



Application Ref: 4159/19/FUL

Applicant: Mr P Williams

Construction of new two storey house with ancillary external paths and terraces and renewal of external staircase (Re-submission of 0201/19/FUL)

Land at SX 738 387, Lower Rockledge, Devon Road, Salcombe TQ8 8HJ.

LETTER OF OBJECTION FROM THE SOUTH HAMS SOCIETY

The South Hams Society interest

1. For the last 50 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 strenuously oppose inappropriate development, as we believe to be the case with this application.

The proposed site

2. The 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 'conserve and/or enhances what is special and locally distinctive to the site'.

This site at Lower Rockledge is particularly sensitive and the previous application (0201/19/FUL), which we objected to, was rightly rejected by SHDC. Natural open space and retention of trees and vegetation between the properties on this hillside are a rare and 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 wider view of the town, including from across the estuary. As with the previous application, this proposal for a new two storey dwelling would clearly *not* conserve the site's special qualities or distinctive natural beauty. The South Hams Society (SHS) therefore considers that it fails the key test for development within the AONB.

Salcombe Conservation Area Appraisal

3. 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 of the Salcombe Conservation Area at Annex 1 illustrates the landscape described above and shows the position within it of Lower Rockledge.

4. JLP and Local 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.

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.

Adverse impact on landscape character and visual amenity

5. 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 SHS consider that the proposal conflicts with, and fails, Policy Objectives as set out in DEV 23, DEV 24 & DEV 25 of the JLP.

DEV 25 (8) specifically requires development proposals to:

'ii. Be designed to prevent the addition of 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.'



Increased light pollution

6. The importance of dark skies to nature, wildlife and human well-being is increasingly recognised in England through planning law, and particularly so within AONBs (as recognised in the recent Glover review) where light pollution can affect Landscape character. Current local AONB guidelines state - 'natural nightscapes and dark skies are defining special qualities of the South Devon AONB: they are of natural, cultural and scenic importance'.

Annex 2 illustrates the problem of light pollution already evident within Salcombe.

Within the NPPF paragraph 180 states that:

'Planning policies and decisions should ... ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

In doing so they should:

- identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and
- *limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.*

So a further material planning consideration for the SHS is the light pollution that the proposed development would introduce into the prominent hillside location, with its multiple visual receptors from the harbour and East Portlemouth in a town already recognised as a 'hot spot' for light pollution within the South Devon AONB.

Site analysis with regard to Woodland Preservation Order TPO 676 WI

7. As with the previous application, SHS notes the comments in the Design & Access Statement dated 03/01/2020:
'We raised the matter of the Woodland Order with the Planning and Heritage Officers at pre-app stage and it was acknowledged that the site is not a woodland. It is considered that the trees on the site are not functioning collectively as a woodland and that the site does not have any of the characteristics of a woodland' and further that –
'DEFRA Magic Maps have been checked and no woodland nor history of woodland is indicated for the site or immediately adjacent to the site'.

The South Hams Society emphatically refutes these comments. Woodland Tree Preservation Order TPO 676 W1 was confirmed in 2004 without modification and still protects *trees of all species* on this site. As such this Order is a very significant material planning consideration for the LPA when assessing the impact of the proposed new built form at Lower Rockledge.

We reiterate the fact that at some point prior to the original application (0201/19/FUL) being submitted, document dated 23/01/2019, there was **intense clearance** of vegetation on the proposed development site, which altered the appearance of the site, and this included the removal of trees. This (illegal) erosion of woodland is substantiated within documents that can be viewed on the SHDC Planning portal under Ref: 0201/19/FUL.

In the document 'Internal Consultee Response - Trees - 11/03/2019', the SHDC Tree Officer states: 'During the site visit I noted recently cut stumps of sprouting vegetation, potentially



forming part of the TPO'. Also, the Consultation Response 'Parish Council - 22/02/2019' states that: 'The site itself was subject to a Woodland Order but it was noted that several trees had already been removed'. Further written testimonies of the removal of trees can be viewed in three separate Letters of Representation also present on the Planning website.

