

PLANNING APPLICATION REPORT

Case Officer: Cheryl Stansbury
Thurlestone

Parish: Salcombe **Ward:** Salcombe and

Application No: 1180/20/FUL

Agent/Applicant:

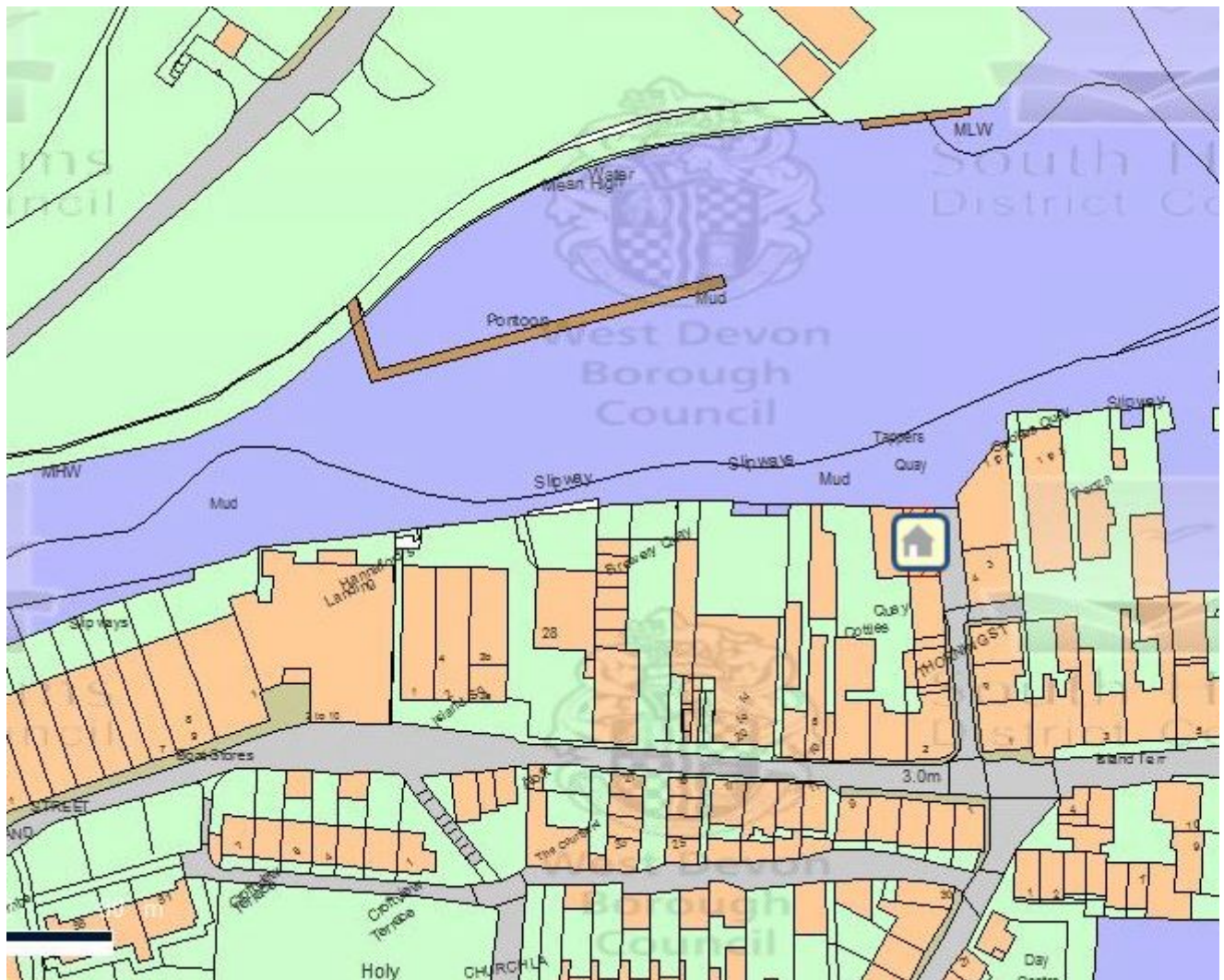
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Applicant:

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Site Address: Boatyard Building, Thorning Street, Salcombe, TQ8 8DW

Development: Proposed change of use of first floor to open plan residential unit with B8 marine storage to ground floor



