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North Devon Council
Brynsworthy Environment Centre
Barnstaple
North Devon EX31 3NP

K. Miles
Chief Executive.

PLANNING COMMITTEE

A Planning Committee Site Inspection meeting will be held on **MONDAY, 25TH APRIL, 2022 at 10.30 am.**

NOTE: Please assemble at Lee Bay Beach Car Park

Members of the Planning Committee

Councillor Ley (Chair)
Councillor Mackie (Vice-Chair)

Councillors Chesters, Crabb, Davies, Fowler, Gubb, Jenkins, Leaver, Mack, Prowse, D. Spear, L. Spear, Tucker and Yabsley

AGENDA

1. Apologies for absence

2. Declaration of Interests

(Please complete the form provided at the meeting or telephone the Corporate and Community Services Team to prepare a form for your signature before the meeting. Items must be re-declared when the item is called, and Councillors must leave the room if necessary)

3. To agree the agenda between Part 'A' and Part 'B' (Confidential Restricted Information)

PART A

4. (10.30am) **72859: Lee Bay Hotel, Lee, Ilfracombe, Devon, EX34 8LR** (Pages 3 - 12)

Part demolition and conversion, extension and alteration of existing hotel to form 17 No. dwellings; erection of 4 No. homes, erection of cafe facilities and associated works, landscaping, drainage and highway works (amended / further plans / documents). Report by the Service Manager (Development Management) (attached).

PART B (CONFIDENTIAL RESTRICTED INFORMATION)

Nil.

If you have any enquiries about this agenda, please contact Corporate and Community Services, telephone 01271 388253

Note: copies of representations received relating to planning applications are available to view on the web, linked to the associated planning application record - www.northdevon.gov.uk

PLANNING SITE INSPECTION GOOD PRACTICE	
Do try to attend site visits organised by the Council where possible	Don't hear representations from the applicant or third parties
Do ensure that you treat the site inspection only as an opportunity to seek information and to observe the site	Don't express opinions or views to anyone
Do ask questions or seek clarification of matters which are relevant to the site inspection	Don't visit a site on your own, even in response to an invitation, unless you have spoken to the Planning Department.

Application Report

Planning, Housing and Health
North Devon Council
Lynton House, Commercial Road,
Barnstaple, EX31 1DG

Application No:	72859
Application Type:	Full application
Application Expiry:	15 December 2021
Extension of Time Expiry:	15 December 2021
Publicity Expiry:	14 February 2022
Parish/Ward:	ILFRACOMBE/ILFRACOMBE WEST
Location:	Lee Bay Hotel Lee Ilfracombe Devon EX34 8LR
Proposal:	Part demolition & conversion, extension & alteration of existing hotel to form 17 No. dwellings; erection of 4 No. homes, erection of cafe facilities and associated works, landscaping, drainage & highway works (amended/further plans/documents)
Agent:	Chris Beaver
Applicant:	Acorn Blue
Planning Case Officer:	Mrs M. Bailey
Departure:	N
EIA Development:	
EIA Conclusion:	NO EIA REQUIRED. Please issue relevant letter to applicant / agent.
Decision Level/Reason for Report to Committee (If Applicable):	Committee Councillor Pearson

Site Description

The existing site comprises an imposing empty hotel building which has been unused as such since 2005 that previously provided accommodation in 56 guest rooms, plus ancillary facilities. The main building is primarily arranged over three floors and is sited on the north side of the site, linear in footprint, looking out on to extensive grounds which have now become overgrown and contain Japanese Knotweed. Immediately to the east is a car park. The grounds are divided by a stream and pond. On the south side of the grounds, are a former open-air swimming pool and a car park, used by the public.

The site is located at the bottom of a valley next to the sea, to the west of Ilfracombe. The application site is located within the Area of Outstanding Natural Beauty, Coast and

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Estuary Zone, Heritage Coast and Lee Conservation Area. At the northwest corner of the site on the opposite side of the road is a grade 2 listed building.

A number of dwellings are located on higher ground to the north of the hotel and there is also a cluster of properties along the seafront to the west.

To the south of the site on the valley side is an area of woodland. Further dwellings and commercial premises are located to the east, in the main part of the village.

