

Minutes of a Meeting of the Planning Committee held in the Hub, Mareham Road, Horncastle, Lincolnshire LN9 6PH on Thursday, 7th November, 2024 at 10.30am.

PRESENT

Councillor Stephen Eyre (Chairman)

Councillors Richard Cunnington, Dick Edginton, David Hall, Terry Knowles, Steve McMillan, Daniel McNally, Kate Marnoch, Terry Taylor and Ruchira Yarsley.

Councillor Terry Aldridge attended the Meeting as an Observer.

OFFICERS IN ATTENDANCE:

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| Phil Norman | - Assistant Director – Planning and Strategic Infrastructure |
| Andrew Booth | - Development Management Lead Officer |
| James Felton | - Legal Representative |
| Stuart Andrews | - Legal Representative |
| Michelle Walker | - Deputy Development Manager |
| Jane Baker | - Senior Planning Officer |
| Sam Dewar | - Senior Planning Officer |
| Lynda Eastwood | - Democratic Services Officer |
| Laura Allen | - Democratic Services Officer |

54. APOLOGIES FOR ABSENCE:

Apologies for absence were received from Councillor Alex Hall.

55. 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 Stephen Eyre asked it be noted that in relation to Item 6 he was Ward Member and would be speaking on that item, following which he would leave the room.
- Councillor David Hall asked it to be noted that in relation to Item 5 he was Ward Member but remained of an open mind.
- Councillors Dick Edginton, Stephen Eyre and Daniel McNally asked it be noted that they were Members of the Lindsey Marsh Drainage Board.

56. MINUTES:

The Minutes of the Meeting held on 3 October 2024 were confirmed and signed as a correct record.

57. UPDATE FROM PLANNING POLICY COMMITTEE

Councillor Terry Aldridge, Vice-Chairman of Planning Policy Committee, advised Members that at the previous Meeting held on 17 October 2024 Members received a presentation from the Environment Agency on the state of the coastal defences.

58. N/105/01181/23:

Application Type: Full Planning Permission

Proposal: Planning Permission - Hybrid application for the outline erection of 2no. warehouse/industrial buildings and full planning permission for the erection of a retail food store and retail warehouse unit, drive-thru restaurant, commercial units, warehouse and industrial development with associated infrastructure, access and servicing, car parking and landscaping.

Location: LAND AT NORTHFIELDS, GRIMSBY ROAD,
LOUTH

Applicant: BHD Louth Ltd

Members received an application for Full Planning Permission – Hybrid application for the outline erection of 2no. warehouse/industrial buildings and full planning permission for the erection of a retail food store and retail warehouse unit, drive-thru restaurant, commercial units, warehouse and industrial development with associated infrastructure, access and servicing, car parking and landscaping at land at Northfields, Grimsby Road, Louth.

The proposal was a major application for a range of commercial development in Louth which would provide a significant level of investment to the town but which also required careful consideration of potential impacts and had attracted a significant level of interest.

It was therefore considered appropriate for the application to be Presented to the Planning Committee for determination.

The main planning issues were considered to be:

- Principle of Development and Retail Impact
- Socio-economic Benefits
- Design and Heritage
- Residential Amenity and Noise
- Highways
- Ecology and landscape
- Flood Risk and Drainage

- Other matters including Contamination/Air Quality/Lighting

Members were referred to the additional information contained on pages 1 to 2 of the Supplementary Agenda.

Sam Dewar, Senior Planning Officer, detailed site and surroundings information to Members at Paragraph 2, together with the description of the proposal at Paragraph 3, pages 15 to 19 of the report refer.

Mr Marcus Allington of Boudica Developments and Ms Lucy Turner of Montagu Evans (Agent) spoke in support of the application.

Ms Hannah Walker of Stantec, representing the Co-operative Group, spoke in objection to the application.

Councillor James Drake, Louth Town Council, spoke in objection to the application.

Members were invited to put their questions to the speakers.

