



Newsletter

In this edition ...

In this edition, a further summary of the proposals for Local Government Reorganisation being put forward for Devon, and now under consideration by central government. Your Society contributed to the recent consultation on these plans.

The Society's AGM this year will deal with the same topic as the leader of Plymouth City Council, Cllr. Tudor Evans, the leader of Torbay Council Cllr. Dan Thomas, and Cllr. Julian Brazil, the leader of Devon County Council, have all been invited to discuss the implications of their various plans for the South Hams. The AGM has been put forward this year to allow for local council elections in May, and will now take place on Thursday June 4th - full details elsewhere in the newsletter.

Neighbourhood Plans are already in place for many areas, following sustained work by parish councils and community organisations. However the extent of their application in planning matters could now be in doubt, following a recent decision to approve a large development in Modbury contrary to local plan requirements. The implications of this decision for your parish are discussed.

The campaign to save Woodcot in Salcombe has continued to simmer over the winter with several new initiatives, and there is a report on the current state of affairs.

The weather over the winter has been difficult for trees in general, with losses in the south-west due to Storm Goretti in particular. Some possible species are suggested if you are considering re-planting.

Local Government reorganisation - a review of the proposals

The South Hams Society has reviewed the five local government body submissions and how they impact upon the South Hams area.

1. The "One Devon" Model
(Devon County Council Proposal)
The simplest proposal. A single massive unitary council for the whole of Devon (excluding the current Plymouth and Torbay footprints).

2. South Hams, West Devon, and Teignbridge Plan.

Their preferred strategy is known as the "Reimagining Devon" (or 4-5-1) Proposal.

South Hams, West Devon, and Teignbridge—along with four other district councils—have proposed a model that keeps their current territories largely intact but upgrades them to a single-tier system. This means the abolition of Devon County Council (DCC) and the South Hams District Council (SHDC) in favour of one new "super-council"

Creates a new **Torbay and Southern Devon Unitary.**

This would merge South Hams, West Devon, Teignbridge, and Torbay into one powerful authority.

The Status of Plymouth: Under this plan, Plymouth remains exactly as it is now, with no expansion into South Hams.

3. East Devon, Mid Devon, North Devon & Torridge proposal — THREE unitaries with boundary changes.

The "Exeter and Northern Devon" Unitary

Part of the "Reimagining Devon" (or 4-5-1) Proposal.

The four districts would merge with the city of Exeter to create a single "super-unitary" authority.

4. Plymouth and Exeter Plan. officially submitted

as a joint proposal during the government's 2026 consultation—represents the

most radical departure from Devon's current borders.

The "Four-Unitary" Vision
Plymouth and Exeter City Councils jointly proposed dividing the county into four distinct unitary authorities. Their logic is based on "**functional economic geography**"—the idea that people live, work, and travel in patterns that ignore ancient county and district borders.

Expanded Plymouth

- **The Area:** Plymouth City + 13 neighbouring parishes from the South Hams.

- **The Logic:** These areas are effectively "commuter belts" for Plymouth. The city argues it needs this land for strategic housing and transport planning to support its growing workforce.

The Plymouth boundary would shift from Elburton to beyond the Grade I listed Flete House. The distance from Kingsbridge to Plymouth would shrink from 17

miles to just 10 miles.

Expanded Exeter

- **The Area:** Exeter City + 49 surrounding parishes currently in Teignbridge, East Devon, and Mid Devon.

- **The Logic:** Exeter is one of the UK's fastest-growing cities. The plan would unite the city with its "growth points" (like Cranbrook and the Exe Valley) under one administration.

Expanded Torbay

- **The Area:** The current Torbay footprint + 5 parishes from the South Hams.

- **The Logic:** This creates a powerful "Greater South Devon" coastal authority centred on the Bay.

Devon Coast and Countryside

- **The Area:** A massive, purely rural authority covering North Devon, Torridge, and the remaining parts of West Devon and East Devon.

