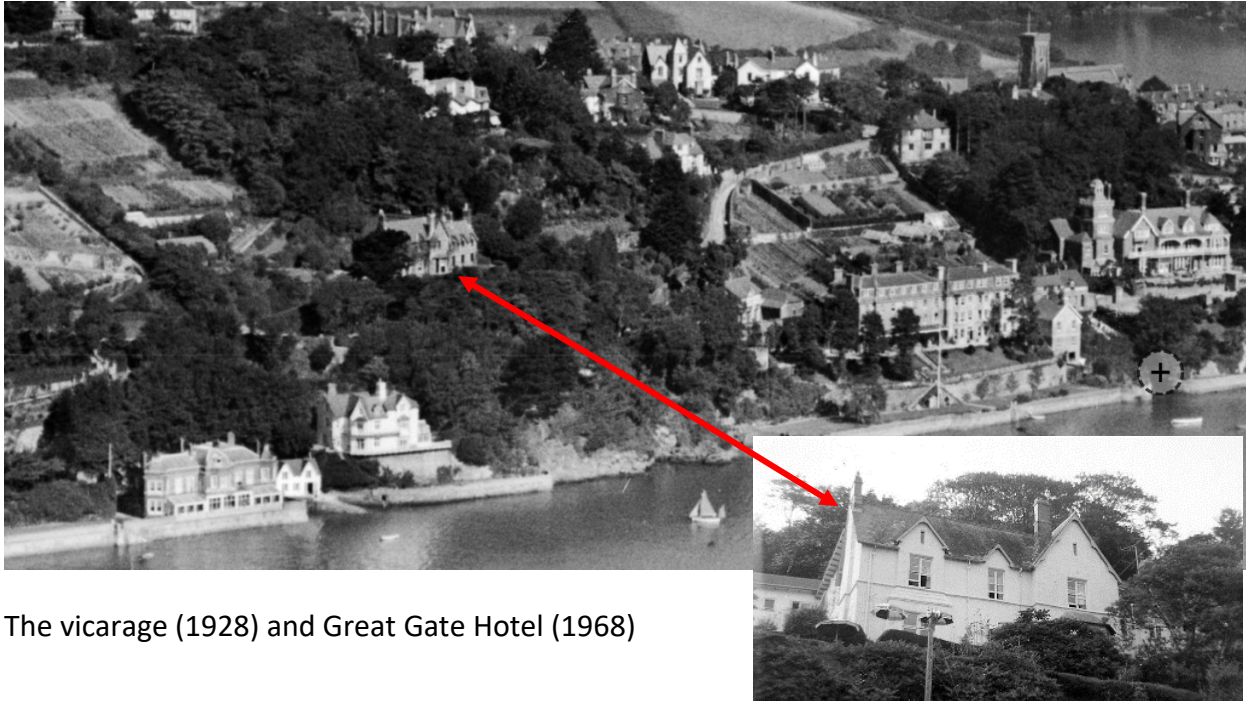
The Society finds it is completely unacceptable that trees have been removed without approval from the local planning authority.

Next, an historical look at this hillside.

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The vicarage (1928) and Great Gate Hotel (1968)

The image below is from 2014, four years after the Salcombe Conservation Appraisal was completed, and used for the sale of Flat 2, Stonehanger Court (white arrow). The protected woodland is behind Poundstone Court on the upper left hand side of this image.



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Salcombe, Cliff Road, Devon Road and Bennett Road.



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The hillside, is being ripped apart, plot by plot.



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Relevant Local Planning Policies.

Adverse impact on landscape character and visual amenity

The SHS consider that the proposal compromises the local distinctiveness and visual amenity of the hillside location, especially when viewed from the harbour and East Portlemouth. The substantial spacing between properties is an inherent and attractive attribute in this area of Salcombe, which justifies sympathetic assessment and protection. Planning Policy at all levels seeks to protect the valued coastal landscape and to conserve local landscape character, and therefore the SHS concludes the proposal conflicts with, and fails, policy objectives as set out in the following policies of JLP:

DEV1 – Protecting health and amenity

1 Ensuring that new development provides for satisfactory daylight, sunlight, outlook, privacy and the protection from noise disturbance for both new and existing residents, workers and visitors. Unacceptable impacts will be judged against the level of amenity generally in the locality.

DEV2 - Air, water, soil, noise, land and light

Development proposals which will cause unacceptable on- or off-site risk or harm to human health, the natural environment or living conditions, either individually or cumulatively, will not be permitted. Development should:

- 1. Avoid harmful environmental impacts and health risks for both new and existing development arising from soil, air, water, land, or noise pollution or land instability.*
- 4. Limit the impact of light pollution on local amenity, intrinsically dark landscapes and nature conservation.*

DEV23 - Landscape character

Development will conserve and enhance landscape, townscape and seascape character and scenic and visual quality, avoiding significant and adverse landscape or visual impacts.