Reason item is being put before Committee *Councillor Long - I cannot support delegated approval of this application. It is clearly against the Salcombe Neighbourhood Plan policies, and questionable on a number of JLP areas as well. There is an existing planning permissions (and LBC) for works to this building to bring about improvements which still need to be actioned. I question the viability arguments for this conversion to an open plan residential use, against the conversion to employment/office space, and would achieve the same for the structure but maintain it as employment space.*

Recommendation: Conditional Approval

Conditions:

1. Time
2. Accord with Plans
3. Flood evacuation plan prior to occupation
4. Flood resilient construction materials (prior to commencement)
5. Restriction of use of the ground floor to B8
6. To accord with precautions of ecology report
7. Unexpected contamination
8. Primary residency

Key issues for consideration:

Principle of development; design; conservation/listed building impacts; neighbour amenity; highways / car parking; flooding; contaminated land; biodiversity

Site Description:

This grade II listed former boatyard building is located towards the north-eastern edge of the Town of Salcombe, in Thorning Street, which itself lies perpendicular to Island Street, an important historic thoroughfare, epitomised by its association with the boat building industry both past and present. The site is within the South Devon AONB and Salcombe Conservation Area. It is also within Flood Zones 2 and 3, and Employment Area C in the Salcombe Neighbourhood Plan. The building offers a gable end (like many of its neighbours) facing directly overlooking the estuary, with Batson Creek beyond.

The building comprises a two-storey stone and brick structure (the brick higher is thought to represent a later phase of development, possibly replacing an original timber framed section at first floor).

The roof is supported by historic timbers and embraces a slate roof covering. The building includes door and window openings on the north, east and west elevations. Internally, the ground floor, which has been used for storage associated with the boat building industry, is a single open plan space with plain unfinished walls and a rough unfinished floor. The first floor is one open space open to the rafters, accessed independently via a steep (and non-compliant) rough stair.

The building is currently vacant, and in a poor state of repair – the roof is not lined and allows water ingress, the building is not insulated, there are signs of woodworm, damp penetration, and its windows and doors are in a poor state of repair. There is also no potable water supply and no sanitary facilities.

The Proposal:

Permission is sought for the change of use of the upper floor to a self-contained open plan one bedroom flat; the ground floor is to remain as is, that is B8 storage.

A listed building application was also submitted. This was supported by the Conservation Officer, but was withdrawn due to it including numerous elements that had already been given permission; it is to be resubmitted in due course with just the additional works needing listed building consent (additional internal partitions).

As set out in the Planning History, permission has previously been granted for the change of use of the first floor to office accommodation, along with a comprehensive package of repairs and remedial works to secure the long-term preservation of this listed heritage asset. This current application seeks minor internal re-ordering of the first floor level to allow an element of residential accommodation to be provided at this independently accessed upper floor.

The physical works now proposed over and above that which has been previously consented are by their nature very minor, simply internal partitions allowing for the introduction of a new small wet room and kitchen area.

External works are as per those already approved, with no new openings proposed except for the addition of 2 conservation style roof lights.

Consultations:

- SHDC Drainage Specialist: There are no downstream flood risks as it is located adjacent to the Estuary. No objection regarding surface water and foul drainage. The Environment Agency must be consulted to confirm that the mitigation measures are appropriate for this application.
- Environment Agency: No objection. The Flood Risk Assessment (FRA) demonstrates the proposed first floor flat will be safe over the proposal's lifetime. The proposal is located within the coastal Flood Zone 3, with a high probability of flooding. The FRA confirms the proposal is presently at risk of flooding and expected flood depths will increase over the lifetime of development.

The design flood level (i.e. the 1-in-200-year event in 100 years' time allowing for climate change) in this part of Salcombe is 5.12mAOD. For the development to be appropriate ground floor levels should be set at a minimum of 5.42mAOD. In this instance the FRA gives the first floor level of the building as 6.35mAOD which indicates the flat will be above the flood level over the lifetime of the development.

Paragraph 7-038 of the Planning Practice Guidance and para. 160 of the NPPF are clear that access and egress needs to be part of the consideration; Paragraph Reference ID: 7-039-20140306 of the PPG provides further guidance. Consult with your Emergency Planners to determine their views on safe refuge as an alternative to safe access and egress. They should also confirm whether they can incorporate the additional occupants into their emergency evacuation plans.

