

Minutes of a Meeting of the Planning Committee held in the Hub, Mareham Road, Horncastle, Lincolnshire LN9 6PH on Thursday, 5th October, 2023 at 10.30 am.

PRESENT

Councillor Stephen Eyre (Chairman)

Councillors Richard Cunnington, Sid Dennis, Dick Edginton, David Hall, Neil Jones, Sam Kemp, Terry Knowles, Steve McMillan, Daniel McNally, Kate Marnoch and Ruchira Yarsley.

Councillor Terry Aldridge attended the Meeting as an Observer.

OFFICERS IN ATTENDANCE:

Andrew Booth	- Development Management Lead Officer
Michelle Walker	- Deputy Development Manager
Ryan Dodd	- Senior Planning Enforcement Officer
Jane Baker	- Senior Planning Officer
Megan Larder	- Planning Officer
Stephanie Watson	- Planning Officer
Angela Simmonds	- Legal Advisor
Elaine Speed	- Senior Democratic Services Officer and Civic Officer
Lynda Eastwood	- Democratic Services Officer
Laura Allen	- Democratic Services Officer

28. APOLOGIES FOR ABSENCE:

No apologies for absence were received.

29. DISCLOSURE OF INTERESTS (IF ANY):

At this point in the Meeting, Members were invited to disclose any relevant interests. The following interests were disclosed:

- Councillor Sid Dennis asked it be noted that he would be speaking as Ward Member on Item 5. In relation to Item 6, Mr David Scott was known to him, therefore he would be leaving the Meeting for that Item.
- Councillor Dick Edginton asked it be noted that in relation to Item 6, Mr David Scott was known to him but he would remain in the Meeting.
- Councillor Neil Jones asked it be noted that in relation to Item 6, Mr David Scott was known to him but he would remain in the Meeting.
- Councillors Stephen Eyre, Sid Dennis and Dick Edginton asked it be noted that they were Members of the Lindsey Marsh Drainage Board.

30. MINUTES:

The Minutes of the Meeting held on 7 September 2023 were confirmed and signed as a correct record.

31. UPDATE FROM PLANNING POLICY COMMITTEE

Councillor Terry Aldridge reported to Members that Simon Milson, Planning Policy and Research Manager provided an update on housing distribution, including the coastal zone and settlement patterns and advised that the updated information was going to be circulated to all Town and Parish Councils for them to feed back on. Following which, it would be presented to Full Council and the Planning Inspectorate for approval.

32. S/039/00565/23:

Application Type: Full Planning Permission

Proposal: Planning Permission - Change of use of an existing indoor swimming pool to a mixed use of residential and commercial (commercial use already commenced).

Location: 4 BLACKENDED COTTAGES, CROFT LANE, CROFT, SKEGNESS, PE24 4PA

Applicant: R. Izzard

Members received an application for full Planning Permission – Change of use of an existing indoor swimming pool to a mixed use of residential and commercial (commercial use already commenced) at 4 Blackended Cottages, Croft Lane, Croft, Skegness, PE24 4PA.

The application was subject to a call-in request by Councillor Sid Dennis due to the level of local concern.

The main planning issues were considered to be:

- Principle of the development
- Impact upon neighbours
- Highway safety

Members were referred to the additional information contained in the supplementary agenda, page 1 refers.

Ryan Dodd, Senior Planning Enforcement Officer detailed site and surroundings information to Members at Paragraph 2, together with the description of the proposal at Paragraph 3, page 3 of the report refers.

Mr Richard Izzard spoke in support of the application.

Councillor Sid Dennis spoke as Ward Member.

Members were invited to put their questions to the speakers.

- A Member queried whether Mr Izzard had put any measures in place with regards to health and safety, environmental health and noise. Mr Izzard confirmed that there no surveys had been carried out for noise as most of their customers were elderly people or families.
- In response to a Member querying whether there was sufficient space for visitor parking along with any vehicles belonging to the household, workers and emergency services if required, Councillor Sid Dennis advised that Highways had not raised any concerns with the access, however, he was aware that the neighbours were not happy with the parking situation.
- Further to a query raised, Mr Izzard confirmed that he lived at the premises and sufficient parking spaces were available for any visitors.
- A Member referred to the proposed 12-month temporary condition on the permission and queried what impact this may have on Mr Izzard's business Mr Izzard responded that it would be stressful not having secure, permanent planning permission.

N.B. Councillor Sid Dennis left the Meeting at 10:53am.

Following which, the application was opened for debate.

- A Member queried whether it was reasonable to ask for noise assessments to be undertaken and whether the parking space available could accommodate up to 10 cars.

