

# Gainsborough Town Council

Richmond House, Richmond Park, Morton Terrace

Gainsborough, Lincolnshire, DN21 2RJ

Telephone: 01427 811573

Website: [gainsborough-tc.gov.uk](http://gainsborough-tc.gov.uk)



Dear Councillor,

Friday, 16 December 2022

You are hereby summoned to attend a meeting of the **Planning Committee** which will be held on **Wednesday 21 December 2022** commencing at **7.00pm** in the meeting room, **Richmond House, Richmond Park, Morton Terrace, Gainsborough.**

The business of the meeting is set out in the agenda below.

Pp

A handwritten signature in blue ink, appearing to be 'Belina Boyer'.

On behalf of Gainsborough Town Clerk

**Belina Boyer**  
Town Clerk

**Committee members: Cllr M Boles - ex officio, Cllr R Craig (VC), Cllr D Dobbie, Cllr C Lambie, Cllr Muggridge, Cllr P O'Connor - ex officio, Cllr K Panter, Cllr J Plastow (C), Cllr A Taylor**

Agenda no	Agenda item title	Power/Regulation
PL23/162	<b>Apologies for absence</b> To note apologies for absence.	<i>Local Government Act 1972, s85 (1) &amp; Sch 12, p40.</i>
PL23/163	<b>Declarations of interest</b> To receive any declarations of interest in accordance with the requirements of the Localism Act 2011.	<i>Localism Act 2011, s31.</i>
PL23/164	<b>Dispensation requests</b> To consider any dispensation requests received by the Clerk in relation to personal and/or disclosable pecuniary interests, not previously recorded.	<i>Localism Act 2011, s33.</i>

Agenda no	Agenda item title	Power/Regulation
PL23/165	<p><b>Minutes of the previous meeting(s)</b> To receive the minutes of the previous Planning Committee meeting(s) and resolve to sign these as a true record of the meeting(s).</p> <p><b>Paper A – Planning Committee 22 November 2022</b></p>	Local Government Act 1972, Sch 12, p41 (1).
<b>Planning Applications</b>		
PL23/166	<p>To consider planning application received. <a href="#"><u>Application Ref No: 145850 (18/11/22, 28 days)</u></a> <a href="#"><u>Proposal: Planning application for two storey and single storey rear extensions.</u></a> <a href="#"><u>Location: 23 Highfield Close, Gainsborough</u></a></p>	Article 13 of the Town & Country Planning (General Development Procedure) Order 2015 Schedule 1, paragraph 8 to the Town & Country Planning Act 1990 as amended
PL23/167	<p>To consider planning application received. <a href="#"><u>Application Ref No: 145787 (17/11/22, 28 days)</u></a> <a href="#"><u>Proposal: Planning application to erect 1no. dwelling with attached garage</u></a> <a href="#"><u>Location: Land at Foxby Lane, Gainsborough</u></a></p>	
PL23/168	<p>To consider planning application received. <a href="#"><u>Application Ref No: 145817 (17/11/22, 28 days)</u></a> <a href="#"><u>Proposal: Planning application to provide 1no. additional apartment and change the use of 1no. apartment on the ground floor to an office.</u></a> <a href="#"><u>Location: 29 Lord Street, Gainsborough</u></a></p>	
PL23/169	<p>To consider planning application received. <a href="#"><u>Application Ref No: 145890 (22/11/22, 28 days)</u></a> <a href="#"><u>Proposal: Advertisement consent to display 2no. monolith signs</u></a> <a href="#"><u>Location: Gainsborough Town Centre, Gainsborough</u></a></p>	
PL23/170	<p>To consider planning application received. <a href="#"><u>Application Ref No: 145861 (22/11/22, 28 days)</u></a> <a href="#"><u>Proposal: Planning application to erect 3no. dwellings</u></a></p>	

Agenda no	Agenda item title	Power/Regulation
	<a href="#">Location: Land adjacent to Gainsborough College, Acland Street, Gainsborough</a>	
PL23/171	<p>To consider planning application received.  <a href="#">Application Ref No: 145852 (24/11/22, 28 days)</a>  <a href="#">Proposal: Listed building consent for the removal of 3no. en-suite bathrooms/shower cubicles.</a>  <a href="#">Location: Bridge House 2 Lea Road, Gainsborough</a></p>	
PL23/172	<p>To consider planning application received.  <a href="#">Application Ref No: 145889 (30/11/22, 28 days)</a>  <a href="#">Proposal: Listed building consent for internal alterations to install staircase.</a>  <a href="#">Location: Marshalls Yard, Unit 22 Beaumont Street, Gainsborough</a></p>	
PL23/173	<p>To consider planning application received.  <a href="#">Application Ref No: LCC REFERENCE: PL/0122/22 (08/12/22, 23 days)</a>  <a href="#">Proposal: For a small methane stripping plant and a 40ft storage and workshop container</a>  <a href="#">Location: Gainsborough Landfill Site, Lea Road, Gainsborough</a></p>	
PL23/174	<p>To consider planning application received.  <a href="#">Application Ref No: 145968 (14/12/22, 28 days)</a>  <a href="#">Proposal: Listed building consent to demolish an existing timber framed conservatory structure, provide a new external door and screen, external terrace with external steps, repairs to brickwork, replacement of external doors to the Mess Room, Tool Store, WC and demolition of an existing Aviary structure.</a>  <a href="#">Location: Richmond House, Morton Terrace, Gainsborough</a></p>	
PL23/175	<p>To consider planning application received.  <a href="#">Application Ref No: 145967 (14/12/22, 28 days)</a>  <a href="#">Proposal: Planning application to demolish an existing timber framed conservatory structure, provide a new external door and screen, external terrace with external steps, repairs to brickwork, replacement of external doors to the Mess Room, Tool Store, WC and demolition of an existing Aviary structure.</a>  <a href="#">Location: Richmond House, Morton Terrace, Gainsborough</a></p>	
<b>Decision Notices</b>		
PL23/176	<p>To note decision notice received.  <b>Application Ref No: 145565 GRANTED</b> (delegated)</p>	

Agenda no	Agenda item title	Power/Regulation
	<p>Proposal: Planning application to replace first and second floor windows with same style upvc windows.  Location: 3-5 Market Street Gainsborough  <b>Paper B</b></p>	
PL23/177	<p>To note decision notice received.  <b>Application Ref No: 145466 GRANTED</b> (delegated)  Proposal: Planning application to erect 2no. apartments and 3no. dwellings.  Location: Land North of Acland Street, Gainsborough  <b>Paper C</b></p>	
PL23/178	<p>To note decision notice received.  <b>Application Ref No: 144616 GRANTED</b> (delegated)  Proposal: Advertisement consent for 2no. replacement fascia signs  Location: Unit 5 And 6, Marshalls Yard, Beaumont Street, Gainsborough  <b>Paper D</b></p>	
PL23/179	<p>To note decision notice received.  <b>Application Ref No: 145723 GRANTED</b> (committee)  Proposal: Listed building consent for installation of 2no. replacement fascia signs on front elevation.  Location: Unit 5 and 6 Marshalls Yard, Beaumont Street, Gainsborough  <b>Paper E</b></p>	
PL23/180	<p>To note decision notice received.  <b>Application Ref No: 145568 GRANTED</b> (delegated)  Proposal: Listed building consent to rebuild section of boundary wall.  Location: Trinity Arts Centre Trinity Street Gainsborough  <b>Paper F</b></p>	
PL23/181	<p>To note decision notice received.  <b>Application Ref No: 145640 GRANTED</b> (delegated)  Proposal: Planning application to rebuild section of boundary wall.  Location: Trinity Arts Centre Trinity Street Gainsborough  <b>Paper G</b></p>	
PL23/182	<p>To note decision notice received.  <b>Application Ref No: 145678 GRANTED</b> (delegated)  Proposal: Planning application for proposed rear extension to replace conservatory.</p>	