- **The Logic:** This council would



Expanded Plymouth: the Plymouth City boundary would expand from Elburton (above) to Flete (below)



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Local Government proposals continued ...

be specifically tailored to rural needs, such as agriculture and remote service delivery, without having to compete for resources with the “big cities.”

5. The Torbay Council Plan. (Four Unitaries)

Torbay Council: Stays exactly as it is (Torquay, Paignton, and Brixham).

Expanded Plymouth: Plymouth grows to include its immediate “commuter belt” parishes.

New Exeter Council: A new urban council for Exeter and its surrounding growth areas.

Rural Devon Coast & Countryside:

A massive new council covering the rest of the county (essentially replacing the current Devon County Council and the remaining rural districts).

South Hams Society’s opinion.

The **Plymouth and Exeter** proposal strips almost a third of the South Hams parishes and is fundamentally at odds with principles of localism and community self-determination. Plymouth City Council seek to grow the city from its current

31 square miles to 115 square miles. The plan also removes a further 23.5 square miles of the South Hams to be transferred to Torbay, a total loss of 107.5 miles. The Plymouth/Exeter plan treats residents as “units of labour/commuters” (functional geography), whereas the South Hams Society treats them as “citizens of a community” (historic identity), we therefore considered the plan completely unacceptable.

Torbay’s plan.

A Torbay residents’ survey, completed by over 1,400 respondents, found that 64% of residents support keeping Torbay’s existing boundaries. Torbay have stated that they are therefore committed to respecting this strong local mandate.

Torbay’s leadership has argued that the “Bay” is a distinct, self-contained community that works best when it isn’t merged with or diluted by rural areas.

Torbay’s position creates an issue for all the other plans except for ‘One Devon’ in that

Torbay wishes to remain as a unitary authority retaining its existing boundary and the council considers that they have the support of a public mandate.

Again, we found the expanded Plymouth part of the plan to be unacceptable.

South Hams, West Devon, and Teignbridge Plan together with the East Devon, Mid Devon, North Devon & Torridge plan (4 – 5 - 1).

If we accept that communities must have the final say over their own boundaries and that anything less undermines local democracy, then there is the issue of Torbay. The council states that it has a mandate to remain as a unitary authority with its current boundary.

There is a strong public mandate for the parishes around Plymouth to remain outside the city boundary and it has been stated that, self-determination is not a sliding scale — you either have it or you don’t.

The “Torbay Paradox.” If we respect the mandate of the 13

parishes to stay out of Plymouth, logically we must respect Torbay’s mandate to remain independent — which effectively collapses the “4-5-1” model and leaves “One Devon” as the only structurally viable survivor.

That along with concerns of a major fiscal risk — if the South Hams is partitioned, the remaining “rural” council inherits the massive cost of maintaining Dartmoor National Park with a significantly smaller tax base, the Society concluded that the One Devon was the only option remaining.

One Devon provides a ‘safety in numbers’ approach. By keeping most of the county under one roof, it prevents the rural areas from being carved up and ‘cherry-picked’ by the expanding cities, ensuring that the wealth generated in growing areas continues to subsidize services in remote rural villages.



Thursday, June 4th, 6.30 p.m.
Council Chamber, Follaton House, Plymouth Road, Totnes TQ9 5NE



Cllr. Tudor Evans Cllr. Julian Brazil Cllr. David Thomas

Local Government Reorganisation - the future for the South Hams?

Five alternative plans for local government reorganisation in Devon were submitted to central government for consideration last November, and the public consultation on these plans closed in March. A formal decision on the future structure for Devon is expected during this summer. Almost all the plans involved the division of current district council areas among one or more new unitary authorities, and although there has already been much preparatory work it is still far from clear how this will benefit the residents of the South Hams.

We hope to find out more from our guests this evening: Cllr. Tudor Evans, leader of Plymouth City Council; Cllr. Julian Brazil, leader of Devon Council; and Cllr. David Thomas, leader of Torbay Council.