The Senior Planning Enforcement Officer advised that the Environment Protection Officer had confirmed that there were no concerns with any potential noise impact and the Highways Authority had not raised any objection with regards to access. Members were further advised that there was a booking system in place for the pool, which would manage the number of vehicles, therefore he was not concerned with the number of cars parking.

- A Member queried whether the owner needed a license to operate the pool on a commercial basis. The Legal Advisor responded that it was her understanding that a license was not required, however the business would be required to take out the relevant insurance policies.
- A Member highlighted that the pool has been used commercially since October 2021, Paragraph 7.8 of the report refers, which was

considered to be a reasonable amount of time for any noise issues or other issues to have been raised, following which it was queried whether the proposed 12-month temporary condition was workable.

The Development Management Lead Officer explained that the business had been operating during this period of time, however it had not been controlled. The plan would be to monitor and manage the visitors to the pool for a period of 12 months and bring the application back to Committee for review if there were problems highlighted. If during this period of time there were no valid issues raised, the condition could then be removed.

Following which, the application was proposed and seconded for approval.

- A Member queried whether there was a requirement for a lifeguard to be employed when operating a swimming pool as a business. The Legal Advisor responded that it would depend on the number of visitors in the pool whether this should be considered, but there was no requirement by law to employ a lifeguard.

Following a query with regards to clarity on the operating hours of the pool, the Senior Planning Enforcement Officer confirmed that these would be included in the Management Plan.

Upon being put to the vote, the proposal for approval in line with the officer recommendation, subject to amended conditions and Management Plan was carried.

Vote: 11 in favour 0 against 0 abstentions

RESOLVED:

That full planning permission be approved, subject to the following conditions:

33. S/153/01503/23:

Application Type: Full Planning Permission

Proposal: Planning Permission - Change of use of land from former amusement park and arcade to a holiday lodge showground, siting of a mobile lodge to use as an office and construction of a vehicular access.

Location: EX FUN CITY SITE, NORTH PARADE, SKEGNESS, PE25 1DB

Applicant: Mr. D. Scott

Members received an application for full Planning Permission - Change of

use of land from former amusement park and arcade to a holiday lodge showground, siting of a mobile lodge to use as an office and construction of a vehicular access at Ex Fun City Site, North Parade, Skegness, PE25 1DB.

The application was subject to a call-in request by Councillor Danny Brookes for the reason that this area of Skegness needed regeneration, and the potential granting of a temporary permission would result in reduced investment in the site which would impact on the success of the business. The proposed development would also not fully accord with adopted policy.

The main planning issues were considered to be:

- Principle of this type of development in this location
- Visual Impact
- Neighbour amenity
- Impact on listed building
- Flood risk
- Highway safety

Members were referred to the additional information contained in the supplementary agenda, pages 1 to 2 refer.

Jane Baker, Senior Planning Officer, detailed site and surroundings information to Members at Paragraph 2, together with the description of the proposal at Paragraph 3, pages 11 to 12 of the report refer.

Mr Andrew Clover spoke in support of the application.

Councillor Danny Brookes spoke as Ward Member.

Members were invited to put their questions to the speakers.

- Further to a Member requesting information on the local area, Councillor Danny Brookes advised that there was a public house, a conference centre, a bingo hall, toilet block, a car park, a skate park and a waterway that wasn't used. There was also the Town Hall which was a listed building.
- A Member further queried what costs would be incurred on works for the dropped curb, planting and resurfacing. Mr Clover advised that the cost for the physical works would be around £100,000 but with the luxury lodges going on the site, there could be holiday 'show' lodges up to a value of £1m on site at any one time.

Following which, the application was opened for debate.

- A Member referred to Condition No. 3 and queried whether there would be any negative impact in removing this or by making changes to the wording for the temporary permission. The

Development Management Lead Officer advised that if the Committee decided there was more benefit in allowing something to remain on the site that would help with its regeneration and that outweighed the policy conflict, the Committee was able to make the decision to remove Condition 3.

Following which, the application was proposed and seconded for approval in line with officer recommendation, with the removal of Condition 3.

Vote: 9 in favour 0 against 2 abstentions

RESOLVED:

That full planning permission be approved, subject to the following conditions:

N.B. Councillor Sid Dennis returned to the Meeting at 11:28am.

34. S/153/01123/23:

Application Type: Full Planning Permission

Proposal: Planning Permission - Change of use, conversion of and alterations to the existing retail premises to provide a mixed use comprising a café (Class E), hot food takeaway (sui generis) and a shisha bar (sui-generis) including associated external seating area and installation of an extraction system and flue.