Agenda no	Agenda item title	Power/Regulation
	Location: 2 Rothwell Close, Gainsborough <b>Paper H</b>	
PL23/183	To note decision notice received. <b>Application Ref No: 145756 GRANTED</b> (delegated) Proposal: Listed building consent for proposed internal shop-fit refurbishment. Location: Unit 18, Marshalls Yard, Beaumont Street, Gainsborough <b>Paper I</b>	
PL23/184	<b>Street naming requests</b> To consider street naming requests received (if there are any).	
PL23/185	<b>Tree preservation orders</b> To consider tree preservation orders received (if there are any).	
PL23/186	<b>Assets of community value</b> To note Asset of Community Value submission responses for the Library, Land off Corringham Road (The Gap), Mercer Wood. <b>Paper J</b>	
PL23/187	<b>Land off Corringham Road (The Gap)</b> To consider approaching WLDC to make the area a designated Dog Walk.	
PL23/188	<b>LCC (Prohibition of waiting) Amendment Order 2022</b> To note the Public Notice received for Church Street, New Street & Acland Street <b>Paper K</b>	
PL23/189	<b>5G Upgrade – Marshall Way, Site situated on Public Footpath Adjacent to Magnetec Universal Marshall Way, Gainsborough,</b> To note pre-consultation letter, associated drawings and 5G Explanatory Note <b>Paper L</b>	
PL23/190	<b>Items for notification</b> To receive any items for notification to be included on a future agenda – for information only <i>Response regarding Willow tree on Bridge Street</i>	N/A
PL23/191	<b>Time and date of next meeting</b> To note the date and time of the next Planning committee is scheduled for 24 January 2023 at 7.00pm.	<i>Local Government Act 1972, Sch 12, p10 (2)(a)</i>

# PAPER A

# DRAFT Minutes of the Planning Committee meeting

## 22 November 2022

held in the Reading Room, Richmond House. Richmond Park, Morton Terrace, Gainsborough

### Councillors Present

		James Plastow (Chairman)
David Dobbie		Aaron Taylor

### Councillors Absent

Matt Boles	Chris Lambie	Pat O'Connor
Richard Craig	Keith Panter	

### In attendance:

	Rachel Allbones (Deputy Clerk & RFO)	
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Agenda no	Agenda item title	Resolution	Action	Power
PL23/143	To <b>note</b> apologies for absence.	The committee received apologies from Cllrs Boles, Lambie and O'Connor.	N/A	<i>Local Government Act 1972, s85 (1) &amp; Sch 12, p40.</i>
PL23/144	To <b>receive</b> any declarations of interest in accordance with the requirements of the Localism Act 2011.	There were none.	N/A	<i>Localism Act 2011, s31.</i>
PL23/145	To <b>consider</b> any dispensation requests received by the Clerk in relation to personal and/or	There were none.	N/A	<i>Localism Act 2011, s33.</i>

Agenda no	Agenda item title	Resolution	Action	Power
	disclosable pecuniary interests, not previously recorded.			
PL23/146	To receive the minutes of the previous Gainsborough Town Council meeting(s) and resolve to sign these as a true record of the meeting(s). <b>Paper A – Planning Committee 25 October 2022</b>	The committee received the minutes of the meeting 25 October 2022 and <b>resolve</b> to sign these as a true record of the meeting.  Cllr Taylor abstained from voting.	<b>ASO</b> to publish.	<i>Local Government Act 1972, Sch 12, p41 (1).</i>
<b>Planning Applications</b>				
PL23/147	To consider planning application received. <a href="#">Application Ref No: 145756 (1/11/22, 28 days)</a> <a href="#">Proposal: Listed building consent for proposed internal shop-fit refurbishment.</a> <a href="#">Location: Unit 18, Marshalls Yard, Beaumont Street, Gainsborough</a>	The committee <b>resolved</b> to support the application.	<b>DC</b> to send response to WLDC.	<i>Article 13 of the Town &amp; Country Planning (General Development Procedure) Order 2015 Schedule 1, paragraph 8 to the Town &amp; Country Planning Act 1990 as amended</i>
PL23/148	To consider planning application received. <a href="#">Application Ref No: 145765 (2/11/22, 28 days)</a> <a href="#">Proposal: Planning application for single storey extension to rear to replace conservatory</a> <a href="#">Location: 27 Glenthams Road, Gainsborough</a>	The committee <b>resolved</b> to support the application.	<b>DC</b> to send response to WLDC.	



Agenda no	Agenda item title	Resolution	Action	Power
PL23/149	<p>To consider planning application received.</p> <p><b><u>Application Ref No: 145770</u></b>  <b><u>(2/11/22, 28 days)</u></b></p> <p><u>Proposal: Listed building consent for alterations and refurbishment of an existing internal door.</u></p> <p><u>Location: Trinity Arts Centre, Trinity Street, Gainsborough</u></p>	The committee <b>resolved</b> to support the application.	<b>DC</b> to send response to WLDC.	
PL23/150	<p>To consider planning application received.</p> <p><b><u>Application Ref No: 145804</u></b>  <b><u>(10/11/22, 28 days)</u></b></p> <p><u>Proposal: Advertisement consent for the removal of the existing signage and installation of 1no. internally illuminated fascia sign, 1no. non- illuminated fascia sign and 1no. projecting internally illuminated hanging sign on the shopfront.</u></p> <p><u>Location: Teddys Arcade 17-19 Silver Street, Gainsborough</u></p>	The Committee <b>resolved</b> they have no objections to the application.	<b>DC</b> to send response to WLDC.	
<b>Decision notices</b>				
PL23/151	<p>To note decision notice received.</p> <p><b>Application Ref No: 145405</b></p> <p><b>GRANTED</b> (delegated)</p> <p>Proposal: Planning application to remove garage and erect 1no. detached dwelling</p>	The Committee <b>noted</b> the decision.	N/A	

Agenda no	Agenda item title	Resolution	Action	Power
	Location: Land at 1 Love Lane Gainsborough <b>Paper B</b>			
PL23/152	To note decision notice received. <b>Application Ref No: 143302 REFUSED</b> (delegated) Proposal: Listed building consent for 2no. replacement doors and 2no. windows Location: 35, Spring Gardens, Gainsborough <b>Paper C</b>	The Committee <b>noted</b> the decision.  Cllr Taylor declared a non-pecuniary interest as the applicant is his landlord.	N/A	
PL23/153	To note decision notice received. <b>Application Ref No: 144732 GRANTED</b> (delegated) Proposal: Planning application to erect 5no. apartments. Location: Land adjacent, James Court, Gainsborough <b>Paper D</b>	The Committee <b>noted</b> the decision.	N/A	
PL23/154	To note decision notice received. <b>Application Ref No: 144738 GRANTED</b> (committee) Proposal: Planning application to erect 7 no. commercial units, 5 units to fall within Use Class E(g)i) office ii) the research and development of products or processes or iii) any industrial process, (which can be carried out in any residential area without	The Committee <b>noted</b> the decision.	N/A	

Agenda no	Agenda item title	Resolution	Action	Power
	causing detriment to the amenity of the area)and 2 units within Use Class B8 (Storage and Distribution) Location: Land off Willoughton Drive Gainsborough <b>Paper E</b>			
PL23/155	To note decision notice received. <b>Application Ref No: 145530 GRANTED</b> (delegated) Proposal: Planning application for proposed single storey side and rear extension with integral garage - resubmission of 144927 Location: 16 Riverside Approach Gainsborough <b>Paper F</b>	The Committee <b>noted</b> the decision.	N/A	
PL23/156	<b>Street naming requests</b> To consider street naming requests received (if there are any).	There were none.	N/A	
PL23/157	<b>Tree preservation orders</b> To consider tree preservation orders received (if there are any).	There were none.	N/A	
PL23/158	<b>Gainsborough neighbourhood plan</b> To consider draft Gainsborough Neighbourhood Plan Working Group and recommend to Full Council for approval.	The Committee <b>resolved to recommend to Full Council</b> to adopt the Gainsborough Neighbourhood Plan Working Group terms of reference.	<b>DC</b> to include on Full Council agenda.	