If you have a question you would like answered, please email it to southhamssociety@gmail.com

If you would like to attend please email membership@southhamssociety.org to reserve your place. Admission is free and all are welcome, but if oversubscribed, priority will be given to Society members.

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Is your parish at risk?

Recently SHDC's Development Management Committee, DMC took a decision in favour of further development near Palm Cross, Modbury 4116/24/ OPA for outline approval for 75 houses.

This decision could affect the protection previously given by every Neighbourhood Plan in the South Hams and open up indiscriminate development across the region.

The latest development proposal is described as the third phase of the Palm Cross development located at the top of the High Street in Modbury. The first phase was for 93 houses with a small employment building, followed by a second permission for 40 houses. The latest application is for a further 75 houses. A total of 218 houses.

The Modbury Neighbourhood Plan identified three adjoining development areas and outlined a settlement area containing these.

This area designated was sufficient to meet Modbury's obligations (173 houses).

This new application was outside the Modbury Neighbourhood Plan's designated settlement area.

The DMC accepted the legal view, presented by the developer, to the effect that since Modbury NP had not undertaken an independent study of housing need and had simply accepted the figure given by the Joint Local Plan together with the allocation of sites, that the NP did not comply with NPPF 14 and could not seek its protection.

NPPF 14 states:-

In situations where 'the local council cannot demonstrate a 5 yr land and housing supply' to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood

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The proposed site for a new development in Modbury

plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply:

a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and

b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement (see paragraphs 69-70).

That is to say because the "Neighbourhood Plan" did not undertake to identify a housing requirement but relied on the JLP for this information – the Modbury Neighbourhood Plan did not meet NPPF 14.b)

This planning application was therefore allowed by the DMC. There are 12 members of the DMC – only four voted, the others abstained! The vote was two for the proposal and two against, with the chair then having a second casting vote.

This DMC judgement on this application is questionable on some of the following grounds: -

1. The developer's legal interpretation of NPPF 14 b is contestable
2. The opinion fails to address conflict with strategic policies
3. The amount of weight to be given to this subject is a matter for the LPA not the developer.
4. The five year housing shortfall does not over-ride the NP's protection given by paragraph 14 of the NPPF
5. The LPA is entitled to conclude that the harm outweighs the benefit

The worst part of this decision is that SHDC Planning Authority are now saying that there are no NP's within the South Hams (except Staverton) that complies with this ruling and therefore any NP with a "Development Boundary" cannot use this to guide future development and cannot rely on NPPF 14 for protection.

The Society has been examining this ruling in detail and find that

1. Paragraphs 69-70 of NPPF do not appear to have been considered in the ruling

69)... Within this overall requirement, strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations. Once the strategic policies have been adopted, these figures should not need re-testing at the neighbourhood plan examination, unless there has been a significant change in circumstances that affects the requirement.

Neighbourhood Planning committees may be excused for believing that when SHDC compiled the figures in the JLP that they had done their homework and these figures did not need retesting.

2. The DMC did not consider a recent a High Court statutory review involving Edith Weston Parish Council's Neighbourhood Plan in Rutland (7th November 2025). Citation: [2025] EWHC 2908 (Admin). The Inspector mistakenly thought it was not yet made and therefore treated it as a material consideration, rather than applying the presumption in favour of the development plan. In this case, a development site was outside the NP Development Boundary and was not allocated for development.