The principal access to the site is from Ilfracombe, with minor routes to Morteheo and Woolacombe. The South West Coast Path runs between the hotel site and the sea and a public footpath linking the sea front with the village, runs to the south of the site.

Recommendation

Legal Agreement Required: Yes

Planning History

Reference Number	Proposal	Decision	Decision Date
77/0120/34/03	Proposed conversion of store to form second bedroom shower room and toilet at Lee Bay Hotel, Lee, Ilfracombe, Devon, EX34 8LR	Approve - With Conditions	2 March 1977
29579	Formation of tennis court at Chapel Cottage, Lee, Ilfracombe, EX348LR	Withdrawn	27 July 2000
35198	Formation of tennis court for community use (amended plans) at Chapel Cottage, Lee, Ilfracombe, EX348LR	Full Planning Approval	12 August 2003
40327	Demolition of existing rear extension & construction of larger replacement extension together with internal alterations & alterations to existing first floor balcony at Shell Cottage, Lee, Ilfracombe, EX348LR	Full Planning Refusal	4 August 2005
40820	Demolition of existing & erection of new extension to dwelling together with internal alterations & alterations to existing first floor balcony at Shell Cottage, Lee Bay, Ilfracombe, EX348LR	Full Planning Approval	17 October 2005
44215	Restrospective application for terracing & landscaping works at Beach House, Lee, Ilfracombe, EX348LR	Full Planning Approval	9 July 2007
45227	Extension & alterations including minor demolition, slate terracing & formation of turning area (amended & additional plans) at Lee Bay Hotel, Lee, Ilfracombe, Devon, EX348LR	Withdrawn	18 December 2007
49712	Redevelopment of redundant hotel complex to form 19 shared ownership holiday apartments, 5 further new build	Finally Disposed Of	16 November 2012

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Reference Number	Proposal	Decision	Decision Date
	holiday apartments in grounds together with associated cafe/bistro/bar, restaurant, spa, pool complex, kiosk & associated works (amended drawings & flood risk assessment) at Lee Bay Hotel, Lee, Ilfracombe, Devon, EX34 8LR		
59766	Demolition of existing hotel & public wc block; erection of 20 dwellings; formation of new public open space; extension to existing car park; erection of cafe & wc block; & associated landscaping, drainage & highway works (further amended plans & information) at Former Lee Bay Hotel, Lee, Ilfracombe, Devon, EX34 8LR	Full Planning Refusal	1 November 2016
63167	Demolition of existing hotel, erection of 21 dwellings, formation of new public open space, extension to existing car park, erection of cafe & wc block & associated landscaping, drainage & highway works (amended plans & documents) (revised information) (additional information) (amended plans and documents) at Lee Bay Hotel, Lee, Ilfracombe, Devon, EX34 8LR	Full Planning Refusal	23 April 2019

Constraints/Planning Policy

Constraint / Local Plan Policy	Distance (Metres)
Adopted Existing Strategic Footpath/Cycleway:South West Coast Path North	Within constraint
Advert Control Area Area of Special Advert Control	Within constraint
Chivenor Safeguard Zone Consultation Structure or works exceeding 91.4m	Within constraint
Class III Road	
Conservation Area: 22 Lee Adopted 12/03/2018;	Within constraint
Landscape Character is: 4C Coastal Slopes and Combes with Settlement	Within constraint
Public Right of Way:Footpath 234FP36	Within constraint
Unclassified Road	
USRN: 27504817 Road Class:R Ownership: Highway Authority/Private	Within constraint
USRN: 27505856 Road Class:YFP Ownership: Highway Authority	Within constraint
Within 100m of Adopted Heritage Coast	Within constraint
Within Adopted AONB (ST09 & ST14)	Within constraint
Within Adopted Coast and Estuary Zone	Within constraint
Within Adopted Unesco Biosphere Transition (ST14)	Within constraint
Within Flood Zone 2	Within constraint