Agenda no	Agenda item title	Resolution	Action	Power
	<b>Paper G</b>			
PL23/159	<p><b>Assets of community value</b> To note Asset of Community Value submissions for Pitt Hills Plantation (land behind Gainsborough Leisure Centre), Old Guildhall Gardens, Trinity Arts Centre, Whittons Gardens as Assets of Community Value. The registration will expire on 24 October 2027.</p> <p><b>Paper H</b></p>	<p>The committee <b>noted</b> the determination and approval of Pitt Hills Plantation (land behind Gainsborough Leisure Centre), Old Guildhall Gardens, Trinity Arts Centre, Whittons Gardens as Assets of Community Value. The registration will expire on 24 October 2027.</p> <p>It was also noted that the further three submissions had been approved and would follow at the next meeting.</p>		
PL23/160	<p><b>Items for notification</b> To receive any items for notification to be included on a future agenda – for information only <i>Land off Corringham Road, Gainsborough</i> <i>Response regarding Willow tree on Bridge Street</i></p>	Land off Corringham Road, Gainsborough as a potential dog walk.	<b>DC</b> to include on future agenda.	N/A
PL23/161	<p><b>Time and date of next meeting</b> To note the date and time of the next Planning committee is scheduled for 21 December 2022 at 7.00pm.</p>	The committee <b>noted</b> the date and time for the next scheduled meeting as 21 December 2022 at 7.00pm.		<i>Local Government Act 1972, Sch 12, p10 (2)(a)</i>

The meeting closed at 7.34pm

Signed as a true record of the Meeting: \_\_\_\_\_ Dated \_\_\_\_\_  
Presiding chairman of approving meeting

DRAFT

# PAPER B

## Planning Permission

Name and address of applicant

Mr Imran Mohammed  
5 Kelvedon Drive  
Littleover  
Derby  
DE23 3RZ

Name and address of agent (if any)

Ms Jemma Alderson  
Green Frame Windows Ltd  
55 North St  
Gainsborough  
DN21 2HS

### Part One – Particulars of application

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Date of application:  
21/09/2022

Application number:  
145565

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Particulars and location of development:

Planning application to replace first and second floor windows with same style upvc windows.

3-5 Market Street Gainsborough Lincolnshire DN21 2BL

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### Part Two – Particulars of decision

The West Lindsey District Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that **planning permission has been granted** for the carrying out of the development referred to in Part One hereof in accordance with the application and plans submitted subject to the following conditions:

#### **Conditions stating the time by which the development must be commenced:**

1. The development hereby permitted must be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

#### **Conditions which apply or require matters to be agreed before the development commenced:**

None

#### **Conditions which apply or are to be observed during the course of the development:**

2. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved must be carried out in accordance with drawing D01 P01 dated 25/08/22. The works must be carried out in

accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework and local policy LP26 of the Central Lincolnshire Local Plan 2012-2036.

**Conditions which apply or relate to matters which are to be observed following completion of the development:**

None

**Notes to the Applicant**

**COMMUNITY INFRASTRUCTURE LEVY**

Please be aware that as of the 22<sup>nd</sup> January 2018 West Lindsey District Council implemented a Community Infrastructure Levy and that eligible development granted on or after this date will be subject to this charge. The development subject to this Decision Notice could fall within the definitions held within the adopted charging schedule and as such may be liable to pay the levy. For further information on CIL, processes, calculating the levy and associated forms please visit the Planning Portal [www.west-lindsey.gov.uk/cilforms](http://www.west-lindsey.gov.uk/cilforms) and West Lindsey District Council's own website [www.west-lindsey.gov.uk/CIL](http://www.west-lindsey.gov.uk/CIL)

Please note that CIL liable development cannot commence until all forms and necessary fees have been submitted and paid. Failure to do so will result in surcharges and penalties.

**Reasons for granting permission**

The decision has been considered against policies LP1 A Presumption in Favour of Sustainable Development, LP17 Landscape, Townscape and Views, LP25 The Historic Environment, LP26 Design and Amenity, LP27 Main Town Centre Uses – Frontages and Advertisements of the Central Lincolnshire Local Plan and policies NPP6, NPP17 and NPP18 of the Gainsborough Neighbourhood Plan and in the first instance. Consideration has additionally been given to guidance contained within the National Planning Policy Framework. In light of this assessment it is considered that the proposal will not harm the character and appearance of the street-scene or the building, nor the living conditions of neighbouring occupiers.

**Working Practice Statement**

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Date: 16<sup>th</sup> November 2022

Signed:



Ian Knowles  
Head of Paid Service



West Lindsey District Council  
Council Offices  
Guildhall  
Marshall's Yard  
Gainsborough  
DN21 2NA

Note: This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation. You are strongly advised not to commence works until you have obtained any other permissions or consents that may be required, for example approval under the Building Regulations, otherwise there may be a risk of significant legal and financial consequences. For further advice on the Building Regulations, contact the Council's Building Control section.

Failure to adhere to the details of the approved plans or to comply with the conditions attached to this permission is a contravention of the provisions of the Town & Country Planning Act 1990 in respect of which enforcement action may be taken. Please contact the planning department for further advice relating to the discharge of condition process and the appropriate fee payable (if applicable).

### **Self-build and Custom housebuilding**

Did you know that West Lindsey District Council maintains a register of people who would be interested in taking up self-build and custom housebuilding opportunities within the area?

There are certain benefits that arise from self-build developments i.e. you may be eligible for exemption from Community Infrastructure Levy (CIL). Further details of self-build and custom housebuilding within West Lindsey can be viewed here: <https://www.west-lindsey.gov.uk/my-services/planning-and-building/self-build>

If you would be interested in the provision of Self-Build and Custom Housebuilding opportunities as part of your development proposal, and would be willing for those with a registered interest to contact you, please visit the above web page and complete our site submission form.

### Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- **If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.** Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at <https://acp.planninginspectorate.gov.uk>. ***You must use a Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the appeal form you require.***

- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.
- **Please note only the applicant possesses the right to appeal.**

#### Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

If you require this document in another format e.g. large print, please contact Customer Services on 01427 676 676, by email [customer.services@west-lindsey.gov.uk](mailto:customer.services@west-lindsey.gov.uk) or by asking any of the Customer Services staff.

## **Officers Report**

### **Planning Application No: 145565**

**PROPOSAL:** Planning application to replace first and second floor windows with same style upvc windows.

**LOCATION:** 3-5 Market Street Gainsborough Lincolnshire DN21 2BL  
**WARD:** Gainsborough South West

**TARGET DECISION DATE:** 16/11/2022  
**DEVELOPMENT TYPE:** Minor - all others  
**CASE OFFICER:** Vicky Maplethorpe

**RECOMMENDED DECISION:** Grant permission

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#### **Description:**

The application site comprises of a commercial building located on the corner of Market Street in Gainsborough Town Centre.

The site sits just outside the conservation area with listed buildings directly to the south and west. The site is surrounded by other commercial buildings.

The application seeks permission to replace the existing windows at first and second floor to the front and rear of the building utilising the existing casements.

**Relevant history:** None

#### **Representations:**

Chairman/Ward member(s): None received

Parish/Town Council/Meeting: No objections

Local residents: None received

LCC Highways: No objections request informative

Archaeology: None received

Idox: Checked 16/11/22

#### **Relevant Planning Policies:**

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Here, the Development Plan comprises the provisions of the Central Lincolnshire Local Plan (adopted in April 2017); the Gainsborough Town Neighbourhood Plan (made June 2021); and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016).

#### Development Plan

- ***Central Lincolnshire Local Plan 2012-2036 (CLLP)***

Relevant policies of the CLLP include:

LP1: A Presumption in Favour of Sustainable Development

LP17: Landscape, Townscape and Views  
LP26: Design and Amenity  
LP25: The Historic Environment  
LP27: Main Town Centre Uses - Frontages and Advertisements  
LP42: Gainsborough Town Centre and Primary Shopping Area

- ***Gainsborough Town Neighbourhood Plan (NP)***

Relevant policies of the NP include:

NPP6: Design Principles  
NPP17: Protecting Heritage Assets  
NPP18: Improving the Vitality of the Town Centre

- ***Lincolnshire Minerals and Waste Local Plan (LMWLP)***

The site is not within a Minerals Safeguarding Area, Minerals or Waste site / area.

