

Minutes of a Meeting of the Planning Committee held in the the Hub, Mareham Road, Horncastle, Lincolnshire LN9 6PH on Thursday, 2nd November, 2023 at 10.30 am.

PRESENT

Councillor Stephen Eyre (Chairman)
Councillor Alex Hall (Vice-Chairman)

Councillors Richard Cunnington, Sid Dennis, Dick Edginton, David Hall, Neil Jones, Sam Kemp, Daniel McNally, Ruchira Yarsley and Terry Aldridge.

OFFICERS IN ATTENDANCE:

Andrew Booth	- Development Management Lead Officer
Michelle Walker	- Deputy Development Manager
Lindsey Stuart	- Senior Planning Officer
Megan Larder	- Planning Officer
Angela Simmonds	- Legal Advisor
Elaine Speed	- Senior Democratic Services Officer and Civic Officer
Laura Allen	- Democratic Services Officer

39. APOLOGIES FOR ABSENCE:

Apologies for absence were received from Councillors Terry Knowles and Kate Marnoch.

It was noted that, in accordance with Regulation 13 of the Local Government (Committees and Political Groups) Regulations 1990, notice had been given that Councillor Terry Aldridge had been appointed to the Committee in place of Councillor Steve McMillan for this Meeting only.

40. DISCLOSURE OF INTERESTS (IF ANY):

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

- Councillors Daniel McNally, Terry Aldridge, Sid Dennis, Dick Edginton and Stephen Eyre asked it be noted that they were Members of the Lindsey Marsh Drainage Board.
- Councillor Sid Dennis asked it be noted that his company may undertake business with the applicant or neighbouring property, however he remained of an open mind and this would not affect his decision making, Minute No. 17 refers.

41. MINUTES:

The Minutes of the Meeting held on 5 October 2023 were confirmed and signed as a correct record.

42. UPDATE FROM PLANNING POLICY COMMITTEE

Councillor Terry Aldridge, Vice-Chairman of Planning Policy Committee advised Members that at the previous Meeting held on 14 September 2023, a very useful debate had been held on settlement patterns, following which it was agreed that a further consultation would be had with town and parish councils and Ward Members to look at the scoring system, including facilities in towns and villages to ensure points were fully accurate, Minute No. 17 refers.

Members were advised that the next Meeting of the Planning Policy Committee would be held on Thursday 9 November 2023, commencing at 6.00pm.

43. N/105/00925/22:

Application Type: Outline Planning Permission

Proposal: Outline erection of 14no. dwellings (with means of access, layout, scale and appearance to be considered).

Location: 83 UPGATE, LOUTH, LN11 9HF

Applicant: J. Geddis Holdings Limited

Members received an application for outline Planning Permission – outline erection of 14no. dwellings (with means of access, layout, scale and appearance to be considered) at 83 Upgate, Louth, LN11 9HF.

The application was referred to Committee following request by Councillor Makinson-Sanders on the grounds of highway safety and capacity concerns and existing parking problems in the vicinity of the site.

The main planning issues were considered to be:

- Principle of the development in terms of sustainability.
- Impact of the development on the character of the area including the setting of the conservation area.
- Impact of the development on the amenity of the neighbours.
- Other Issues

Members were referred to the additional information contained on page 1 of the Supplementary Agenda.

Lindsey Stuart, Senior Planning Officer, detailed site and surroundings information to Members at Paragraph 2, together with the description of the proposal at Paragraph 3, page 13 of the report refers.

Councillor Jill Makinson-Sanders spoke as Ward Member.

Members were invited to put their questions to the speaker.

- A Member noted that Councillor Makinson-Sanders was not happy with the number of dwellings proposed for development on the site and queried what number she considered would be acceptable. Councillor Makinson-Sanders responded that she considered the access to the new houses to be a greater problem and highlighted that access via Bowling Green Lane off Newmarket would have been more acceptable and would have been happier with the proposed number of houses if the access had been there. Councillor Makinson-Sanders stressed that road safety was a key concern and considered that the proposed development would further compound this.
- A Member commented that the proposed site was currently a mess and he was keen to see an improvement on the site. He did not consider that a small amount of increased traffic from the development of the site would make a difference and highlighted that coming from the direction of the site, currently if someone headed into the town they would have to cross a carriageway close to a busy junction. Councillor Makinson-Sanders strongly disagreed with this and considered it would create more problems.
- Further to a Member's query regarding comments from Louth Civic Trust and limiting the development to two storeys, the Senior Planning Officer confirmed that the proposed design for the houses were two storeys.
- A Member queried the number of accidents highlighted by Councillor Makinson-Sanders, further to the comments provided by LCC Highways Authority. Councillor Makinson-Sanders responded that she was surprised by the response from the Highways Authority and added that there would be an increased risk during the development from construction traffic with heavy plant and materials being delivered on to the site. The Lead Development Management Officer advised Members that the Highways Authority looked at every site it was consulted on.