SHS considers that further comments by the SHDC Tree Officer (in the same document, dated 11/03/2019) provide compelling reasons for protecting the extant Woodland designation, specifically: '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 it's visual amenity benefits would return more fully in due course'.

SHS takes a strong view that natural regeneration of the woodland validates the function and purpose of the TPO, and that the applicants self-serving claims within the Design & Access Statement that the site is not a woodland should not be used as mitigation for development. High Court Case 'Palmer Developments v Secretary of State' confirmed the requirement of a Woodland Order to apply to *future* trees and the need for tree succession to be secured, also that the Order would not achieve its purpose if it only protected those trees present at the serving of the Order. We are therefore of the opinion that the previous documented clearance of vegetation and removal of individual trees at this site does not alter the purpose and function of the Woodland Order. Therefore the impact of development on the site conflicts with JLP Policy DEV 28.

Conclusion

8. In conclusion, the view of the South Hams Society is that the proposed development is unacceptable by virtue of its location within the South Devon AONB (arguably Salcombe is already over-developed), the particular features of the site (the low density character of the valley slopes), the adverse impact on the character and visual amenity of the area, the increase in light pollution and the further detrimental impact on protected woodland.

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.

We therefore respectfully request that this revised planning application is refused.

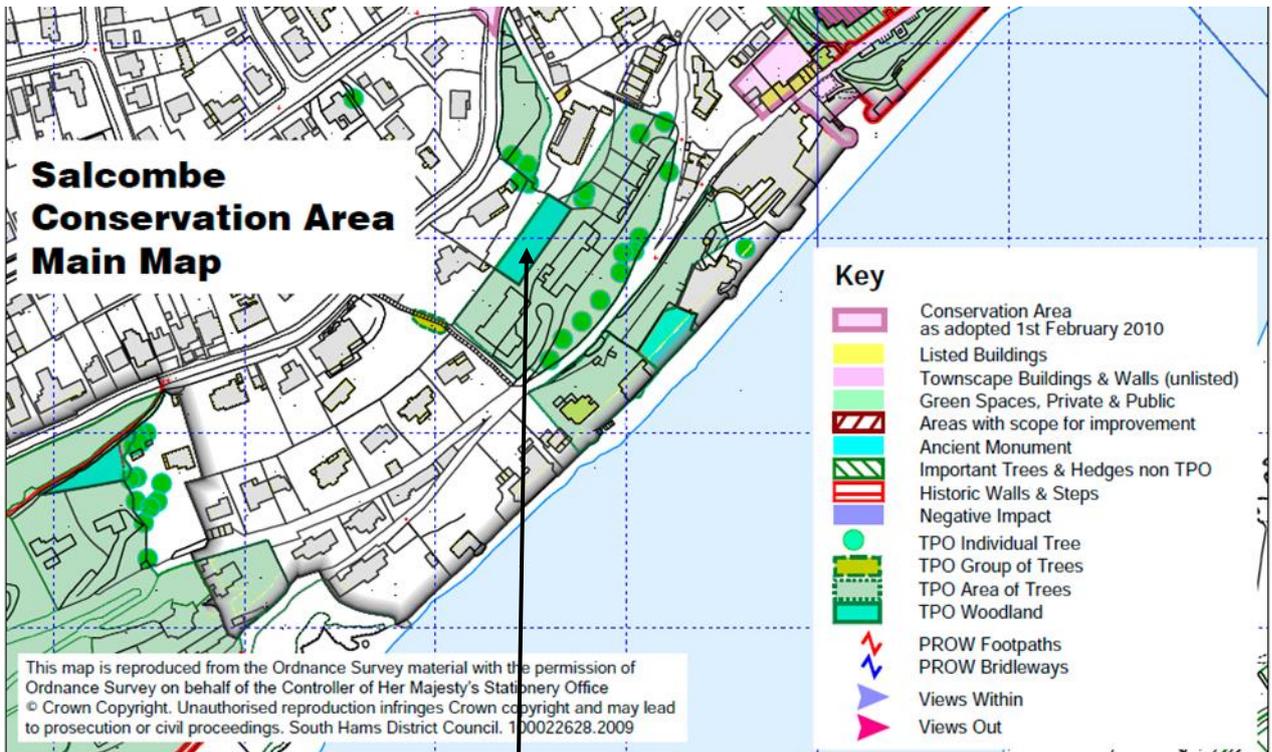
Michael Richards and Didi Alayli - For and on behalf of the South Hams Society – 31.1.2020