National policy & guidance (Material Consideration)

- ***National Planning Policy Framework (NPPF)***

The NPPF sets out the Government's planning policies for England and how these should be applied. It is a material consideration in planning decisions. The most recent iteration of the NPPF was published in July 2021. Paragraph 219 states:

*"Existing [development plan] policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."*

- ***National Planning Practice Guidance***
- ***National Design Guide (2019)***

Draft Local Plan (Material Consideration)

NPPF paragraph 48 states that Local planning authorities may give weight to relevant policies in emerging plans according to:

*(a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*

*(b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*

*(c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).*

- **Draft Central Lincolnshire Local Plan**

In line with paragraph 48 of the NPPF, weight may now be given to any relevant policies in the emerging plan according to the criteria set out below:

- (a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- (b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- (c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)."

Review of the Central Lincolnshire Local Plan commenced in 2019. The 1st Consultation Draft ("Reg 18") of the Local Plan was published in June 2021, and was subject to public consultation. Following a review of the public response, the Proposed Submission Draft ("Reg 19") of the Local Plan was published in March 2022, and was subject to a further round of consultation. On 8th July 2022, the Local Plan Review was submitted to the Planning Inspectorate in order for it to commence its examination.

The Draft Plan may be a material consideration, where its policies are relevant. Applying paragraph 48 of the NPPF, the decision maker may give some weight to relevant policies within the submitted "Reg 19" Plan, with the weight to be given subject to the extent to which there may still be unresolved objections to those policies (the less significant the unresolved objections, the greater the weight that may be given).

Consultation responses can be found in document STA022 Reg 19 Consultation Responses by policy / STA023 Reg 19 Consultation Responses by respondent.

**Main issues**

- Principle
- Impact on streetscene (including conservation area and listed buildings)

**Assessment:**

Principle

The application site is located within the settlement boundary of Gainsborough and within the primary shopping frontage. The principle of the development is therefore considered acceptable.

Impact on streetscene/Conservation area/Listed buildings

Local policy LP26 of the CLLP *'All development proposals must take into consideration the character and local distinctiveness of the area (and enhance or reinforce it, as appropriate) and create a sense of place.*

It also guides that the amenities which all existing and future occupants of neighbouring land and buildings may reasonably expect to enjoy must not be unduly harmed by or as a result of development.

Policy LP25: The Historic Environment requires Development proposals to protect, conserve and seek opportunities to enhance the historic environment of Central Lincolnshire.

It states that development proposals will be supported where they:

- d. Protect the significance of designated heritage assets (including their setting) by protecting and enhancing architectural and historic character, historical associations, landscape and townscape features and through consideration of scale, design, materials, siting, layout, mass, use, and views and vistas both from and towards the asset;
- e. Promote opportunities to better reveal significance of heritage assets, where possible;
- f. Take into account the desirability of sustaining and enhancing non-designated heritage assets and their setting.

Local policy LP27 of the CLLP advises that consent will only be granted for advertisements provided that the advertisement respects the scale and character of the building on which it is situated and the surrounding area.

The proposed replacement windows are located on the front and rear elevations at first and second floor which are currently used as offices above an existing shop within the town centre of Gainsborough. The site is located just outside the conservation area and is in close proximity to a number of listed buildings located within the Market Place and Lord Street.

Within the Gainsborough Town Centre Heritage Master Plan it states that *'the building located at 3-5 Market Street Gainsborough is not listed and has no specific historical interest and no heritage value. Although it is situated within the conservation zone the building is located in the centre of a row of 20<sup>th</sup> century buildings with modern styles/types of signage.'*

The proposed double glazed units are to be installed within the existing casements.

It is considered that due to the minimal nature of the work proposed the replacement windows would not harm the setting of the adjacent conservation area or that of the nearby listed buildings. The overall appearance of the existing building will be minimally altered and therefore it is considered that the windows are appropriate to the setting. Therefore, the replacement windows are considered to preserve the setting of the listed buildings and the nearby conservation area.

The proposed windows would not have a harmful visual impact and would not detract from the visual amenity of the site, the street scene, historic environment or the surrounding area and accords with local policies LP17, LP25, LP26 and LP27 of the CLLP, the provisions of the NPPF and policy NPP6 of the Gainsborough Neighbourhood Plan.

**Conclusion and reason for decision:**

The decision has been considered against policies LP1 A Presumption in Favour of Sustainable Development, LP17 Landscape, Townscape and Views, LP25 The Historic Environment, LP26 Design and Amenity, LP27 Main Town Centre Uses – Frontages and Advertisements of the Central Lincolnshire Local Plan and policies NPP6, NPP17 and NPP18 of the Gainsborough Neighbourhood Plan and in the first instance. Consideration has additionally been given to guidance contained within the National Planning Policy Framework. In light of this assessment it is considered that the proposal will not harm the character and appearance of the street-scene or the building, nor the living conditions of neighbouring occupiers.

**Human Rights Implications:**

The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant’s and/or objector’s right to respect for his private and family life, his home and his correspondence.

**Legal Implications:**

Although all planning decisions have the ability to be legally challenged it is considered there are no specific legal implications arising from this report.

**Representors to be notified -**

*(highlight requirements):*

**Standard Letter**       **Special Letter**       **Draft enclosed**

**Prepared by :** Vicky Maplethorpe      **Date :** 16 November 2022

**Signed:** ...*V. Maplethorpe*.....

**Authorising Officer:** *Rachel Gordon*      **Date:** 16 November 2022.....

**Decision Level** (tick as appropriate)

Delegated X

Delegated via Members

Committee



# PAPER C

## Planning Permission

Name and address of applicant

S Ali  
45 Ash Road  
Peterborough  
PE1 4PF

Name and address of agent (if any)

Mr J Cook  
Designspace Architecture  
Tillbridge Lane  
Sturton By Stow  
Lincoln  
LN1 2DS

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### Part One – Particulars of application

Date of application:  
09/09/2022

Application number:  
145466

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Particulars and location of development:

Planning application to erect 2no. apartments and 3no. dwellings.

Land North of Acland Street Gainsborough Lincolnshire DN21 2JX

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### Part Two – Particulars of decision

The West Lindsey District Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that **planning permission has been granted** for the carrying out of the development referred to in Part One hereof in accordance with the application and plans submitted subject to the following conditions:

#### **Conditions stating the time by which the development must be commenced:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**Reason:** To conform with Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

#### **Conditions which apply or require matters to be agreed before the development commenced:**

2. No development shall take place, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- (i) the routing and management of construction traffic;
- (ii) the parking of vehicles of site operatives and visitors;
- (iii) loading and unloading of plant and materials;
- (iv) storage of plant and materials used in constructing the development;
- (v) the erection and maintenance of security hoarding including

decorative displays and facilities for public viewing, where appropriate;  
(vi) wheel cleaning facilities;  
(vii) measures to control the emission of dust and dirt during construction;  
(viii) details of noise reduction measures;  
(ix) a scheme for recycling/disposing of waste resulting from demolition and construction works;  
(x) the hours during which machinery may be operated, vehicles may enter and leave, and works may be carried out on the site;

**Reason:** In the interests of amenity and in accordance with saved policy LP26 of the Central Lincolnshire Local Plan.

**Conditions which apply or are to be observed during the course of the development:**

3. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings:

Proposed Site Layout 501 Revision B  
Proposed Ground Floor Layout 502 Revision B  
Proposed First Floor Layout 503 Revision B  
Proposed Second Floor Layout 504 Revision B  
Proposed Elevations 505 Revision B

The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

**Reason:** To ensure the development proceeds in accordance with the approved plans in the interests of proper planning.

