

# Harbour Watch East Portlemouth TQ8 8PU



Charity No 263985

Registered Address: 20 Highfield Drive, Kingsbridge, Devon TQ7 1JR  
[www.southhamsociety.org](http://www.southhamsociety.org) | [www.facebook.com/SouthHamsSociety/](https://www.facebook.com/SouthHamsSociety/)



**PLANNING REF:** 1003/24/HHO

**DESCRIPTION:** Householder application for partial demolition, rebuild & extension of existing dwelling, construction of new boatstore & slipway, new swimming pool, new stone retaining wall to replace existing substandard tyre boundary sea defence, with associated driveway/car parking & landscape enhancements.

**ADDRESS:** Harbour Watch East Portlemouth TQ8 8PU.

**Officer Name:** Amy Hallett

11<sup>th</sup> April 2024

**REQUEST FOR CLARIFICATION OF WHETHER THE USE OF A HOUSEHOLDER APPLICATION IS THE CORRECT PROCESS FOR PLANNING APPLICATION 1003/24/HHO**

**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 Society is writing in order to clarify the extent of a development permitted by a householder planning application.

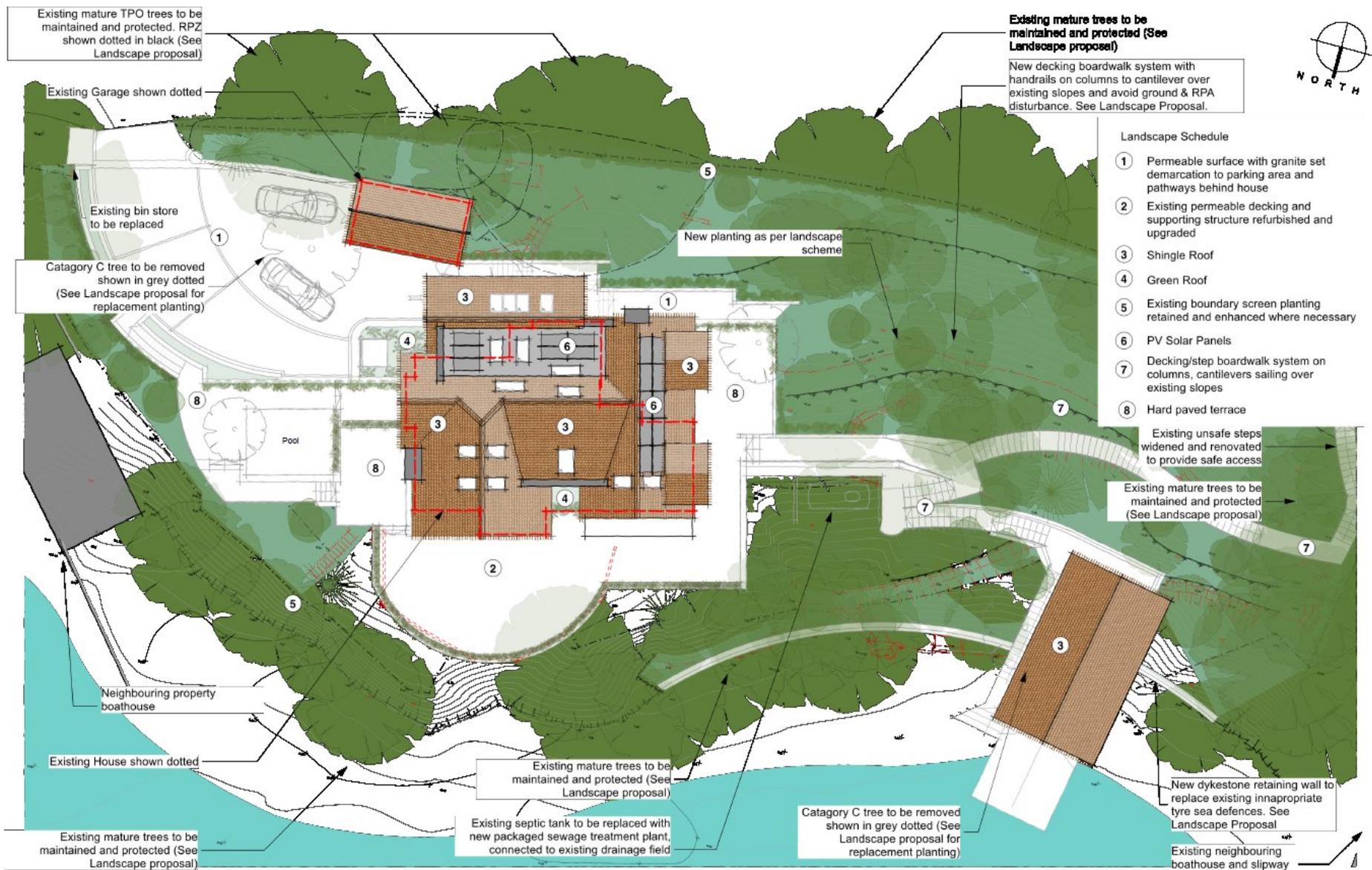
In our opinion the Harbour Watch application exceeds that which is allowed within the scope of this type of planning application given that the application includes a boat house and slipway which, as it extends out onto the Salcombe Kingsbridge SSSI foreshore cannot be within the garden curtilage.