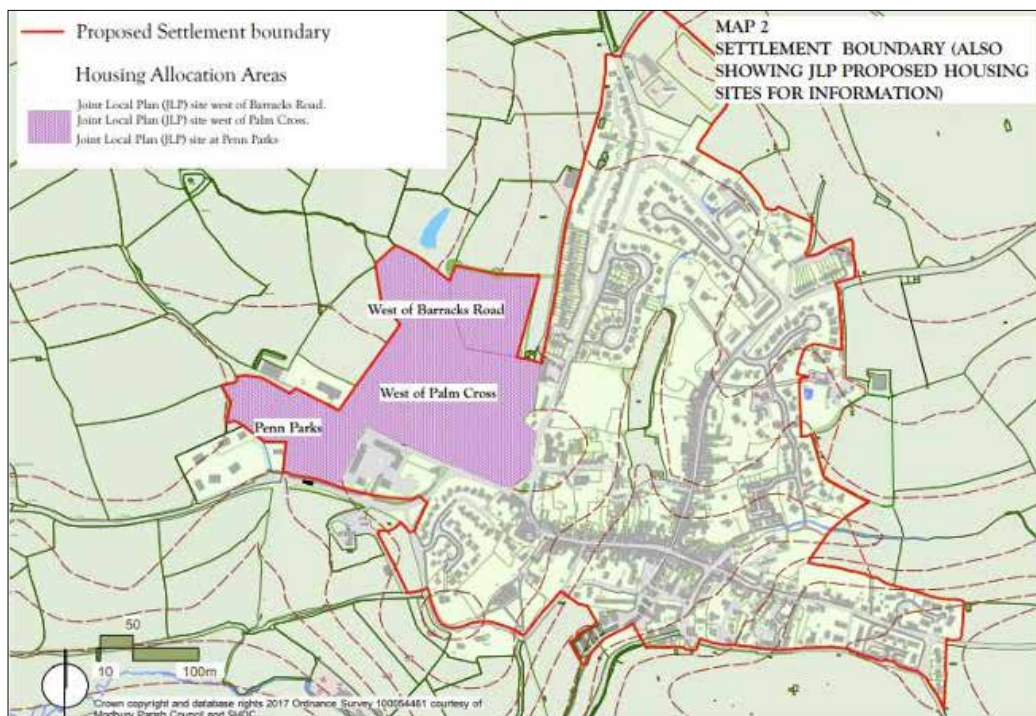
The judgement included the quote:

"The case reinforces that inspectors cannot downplay a qualifying neighbourhood plan. If the plan: - is made, contains housing policies, allocates at least one site, and is less than five years old (or reviewed), then paragraph 14 protection must be applied."

The High Court accepted <https://SouthHamsSociety.org>

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Is your parish at risk? continued ...



The bright red area is the proposed Modbury site which is outside the Settlement Boundary. The purple areas are nominated by the Modbury NP for development. Penn Parks is yet to be fully developed.

The key strategic takeaways are:

- Age matters: A plan approaching its fifth anniversary becomes vulnerable unless reviewed.
- Allocations matter: Plans without allocations, or with insufficient allocations, cannot rely on para 14.
- Evidence matters: A clear, well-documented housing requirement figure is essential.
- Monitoring matters: Parish councils should track delivery but remember that non-delivery does not invalidate compliance.
- Review timing matters: A light-touch review before the five-year mark can reset the clock.
- Use any or all of the above legal arguments to object to an unacceptable proposal.

Town and village NP groups have the option of remaking or amending their NP to make it compliant. We are advised by the LPA that they must undertake an independent housing survey and allocate housing and sites accordingly. In order to comply with NPPF 14, they must have a requirement for at least one affordable home and allocate one site independently of the JLP. They must show that these results are independent of anything offered by the JLP. This will require an NP to undergo the whole process of consultation, inspection and referendum before the new NP can be made.

The LPA has offered to nominate a housing number for any NP area that asks but this will be a minimum of ten houses per parish and once offered cannot be retracted. It has further been stated that the new JLP will include housing allocations for all NP areas. The new JLP will take a further 3 years to complete (2029), if nothing else changes!

there was an error but applied the Simplex test and held that the Inspector would inevitably have reached the same conclusion even if the NP had been correctly treated as part of the development plan.

Modbury's NP (made March 2023) contains:

Housing policies, allocations, a settlement boundary, and is within five years until March 2028.

So Modbury clearly qualifies for paragraph 14 protection and an error has occurred.

Needless to say, SHDC has dismissed this argument as not relevant!