4. No development, above ground level shall take place until a scheme for the disposal of surface waters (including the results of soakaway/percolation tests and measures to prevent runoff to the public highway), have been submitted to and approved in writing by the Local Planning Authority. Development must be carried out in accordance with the approved details prior to occupation of the dwellings and retained and maintained thereafter.

**Reason:** To ensure adequate drainage facilities are provided to serve the development in accordance with Policy LP14 of the Central Lincolnshire Local Plan.

5. No development, above ground level level shall take place until details of:

- the walling and roofing materials;
- materials for pedestrian and vehicular access;
- surface material for the car parking areas;

have been submitted to and approved in writing by the Local Planning Authority. Development must be carried out in accordance with the approved details prior to occupation of the dwellings and retained and maintained thereafter.

**Reason:** In the interests of the character and appearance of the site in accordance with Policy LP26 of the Central Lincolnshire Local Plan.

6. No development above ground level shall take place until details of biodiversity enhancement have been submitted to and approved in writing by the Local Planning Authority. The approved details must be implemented before occupation of the hereby approved development and thereafter be retained.

**Reason:** In the interests of biodiversity enhancement in accordance with policy LP21 of the Central Lincolnshire Local Plan and policy NNP 2 of the Gainsborough Neighbourhood Plan.

**Conditions which apply or relate to matters which are to be observed following completion of the development:**

7. The proposed boundary details shown on the Proposed Site Layout drawing 501 revision B must be implemented in full prior to occupation of the approved dwellings.

**Reason:** To prevent loss of privacy and in the interests of the character and appearance of the site in accordance with Policy LP26 of the Central Lincolnshire Local Plan.

8. The car parking spaces shown on the proposed site layout 501 revision B must be laid out and available for use prior to occupation of the approved development and retained thereafter.

**Reason:** In the interests of Highway Safety in accordance with Policy LP13 of the Central Lincolnshire Local Plan

**Notes to the Applicant**

Comments of Lincolnshire County Council Highways:

Informatives recommended:

Highway Informative 03 The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. The works should be constructed in accordance with the Authority's specification that is current at the time of construction. Relocation of existing apparatus, underground services or street furniture will be the responsibility of the applicant, prior to application. For application guidance, approval and specification details, please visit <https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb> or contact [vehiclecrossings@lincolnshire.gov.uk](mailto:vehiclecrossings@lincolnshire.gov.uk)

Highway Informative 08 Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works.

For further guidance please visit our website via the following links: Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management> Licences and Permits - <https://www.lincolnshire.gov.uk/licences-permits> A

## **COMMUNITY INFRASTRUCTURE LEVY**

Please be aware that as of the 22<sup>nd</sup> January 2018 West Lindsey District Council implemented a Community Infrastructure Levy and that eligible development granted on or after this date will be subject to this charge. The development subject to this Decision Notice could fall within the definitions held within the adopted charging schedule and as such may be liable to pay the levy. For further information on CIL, processes, calculating the levy and associated forms please visit the Planning Portal [www.west-lindsey.gov.uk/cilforms](http://www.west-lindsey.gov.uk/cilforms) and West Lindsey District Council's own website [www.west-lindsey.gov.uk/CIL](http://www.west-lindsey.gov.uk/CIL)

Please note that CIL liable development cannot commence until all forms and necessary fees have been submitted and paid. Failure to do so will result in surcharges and penalties

### **Reasons for granting permission**

This is an application for residential accommodation within the built footprint of Gainsborough which is a priority for investment, growth and regeneration. This can be provided subject to the imposition of conditions without harm to; the character and appearance of the site and surrounding area; the living conditions of neighbouring dwellings; the interests of highway safety and it will provide a satisfactory means of drainage, and will include measures to enhance biodiversity. It would be in accordance with policies LP2 the Spatial Strategy and Settlement Hierarchy, LP13 Accessibility and Transport, LP14 Managing Water Resources and Flood Risk, LP26 Design and Amenity and LP38 Protecting Gainsborough's Setting and Character of the Central Lincolnshire Local Plan and Policies NPP1, NPP2 and NPP7 of the Gainsborough Neighbourhood Plan and approval is appropriate.

### **Working Practice Statement**

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework

**Date** 21/11/2022

Signed:



Ian Knowles  
Head of Paid Service

West Lindsey District Council  
Council Offices  
Guildhall  
Marshall's Yard  
Gainsborough  
DN21 2NA

Note: This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation. You are strongly advised not to commence works until you have obtained any other permissions or consents that may be required, for example approval under the Building Regulations, otherwise there may be a risk of significant legal and financial consequences. For further advice on the Building Regulations, contact the Council's Building Control section.

Failure to adhere to the details of the approved plans or to comply with the conditions attached to this permission is a contravention of the provisions of the Town & Country Planning Act 1990 in respect of which enforcement action may be taken. Please contact the planning department for further advice relating to the discharge of condition process and the appropriate fee payable (if applicable).

### **Self-build and Custom housebuilding**

Did you know that West Lindsey District Council maintains a register of people who would be interested in taking up self-build and custom housebuilding opportunities within the area?

There are certain benefits that arise from self-build developments i.e. you may be eligible for exemption from Community Infrastructure Levy (CIL). Further details of self-build and custom housebuilding within West Lindsey can be viewed here: <https://www.west-lindsey.gov.uk/my-services/planning-and-building/self-build>

If you would be interested in the provision of Self-Build and Custom Housebuilding opportunities as part of your development proposal, and would be willing for those with a registered interest to contact you, please visit the above web page and complete our site submission form.

### Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- **If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice. Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at <https://acp.planninginspectorate.gov.uk>. You must use a Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the appeal form you require.**
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.
- **Please note only the applicant possesses the right to appeal.**

#### Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

If you require this document in another format e.g. large print, please contact Customer Services on 01427 676 676, by email [customer.services@west-lindsey.gov.uk](mailto:customer.services@west-lindsey.gov.uk) or by asking any of the Customer Services staff.

## Officers Report

### Planning Application No: 145466

**PROPOSAL:** Planning application to erect 2no. apartments and 3no. dwellings.

**LOCATION:** Land North of Acland Street Gainsborough Lincolnshire DN21 2JX

**WARD:** Gainsborough South West

**TARGET DECISION DATE:** Extension of Time to 21.11.22

**DEVELOPMENT TYPE:** Minor - Dwellings

**CASE OFFICER:** George Backovic

**RECOMMENDED DECISION:** Grant Permission, subject to conditions.

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#### **Description:**

Planning permission is sought to erect a two-storey building containing a one bed apartment at first floor and a one bed apartment on the second floor, alongside the blank gable wall of an apartment building currently under construction granted permission in 2020 for 5 apartments (Ref: 140851). At ground floor level vehicular access will be provided to a parking area and 3 new one bed dwellings. This will take the form of a detached bungalow and a pair of semidetached dwellings with bedroom accommodation in the roof space.

The site is located within the developed footprint of Gainsborough, close to the junction of Acland Street with Church Street in a primarily residential area. It is located within Flood Zone 2. A Flood Risk Assessment has been submitted with the application.

#### **Relevant history (land to the east):**

139015: Outline application to erect 20 apartments. Withdrawn

140851: Application to erect 5 apartments, 49 Church Street: GC 23.07.20.

141895: Outline application for 12 residential units. Withdrawn.

**Condition 7:** The development shall be carried out in accordance with the approved flood risk assessment (FRA) and the following mitigation measures it details:

Finished floor levels shall be set no lower than 6.9 metres above Ordnance Datum (AOD)

#### **Representations:**

**Chairman/Ward member(s):** No comments received.

**Gainsborough Town Council:** The Committee resolved to **object** to the application on the grounds of boundary disputes and fencing, right of access for local residents and lack of parking for the proposed apartments / dwellings and the apartments under construction in an already busy area.



## **Local residents:**

### 6 Acland Street: **Object:** (Summary)

There is a likelihood units 3, 4, and 5 will be further developed in the years to come, having a three storey and two storey building overlooking our properties, robbing us of the privacy we deserve and need for good mental health.