- County Highways Authority: No highways implications
- Environmental Health Section: Have viewed the proposal, the FRA and the EA's letter; have no comments to make

- Salcombe Town Council: Objection. In contravention of the Salcombe Neighbourhood Plan in the following areas:
 - EM2 which only permitted employment uses in this area (the application mentioned previous appeals, the first of which was allowed before the NDP was adopted and the second was refused after the NDP was made and thus had full weight);
 - B1 & T1 which required adequate parking provision for any development and there was none in this application.
 - If the application was approved then there would need to be a Section 106 agreement in respect of the Principal Residence policy set out in the NDP policy H3.

Representations:

Two letters of objection received, summarised as follows:

- Unusual for an architect to carry out an FRA, which is based on out of date information
- In a flood, the ground floor user must move everything upstairs but has no access; they lose the ability to store on the first floor
- Is not a sensible employment option, neither is storage on ground floor
- Emergency route is limited especially during a flood in the dark and the building needs to stay as a single entity for the benefit of the ground floor due to expected and worsening floods
- Will become another second home in a town with high numbers of second homes, with significant social and economic consequences
- Adds further to incremental loss of workspaces in the local area and will not lead to full time employment of another type
- Located in Employment Policy Area C set out in the Salcombe NDP. Contravenes Policy EM2 which seeks the retention of employment uses, including reuse of existing premises, with priority given to marine uses. If the loss is justified as no longer viable, it must be actively marketed at a reasonable rent.
- Contrary to JLP Policy DEV14 which seeks to maintain a flexible supply of employment land and premises; loss is only allowed where it delivers wider strategic objectives, there are overriding and demonstrable economic, regeneration and sustainable neighbourhood/ communities benefit or no reasonable prospect of employment use in the future.
- Location is ideally suited for boat maintenance businesses and the loss of a stone sculpture use to facilitate residential use conflicts with policy.
- Retention of this workspace could help to provide a mix of employment opportunities that would positively contribute to the regeneration of this area of Salcombe.
- A similar case at Creek House (0550/19/FUL) was refused and dismissed at appeal
- Incompatible employment use with residential above and likely to result in complaints about noise, dust, fumes etc

Relevant Planning History: 3525/18/LBC – Proposed repairs and maintenance works – Conditionally Approved Dec 2018.

ANALYSIS

Principle of Development/Sustainability:

The principle of this development must be considered against the relevant planning policies for this area.

JLP Policy DEV14 seeks to maintain a flexible mix of employment uses, whereby development resulting in a change of use is only permitted if:

- 1. The proposal is specifically provided for by the local plan to deliver wider strategic objectives, or*
- 2. There are overriding and demonstrable economic, regeneration and sustainable neighbourhood/communities benefits from doing so; or*
- 3. There is no reasonable prospect of a site being used for employment use in the future.*

The policy goes on to state that sites with potential to expand or with access to wharves or deep water facilities will be protected.

The JLP (Strategic Objective SO8) encourages the rural towns and villages, including Salcombe, to become more sustainable, with access to housing, employment, services and facilities that meet their needs and which are resilient. There is a concern from objectors and the Town Council that proposals such as this one will lead to a gradual diminishing supply of employment uses, which in turn will affect the sustainability of the town and its long term resilience.

Development plan policies centre on ensuring flexibility to meet business needs in terms of both size and type of premises and geographical location, minimising the loss of employment land and encouraging the re-use of existing employment buildings. When existing employment uses cease, alternative employment use is the first preference for the re-use of such buildings unless it can be proven that such development would not be viable. It is important that any re-use opportunities should recognise the economic importance of Salcombe for delivering services and providing a source of employment for the town and its surrounding area in particular the marine aspects of employment and the areas character and heritage.

Paragraph 85 of the NPPF states that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. It goes on to say that planning policies should recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.