All South Hams towns and villages are affected by this Modbury decision. Essentially the LPA is saying that all NP's (except Staverton) do not comply with their interpretation of NPPF 14 and therefore they have no protection under this rule. This means that applications for development on any site within a NP

area will be considered as viable and not constrained by the previous allocation of sites or housing targets. Any Designated Settlement Areas or Development Areas have no merit in assessing a planning application at the present time. Since NPPF 14 is being ruled out, that means a "tilted balance" in favour of development comes in to play and only extenuating circumstances can deny this.

The LPA maintains that this includes villages in the National Landscape (AONB) that were excluded from the list of "sustainable villages" by the government inspectors for the formation of the JLP Fig 5.8.

Viz:- JLP 5.165 It should be noted that Figure 5.8 does not include villages within AONBs. This is in acknowledgement of the great weight that should be given to conserving their landscapes and scenic beauty...

The LPA was at the time

asked to bring forward evidence of the sustainability of the AONB villages but they were unable to do so and hence these villages are not included in the list of "Sustainable Villages"

However, the LPA now maintain that there is a demand for Affordable Housing in every location in the South Hams but have not provided any evidence to prove this. They have not provided any new evidence of the sustainability of the AONB villages which can be measured against known standards.

In spite of these failings, they still maintain that these villages do not conform to NPPF 14 even although they meet the requirements of the JLP with regard to NPPF 14 b. Several of these villages did undertake an independent housing assessment at the time. The LPA seems to dismiss this also.

Practical implications for rural and coastal parishes:

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Trees in the landscape



Beech



Weeping willow (above) and flowering cherry



English Oak

It has been a tough winter for trees, particularly older and taller specimens buffeted by unusually high winds especially in exposed locations in the South-West. Sadly, a number have succumbed, notably those with plate-like root structures such as many conifers. Saturated ground, which the South Hams has certainly endured this winter, also loosens a root's grip on soil.

In my experience, nothing compares with Italian Alder for good stable root structure, reasonably fast growth, is well-shaped and good looking and, most important of all to me, is

its character of growing vertically even in strong wind conditions. It makes a splendid wind break.

Others to consider for resistance to wind include Oak (of course), Hornbeam, Yew and Hawthorn. Two of my favourites are Beech and Sweet Chestnut but, to be windfast, they need soil conditions which allow their roots to grow deep; clay and water-prone soils are unsuitable. Where soil is wet or moist (or, at least not dry) then an obvious choice is Willow and Salix Pendula, the weeping variety, make a statement tree in any garden.

Now is the time to plant trees as well as everything else, - gardens are so demanding at this time of year! So, what to choose? For larger gardens an Oak, Quercus Robur, is never out of place, and Hornbeam, Sweet Chestnut and Monterey Pine stand proud. Beech trees are also worthy of a place and are notable for keeping their dead leaves on their branches until the next spring – useful if you wish to block visibility, or a sightline, all year. In a smaller garden, Acers have to be a good choice for the colour they bring throughout the year along with flowering cherries

heralding Spring bursting into colour with their profuse blossom. Japanese Shirotae is outstanding for white blossom and Accolade, Okame and Kanzan come to mind for pink colour.

So easy to forget, but newly planted trees need watering particularly in dry weather. Water is less expensive than the tree you have bought!

And then, of course, there are fruit trees to think about. Another time perhaps!

Is your parish at risk? - concluded

Meanwhile we will undergo a new Local Plan, Local Government Reorganisation, possibly the imposition of a Spatial Development Strategy and a General Election any of which could, once again change the rules and make such efforts redundant. For small parishes the cost, let alone the effort of doing this, will be too much if there is no certainty of the longevity of their efforts but in the meantime, we are at risk of

losing the places we love to live in.

If your village housing needs are likely to be below ten houses, you might be better not to apply for this advice. (Ten houses is the minimum number considered viable for a developer to build and offer three Affordable Houses, and housing associations will not service a group of less than three houses.)