The actual space allocated for units three and four do not appear to be spacious enough to ensure comfort and are not sympathetic to the surrounding houses.

There are trees behind the houses of 2, 4 and 6 Acland Street that would be destroyed should unit five be built. Destroying nature that harbours wildlife within the neighbourhood may benefit humans but not the wildlife.

Building at the back of two and four Acland Street, while making use of land, would be detrimental to me and my family. We chose to buy this house because of the minimal number of houses surrounding it, ensuring more peace and tranquillity than is usual, to optimise his development.

It would be appreciated if consideration could be given to my family and our personal circumstances.

Number 2 Acland Street apparently have legal right of way along the side of their walled garden that has been demarcated on these building plans as belonging to the current developer. How is this possible and is this legal?

My other concern would be the demarcation of land apparently owned by the current developer. Have these borders been confirmed by the land registry as being accurate, because it not only infringes on number 2 and 4 but number six Acland Street's border too.

Whilst I appreciate some parking spaces have been created for the new development, it is still insufficient considering that 24 people minimum could be occupying unit one to five.

I completely object to unit two being built as it is definitely not within keeping to the structure of the other houses in the area, as well as it causing an obstruction to emergency vehicles.

2 Acland Street: I am in **favour** of the application as I feel it will be a much needed improvement to the area, much better than the abandoned condition of The Fanny Marshall site & with its central location it will be ideal for the local amenities.

51a Church Street: **Support:** This is good for the area and to help people and to use the land for a positive purpose and will help with my own personal safety.

MAK Community Care, Fanny Marshall 49 Church Street; **Support:** With regards to this new development, we are truly in support of it as it will bring a new lease of life to the area. It will get rid of a local eye sore and help local businesses too. The development plans look good as they are community focused with parking and lots of green space. We are a local provider of support for vulnerable people in the area and need to have more developments like this to get rid of the wasteland which can become a problem in any area.

55 Church Street: **Support:** We support the application as it will tidy up a long-neglected area, however we would ask that the boundary to all properties to church street is up graded and well maintained.

The Doghouse, 51-53 Church Street: **Support:** As a business owner I think the proposed plans would be beneficial for the area as it is currently used as an unsafe playground, with the town constantly expanding using wasteland like this for housing can only a good thing.

57 Church Street: **Support:** We fully support this proposal as it will tidy up the area and the land will be used to support more homes in the area. The development plans look very good as they include parking and green space. We certainly need more good quality homes and this will enhance the whole area.

61 Church Street: (Summary). We **support** the application **in principle** as we consider that the height of the proposed dwellings are suitable for the site. However, we remain **concerned** about emergency access to some of the units, the loss of existing parking and the maintenance of the boundary wall.

22 Fawcett Street: **Support:** I feel it will be good for the community to have the wasteland developed. Gives more housing in the area and will help property prices in the area.

**LCC Highways: No objections:** The proposal is for the erection of 2 apartments and 3 dwellings on a former brownfield site and it does not have an unacceptable impact on the public highway or surface water flood risk. The formation of the proposed new access will result in the loss of one on-street parking place and it is considered as acceptable.

Informatives recommended:

Highway Informative 03 The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. The works should be constructed in accordance with the Authority's specification that is current at the time of construction. Relocation of existing apparatus, underground services or street furniture will be the responsibility of the applicant, prior to application. For application guidance, approval and specification details, please visit <https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb> or contact [vehiclecrossings@lincolnshire.gov.uk](mailto:vehiclecrossings@lincolnshire.gov.uk)

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For further guidance please visit our website via the following links: Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management> Licences and Permits - <https://www.lincolnshire.gov.uk/licences-permits> A

**Environment Agency:** The application site is in Flood Zone 2 of our Flood Map for Planning and the development is covered by our national flood risk standing advice. This replaces direct case-by-case consultation with us for 'low risk' proposals. Please view the advice on our website at <https://www.gov.uk/guidance/flood-risk-assessment-local-planningauthorities#flood-zone-2> before determining the application. The application does not appear to fit any other criteria on our consultation checklist.

**Lincolnshire Fire and Rescue:** Access to buildings for fire appliances and fire fighters must meet with the requirements specified in Building Regulations 2000 Part B5. These requirements may be satisfied with other equivalent standards relating to access for firefighting, in which case those standards should be quoted in correspondence.

If it is not possible to provide access to the proposed development in accordance with the guidance details within Part B5 of Approved Document B, as compensation, Lincolnshire Fire and Rescue may accept the provision, at the developer's expense, of an automatic sprinkler system, designed, fitted and maintained in accordance with the relevant sections of BS5306/BSEN12845:2004.

Should this option be considered, our Fire Safety advisers must be provided with detailed plans of the proposed sprinkler installation. Any scheme proposed should not be of a lesser standard than any provision as may be required by the Building Regulations.

Lincolnshire Fire and Rescue requires a minimum carrying capacity for hard standing for pumping appliances of 18 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2000 Part B5.

**Relevant Planning Policies:**

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Here, the Development Plan comprises the provisions of the Central Lincolnshire Local Plan (adopted in April 2017) and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016).

**Development Plan**

- **Central Lincolnshire Local Plan 2012-2036 (CLLP)**

Relevant policies of the CLLP include:

LP1 A presumption in favour of sustainable development  
 LP2 The Spatial Strategy and Settlement Hierarchy  
 LP3 Level and Distribution of Growth  
 LP10 Meeting Accommodation Needs  
 LP13 Accessibility and Transport  
 LP14 Managing Water Resources and Flood Risk  
 LP17 Landscape, Townscape and Views  
 LP26 Design and Amenity  
 LP38 Protecting Gainsborough's Setting and Character

- **Lincolnshire Minerals and Waste Local Plan (LMWLP)**

The site is not within a Minerals Safeguarding Area, Minerals or Waste site / area.

- **Gainsborough Neighbourhood Plan (NP) (Made 20.06.21)**

Relevant policies of the NP include:

NPP 1 Sustainable Development  
 NPP 2 Protecting the Natural Environment and Enhancing Biodiversity  
 NPP 7 Ensuring High Quality Design in each character Area

National policy & guidance (Material Consideration)

National Planning Policy Framework (NPPF)

The NPPF sets out the Government's planning policies for England and how these should be applied. It is a material consideration in planning decisions. The most recent iteration of the NPPF was published in July 2021. Paragraph 219 states

*"Existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."*

- **National Planning Practice Guidance**
- **National Design Guide (2019)**
- **National Design Model Code (2021)**

**Draft Planning Policy (Material Consideration)**

- **Consultation Draft Central Lincolnshire Local Plan Review June 2021 (DCLLPR)**

Review of the Central Lincolnshire Local Plan commenced in 2019. The 1st Consultation Draft (“Reg 18”) of the Local Plan was published in June 2021, and was subject to public consultation. Following a review of the public response, the Proposed Submission Draft (“Reg 19”) of the Local Plan was published in March 2022, and was subject to a further round of consultation. On 8th July 2022, the Local Plan Review was submitted to the Planning Inspectorate in order for it to commence its examination.

The Draft Plan may be a material consideration, where its policies are relevant. Applying paragraph 48 of the NPPF, the decision maker may give some weight to relevant policies within the submitted “Reg 19” Plan, with the weight to be given subject to the extent to which there may still be unresolved objections to those policies (the less significant the unresolved objections, the greater the weight that may be given)

### **Main issues**

Principle  
Residential Amenity  
Design  
Flood Risk and Drainage  
Highway Safety  
Biodiversity

### **Assessment:**

#### **Principle**

Policy LP2 states that *“Development should create strong, sustainable, cohesive and inclusive communities, making the most effective use of previously developed land (except where that land is of high environmental value), and enabling a larger number of people to access jobs, services and facilities locally.”*

LP2 states that housing development in Gainsborough is needed *‘to maintain and enhance its role as a main town, and to meet the objectives for regeneration Sleaford and Gainsborough will, primarily via sites allocated in this local plan be the focus for substantial housing development supported by appropriate levels of employment growth, retail growth and wider service provision’. ‘Additional growth on non-allocated sites in appropriate locations within the developed footprint of Sleaford and Gainsborough urban area will also be considered favourably’.*

The site is within the developed urban footprint of Gainsborough identified on page 94 (Key Diagram of Gainsborough) of the CLLP and makes use of previously developed land in accordance with LP2 which seeks the most effective use of previously developed land . NPP 1 also states that “Securing the redevelopment of brownfield sites, especially those along the river, is a priority for the community” The principle of residential development in this location, is therefore supported and compliant with planning policy.