Development proposals should:

- 1. Be located and designed to respect scenic quality and maintain an area's distinctive sense of place and reinforce local distinctiveness.*
- 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.*
- 4. Be located and designed to prevent erosion of relative tranquility and intrinsically dark landscapes, and where possible use opportunities to enhance areas in which tranquility has been eroded.*

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:

- 3. Protects, maintains and enhances the unique landscape and seascape character and special qualities of the area.*



DEV25 - Nationally protected landscapes

The highest degree of protection will be given to the protected landscapes of the South Devon AONB, Tamar Valley AONB and Dartmoor National Park. The LPAs will protect the AONBs and National Park from potentially damaging or inappropriate development located either within the protected landscapes or their settings. In considering development proposals the LPAs will:

- 2. Give great weight to conserving landscape and scenic beauty in the protected landscapes.*
- 4. Assess their direct, indirect and cumulative impacts on natural beauty.*
- 5. Encourage small-scale proposals that are sustainably and appropriately located and designed to conserve, enhance and restore the protected landscapes.*
- 8. Require development proposals located within or within the setting of a protected landscape to:*
 - i. Conserve and enhance the natural beauty of the protected landscape with particular reference to their special qualities and distinctive characteristics or valued attributes.*
 - ii. Be designed to prevent the addition of incongruous features, and where appropriate take the opportunity to remove or ameliorate existing incongruous features.*
 - iii. Be located and designed to respect scenic quality and maintain an area's distinctive sense of place, or reinforce local distinctiveness.*
 - iv. Be designed to prevent impacts of light pollution from artificial light on intrinsically dark landscapes and nature conservation interests.*
 - v. Be located and designed to prevent the erosion of relative tranquillity and, where possible use opportunities to enhance areas in which tranquillity has been eroded.*
 - vi. Be located and designed to conserve and enhance flora, fauna, geological and physiographical features, in particular those which contribute to the distinctive sense of place, relative wildness or tranquillity, or to other aspects of landscape and scenic quality.*
 - vii. Retain links, where appropriate, with the distinctive historic and cultural heritage features of the protected landscape.*
 - viii. Further the delivery of the relevant protected landscape management plan, having regard to its supporting guidance documents.*

DEV27 - Green and play spaces

The LPA's will protect and support a diverse and multi-functional network of green space. The following provisions apply:

- 1. Development that would result in an unacceptable conflict with the function(s) or characteristic of Strategic Green Spaces will be resisted. In these areas development will normally only be permitted where it enhances the value of the green space, for example through sports, allotment and play provision, lighting, cafes, educational uses and sustainable transport routes.*
- 2. Existing open spaces, which also includes designated City Green Spaces and Neighbourhood Green Spaces, should not be built on unless it is demonstrated that the open space is surplus to requirements; or the loss will be replaced by equivalent or better provision in a suitable location; or the development is for alternative sports and recreation provision, the needs for which clearly outweigh the loss. In making this judgement regard will be had to evidence of the identified value of the green space's attributes as set out in relevant open space assessments and account will be taken of the*

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plan's green space and play accessibility standards. Development will be resisted on sites where the functions and characteristics of the greenspace will be lost and mitigation is not possible.

DEV28 - Trees, woodlands and hedgerows

Development that would result in the loss or deterioration of the quality of:

- *Ancient woodland, aged or veteran trees or impact on their immediate surroundings;*
- *Other woodlands or high amenity trees including protected trees;*
- *Important hedgerows including Devon hedgebanks; will not be permitted unless the need for, and benefits of, the development in that location clearly outweigh the loss and this can be demonstrated.*

Salcombe Neighbourhood Plan

A key objective of the Salcombe Neighbourhood Development Plan (NDP) is that: Any future development must have due regard of its impact on the AONB, Undeveloped Coast, the rural landscape character and green infrastructure that surrounds the separate and distinctive settlements in the Parish, and the natural valleys and landforms.

Consequently the SHS believes that this proposal conflicts with Salcombe NDP Policies:

- ENV 1** which seeks to protect the characteristics and features of the AONB;
- ENV 5** *protecting existing woodland areas* and the environmental quality of the valley slopes to the water's edge;
- ENV 7** seeking to maintain low density development, natural green spaces and trees;
- B 1** safeguarding design quality and Heritage assets.

The South Hams Society firmly believes that the proper protection of the natural function of the woodland TPO 676 W1 – free from further clearance or development - will in time restore the visual amenity and integrity of the site for the benefit of the wider Salcombe community. We are convinced that the benefits of providing a single dwelling within an already crowded settlement do not outweigh the significant harms identified here.