Villages in the National Landscape have other

legislation they can use to combat indiscriminate development. Places to the north of the NL may have local conditions that they can also bring into the discussion. The LPA ruling that all NP's except Staverton are not compliant to seek protection under NPPF 14, because they have not independently undertaken a housing survey or allocated sites, does not stand up to scrutiny.

Groups representing small

parishes, especially in the National Landscape, may feel that since they have lost protection under NPPF 14 (b), that there is no incentive to comply with NPPF 14 (a) – the five-year rule, all other clauses in the NP remain relevant after 5 years. For some, it may be better to sit back and wait for the fog to clear before attempting to review a NP.

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Woodcot updated

With the damp and dismal winter months finally receding into memory, the Woodcot campaign has turned its attention to Easter 2026 and beyond and the opportunity to test the public mood for another summer of campaigning to try and persuade Age UK to do the decent thing and pass Woodcot on to the substantial regional charity which has formally offered to take it over and run it as intended.

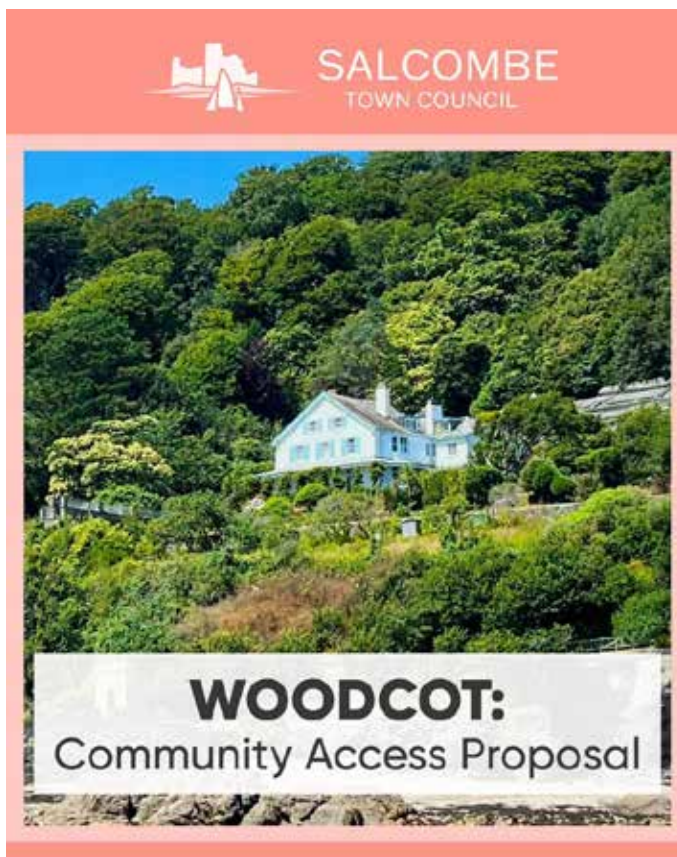
Much work has been done by the SHS, the Salcombe Town Council and Caroline Voaden MP to try and find a way forward so that Woodcot can be kept as a charity-owned residential home in line with the wishes and covenant of the original donor Miss Elizabeth Jennings and the wider grounds, gardens and woodland which cover several acres of Salcombe Harbourside be kept accessible to the general public as they are now and have been for several decades.

Age UK want to sell the property for their wider charitable aims. As one supporter wrote on the campaign's facebook page "I'd like to see Paul Farmer (CEO of Age UK) explaining his decision to Miss Jennings' face". Quite.

So where are we.....

The Asset of Community Value application submitted at the end of 2025 was rejected by SHDC (see their report at the end of this update), leading to Caroline Voaden MP suggesting that Salcombe Town Council submit a Community Access Plan which they have done. This is available to view on their website: www.salcombetowncouncil.gov.uk/

The disappointment following SHDC's decision not to list Woodcot as an Asset of Community Value was keenly felt, but in truth the ACV application would only ever have bought time - the idea that the community could ever have raised enough to purchase Woodcot which is valued by some accounts at over £50



Salcombe Town Council submitted a Community Access Proposal for Woodcot in February 2026

million is clearly out of the question. The application can be resubmitted at any time.

