

PLANNING APPLICATION REPORT

Case Officer: Clare Stewart

Parish: Salcombe **Ward:** Salcombe and Thurlestone

Application No: 1527/16/FUL

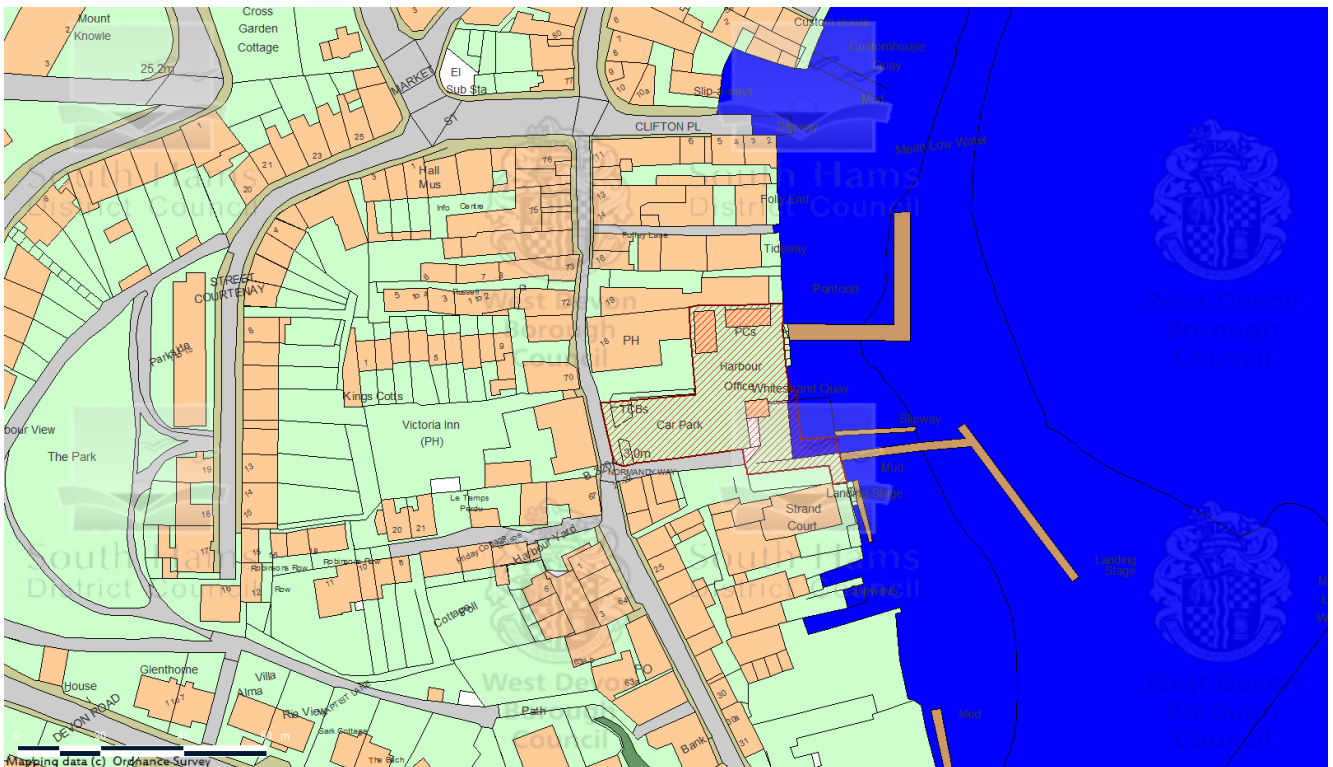
Agent/Applicant:

SHDC
Follaton House
Plymouth Road
Totnes
Devon
TQ9 5NE

Site Address: Land Adjacent To Whitestrand Car Park, Fore Street, Salcombe, Devon, TQ8 8BU

Development: Construction of a new suspended deck structure over the existing slipway, remedial works to the adjacent quayside frontage and car park and removal of a small section of rear wall located in front of the showers. Use of new decking for A1 (retail), A3 (Restaurants and cafes) and A5 (hot food takeaway) uses

Reason item is being put before Committee: This application is being put before Committee has it has been submitted by SHDC and relates to land within its ownership



Recommendation: The Statutory Consultation period for this application expires the day after the July DM Committee. The recommendation is for delegated authority to the Community of Practice Lead Officer – Development Management for approval subject to the conditions as set out below following the expiry of the public consultation period providing no further representations are received that raise additional issues. If any further representations that raise additional issues are received the application will be brought back to DM Committee at a later date for consideration.

Conditions

1. Time limit
2. Accord with plans

Any further conditions requested by technical consultees.

Key issues for consideration:

Principle, design, heritage, flood risk, ecology, highways, amenity.

Site Description:

Whitestrاند Car Park is situated within the centre of Salcombe, directly facing onto the waterfront. Access is taken from Fore Street. The car park site also includes the Harbour Office and Public Conveniences, which are found on the northern edge of the site.

The site is located within the Salcombe Development Boundary, Conservation Area and the South Devon AONB. There are a number of listed buildings within the vicinity of the site (notably the Public Houses to the north and directly opposite the car park entrance and the property immediately behind the Public Conveniences which are all listed at Grade II), but there are no listed structures within the application site (or within land immediately adjoining within the Council's ownership). The eastern edge of the application site also lies within the SSSI.

