

PLANNING APPLICATION REPORT

Case Officer: Mr Matthew Jones

Parish: Salcombe

Application No: 41/1294/15/CU

Agent/Applicant:

Mrs A Burden
Luscombe Maye
59 Fore Street
Totnes
TQ9 5NJ

Applicant:

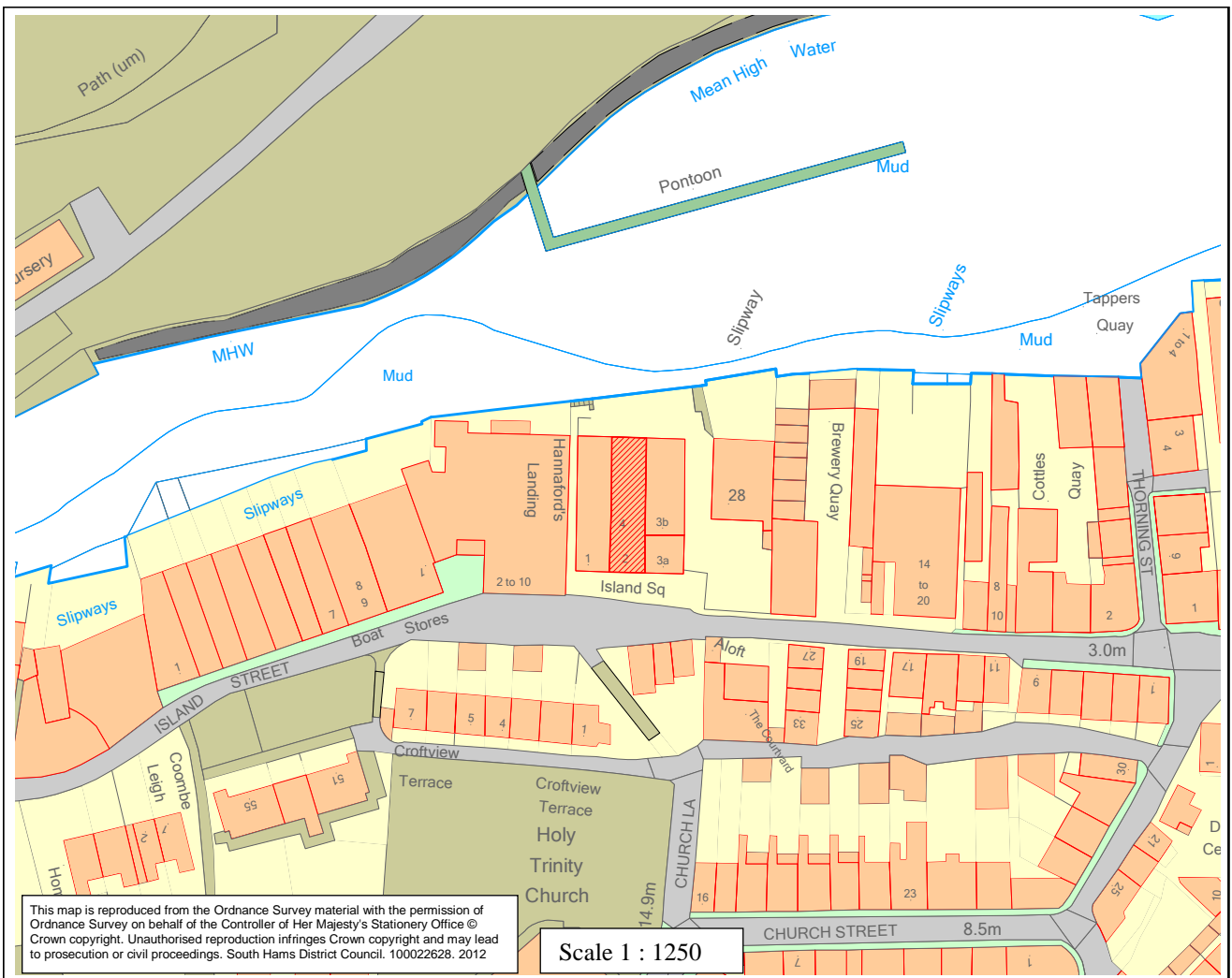
Ms L Yabsley
C/O Agent

Site Address: Bangwallop, 2 Island Square, Island Street, Salcombe, TQ8 8DP

Development: Change of use of premises to A2 (financial and professional services)

Reason item is being put before Committee

As South Hams District Council is the landowner



Recommendation: Conditional approval

Conditions

Time

Accord with plans

Removal of Change of Use Permitted Development Rights

Key issues for consideration:

The main issues are the principal of the change of use and the associated impact on Salcombe Conservation Area. The existing building presents its retail element frontage towards the public highway and is considered to be of debatable appropriateness. On balance, the introduction of an A2 use as an alternative to the current arrangement is considered to have a neutral impact on the streetscene and Conservation Area.

Site Description:

The application site is an existing photographic production and retail unit located on Island Street within the town of Salcombe. The site is within the Development Boundary, the Salcombe Conservation Area and the South Devon Area of Outstanding Natural Beauty

The Proposal:

Planning permission is sought for the Change of use of the existing premises from the current photographic studio and retail use to A2 (financial and professional services)

Consultations:

- County Highways Authority

No objection

- Salcombe Town Council

No objection due to other businesses already permitted to operate in this area

Representations:

None received

Relevant Planning History

41/2119/07/CU - Change of use to photographic studio / retail gallery - Conditional approval

Analysis

Saved policy KP7 states that in this area: *'normally only employment uses including rehabilitation, re-use or new development will be permitted. Retail and residential use will only be permitted if this forms a minor part of the overall development and is providing it is ancillary and subsidiary to manufacturing craft or other service.'*

The current site use was approved in 2007 as a photographic studio with ancillary A1 use. Conditions attached to the 2011 approvals state the following:

- *The use hereby permitted shall be carried out only by Lorna Yabsley Ltd.*

Reason: In granting this permission the Local Planning Authority has had regard to the special circumstances of this application, but for which it would have been refused.

- *The retail gallery area shall be ancillary to the photographic production studio and framing/mounting workshop use in the remaining part of the building.*

Reason: To ensure the retail use remains an ancillary and subsidiary part of the use of the premises.

Ostensibly the current arrangement can be considered to conform to the provisions of saved policy KP7 as the retail element is conditioned to be ancillary to the main studio use. However, in reality, the retail element is situated at the roadside and offers the active frontage to Island Street. Therefore, although the building retains its manufacturing use, it has clear retail connotations from the public realm. Local planning policy seeks the restriction of retail uses within Island Street and, therefore, the change of use to A2 is considered to constitute a more appropriate use within this location and to conform to policy KP7. This is on the basis that a condition is imposed restricting any further change of use in future.

The Salcombe Conservation Area Management Plan chiefly controls the introduction of new structures within the area, not new uses, and requires buildings to respect existing forms and dimensions. No operational development is proposed within this application.

No letters of representation have been received and Salcombe Town Council is not objecting to the proposal, as the maritime uses in the area have already, to an extent, diversified.

For the reasons outlined above this application is considered acceptable and in accordance with the relevant development plan policies. 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

South Hams Local Plan

SHDC 1 Development Boundaries
KP 7 Employment Development in Salcombe

Salcombe Conservation Area Appraisal and Management Plan SPD

National Planning Policy Framework

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.