- A Member queried whether there had been any consideration given to protecting the heritage asset that Louth Town Council had referred to. Ms Turner advised Members that it had been looked at, but no objections were raised. It was further highlighted that there was a condition on the application for further investigation to be carried out prior to the commencement of the work.
- Following a query with regards to whether the car park would have a time limit imposed, Members were advised that the limit would be in excess of one hour. However, Members were of the opinion that three hours would be more beneficial as the site developed.
- When asked how policy SP14 would be mitigated to protect the high street, Ms Turner explained that an impact assessment had been undertaken of Louth town centre and that there were various services, including a library, pubs, restaurants and leisure services which would not be provided at the new development.
- A Member queried whether there was a prospect of having a slip road in to the development and also whether there was free access on to the road. Mr Allington responded that the developers had worked with traffic consultants and LCC Highways and the capacity and design was sufficient enough without providing a slip road. He further confirmed that the development had a right of way over the access to allow easier access into the scheme.
- A Member queried what uses the other units on the development may have. Mr Allington informed Members that there would be a mix of uses including manufacturers and warehousing, and all would be non-retail.

- When queried why the Co-operative Group had not objected to the development plans for the Morrisons store in Louth town centre, Ms Turner explained that the Tesco's application was a concern for them because it was an out-of-town development and was contrary to policy.

Following which, the application was opened for debate.

- Concerns were raised over the S106 Agreement and a discussion ensued whereby a Member requested for the S106 Agreement to be removed, or to defer the application until more information had been received. However, the Legal Representatives urged Members not to exclude the S106 Agreement and reminded them that the request had come from Lincolnshire County Council. Members were further advised that it was common practice and the bus service referred was necessary to make the scheme acceptable in planning terms .
- Following a further concern relating to the negative impact of the lighting scheme, the Senior Planning Officer referred Members to Condition 24, page 53 to 54 of the agenda refers. Following which, a Member requested that the condition be amended to ensure the streetlights and car park lighting were kept at a low level.
- Members had various concerns regarding the Nipper shuttle bus service including the delivery cost of £145k. A query was raised on the number of buses that were going to operate and what would happen to the service when the funding depleted.

The Senior Planning Officer explained that there was an existing Nipper bus service which had been successful, and the new service would be bolted on to it and were advised that there would be a different bus and route. Information regarding how far the money would go had not been provided.

- Members were advised that there was a lighting plan submitted with the application, however it was considered that conditions needed including on the application. This was to be discussed with the Environmental Health team.

Following which, the application was proposed for approval with a condition of the lighting being no more than 1.2m high and the removal of the S106 Agreement.

The Development Management Lead Officer advised Members that the lighting condition related to the Area of Outstanding Natural Beauty (AONB) and ecology issues, however did not consider that there was justification for the extra condition.

- A Member commented that it was important for the S106 Agreement to be in place in order that the town centre was

connected to the proposed application site in an area outside of the town.

- A Member further queried whether the development application would not have proceeded if the sequential test result had not been met, or whether it would have just related to that location.

The Senior Planning Officer advised Members that Nexus had discussed the sequential test at length, pages 23 to 24 of the report refer, and they were happy with the final response.

- Following a further query regarding the sequential test, the Senior Planning Officer confirmed that the testing had been carried out for the whole site.
- A Member raised a concern regarding the increase of traffic at the roundabout, and hoped that this had been addressed by LCC Highways.

Following which, the application was proposed for approval in line with officer recommendation.

- Following a query regarding the viability impact assessment, the Senior Planning Officer advised Members that the impact on the town centre as a whole had been considered.
- A Member raised a concern regarding the retail impact on the town centre and queried whether there could be a condition put in place stating that the remaining units in the development would not be used for retail.

The Senior Planning Officer referred Members to page 15 of the report outlining the description of the proposal.

The Development Management Lead Officer explained that there was no requirement to condition the remaining units as they were proposed for warehouse/industrial uses.

Following which, the application was seconded for approval in line with officer recommendation.

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

Vote: 7 In favour 1 Against 2 Abstention

RESOLVED:

That the application be approved subject to the following conditions:

59. N/134/02323/23:

N.B. The Committee broke for a comfort break at 11:43am and reconvened at 11:51am.

In the absence of Councillor Stephen Eyre who had declared an interest on this item and the absence of Councillor Alex Hall, it was proposed and seconded that Councillor Daniel McNally be nominated as Chairman for the remainder of the Meeting.

COUNCILLOR DANIEL MCNALLY, CHAIRMAN IN THE CHAIR

Application Type: Full Planning Permission

Proposal: Planning Permission - Change of use of 2 no. buildings containing 20 no. training flats into 20 no. holiday flats. Change of use, alterations to existing social block to provide 4 no. holiday flats, change of use, extension and alterations to existing education block into an amenities building and provision of a playground.