The Proposal:

Permission is sought for various works which are intended to help facilitate improvements to the public realm in the immediate locality. Some elements of the proposals could be carried out without planning permission by virtue of the Council's own permitted development entitlements (as detailed in Part 12 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), 'Development by local authorities'), however for completeness the full scope of works has been included within the application submission. The development includes:

- Construction of a new suspended deck structure above the existing slipway. The application seeks consent for the use of this area for purposes within Use Classes A1 (Retail), A3 (Restaurants and Cafes) and A5 (Hot Food Takeaway) of the Use Class Order. The benches which currently sit in front of the area of the proposed deck would be removed.
- Removal of the existing seating to the north of the War Memorial, levels to be tied in with the adjacent quay and new seating provided.
- A new stainless steel handrail would be installed along the front adjacent to the new seating area and around the new deck.
- Removal of an existing wall section adjacent to the Public Conveniences, and a new glass balustrade to be installed.
- The above works would result in the loss of 2 public parking spaces and 1 disabled parking space. There are currently 2 disabled parking spaces on the edge of the quay, and one of these would be relocated closer to the car park entrance.

Consultations:

- County Highways Authority – No highway related issues
- Environmental Health Section – Comments awaited
- Environment Agency – Comments awaited
- Natural England – Comments awaited
- Salcombe Harbour Authority – Support
- Estuaries Officer – Comments awaited
- Salcombe Town Council – Comments awaited

Any consultation responses received after the Agenda is finalised will be reported verbally at the Committee meeting.

Representations:

One letter of objection has been received, with concerns raised summarised as follows: Ruin the local area and remove views.

A query regarding how A1/A3/A5 uses would operate, with objection to takeaway use on the grounds of seagull problems and litter.

Any representations received after the Agenda is finalised will be reported verbally at the Committee meeting.

Relevant Planning History

None directly relevant to current proposals.

ANALYSIS

Principle of Development/Sustainability:

The principle of alterations/improvements to the public realm raises no objection in planning policy terms. The proposed A1/A3/A5 use of the deck area raises no objection in principle given the town centre location. Any operational development associated with these uses would need to be made the subject of a further application (if not covered by the Council's permitted development rights).

Design/Street Scene/Landscape:

The proposed development does not raise any design objections. The final details of the new seating area have not been included as part of this application. As public seating falls within the parameters of Part 12 of the GPDO (as referred to above), it is not considered reasonably necessary to condition the final details. Having regard to the current appearance of the site it is considered that the proposals would not result in substantive harm to the street scene.

Objection has been raised by a third party regarding the impact of the proposals on the appearance of the area and loss of views. Officers consider the development would not harm the appearance of the area. Arguably the new deck area could result in some loss of views as it would introduce activity into

this space, but it is considered this would not result in a significant loss of a public view such that the application could be refused on this basis.

Heritage:

The application is accompanied by a Heritage Statement, which details the historic use of the slipway during WWII. Whilst there are no listed structures within the application site the slipway is of some local historical interest. Part of the slipway has already been built over to create the existing quay and car park area, and the impact of the proposed deck is considered acceptable in this context. Having regard to the context of the existing site and the scale and nature of development proposed, it is considered the character and appearance of the Salcombe Conservation Area would be preserved. In addition, the development would not result in harm to the setting of any nearby listed buildings.

Flood Risk:

The site is located within Flood Zones 2 and 3. It is considered the only real aspect of the application of potential concern in terms of flood risk is the new deck. A consultation response from the Environment Agency is awaited.

Ecology:

As noted above part of the site area, including a section of the proposed deck area, falls within the SSSI. The scale of operational development proposed in this area would be fairly limited (essentially comprising piling for the support posts for the deck). Consultation responses from Natural England and the Estuaries Officer are awaited.

Neighbour Amenity:

The proposed A3/A5 use of the deck has the potential to raise residential amenity issues, but given the size and location of the deck it is not considered a substantive planning policy objection can be sustained. Such uses would need to secure additional licensing from the Council's Environmental Health team.

Highways/Access:

Devon County Highways have not offered any specific comments. As noted above the proposal would result in some loss of public car parking, but on balance it is considered the impact of this would not be sufficiently harmful to justify refusal of the application in this case.

Other Matters:

The application has been advertised as adjoining/affecting a Public Right of Way. The PROW runs through the application site from the public highway to the quayside, and would not be obstructed/diverted as part of the current proposals.

The Planning Balance:

The proposals seek to improve the public enjoyment of the site, and having regard the consultations/representations received to date there are no planning policy reasons why the application should be refused (bearing in mind that parts of the development could be carried out without planning permission). Officers are therefore seeking authority to conditionally approve the application subject to no further objections being received (which would result in the application being put to DM Committee again at a later date).

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004 and, with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Planning Policy

South Hams LDF Core Strategy

CS1 Location of Development
CS7 Design
CS9 Landscape and Historic Environment
CS10 Nature Conservation
CS11 Climate Change

Development Policies DPD

DP1 High Quality Design
DP2 Landscape Character
DP3 Residential Amenity
DP5 Conservation and Wildlife
DP6 Historic Environment
DP7 Transport, Access & Parking

South Hams Local Plan

SHDC 1 Development Boundaries

Considerations under Human Rights Act 1998 and Equalities Act 2010

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.