### **Residential amenity**

Policy LP26 requires that amenities which all existing and future occupants of neighbouring land and buildings may reasonably expect to enjoy must not be unduly harmed by or as a result of development. This is consistent with section 12 of the NPPF Achieving well-designed places and in particular paragraph 130 f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience. This is afforded full weight in the determination of this application.

Whilst objections have been received by neighbours that the loss of trees would allow overlooking this is not accepted for the reasons that follow. There will be no direct overlooking of adjacent neighbours by the proposed dwellings (units 3, 4 and 5) with openings facing onto parking areas or their own amenity spaces. Overshadowing and loss of light will not be significant due to the proposed layout of the dwellings. The dwellings are single storey with eaves heights of approximately 3m and 3.8m which rise to ridge heights of 6m and 6.4m respectively. The proposed apartments (units 1 and 2) have openings at first floor level and at second floor level in the case of unit 2 facing Acland Street (to the south) and the parking area (to the north). No unacceptable overshadowing, massing impacts will arise. It is considered that impacts on neighbouring dwellings will not be significant and do not represent a reason to withhold consent. It would be in accordance with LP26.

Objections received relate to the inadequacy of amenity space for units 3 and 4. Unit 3 and 4 are 44m<sup>2</sup>. Unit 3 will have a rear amenity area of 6.5m x 4.5m, with a 2m wooden fence to its boundaries. Whilst there are no national standards for the provision of amenity space, 29m<sup>2</sup> represents 65% of the total floor area of a one bedroom dwelling and is considered reasonable. Unit 4 will have 43m<sup>2</sup>. The dwelling sizes of 44m<sup>2</sup>, accord with the technical housing standards – nationally described space standard of 37sqm for 1 bed dwellings with a shower room instead of a bathroom. The apartment sizes of 40m<sup>2</sup> are also in accord with this. Proposed boundary treatment will be conditioned to be in place prior to occupation. There will be no adverse impacts on the amenity of future occupiers and it would be in accordance with LP26.

### **Design**

Policy LP26(c) states *'All development proposals must take into consideration the character and local distinctiveness of the area (and enhance or reinforce it, as appropriate) and create a sense of place. As such, and where applicable, proposals will be required to demonstrate, to a degree proportionate to the proposal, that they:*

*(c) Respect the existing topography, landscape character and identity, and relate well to the site and surroundings, particularly in relation to siting, height, scale, massing, form and plot widths;*

The site falls within "Town Character Area 1 Gainsborough and Morton" of the Neighbourhood Plan. "The positive aspects of the character area include:

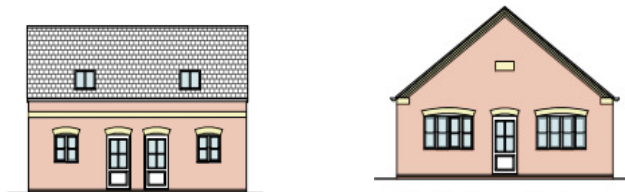
*The character of the area is dominated by a diversity of residential properties; varying from late Victorian terraces, 1930s semi-detached houses, post-war housing, and more modern development close to the present day. A wealth of architecturally diverse housing designs is represented by the building stock of the area, which adds to its historic and aesthetic interest.”*

*“The area around Morton Terrace as defined in Map 13 is a particularly attractive part of Gainsborough.”*

The site does not fall within Map 13. There are a variety of dwelling types in proximity to the site with a single storey brick faced primary school on the opposite side of Acland Street. Units 1 and 2 (coloured below) take reference in terms of design from the adjacent building and appear subservient to it, in part due to the small set back and lower height. This is considered an appropriate design response in this context.



The single storey dwellings (below) to the rear of the site will not be visible from publicly accessible areas. They are simple in terms of detail and will match the materials on the adjacent 5 apartment building and those proposed under this application. In this context they are considered acceptable and design does not represent a reason to withhold permission. It would be in accordance with LP26.



### **Flood risk and drainage**

Policy LP14 requires the sequential test in the NPPF be carried out and is therefore inherently consistent. Policy LP14 requires proposals demonstrate that they have incorporated Sustainable Drainage Systems (SuDS) in to the proposals unless they can be shown to be impractical whereas NPPF Paragraph 165 requires this for only major developments. However, there is general consistency in requiring developments do not lead to increased risk of flooding therefore LP14 is given full weight.

The site is in flood zone 2 (medium probability) and the development is more vulnerable. There are regeneration needs on this brownfield site towards the centre of Gainsborough and it is noted the site is currently in a poor condition following the demolition of the previous building. These are considered to be appropriate reasons to restrict the sequential test to the site boundary. The

proposal passes the sequential test. More vulnerable development in flood zone 2 does not require application of the exceptions test.

A flood risk assessment has been submitted with the application. Subject to imposing a condition requiring finished floor levels to be no lower than 6.9 metres above Ordnance Datum (AOD) and use of flood resilience construction methods the risk of flooding does not represent a reason to withhold consent.

Surface water is proposed to drain to a main sewer. This is a common arrangement in this part of Gainsborough but needs to be sequentially justified therefore a surface water drainage condition, including results of percolation tests is required. Foul water is proposed to connect to the mains sewer in accordance with the preferred hierarchy of disposal.

Flood risk and drainage matters are acceptable in accordance with LP14.

### **Highway Safety**

Policy LP13 requires well designed, safe and convenient access for all and that appropriate vehicle parking provision is made for development users. This is consistent with the NPPF paragraph 110 requiring proposals ensure safe and suitable access for all users and paragraph 111 requiring development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts, on the road network would be severe. The policy is therefore attributed full weight. Objections have been raised on the grounds of insufficient parking being available. The site is located in a sustainable location with access to non-car modes of transport, nevertheless vehicle parking is provided in the form of 7 off road spaces. No objections have been raised by Highways to the proposal which would be in accordance with policy LP13.

### **Biodiversity**

Policy LP 21: Seeks to protect and enhance biodiversity. This is in accordance with section 15 of the NPPF "Conserving and enhancing the natural environment" and is therefore afforded full weight in the determination of this application. Concerns have been expressed at the loss of trees on the site. These appear to be those among the rough shrubbery below in photographs taken by the case officer. They appear to be self-set and the Tree Officer has verbally confirmed they would not meet the criteria for protection conferred by a Tree Preservation Order. A condition will be imposed, however, requiring measures for biodiversity enhancement to be submitted to and approved in writing by the local planning authority with subsequent implementation in accordance with the approved details. On this basis it would be in accordance with LP21.





### **Other Matters**

It is noted that Gainsborough Town Council object due to boundary disputes /fencing/rights of access/ lack of parking/ apartments under construction in an already busy area. Lack of parking is a material consideration and this has been addressed in the Highway Safety section above. Boundary disputes, issues in relation to existing fencing, and rights of way are private issues and are not relevant considerations to the determination of the current application. The reference to existing construction “in an already busy” area can be taken to mean a continuation of construction beyond that currently taking place. This is not a reason to withhold permission for the current application.

Issues raised by the Fire Service will be considered at the building regulations stage

Concerns that the development will impact upon the wellbeing of a current occupant at 6 Acland Street are noted. However, for the reasons set out above, the proposed development is not expected to have an unduly detrimental effect upon the residential amenity enjoyed at neighbouring properties.