Location: 112 LUMLEY ROAD, SKEGNESS, PE25 3NA

Applicant: Mr. G. Dastgeer

Members received an application for full Planning Permission - Change of use, conversion of and alterations to the existing retail premises to provide a mixed use comprising a café (Class E), hot food takeaway (sui generis) and a shisha bar (sui-generis) including associated external seating area and installation of an extraction system and flue at 112 Lumley Road, Skegness, PE25 3NA.

The application was presented for determination by the Planning Committee as the proposal would constitute a departure from the Skegness Neighbourhood Development Plan (a part of the development plan for the district) and the recommendation was for conditional approval.

The main planning issues were considered to be:

- Principle of the development
- Impact on amenity

- Impact on character of the area
- Highway impacts
- Flood risk

Ms Michelle Walker, Deputy Development Manager, detailed site and surroundings information to Members at Paragraph 2, together with the description of the proposal at Paragraph 3, pages 27 to 28 of the report refer.

There were no speakers on the application.

Following which, the application was opened for debate.

- A Member raised a concern with regards to the shisha smoking bar area and queried whether the Committee would be able to approve permission for the café, without the smoking area.

The Deputy Development Manager explained that the application to be considered was for all elements of the proposal, not just the café, however there was an option to defer the application in order to negotiate with the applicant.

Following which, the application was proposed for approval.

- A Member provided clarity on shisha and pointed out that it was not the same as tobacco smoking.
- A Member commented that there was a social club next door where people would be stood outside smoking and did not consider this would be any different to the shisha area proposed.
- A Member raised a concern with regards to public health and considered that marketing a tobacco product to the general public was a wider concern.

Following which, the application was proposed and seconded for a deferral, for further negotiation to take place.

A Member requested some clarity with regards to the Environmental Health Manager's comments, following which the Deputy Development Manager confirmed that shisha smoking must remain outside.

Following which, the application was seconded for approval.

At this point in the Meeting, the Legal Advisor advised Members that they would need to provide a valid reason if they wanted to defer the application.

- A Member highlighted that it was an individual's decision on whether they wished to smoke.

- Several concerns were raised relating to the impact on the local area, the effect on family areas and of promoting smoking on the street.

Upon being put to the vote, the proposal for approval in line with officer recommendation, Members voted as follows:

Vote: 4 in favour 6 against 2 abstentions

Upon being put to the vote, the proposal for deferral on the grounds of the impacts on street scene and the proximity to the ice cream parlour next door to the proposed site, Members voted as follows:

Vote: 6 in favour 3 against 3 abstentions

RESOLVED:

That the application be deferred.

35. S/035/00909/23:

Application Type: Full Planning Permission

Proposal: Planning Permission - Erection of a dwelling which incorporates the existing agricultural barn.

Location: PROCTORS FARM, SANDY BANK, CONINGSBY MOORSIDE

Applicant: Mr. J. Parker

Members received an application for full Planning Permission – Erection of a dwelling which incorporates the existing agricultural barn at Proctors Farm, Sandy Bank, Coningsby Moorside.

The application was subject to a call-in request by Councillor Martin Foster given local interest, the site's planning history and its conflict with planning policy.

The main planning issues in this case were considered to be:

- The principle of residential development in this location
- Design
- Impact on residential amenity
- Ecology and biodiversity
- Contamination
- Highway Safety

Members were referred to the additional information contained in the supplementary agenda, pages 2 to 5 refer. The Development Management

Lead Officer explained that the recent information received had resulted in the reversal of officer recommendation from refuse to approve. The application was now being considered as a replacement dwelling on the site.

Andrew Booth, Development Management Lead Officer, detailed site and surroundings information to Members at Paragraph 2, together with the description of the proposal at Paragraph 3, page 39 of the report refers.

N.B. Councillor Cunnington left the Meeting at 12:05pm

Mr Andrew Clover spoke in support of the application.

Councillor Martin Foster spoke as Ward Member.

Members were invited to put their questions to the speakers. None were received.

Following which, the application was opened for debate.

No comments or questions were received.

N.B. Councillor Cunnington returned to the Meeting at 12:10pm

Following which, the application was proposed and seconded for approval.

Upon being put to the vote, the proposal for approval in line with the officer recommendation, subject to conditions, was carried.

Vote: 11 in favour 0 against 0 abstentions

RESOLVED:

That full planning permission be approved, subject to the following conditions:

36. APPEALS DECIDED:

The Appeals Decided were noted.

37. DELEGATED DECISIONS:

The Delegated Decisions were noted.

38. DATE OF NEXT MEETING:

The date of the next meeting was noted as Thursday 2 November 2023.

The Meeting closed at 12.12 pm.