

Mel Southwell

From: Paul Scarrott [REDACTED]
Sent: 22 February 2019 14:09
To: Planning Comments
Cc: Bob Pedlar; Michael Tichford
Subject: LLRA Consultee Response - Ammended 63167 Hotel Lee Bay

LEE & LINCOMBE RESIDENTS' ASSOCIATION

Chairman: Mr. Eric Couling [REDACTED]

Hon. Treasure: Mr. Paul Thom

Hon. Secretary: Mr. Paul Scarrott, Ivy Bank, Lee, EX34 8LN, [REDACTED]
[REDACTED]

18th February 2019

Subject: *LLRA Consultee Response 63167 Lee Bay Hotel Development - 21 Dwelling Amendment*

Dear Mr Tichford and Mr Pedlar,

The Association and its members continue to strongly oppose planning application 63167 submitted by Acorn Blue. We have carefully studied the amendments and all our previous objections still stand. However, given the introduction of the new North Devon and Torridge Local Plan, a revised National Planning Framework, the Lee Conservation Area Character Appraisal, and many additional documents including the viability assessments, we wish to reiterate and emphasise the following specific objections in light of the changes to PA 63167.

The North Devon and Torridge Local Plan

1. **Lee is not listed for development in the Spatial Development Strategy Policy ST07.** It is not listed within Schedule A or B, nor indirectly listed within the Ilfracombe Town Plan, nor as a non-strategic housing site at Appendix 5. Therefore, this development should be refused.
2. **Development Management Strategic Policies DM26 and DM27** describe your requirements for replacing existing or re-using buildings in a rural landscape as being: no more intrusive, assessed on their impact and scale, and a positive impact on the setting and landscape. The evidence from Historic England, Conservation Officer, and most residents is that the development will do harm and does not meet those requirements.
3. **The Policies ST09, ST14, and ST15** all, in different ways, describe the LPA's public commitment to protect, preserve, and enhance the tranquillity, sensitivity, and history of the heritage, environment assets, and character of isolated coastal villages. You have extended the Lee Conservation Area from 11 to 20 hectares to do that. According to the North Devon Council's character appraisal the hotel development ought to reflect the specialness of the area, but such a large urbanised design, as is proposed, cannot.
4. **This proposal is defined as a major development by ST17** because more than 10 dwellings are proposed. It states there should be a balanced mix of houses and that there is an essential need for affordable homes. Acorn Blue are claiming Vacant Building Credit having neglected the site and therefore have avoided the provision of affordable homes. Planning practice guidance advises that vacant building credit applies where the building has not been abandoned. Acorn Blue have costed the renovation of the old hotel building as £5.6 million – but claim it is not abandoned?
5. A significant reason for the refusal of a very similar application in 2016 was the scale and mass of the development. **The Development Management Policy DM08A states that great weight will be**

given to conserving the landscape and scenic beauty of designated landscapes and their settings – especially the Heritage Coast and AONB, and emphasises that public interest and exceptional circumstances must be demonstrated.

The National Planning Policy Frameworks (2012 & 2018)

1. Both NPPFs (paras 115/116/170) state that great weight should be given to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development (11 or more homes) other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. **This application does not amount to ‘exceptional circumstances’, and it has not been demonstrated that it is in the public interest.**
2. Lee is within an area defined as Heritage Coast. The paragraph 171 NPPF (2018) states that planning policies and decisions should be consistent with the special character of the area and the importance of its conservation. Major development within a Heritage Coast is unlikely to be appropriate, unless it is compatible with its special character. **This proposal is not compatible with the character appraisal for the conservation area (opinion of Historic England and Conservation Officer).**
3. Paragraph 134 of NPPF (2012) describes that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. **We believe that as well doing harm to the heritage asset including the hotel without significant public benefits, the proposal will do irreversible harm to the landscape and character of the coastal village contrary to the North Devon and Torridge Local Plan (ST09, ST14, ST15, DM08A, DM26, DM27).**
4. **“Where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision” (paras 130 and 191).**