Salcombe Neighbourhood Plan policy SALC EM2 reads as follows;

Retention of existing Employment Land in Salcombe Within the area of Island Street and Gould Road shown as employment policy area C on figure 17 only employment uses shall be permitted. Development shall include:

- a) Rehabilitation, re-use or redevelopment of existing premises;*
- b) Marine related uses shall take priority in this area however all B1 uses will be supported, small scale workshops for marine uses or arts and crafts are considered the most appropriate by the community;*
- c) Retail use will only be permitted if it forms a minor part of the overall development. 'Minor' is defined as ancillary and subsidiary to the principle use of manufacturing, craft and other service enterprise in the area.*

Where the loss of an employment site is justified as no longer viable the applicant must demonstrate through an independent assessment that the vacant units have been actively marketed and offered at a reasonable rent (comparable with rents achieved elsewhere in the parish) for a minimum period of 1 year, a market review of the sites and details of the

marketing. New employment proposed under this policy should conform to General User Class B1 with ancillary retail as A1 only.

It could be argued that this proposal runs contrary to the above policies, however, in this case, it is considered there are clear economic and regeneration reasons for permitting the change of use of the first floor to residential.

- The lower floor, whilst currently vacant, will retain its use as B8 marine related storage; a condition is proposed to secure this. Objectors refer to the loss of a stone sculptor and employment uses in general. The stone sculptor occupies the adjacent property so will not be affected and Officers see no reason why this proposal would change that.
- Justification for the conversion of this floor to residential, including a detailed independent viability assessment, has been put forward, suggesting there is no prospect of this building being brought back into an employment use unless there is a mixed use scheme with the residential use cross-subsidising the employment. The application building is unable to be occupied, unless and until it has been refurbished.
- The applicant secured Listed Building Consent for extensive alterations and repairs to bring the building to a fit state to be rented for employment use on both the ground and first floors; the first floor was to be used as an office. Having secured that consent, the applicant has attempted to progress the refurbishment, with a view to letting the space to suitable end user. However, the cost of the works would far exceed the out-turn value of the building in its current use, indicating that an employment use for this building is not viable.
- The viability appraisal submitted in support of the application explains how various scenarios have been considered and costed. Further evidence is provided via a local Estate Agency. It is clear that significant works are required to bring the building back into any form of viable use, including employment. A sole employment use would not generate returns sufficient to make such a scheme viable; the only viable use, and that has been assessed as marginal, is a mixed use with residential at first floor. A structural survey, carried out by independent engineers, whilst stating the building is in a *fair state of repair*, notes considerable repair and remedial measures are needed.
- The justification points out the Salcombe NDP has objectives including “to promote the conservation of the South Hams as a living, working environment”, suggesting a mixed use of living and working which is what that application proposes. The vision is to create: “A Salcombe where generations can prosper in both work and life within a friendly, welcoming and inclusive community; where development of land for employment and housing is achieved in harmony with the town’s character and the area’s distinctive natural environment.” Taking this into consideration, the applicant considers the proposal will bring an achievable use back into this Listed Building which will retain and protect the heritage significance for future generations.

Reference has been made by objectors to a similar application at Creek House (0550/19/FUL) which was refused and dismissed at appeal. It is noted this proposed the total loss of the employment space, was set amongst predominantly commercial uses and was a retrospective application; there was no thrust in that case to bring a vacant listed building back into use and secure its long term future. The circumstances are therefore considered to be very different and not comparable.

More comparable to the current proposal is a recent application at Brewery Quay (2748/17/FUL), which was refused but allowed at appeal (June 2019, after the adoption of the JLP). This shares similar circumstances in that it is located in SALC EM2 Policy Area C, amongst mixed uses including residential, only sought to change the first floor to residential whilst retaining employment at ground floor and the building was in a very run down state. The Inspector noted that due to the poor condition of the building it was not likely to be viable as an employment use, but a mixed use could be viable, retaining employment at ground floor; he also noted that given the poor condition of the building, marketing in such a condition would not be appropriate.

At pre-application stage, Officers suggested that the building subject to this current application be marketed to fully demonstrate that there were no prospects of it being used for an employment use. However, it is put forward that given the current condition of the building, it would not be appropriate to conduct such a marketing exercise; it would be most unlikely given the need to carry out significant and costly repairs, that any employment end user would look to rent the building. This approach was supported by the Appeal Inspector in relation to Brewery Quay as detailed above, with the Inspector noting...*this would not be the case here as the redevelopment would retain two commercial units as part of a mixed-use redevelopment. Accordingly, the absence of marketing in accordance with emerging Policy SALC EM2 is not a determinative point against the appeal scheme.* Officers recognise this appeal was concluded prior to adoption of the Neighbourhood Plan, however, it was at such a stage that it carried weight and that in itself is not a reason to reach a different conclusion in this case.