Replies to: The Chair, The South Hams Society, Olde Stones, West Alvington, Kingsbridge,
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E-mail: Southhamssociety@gmail.com



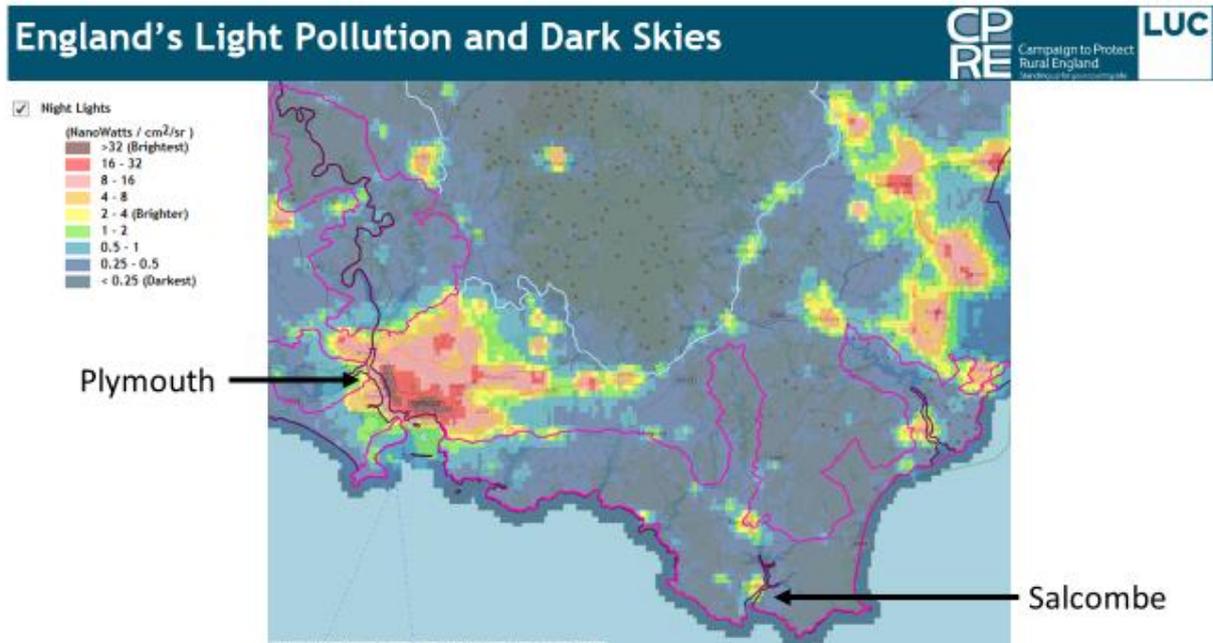
ANNEX 1: SALCOMBE CONSERVATION AREA



Lower Rockledge site



ANNEX 2: SALCOMBE'S EXISTING LIGHT POLLUTION PROBLEM



The slides above and below are from (and credited to) a presentation made by Mel Croll and Peter Finch at the Dark Skies Conference held in Exeter in October 2019 (<https://www.naturaldevon.org.uk/devon-dark-skies-day/>). The images clearly show the disproportionate level of light pollution already visible in Salcombe.

Night-time view of Salcombe from East Portlemouth



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