

PLANNING APPLICATION REPORT

Case Officer: Matthew Jones

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

Application No: 1958/17/FUL

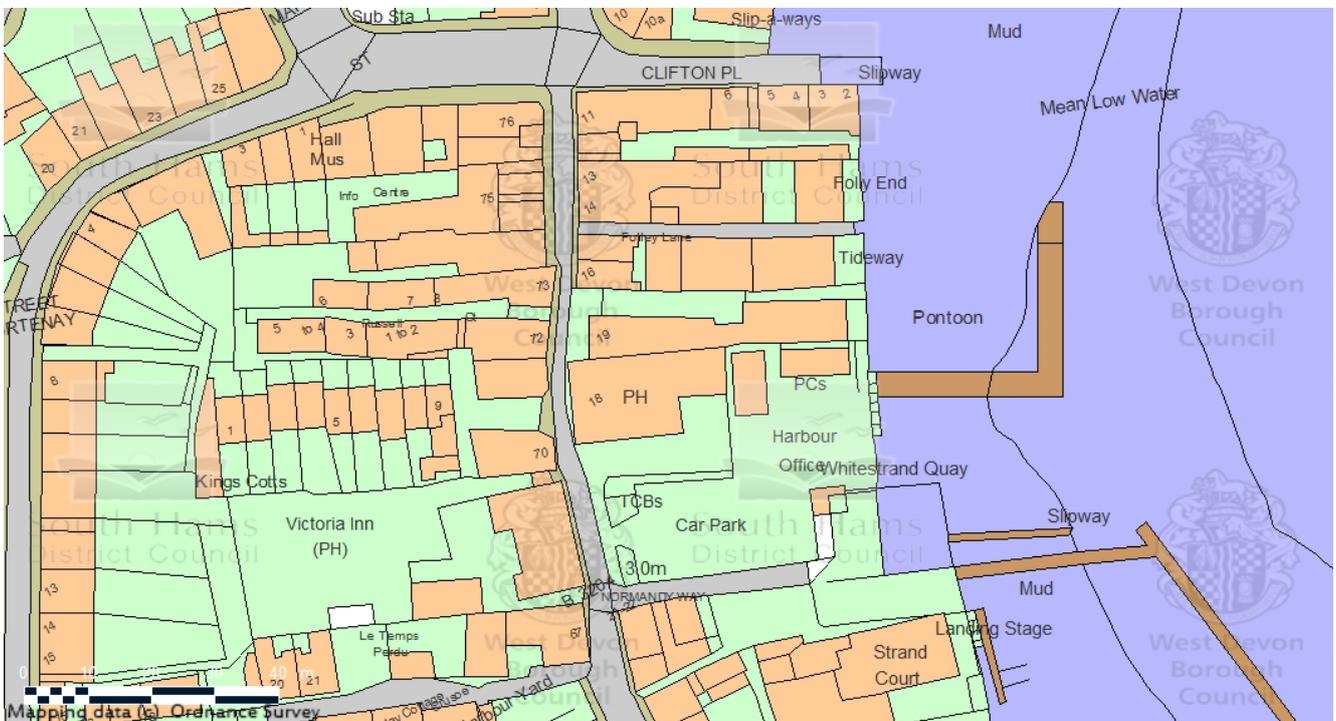
Agent/Applicant:

Mr D Roder
19 Fore Street
Salcombe
TQ8 8BU

Site Address: The Wardroom, Fore Street, Salcombe, Devon, TQ8 8BU

Development: Retrospective application for change of use of land to A3 (Cafe and seating area)

Reason item is being put before Committee: This item is put before committee as South Hams District Council is the landowner



as an important public open space in the draft Salcombe Neighbourhood Plan, but this status will not be prejudiced by this small café extension.

There will be no harmful impact upon the scenic beauty nor character of the AONB

The extension and rationalisation of the café's seating offer will enhance its footfall and viability, providing a small scale economic boost to the community and wider tourist offer within the AONB

Flooding, SSSI and MMO

The MMO have stated that the works may require a licence, but by their own standards, the site is outside of the Marine Area and will not require a licence.

With regard to flooding, the Change of Use does not move the land into a use classified as 'more vulnerable', and, as such, there is no need to consult the Environment Agency. There is no operational development associated with the application, and it will simply formalise the existing amenity area, already enjoyed informally by the public, with a table and chairs café arrangement.

A condition will prevent the installation of external lighting which could be harmful to the adjacent SSSI

Neighbour impact

This is a busy and vibrant town centre location, but, in any case, the area is discretely located away from any neighbouring property, ensuring no harmful impact on neighbour amenity. Use of the space will be tied to the use of the Wardroom and any licensing requirements it has.

Conclusion

Overall, the scheme has no negative impacts and is not in conflict with the Development Plan nor the emerging Salcombe Neighbourhood Plan. The retrospective application is recommended for approval.

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

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

The relevant development plan policies are set out below:

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
DP6 Historic Environment
DP7 Transport, Access & Parking

South Hams Local Plan

SHDC 1 Development Boundaries

Emerging Joint Local Plan

The Plymouth and South West Devon Joint Local Plan (the JLP) will replace the above as the statutory development plan once it is formally adopted.

Annex 1 of the National Planning Policy Framework (the Framework) provides guidance on determining the weight in relation to existing and emerging development plan policies.

- For current development plan documents, due weight should be given to relevant policies according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
- For the JLP, which is an emerging development plan, the weight is to be determined by the stage of its preparation, the extent to which there are unresolved objections, and its degree of consistency with the Framework.

The JLP is at a relatively advanced stage of preparation. The precise weight to be given to policies within the JLP will need to be determined on a case by case basis, having regard to all of the material considerations as set out on the analysis above.

PLYMOUTH AND SOUTH WEST DEVON JOINT LOCAL PLAN -: PUBLICATION (as considered by the Full Councils end Feb/Early March 2017)

SPT1 Delivering sustainable development
SPT2 Sustainable linked neighbourhoods and sustainable rural communities
DEV1 Protecting amenity and the environment
DEV2 Air, water, soil, noise and land
DEV15 Supporting the rural economy
DEV16 Providing retail and town centre uses in appropriate locations
DEV20 Place shaping and the quality of the built environment
DEV21 Conserving the historic environment
DEV22 Development affecting the historic environment
DEV24 Landscape character
DEV27 Nationally protected landscapes
DEV28 Protecting and enhancing biodiversity and geological conservation

Salcombe Neighbourhood Plan

SALC Env4 Local Green Spaces

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.

Planning Conditions

1. The development hereby approved shall in all respects accord strictly with the following drawing numbers:

Reason: To ensure that the proposed development is carried out in accordance with the drawings forming part of the application to which this approval relates.

2. There shall be no external lighting within the application site unless otherwise agreed in writing by the Local Planning Authority. Any agreed lighting shall be installed in strict accordance with the details agreed.

Reason: In the interests of visual amenity and the adjacent SSSI

3. The A3 use hereby approved shall be used in conjunction with the adjacent Wardroom Café, including any licensing and opening requirements.

Reason: In the interests of visual and neighbour amenity