Location: ORBY HOUSE, GUNBY ROAD, ORBY, PE23 5SW

Applicant: Boulevard Care Ltd

Members received an application for Full Planning Permission – Change of use of 2 no. buildings containing 20 no. training flats into 20 no. holiday flats. Change of use, alterations to existing social block to provide 4 no. holiday flats, change of use, extension and alterations to existing education block into an amenities building and provision of a playground at Orby House, Gunby Road, Orby, PE23 5SW.

The application was referred to Planning Committee due to the level of local objection. The proposal had also received an objection from Lincolnshire County Council as Lead Local Highway Authority.

The main planning issues were considered to be:

- Principle of development in that location
- Impact on neighbour amenity
- Impact on visual amenity
- Highway and pedestrian safety
- Other matters

Members were referred to the additional information contained on page 2 of the Supplementary Agenda.

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 57 to 58 of the report refer.

Councillor Stephen Eyre spoke as Ward Member.

Members were invited to put their questions to the speaker.

- A Member asked the Ward Member if in his opinion it would encourage drink driving if holiday makers were advised not to walk on the road in order to visit the pub in the village. Councillor Eyre responded that he hoped people would be sensible and not resort to that.

N.B. Councillor Stephen Eyre left the Meeting at 12.05pm.

Following which, the application was opened for debate.

- Following a query as to whether the accommodation was seasonal or all year round, the Senior Planning Officer confirmed that it would be all year round for holiday use.
- A Member further queried why there were 3 retail units included on the application. The Senior Planning Officer responded that the applicant may want to have a range of uses on the site.
- A Member commented on the negative impact of the application, including no benefit from council tax, unsuitable roads and an increase in traffic in the area. It was further highlighted that as the application was for an all year round holiday use, lighting would be an issue during the winter months as currently there was no street lighting. It was further highlighted that the consultation would not be completed until mid-November and some serious objections could be received during this process.

The Senior Planning Officer advised Members that the consultation was still ongoing as additional information relating to traffic movement had been received. As it had not been picked up that the proposed development was a major application, it had to be advertised in the local press and additional consultees had also had to be contacted for their comments.

- A Member queried the speed limit on the road to where the entrance was to the proposed development. The Senior Planning Officer confirmed that it was within the 30mph speed limit zone.
- A Member considered there would not be a problem granting approval if the accommodation was seasonal and not all year round, and highlighted the dangers during the winter months for pedestrians and cyclists.
- Several Members added their concerns with regards to the danger to pedestrians due to the lack of footpaths.

- A Member queried whether there was any information available in relation to any difference in traffic movement. Members were referred to Paragraph 7.19 onwards, pages 66 to 68 of the report refer.
- Following a query with regards to in the provision of a new footpath for pedestrians, the Senior Planning Officer informed Members that there was insufficient verge for a footpath.

Following which, the application was proposed for refusal, contrary to officer recommendation.

- A Member raised a concern that the site would become derelict if the application was refused.

Following which, the application was proposed for approval in line with officer recommendation.

The application was then seconded for refusal contrary to officer recommendation.

Following which, the application was seconded for approval in line with officer recommendation.

Further discussion ensued with the following points raised.

- A Member commented that the proposed 7pm closing time on the children's playground on the site was too early.
- A discussion ensued relating to the distance between the site and the village pub. Concerns were raised that holiday makers would be walking along a dangerous road to visit the village pub, and further discussion was held whether the facilities on site could encourage holiday makers to utilise the site restaurant.
- A Member outlined reasons for refusal including Policy SP10, the open countryside and the Highways Agency's concern relating to there being no footpath.

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

Vote: 4 In favour 4 Against 0 Abstention

The Chairman was required to use his casting vote. After due consideration, the Chairman voted to refuse the application contrary to officer recommendation on the basis of the highways issue.

RESOLVED:

That the application be refused.

60. APPEALS DECIDED:

The Appeals Decided were noted.

61. DELEGATED DECISIONS:

The Delegated Decisions were noted.

62. DATE OF NEXT MEETING:

The date of the next meeting was noted as Thursday 5 December 2024.

The Meeting closed at 12.37pm.

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