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Constraint / Local Plan Policy	Distance (Metres)
Within Flood Zone 3	Within constraint
Within Surface Water 1 in 100	Within constraint
Within:, SSSI 5KM Buffer in North Devon,consider need for AQIA if proposal is for anaerobic digester without combustion plant	Within constraint
Within:Braunton Burrows, SAC 10KM Buffer if agricultural development consider need for AQIA	Within constraint
SSSI Impact Risk Consultation Area	Within constraint
Conservation Area: LEE	
DM01 - Amenity Considerations DM02 - Environmental Protection DM03 - Construction and Environmental Management DM04 - Design Principles DM05 - Highways DM06 - Parking Provision DM07 - Historic Environment DM08 - Biodiversity and Geodiversity DM08A - Landscape and Seascape Character DM09 - Safeguarding Green Infrastructure DM10 - Green Infrastructure Provision DM17 - Tourism and Leisure Attractions DM24 - Residential Development in Rural Settlements DM27 - Re-use of Rural Buildings ST01 - Principles of Sustainable Development ST02 - Mitigating Climate Change ST03 - Adapting to Climate Change and Strengthening Resilience ST04 - Improving the Quality of Development ST05 - Sustainable Construction and Buildings ST07 - Spatial Development Strategy for Northern Devon's Rural Area ST09 - Coast and Estuary Strategy ST10 - Transport Strategy ST12 - Town and District Centres ST14 - Enhancing Environmental Assets ST15 - Conserving Heritage Assets ST16 - Delivering Renewable Energy and Heat ST17 - A Balanced Local Housing Market ST18 - Affordable Housing on Development Sites ST19 - Affordable Housing on Exception Sites ST21 - Managing the Delivery of Housing ST22 - Community Services and Facilities ST23 - Infrastructure	

Neighbours / Interested Parties

Objections:

- No substantive repairs to building carried out.
- Japanese knotweed not dealt with and inadequate proposals to eradicate. Must be dug out. Demolition of the whole building will be required.
- Reasons for refusal previously, not dealt with.

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- Design Brief ignored.
- Lack of engagement with residents and neighbours. Lack of Statement of Community Involvement.
- No benefit to community.
- Impact on Area of Outstanding Natural Beauty.
- Holiday home owners not aware of proposals.
- Foul drainage proposals inconsistent in Planning & Regeneration Statement against Flood Risk Assessment and Drainage Report.
- Café toilets will not be open to the public 24 hours a day, unlike the existing public toilets. Retain public toilets with contribution from applicant. Ownership of land needs clarification (not owned by hotel). Intention to demolish needs clarification.
- Lack of clarity on the National Trust option to acquire the land.
- Lack of affordable housing. Housing needs survey.
- Lack of local needs housing.
- Conclusions of VBC legal opinion questioned. Hotel has been abandoned.
- No Construction Management Plan available.
- Building for Life assessments are incorrect.
- Second home use will drain Council resources.
- Lack of Viability Report. No proof that 21 dwellings are needed. No proof hotel use is unviable. No updated marketing information available.
- No clarification of who will manage and maintain residential and public spaces.
- Harmful impact of 4 new dwellings on the landscape, AONB, Conservation Area and Chapel Cottage curtilage. Units 20 and 21 of particular concern.
- Unit 21 is in the flood zone contrary to policy and the Sequential Test.

Comments:

- Significant improvement in appearance.
- Good to see some retention and later extensions removed.
- No externally accessed toilets in café.
- Foul sewage treatment must be fit for purpose.
- Construction impacts need to be addressed.
- The 4 new dwellings will not block views.
- Landscape Master Plan successfully links different elements.
- Removal of blot on the landscape.
- Affordable housing provision unrealistic.
- Health and safety must be addressed, e.g. traffic/highways.

Considerations

Proposal Description

This application seeks detailed planning permission for Conversion, extension and alteration of existing hotel to form 17 No. dwellings; erection of 4 No. homes; formation of new public open space; extension to existing car park; erection of café facilities; and associated landscaping, drainage and highway works.