The Covenant

Woodcot has a covenant tied to the title which restricts the use of the Grade II* listed building to be used only as a residential home for old people. There are two neighbouring properties, owned independently of Age UK, Woodwell and The Vinery and they also have influence over the covenant. Age UK lawyers have been in discussion with these owners for some time according to emails that the campaign has seen. A meeting with the owners of these properties and the campaigners has been suggested but not accepted.

The beneficiaries

Age UK refer to the residents of Woodcot as tenants (the language they use to describe Woodcot is as an HMO - house in multiple occupancy) whereas in fact the residents

are the beneficiaries of the covenant. Age UK will have to apply to HM Land Tribunal to request to have the covenant removed, unless they can get the covenant lifted by the consent of the beneficiaries - the residents. Potential future residents have been sought and many have come forward.

At the moment, all eyes are firmly fixed on May 28th which is the revised date that Age UK have given for their next meeting with the residents of Woodcot (who are the ones most affected by this ongoing insecurity).

That is if Age UK haven't done a deal behind the scenes before then.

It is not known what will happen at this meeting but it is thought that Age UK will break cover and either evict the residents or offer them a deal to vacate. There will be a lot of negative publicity for Age UK if either of these two scenarios were to happen.

The film

An event entitled 'Memories of Woodcot' was held at Salcombe Holy Trinity Church last November. Filmed interviews from the day can be viewed here: <https://www.youtube.com/@SaveWoodcot>

Legal position

The SHS has already sought some basic legal advice from a non charity specialist chamber which suggests that although Age UK have a strong case and are entitled to sell, it is the beneficiaries who also have a strong case and could hold Age UK to account over the the covenant.

Several specialist chambers have been suggested to the campaign by a leading charity barrister who happens to live in Salcombe - he has made several very helpful suggestions to the campaign which will be acted upon if enough money can be raised.

There is everything to fight for so please do support the campaign if you can. One particular SHS member has already been very generous but more help is needed so please do consider making a donation. Thank you to everyone who has donated to this difficult but very important cause.

Numbers

3,946 petition signatures on Change.org.

£2,500 raised - £1,500 needed

£4,000 needed for one hour with a charity law specialist to determine cost of defending the covenant at HM Land Tribunal.

If you would like to donate to the campaign there is now a dedicated Barclays bank account set up:

Protect Woodcot Salcombe

Sort code: 20-68-15

Account number: 13300536

Thank you.

Save Woodcot: ACV application refusal

South Hams District Council: Recommendation Report refusing the Society's application to list Woodcot as an Asset of Community Value

List of Assets of Community Value - Recommendation Report:

Nominated Asset: Wood, Bennet Road, Salcombe

Woodcot House, Cliff Road, Salcombe, TQ8 8JU and Woodcot

(Split over two title numbers: DN549491, which includes Woodcot House and some surrounding land, and DN477945 which is directly adjacent and contains primarily woodland)

Nominating Organisation: South Hams Society (a charity with a local connection)

Overview of nomination:

This nomination relates to the Woodcot House residential home for elderly people, with associated garden and woodland in Salcombe. The asset is being considered in the context of Section 88(1) (a) and (b) of the Localism Act 2011 where in the opinion of the Council;

- There is an actual current use of the building or other land that is not an ancillary use, that furthers the social wellbeing or social interests of the local community, and;

- It is realistic to think that there continue to be non-ancillary use of the building or other land which will further the social wellbeing or social interests of the local community.

The nomination notes that a covenant on the asset dating to 1969 restricted the use of the building to no other purpose than as a residential home for older people, with the outbuildings, gardens and grounds supporting this use. The nomination noting that this restrictive covenant was intended to apply to any successors in title.

The freeholder of both title numbers nominated is Age UK. The nominating group reference that on first registration by the current owners (original predecessor charity was Help

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the Aged), a 1976 conveyance (which itself referenced the 1968 restrictive covenant) was not submitted to the Land Registry.

