

Recommendation: Conditional approval

Conditions

Time

Accord with plans

Schedule of materials and finishes prior to commencement of development

Key issues for consideration:

The main issues are the principal of a new A1/A3 use within this location, any impact on the character and integrity of nearby designated heritage assets, Salcombe Conservation Area, the AONB and any impact on the amenity of neighbouring properties

The proposed use within this central, established public area can be supported. The cafe use within this already highly public location will have a neutral impact on the setting of designated heritage assets. The site is well isolated from neighbouring dwellings and will therefore have no harmful impact on the amenity of neighbouring properties.

Site Description:

The application site is a redundant public convenience accessed through Cliff House Gardens, the principal public green space within this part of the Town. Due to its central location the site is within the setting of a number of listed buildings and undesignated heritage assets. Most notably, the site is in extreme proximity to the undesignated, but hugely important, war memorial, which is at road level above the site.

The site is within the Salcombe Development Boundary, the Conservation Area and also within the South Devon Area of Outstanding Natural Beauty.

The Proposal:

Planning permission is sought for the change of use of a single storey, redundant public convenience to a cafe/cold food takeaway facility and the creation of an adjacent seating and decking area (A3/A1). Associated alterations include perched seating on the existing wall, signage at road level, awning and timber doors and windows. The proposed unit is very small and essentially amounts to a kiosk under the existing stairway.

Consultations:

- English Heritage

Application should be considered in accordance with national and local policy guidance, and on the basis of SHDC specialist conservation advice

- Salcombe Town Council

Objection – Town Council could not consider this application and sought clarification as the plans were not accurate. The application stated windows and doors in brown upvc and yet the plans indicate hardwood. Town Council were opposed to upvc in the Conservation Area and were concerned about the plethora of street signs and awning also proposed. The plans illustrated three perch seats which were low walls currently within Cliff House Gardens and

one such position was beneath the information board which needed to remain unobstructed. A concern also was that the ground outside where this seating area was proposed was uneven for such potential use. There was a local objection from another shop owner with regard to competing with his newly established business.

Representations:

One letter of objection has been received at the time of writing this report. This is essentially a trade objection which cannot be considered material to the determination of this application

Relevant Planning History

None

Analysis

This is a park well used by the public for its recreational qualities and also to enjoy the vista of the estuary. The proposed use is considered to be acceptable within this context and is not considered to be materially different or out of place when compared to this established use. Use of high quality materials is important in this area and that is reflected in the planning conditions requesting further detail with regard to construction materials and form.

Officers acknowledge the comments made within the received third party representation. However, this essentially amounts to a trade objection and is well document that commercial competition is not a material reason to refuse a planning application.

This is a central location and the proposal will not jeopardise the vitality of Salcombe Town Centre. It will have no harmful impact on designated or undesignated heritage assets. The site is well away from the nearest residential dwelling and will have no harmful impact on neighbour amenity.

Officers are satisfied that the signage proposed will not amount to clutter or detract from the streetscene or wider Conservation Area. This is following the removal of the lamppost signs which were, in isolation, considered to be harmful. Overall the scheme is considered to preserve the character and appearance of Salcombe Conservation Area

This is a small enterprise within a central location and therefore designated parking is not required. The small scale development will also have no harmful impact on the wider South Devon AONB.

Other concerns raised by the Town Council are more appropriately considered by the estates team as they would not constitute a material reason to refuse the application.

For the reasons outlined above this application is considered acceptable and in accordance with the relevant development plan polices. This application is therefore recommended for approval subject to appropriate conditions.

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

Development Policies DPD

DP1 High Quality Design

DP2 Landscape Character

DP3 Residential Amenity

DP6 Historic Environment

DP7 Transport, Access & Parking

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.