Following which, the application was opened for debate.

- A Member queried whether anything had been highlighted relating to contaminated land and referred to Primrose Hollow further up from the proposed development. The Senior Planning Officer informed Members that there were conditions should the permission be granted that related to dealing with contamination, however did not anticipate that there would be due to the former use of the site.
- A Member queried the total number of parking spaces that would be created on the development. The Senior Planning Officer confirmed that the spaces for the units was 18, with an additional 3, so 21 in total and referred Members to the site plan.

- A Member referred to the comments made by ELDC Waste Services in relation to how waste bins would have to be presented on Ugate if the road was unadopted. The Senior Planning Officer referred Members to the blue highlighted area on the site map that related to this and confirmed this was secured by condition, Condition No. 16, page 28 of the Agenda refers.
- A Member highlighted that other land on the proposed site (phase 1) had had development approved by officers previously and queried why this had not come to Committee for consideration. The Senior Planning Officer advised Members that phase 1 was refused by officer's under delegated authority and was approved following an appeal.
- A Member considered that the comments on flood risk was unacceptable and queried whether any further assessments would be undertaken. The Senior Planning Officer confirmed that this was secured by condition, Condition No. 12, pages 26 to 27 of the Agenda refer.
- A Member raised a query in relation to the access to the site during construction and how this would be mitigated. The Senior Planning Officer confirmed that this would be secured by a Construction Management Plan and Method Statement, Condition No. 26, page 26 of the Agenda refers.

The application was proposed and seconded for approval in line with officer recommendation.

Following which, further to discussion in relation to highways and reference to previous applications having been refused, the application was proposed and seconded refusal.

The Legal Advisor stated that Members must put forward valid reasons for refusal and stated that she did not consider siting a refusal based on Highways comments from previous refusals as such. If, for example this application was to be refused on this basis and went to appeal, the Inspector would make his decision based on the Highway's Authority report and to refuse this would need evidence to support a refusal, and in this instance would not stand.

- Further to a query on the outline permission, the Lead Development Management Officer confirmed that there were a number of reserved matters that were still being considered, including landscaping.
- Further to a previous comment regarding the current poor state of the site, a Member queried why enforcement had not been involved and stated that he would not support the development due to over-development and intensity.

Ahead of the vote for refusal, the Legal Advisor asked Members to provide grounds for this. A Member highlighted that traffic mitigation and regulations were not sufficient for the site. A further Member stated that the development of the site would increase parking issues.

Upon being put to the vote for refusal, contrary to officer recommendation the vote was lost.

Vote: In favour 3 Against 6 Abstention 1

Upon being put to the vote for approval, the vote was carried.

Vote: In favour 6 Against 3 Abstention 1

RESOLVED:

That Outline Planning Permission be approved with the following conditions:

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N.B. The Meeting adjourned for a comfort break at 11.05am and reconvened at 11.10am.

44. 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) and hot food takeaway (sui generis), 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) and hot food takeaway (sui generis), and installation of an extraction system and flue at 112 Lumley Road, Skegness, PE25 3NA.

This application was considered by Members at their Planning Committee meeting held on 5 October 2023 when it was deferred for negotiations to remove the shisha bar from the application. The applicant agreed to make this change and the application has been amended accordingly. The original officer report to committee was amended to take account of this change.

The application was originally presented to 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 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

Michelle Walker, Deputy Development Manager detailed the site and surroundings information to Members at Paragraph 2, together with the description of the proposal at Paragraph 3, page 31 of the report refers.

There were no speakers on this application.

Following which, the application was opened for debate and Members were invited to put their comments and questions forward. None were received.

The application was proposed and seconded for approval.

N.B. At this point in the Meeting, Councillor Sid Dennis asked it be noted that his company may undertake business with the applicant or neighbouring property as a company skip was visible on the site photos, however he remained of an open mind and this would not affect his decision making.

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

Vote: 10 In Favour 0 Against 1 Abstention

RESOLVED:

That Full Planning Permission be granted, with the following conditions:

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45. DELEGATED DECISIONS:

The Delegated Decisions were noted.

46. DATE OF NEXT MEETING:

The date of the next meeting was noted as Thursday 7 December 2023.

The Meeting closed at 11.15 am.