It is important that employment uses can be sustained and enhanced where appropriate, however small they may be, and the cumulative impacts of employment space loss over time will invariably impact upon economic sustainability. However, in this case, the subject building is Grade 2 listed and in a very poor state of repair. There is a strong desire to not only retain this building, but to bring it back into use and to maintain it in a good condition. The policy conflict with SALC EM2 can be outweighed by the regeneration benefits, the need to bring this building back into use and to secure its long term future. To insist on an employment use would see the building continue to stand empty and deteriorate further, potentially resulting in the loss of the ground floor as an employment use also. This is also reiterated in DEV21 in relation to the historic environment, whereby great weight is placed upon the conservation of heritage assets and specifically, point 5 which states:

Development should help secure the long term sustainable future for the Pan Area's heritage assets, especially those identified as being of greater risk of loss and decay and that might have a community benefit where possible.

Salcombe NDP Policy SALC H3 is also applicable to this application, in that a new open market residential unit is proposed. It states:

a) New open market housing, excluding replacement dwellings, will only be supported where there is a planning condition, a Section 106 agreement or other planning obligation to ensure its occupancy as a Principal Residence. This policy is as a result of impact upon the local housing market of second or holiday homes.

New unrestricted market homes will not be supported at any time. This policy applies to all new build development both allocated and windfall sites where open market housing is proposed within the Neighbourhood Plan Area.

The supporting text in the NDP notes, at paragraph 6.6.3.4 -*This plan supports the provision of smaller 1 to 2 bedroom properties either for rent and sale for middle and lower income people or as home for older people wishing to downsize.*

Given the proposed flat has 1 bedroom and is of modest size, it is considered to confirm to this aspiration.

The ground floor will retain its B8 use, and as such, taking all of the above into consideration, the principal of the development proposed is deemed to conform to the JL, Salcombe Neighbourhood Plan Policy SALC H3, plus the National Planning Policy Framework Paragraph 85, subject to the imposition of a Primary Residency condition.

Design:

The application proposes limited external alterations, reuses external openings and utilises appropriate materials where new are introduced (timber fenestrations, natural slate for roof repairs and so on). All external changes have been previously approved.

Given the building sits amongst other tightly packed development, it is not considered there will be any harm to the immediate area or wider AONB; the proposal therefore protects and enhances the AONB through improving the external appearance of the building and increasing the contribution it makes to the street.

Conservation/listed building impacts:

The architectural and/or historic interest of the listed building will not be unduly impinged upon. The merits and benefits of the vast majority of the works as described within the application documentation have already been considered when assessing the previous application and the Specialist Conservation Officer has raised no concerns.

Within the adopted Salcombe Neighbourhood Plan, Policy SALC B1 Design Quality and safeguarding Heritage Assets states that:

Any new development in Salcombe Parish must demonstrate high quality design.

Within the Salcombe and Batson Conservation Areas development should preserve and enhance the conservation area and make a positive contribution to the significance of the heritage assets and their setting and have regard to the Salcombe Conservation Area Appraisal 2010

Officers are content that the works advocated in both this and the previously consented application (ref: 3525/18/LBC) satisfy the requirements of the above adopted Plan Policy.

Neighbour amenity:

Residential amenity is considered within Policy DEV1 of the JLP. This seeks to ensure satisfactory living conditions of occupiers of residential development, 'Ensuring that new development provides for satisfactory daylight, sunlight, outlook, privacy and the protection from noise disturbance for both new and existing residents, workers and visitors'

It is therefore the spirit of the policy to apply to existing occupiers as well as future occupiers

also therefore ensuring that it is not permitted in a location that would give rise to unacceptable living conditions for its future occupants.

The proposal seeks the creation of a 1-bedroom flat at first floor for which National Technical Housing Standards (as echoed by JLP Policy DEV10) recommends a minimum gross internal floor area of 50sqm. The proposal meets this standard, providing for approximately 55 sqm. The proposal will also include suitable amenities to ensure a good living environment for the potential occupant(s), providing a bathroom / en-suite, kitchen, lounge and sleeping areas. The proposal has sought to provide additional natural daylight / sunlight with the addition of 2 rooflights.

Officers are satisfied that the proposed glazing and window siting will provide for an acceptable level of light to serve the property. No loss of privacy or overlooking will incur as a result and, in this instance, is considered acceptable in terms of amenity impacts.