Planning Considerations Summary

- Previous Decision
- Policy Context
- Housing
- Ecology

- Design
- Heritage Assets
- Landscape
- Amenity
- Drainage
- Transport
- Other issues
- S106

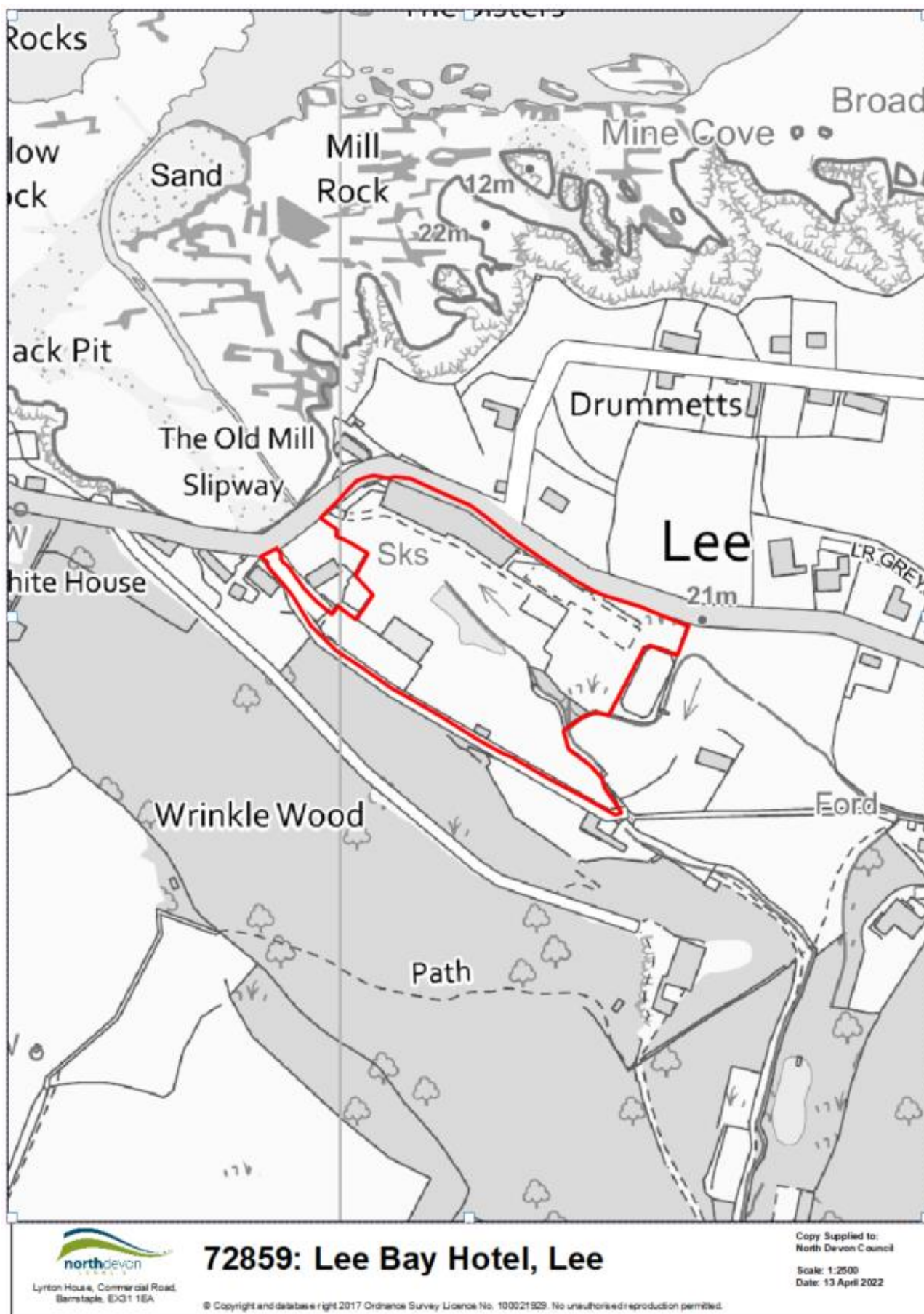
Planning Considerations

In the determination of a planning application Section 38 of the Planning & Compulsory Purchase Act 2004 is relevant. It states that for the purpose of any determination to be made under the planning Acts, the determination is to be made in accordance with the development plan unless material considerations indicate otherwise. The development plan for this area includes the Devon Waste Plan and North Devon and Torrington Local Plan. The relevant Policies are detailed above.

The National Planning Policy Framework (NPPF) is a material consideration.