The nomination notes the asset 'currently provides residential accommodation for older people in housing need' acknowledging this as the main use of the asset. 'The primary purpose of Woodcot is as a residential home for older people. Its gardens and woodland are integral to that use and are also made available for wider community benefit.'

It also notes that 'in addition, its gardens and woodland are regularly opened and used as valued community space for open days, performances and charitable fundraising.'

The nomination describes that its location and facilities enable Woodcot residents to maintain their social, physical and mental wellbeing, reducing their isolation, as well as hosting events and gatherings at the premises enjoyed by residents, visitors and benefiting local charities (referencing that the RNLI, Salcombe Minibus, Salcombe First Responders and Salcombe Holy Trinity Church have all made significant income from Woodcot). The nomination notes that there is strong evidence of community support for the ongoing operation of the asset in accordance with the restrictive covenant (i.e. a residential home for older people), referencing that the gardens could generate income through open days, and by attracting heritage grants.

Landowner response to nomination

The landowner (Age UK) instructed solicitors to respond on their behalf to the nomination.

In summary, the response considered that it would be inappropriate for the asset to be listed as:

- Both the building and connected land are residential and therefore cannot be considered 'land of community value' under the ACV Regulations;

- Any other use is and always has been ancillary to the primary use of the asset as a residence; and

- Any other use occurs occasionally and cannot reasonably be said to be furthering the social wellbeing or interests of the local community (noting 9 events since January 2024, of which visitors only had access to the gardens and WCs, with most of these events being open days held by residents to contribute towards upkeep of the house).

The response notes that 'the Property has been in the ownership of our client and its predecessor charities' since 1976 and has been used wholly and solely as living accommodation for older residents since then. Prior this, it was an individual's residential home. There has been no other formal or official use of the Property.'

Consideration of the nomination

Within the ACV Regulations it is specifically stated that 'a residence together with land connect to that residence' is not land of community value' and therefore may not be listed.

The Regulations further state that a building is a residence if normally used or partly used a residence, and that land is connected with a residence if the land, and residence are owned by a single owner with every part of the land able to be reached from the residence without crossing land not owned by that single owner.

Woodcot House is and has been used as a residence, with six tenants currently in occupation. The surrounding land is within the same ownership and can be reached without crossing any other land (except for a public road which does not affect this consideration – as covered in sub-paragraphs 1(3) and (4) of Schedule 1 of the ACV Regulations. This extends to the broader woodland and adjacent land nominated under DN477945 which similarly is land connected with the residence. It is noted that there is also a private footbridge connecting the

land over the public road, this for the benefit of the residents to access the private gardens and woodland. The nomination itself references the primary use of the asset as a residential home for older people, and this is consistent with the response on behalf of the landowner.

Events are held in the gardens of Woodcot House, the landowner referencing 9 during 2024 and 2025 of which 7 are referenced as being held by the residents of Woodcot themselves as fundraisers towards the upkeep of the house. Other events fundraising for local charities are infrequent (described as annually at most) and whilst undoubtedly have provided valuable income to these charities and been enjoyed by those attending the events, they are nonetheless ancillary to the acknowledged primary use as a residential home for older people.

It is noted that there is strong evidence of community support for Woodcot House and securing its future operation (including from the Town Council, local charities and local Members), however by virtue of its clear primary use as is clearly noted by the nominating group it cannot be considered land of community value applying Schedule 1 of the ACV Regulations.

Recommendation:

Not to list Woodcot House, gardens and woodland as an Asset of Community Value.

The Asset's principal use is as a residential home for older people with infrequent community use being ancillary to this main use. As there has been no time in the recent past when the actual use of the land that was not an ancillary use furthered the social wellbeing or interests of the local community and it is unrealistic to think in the next five years, that there could be non-ancillary use that would further the social wellbeing and interests of the local community, the asset does not comply with the statutory definition of an Asset of Community Value as defined at S88(1) of the Localism Act 2011.

<https://SouthHamsSociety.org>