It is always necessary for developments to take into account the residential amenity of neighbours and impact on the environment. Concerns have been highlighted that there could be potential conflicts between employment and residential uses, and the loss of existing employment uses. The proposal itself will not result in the loss of any current employment uses, and through the impositions of a condition securing the ground floor as a B8 use, the proposal is not likely to introduce any "industrial" processes which could be detrimental to neighbour amenity.

The building sits with a mixed use area, and complies with the principles of good neighbourliness and the protection of existing residential amenities. As such, the proposal would not lead to any materially harmful impact on residential amenity by way of loss of light, loss of outlook, loss of privacy or overbearing impact. It would therefore accord with JLP Policies DEV1 and DEV2 and the requirements of the NPPF 2018.

Highways/car parking:

DCC highway officers have made no comments on the proposals, given the location of the site within a large settlement the provision of car parking spaces would not normally be expected and as such there are considered to be no impacts to highways.

Flood Risk:

As noted above, the site lies within Flood Zone 3 and a flood risk assessment has been submitted. Notwithstanding the comment by an objector that it is unusual for an architect to carry out this and that it relies on out of date information, the Environment Agency, the statutory consultee, have viewed the proposal and are satisfied.

The Council's Emergency Planner has also raised no concerns.

Mention has been made of the ground floor user being disadvantaged by the lack of access to a safe refuge at first floor in times of flood; this is no different than the current situation as there is no link between ground and first floor. There is also no requirement for both floors to be occupied together so to insist on a link would be unreasonable, and would require further works to the fabric of the building. This is also similar to the aforementioned Brewery Quay application.

Given the residential use is to be created through a change of use, there is no requirement to conduct sequential or exceptions tests.

In light of the above, subject to a condition ensuring there is a flood evacuation plan in place and that flood resilient construction methods are used, there is no conflict with Policy DEV35 of the JLP.

Land contamination:

A contaminated land report has been submitted and whilst identifying no areas of concern, it is prudent to attach the standard condition to deal with any unexpected contamination, should that arise.

Biodiversity:

The application is accompanied by an ecology survey. No protected species were found and no impacts are considered likely. Although no bats or bird nests were found, the NPPF outlines the government's commitment to minimise impacts on biodiversity and provide net gains where possible. These provisions include a bat box, swallow terrace and bee brick. As part of discussions concerning the previously approved listed building consent, it was agreed that to include these provisions would negatively impact on the special interest of the listed building, and these were not considered necessary.

As such, the proposal accords with JLP Policy DEV26.

Planning Balance:

Planning decisions should be taken in accordance with the development plan, unless material considerations indicate otherwise. It can be argued there is a policy conflict in relation to SALC EM2 in that the office use at first floor will now become a residential unit, resulting in the loss of a single employment unit. However, there are material planning considerations that are seen to fully justify this.

The use as an office, whilst permitted, has not been implemented. Given the significant financial investment required to carry out the refurbishment and repair works needed for this, it is not likely to happen; a detailed Independent Viability Appraisal supports this.

Since the date of this earlier scheme (Dec 2018) Officers have noted that this important listed Heritage Asset continues to fall into a slow decline; this is an important and prominent building, the retention of which is considered essential in maintaining the character of the Conservation Area and wider settlement. As such, Officers are content to lend support for a package of proposals which if consented and implemented will offer obvious benefit to not only the listed building but also the wider Conservation Area and AONB.

Overall, this package of proposals (when considered with the earlier consented scheme) represents a significant investment by the current owners, an investment which will undoubtedly aid in securing the long-term preservation of this important listed building.

The proposal is also similar to the aforementioned appeal decision at Brewery Quay, whereby the Inspector allowed the redevelopment as mixed use (part employment and part residential) in order to secure the long term future of the building.

Subject to a robust set of planning conditions to ensure that the appropriate conservation-based best practices are undertaken when delivering the works, to secure flood resilient construction and to secure the residential element as a principal residence, approval is recommended.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004.

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. For the purposes of decision making, as of March 26th 2019, the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts of South Hams and West Devon within Dartmoor National Park) comprises the Plymouth & South West Devon Joint Local Plan 2014 - 2034.