The site plan is shown on the next page.

Charity No 263985

Registered Address: 20 Highfield Drive, Kingsbridge, Devon TQ7 1JR  
[www.southhamsociety.org](http://www.southhamsociety.org) | [www.facebook.com/SouthHamsSociety/](https://www.facebook.com/SouthHamsSociety/)

# Proposed Site Plan



**Harrison Sutton**  
 chartered architects



**HARBOUR WATCH | EAST PORTLEMOUTH**  
 Proposed Site Plan 1:200 @A3 March 2024 EWB 1702 / 007

Charity No 263985

Registered Address: 20 Highfield Drive, Kingsbridge, Devon TQ7 1JR  
[www.southhamsociety.org](http://www.southhamsociety.org) | [www.facebook.com/SouthHamsSociety/](https://www.facebook.com/SouthHamsSociety/)

The guidance states the following (extract):

### **Householder Application for Planning Permission for Works or Extension to a Dwelling**

*Town and Country Planning Act 1990*

The Householder Application for Works or Extension to a Dwelling form should be used for proposals to alter or enlarge a single house, including works within the curtilage (boundary/garden) of a house.

If you have established that you need planning permission you should use the Householder Application form for projects such as:

- extensions
- conservatories
- loft conversions
- dormer windows
- alterations
- garages, car ports or outbuildings
- swimming pools
- walls
- fences
- vehicular access including footway crossovers
- porches
- satellite dishes

You should use the application form for **Full Planning Permission** and not the Householder Application form if your application relates to any of the following:

- any works relating to a flat
- applications to change the number of dwellings (flat conversions, building a separate house in the garden)
- changes of use to part or all of the property to non-residential (including business) uses
- anything outside the garden of the property (including stables if in a separate paddock)

If you are not clear whether you need to apply for planning permission or which application form you should be using, please contact your local authority.

Please also note that householder applications now have a specific notice to be used in conjunction with the ownership and agricultural holdings certificates. It should be used for:

- householder applications
- householder and demolition in a conservation area applications
- householder and listed building consent applications

We believe the application fails the following description:

*'The Householder Application for Works or Extension to a Dwelling form should be used for proposals to alter or enlarge a single house, including works **within the curtilage (boundary/garden) of a house.***

There are no boundary features on the foreshore and the development extends out into the open vista that can and is used by the general public.

Curtilage categorically cannot be:

*'Separated or disconnected from the parent dwelling by a road or other means of shared or public access (e.g. a drive or footpath)*

*In separate ownership to the associated dwelling (although it can be held under separate title)*

***Be open, public or unenclosed land***

*Be defined or restricted to an imaginary line on a plan or map*

*Be restricted to a 'de minimis' area*

*Be used for a non domestic purpose (E.g. for farming or other commercial activity)'.*

The guidance goes onto state:

*'You should use the application form for Full Planning Permission and not the Householder Application form if your application relates to any of the following:*

- any works relating to a flat*
- applications to change the number of dwellings (flat conversions, building a separate house in the garden)*
- **changes of use to part or all of the property to non-residential (including business) uses***
- **anything outside the garden of the property (including stables if in a separate paddock)***

The boat house is non-residential and the slipway must be seen to conform to the description, *'anything outside the garden of the property'*.

The Society would like confirmation of whether this application can be considered to be a householder application before we commit our resources examining the proposal.

For and on behalf of the South Hams Society.

Richard Howell,  
Chairman.