The Viability Assessments

1. Although we understand that commercial viability is an important consideration, in the words of Historic England the council must ensure, ***“Whether the viability of the site has been thoroughly tested to secure not the most profitable alternative but the one MOST COMPATIBLE WITH CONSERVATION.”***
2. The independent assessor implies in their conclusion to the Alder King assessment that a development of 18 or less units may be viable.
3. The independent assessor states in their conclusion to the JLL viability report for 23- and 18-unit options, that the building costs in the 18-unit appraisal have not been sufficiently reduced.
4. A recent valuation of 3- & 4-bedroom properties in the Bay vicinity indicate property values of between £700K to £900K. Four-bedroom properties within the JLL and Alder King reports are valued at circa £425K.

The Planning and Regeneration Statement

1. **We dispute the statements made at 2.11. There has not been extensive pre-application consultation with the residents’ association or other key stakeholders. Therefore, the association could not have influenced the design and composition as claimed.**

2. **We challenge the assertion at 5.19 to 5.20 that the presence of the Grampus PH justifies a 21-unit major development as an appropriated scaled and located development** in compliance with DM24 Rural Settlements. This is an absurd statement by Acorn Blue given the protected nature of the site and the lack of any identified housing need in the Local Plan.
3. At 4.40 to 4.44 Acorn Blue seem unaware that the character appraisal has now been approved and adopted. The modern urban design of this application is clearly different to the requirements described within that appraisal.
4. At 5.48 the purpose and location of the café are described as a full stop for the car park, and as providing a sense of arrival – this is totally inadequate. The design of the café is very small, modern and can only be used as a kiosk (78 meters squared with toilet). The aspiration, in accordance, with North Devon own tourism strategy should be the provision of a café/restaurant offering enough capacity with a bay outlook.
5. At 5.50 and 6.4 the NPPF requirements of public interest are described as met. They are not. **Nearly 4000 petition signatories, and 300 written objections concur that they are not met. The reasons listed at 6.4 are inadequate and do not outweigh the harm to the landscape and heritage caused by the design and scale of the development.**
6. This is not sustainable development as listed between 5.22 and 5.32 because:
 1. Economic objective: this will not provide significant long-term economic activity, and does do 'HARM' to the landscape; **it is not supported by the council's Economic Development Officer;**
 2. Social Objective: **there is no need for this scale and type of housing as evidenced by its absence from the Local Plan;** the developer has avoided responsibility for providing affordable homes even though they described the hotel as derelict throughout the document;
 3. Environmental object: it is stated that the development would have a very positive impact visually on the landscape; **this is negated by the evidence of the conservation bodies consulted.**

Building for Life Assessment

1. Connections – the scheme does not integrate with the surroundings nor does it respect existing land or building use. **RED**
2. Facilities and Services – the size and location of the café are inadequate, majority of the grounds are private gardens, and the 24/7 public toilets will be lost. We do not have a village shop. **RED**
3. The site does not have good public transport. Ilfracombe and Woolacombe are not easily reachable by bike. **The Bus service runs twice a week not twice daily. RED**
4. The proposal does not meet local housing requirements because the village is not listed for development in the new Local Plan. A need for some affordable housing within the village is not met. **RED**
5. Character – the scheme will not create a sense of place. Majority of the space will be private landscaped terraces. It will have the feel of a gated community within the village. **RED**
6. The site is within a conservation area and AONB and is defined as doing it harm. **RED**
7. The scheme does not create a well defined space because it is in contravention of the character appraisal and its modern design will be clearly visible from the heritage coastal path and protected North Devon Seascape. **RED**

These are our strong objections.

We are willing to engage with the developer.

To gain our support any development must:

- Be the minimum size to be commercially viable as defined by NPG
- Be designed and laid out in accordance with the character appraisal
- Provide a café/restaurant facility at the front overlooking the bay
- Comply with affordable housing provision required by planning regulations

Committee

Lee and Lincombe Residents' Association

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