Following adoption of the Plymouth & South West Devon Joint Local Plan by all three of the component authorities, monitoring will be undertaken at a whole plan level. At the whole plan level, the combined authorities have a Housing Delivery Test percentage of 166%. This requires a 5% buffer to be applied for the purposes of calculating a 5 year land supply at a whole plan level. When applying the 5% buffer, the combined authorities can demonstrate a 5-year land supply of 6.5 years at the point of adoption.

Adopted policy names and numbers may have changed since the publication of the Main Modifications version of the JLP.

The relevant development plan policies are set out below:

The Plymouth & South West Devon Joint Local Plan was adopted by South Hams District Council on March 21st 2019 and West Devon Borough Council on March 26th 2019.

SPT1 Delivering sustainable development
SPT2 Sustainable neighbourhoods
SPT3 Provision for new homes
SPT4 Provision for employment floorspace
TTV1 Prioritising growth through a hierarchy of sustainable settlements
TTV2 Sustainable development in the TTV policy area
DEV1 Protecting health and amenity
DEV2 Air, water, soil, noise, land and light
DEV9 Meeting local housing need in the Plan Area
DEV10 Delivering high quality housing
DEV14 Maintaining a flexible mix of employment sites
DEV17 Promoting competitive town centres
DEV19 Provisions for local employment and skills
DEV20 Place shaping and the quality of the built environment
DEV21 Development affecting the historic environment
DEV23 Landscape character
DEV25 Nationally protected landscapes

DEV29 Specific provisions relating to transport
DEV35 Managing flood risk and Water Quality Impacts

Salcombe Neighbourhood Plan- Policies SALC B1, EM2 and H3

Other material considerations include the policies of the National Planning Policy Framework (NPPF) including but not limited to paragraphs 85 and 182 and guidance in Planning Practice Guidance (PPG).

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.

Conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: To comply with Section 91 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall in all respects accord strictly with drawing numbers:

Location Plan 3712 01; Floor plans 3712 40 A; Roof Plan 3712 13 C; Elevations 3712 14 B; Elevations 3712 15B; Elevations 3712 16 B; Elevations 3712 17 C; Sections 3712 18B; Sections 3712 19B; Windows and doors 3712 20B; Sash windows 3712 21B

received by the Local Planning Authority on 6th May 2020

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.

3. Prior to the first occupation of the residential unit, a Flood Warning and Evacuation Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall then be implemented and adhered to throughout the lifetime of the development.

Reason: In order to ensure there is an appropriate warning system in place for the safety of the occupiers in the event of a flood event.

4. Prior to the commencement of the development, a plan indicating flood resilience measures shall be submitted to and approved by the Local Planning Authority. The building will be constructed in accordance with those agreed plans.

Reason: in order to maximise the flood resilience of the building hereby approved.

5. The ground floor of the building shall be used for B8 (marine related storage) uses only of the Schedule to the Town and Country Planning (Use Classes) Amendment Order 2005, and for no other use.

Reason: To ensure a flood compatible use and to safeguard occupiers of adjoining properties from possible effects of dust/smell/effluvia.

6. Works shall proceed in accordance with the construction precautions set out in the Bat and Protected Species Survey by EcoLogic 180713rev01 dated August 2018.

Reason: To safeguard the interests of protected species

7. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an investigation and risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with.

Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority.

Reason: No site investigation can completely characterise a site. This condition is required to ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately.

8. The dwelling hereby approved shall not be occupied otherwise than by i. person(s) as his or her only or principal home; ii. persons living as part of a single household with such a person or persons; iii. persons who were living as part of a single household with such a person or persons who have since died; iv. Non-paying guests of any of the persons listed in (i) – (iii).

For the avoidance of doubt the dwelling shall not be occupied as a second home or holiday letting accommodation. The occupant(s) will supply to the Local Planning Authority (within 14 days of the Local Planning Authority's written request to do so) such information as the Authority may reasonably require in order to determine whether this condition is being complied with.

Reason: To safeguard the sustainability of the settlements in the Salcombe Neighbourhood Planning area, whose communities are being eroded through the amount of properties which are not occupied on a permanent basis and to ensure that the resulting accommodation is occupied by persons in compliance with the Salcombe Neighbourhood Plan.

NB: proof of principal residence is via verifiable residence including (but not limited to) residents being registered on the local electoral register and being registered with a local GP or a child attending a local school.