The following are also material considerations:

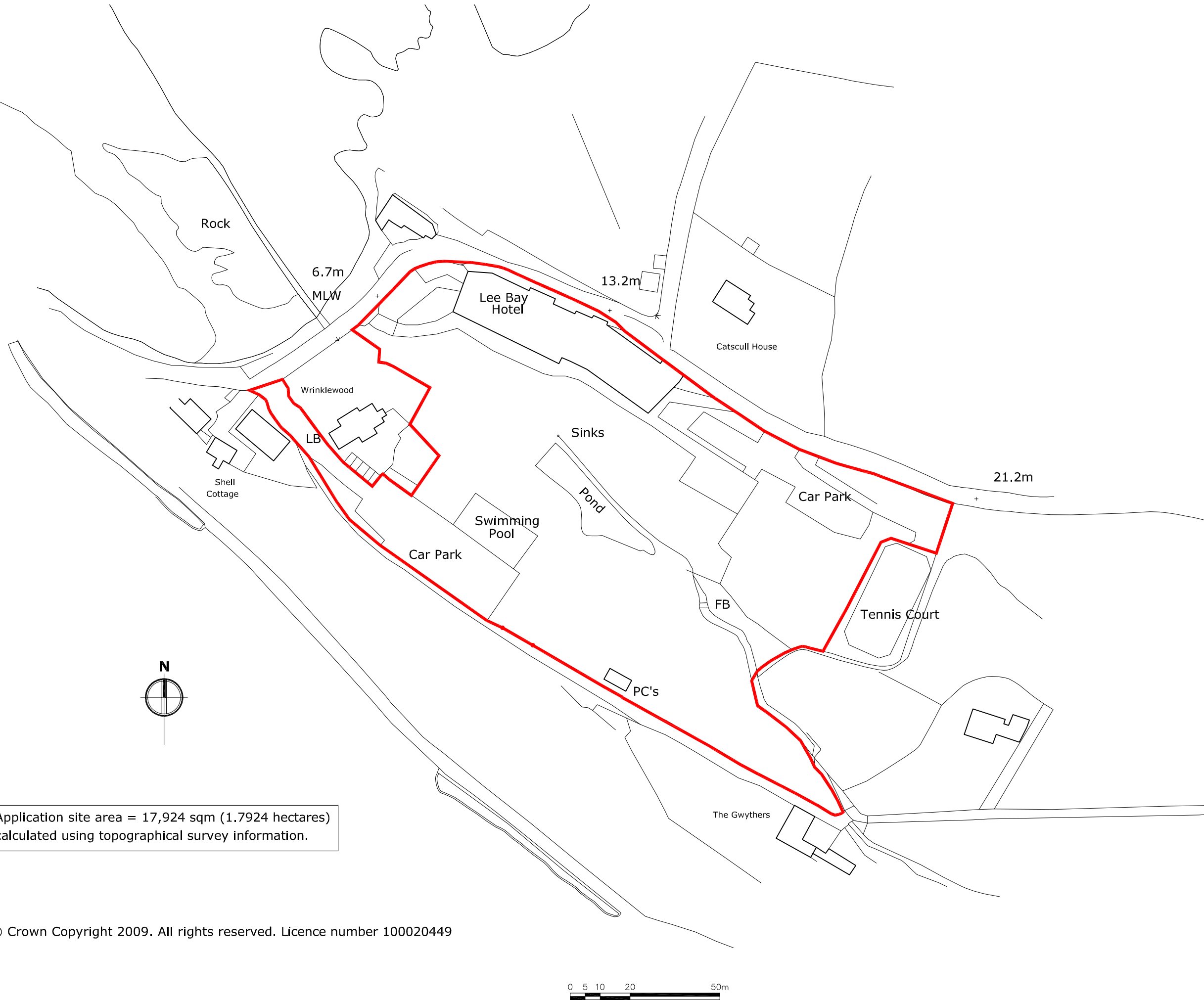
- Lee Bay Hotel Site Design Guide 2020
- Lee Conservation Area Character Appraisal 2018
- AONB Management Plan



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Rev.	Date	
P1	08.12.14	Issued For Information
P2	08.07.15	Site boundary and area updated.
P3	20.07.15	Issued for client sign off.
A	04.08.15	Planning Submission.



Application site area = 17,924 sqm (1.7924 hectares) calculated using topographical survey information.

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CDM Regulations

PLANNING

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DRAWING No. 14047(L)001	REVISION A
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PROJECT
Lee Bay, Lee,
North Devon

TITLE
Site Location Plan

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