Is it the intention of the LPA to revoke the 680 square metres of woodland that is TPO 676?

The Society believes a CMP should be provided as this site lacks road frontage. It is a simple task to produce a visual pleasing image of a building in the existing hill. The reality is that will not be likely outcome. The construction and excavation damage to the slopes surrounding the foot print of the building will in all probability prove visually damaging. Examination of the hillside image included in this letter provides evidence of the scale of landscape harm caused by these developments.

We therefore respectfully request that this planning application is refused.

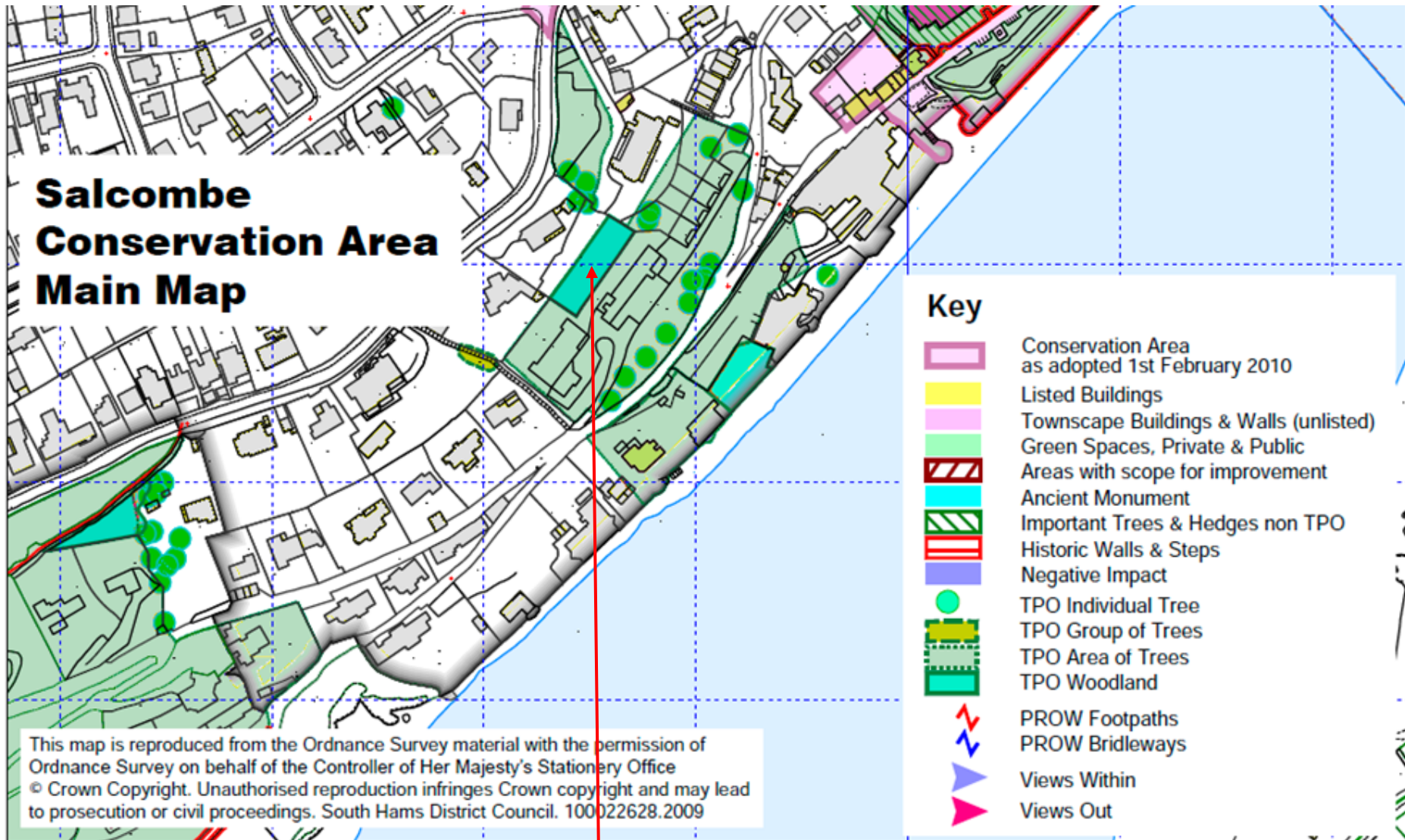
For and on behalf of the South Hams Society.

Richard Howell,
Chairman

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ANNEX 1: SALCOMBE CONSERVATION AREA



Land Adjacent To Stonehanger Court Devon Road Salcombe (TPO 676)

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