### **Planning balance and conclusion**

This is an application for residential accommodation within the built footprint of Gainsborough which is a priority for investment, growth and regeneration. This can be provided subject to the imposition of conditions without harm to; the character and appearance of the site and surrounding area; the living conditions of neighbouring dwellings; the interests of highway safety and it will provide a satisfactory means of drainage, and will include measures to enhance biodiversity. It would be in accordance with policies LP2 the Spatial Strategy and Settlement Hierarchy, LP13 Accessibility and Transport, LP14 Managing Water Resources and Flood Risk, LP26 Design and Amenity and LP38 Protecting Gainsborough’s Setting and Character of the Central Lincolnshire Local Plan and Policies NPP1, NPP2 and NPP7 of the Gainsborough Neighbourhood Plan and approval is recommended.

### **Human Rights Implications:**

The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not

interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

**Legal Implications:**

Although all planning decisions have the ability to be legally challenged it is considered there are no specific legal implications arising from this report

**Referrals**

**Is it a planning matter?** Appearance not in keeping with area/ Overlooking/ Lack of car parking/ Loss of natural environment .**Yes**

Boundary disputes/ fencing/private rights of way No

Is it relevant to the application? **Yes**.

And,

Are the planning matters finely balanced? **No**  
They are covered in the report above

**Prepared by:** George Backovic

**Date :** 17/11/2022

**Signed:**



I note the 3<sup>rd</sup> party representations, including those by Gainsborough Town Council. However, the development would take place on previously developed land, and it is clear that the developer has sought to address previous concerns raised in previous applications concerning overdevelopment and the resulting effect on neighbouring properties. It is considered that the development proposed is modest, and would be compliant with policy. It is noted that the GTC do not cite any conflict with the Gainsborough Neighbourhood Plan. I do not consider matters raised to be finely balanced planning matters.

**Authorising Officer**



**Date: 21/11/2022**

**Decision Level** (tick as appropriate)

Delegated

# PAPER D

## Consent to Display Advertisements

Name and address of applicant	Name and address of agent (if any)
Next Retail Ltd  Desford Road Enderby Leicester LE19 4AT	Mrs Ruth Child Q+A Planning Ltd The Stables Paradise Wharf Ducie Street M1 2JN

### Part I – Particulars of application

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Date of application	Application no
07/10/2022	145616

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### Particulars and location of advertisements:

Advertisement consent for 2no. replacement fascia signs

Unit 5 And 6, Marshalls Yard Beaumont Street Gainsborough Lincolnshire DN21 2NA

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### Part II – Particulars of decision

The West Lindsey District Council hereby give notice in pursuance of the above-mentioned Regulations that **consent has been granted** for the display of the advertisements referred to in Part 1 hereof in accordance with the application and plans submitted subject to compliance with the Standard Conditions set out below.

1.The grant of express consent expires five years from the date of the grant of consent.

Reason: To comply with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007.

2. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

3. No advertisement shall be sited or displayed so as to— (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military); (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

4. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

5. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

6. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

7. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings: OS Site Location Plan, Proposed front signage 2 Rev 2, Proposed front elevation 5 Rev 0, Proposed Fittings 5 Rev 0, Proposed Fittings 3 Rev 2, all received 7 October 2022. The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework.

Date: 22 November 2022

Signed:



Ian Knowles  
Head of Paid Service

West Lindsey District Council  
Council Offices  
Guildhall  
Marshall's Yard  
Gainsborough  
Lincolnshire  
DN21 2NA

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Notes:

- (a) The regulations provide that every grant of express consent shall be for a fixed period which shall not be longer than five years from the date of grant of consent without the approval of the Secretary of State and **if no period is specified the consent shall have effect as consent for five years.**
- (b) It is a condition of this consent that before any advertisement is displayed on land in pursuance of the consent granted, the permission of the owner of that land or other person entitled to grant permission in relation thereto shall be obtained.

- (c) A person who displays an advertisement in contravention of the regulations will be liable on summary conviction to a fine of £1000 and in the case of a continuing offence to a fine of £100 for each day during which the offence continues after conviction.
- (d) Where the local planning authority grant consent subject to conditions, the applicant may by notice given in writing within eight weeks of receipt of this notice, or such longer period as the First Secretary of State may allow, appeal to the First Secretary of State, in accordance with Regulation 15 of the Town and Country Planning (Control of Advertisements) Regulations 1989. The First Secretary of State is not required to entertain such an appeal if it appears to him having regard to the provisions of the regulations, that consent for the display of advertisements in respect of which application was made could not have been granted by the local planning authority otherwise than subject to the conditions imposed by them.

If you require this letter in another format e.g. large print, please contact Customer Services on 01427 676676, by email [customer.services@west-lindsey.gov.uk](mailto:customer.services@west-lindsey.gov.uk) or by asking any of the Customer Services staff.

# Officers Report

## Planning Application No: 145616

**PROPOSAL:** Advertisement consent for 2no. replacement fascia signs

**LOCATION:** Unit 5 And 6, Marshalls Yard Beaumont Street  
Gainsborough Lincolnshire DN21 2NA  
**WARD:** Gainsborough South West

**TARGET DECISION DATE:** 02/12/2022

**DEVELOPMENT TYPE:** Advertisement

**CASE OFFICER:** Danielle Peck

**RECOMMENDED DECISION:** Grant advertisement consent

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### **Description:**

The application site relates to Unit 5 and 6 of Marshall's Yard. The unit is located to the east of Beaumont Street and faces the courtyard car park. The unit is currently occupied by Next and Costa on the mezzanine level. The unit is part of the Grade II Listed red brick Britannia Works building dating from 1848. The former industrial site became part of the Gainsborough Britannia Works Conservation Area in 1999 and gained permission for retail, office, restaurants and cafes and leisure uses in 2005.

The application seeks advertisement consent to replace two existing fascia signs at the unit, one being the high level sign and the other being the fascia over the door, due to a change in logo. They will both utilise the existing fixtures.

The high level sign will be internally illuminated and have the following approximate measurements: 3.9m in width and 1.8m in height. Colour, black with white writing at a height of 0.5m and a width of 2.6m.

The sign over the door will have the following approximate measurements: 3.2m in width and 0.3m in height.

### **Relevant history:**

**M02/P/1150** – Planning application to redevelop and partial demolition of former Britannia Works for mixed development of A1 and A3 retail, B1 business, D1 leisure uses, car parking and associated highway works. Permission granted 03/10/03

**M02/P/1151** – Listed building consent for partial demolition and renovation of former Britannia Works for mixed development of A1 and A3 retail, B1 business, D1 leisure uses, car parking and associated highway works. Permission granted 03/10/03

**M04/P/1192** – Planning application for re-development and partial renovation of former Britannia Works for a mixed use scheme, comprising of A1 and A3 retail, B1 business, B1 and B2 leisure uses, hard and soft landscaping, car parking and associated highway works. Permission granted 25/01/05

**M04/P/1193** – Listed building consent for re-development and partial renovation of former Britannia Works for a mixed use scheme, comprising of A1 and A3 retail, A1 business, D1 and D2 leisure uses, hard and soft landscaping, car parking and associated highway works. Permission granted 21/04/05

**119569** – Advertisement Consent to display static internally illuminated signs. Permission granted 02/01/07

**119826** – Planning Application for minor alterations to approved Planning Permission, reference number M04/P/1192 to provide revised gates, trolley shelter, hard landscaping and door canopies. Permission granted 22/03/07

**119833** – Listed Building Consent for minor alterations to approved Listed Building Consent, reference number M04/P/1193 to provide revised gates, trolley shelter, hard landscaping and door canopies. Permission granted 22/03/07

**123687** – Request for confirmation of compliance with Condition 21 of Planning Permission M04/P/1192 granted 25/01/2005

**134060-** Application for a lawful development certificate for a proposed coffee shop and retail floorspace on existing mezzanine floor. Permitted Development 08/04/2016.

**134084-** Listed building consent for internal alterations including the installation of a new customer lift and internal stairway, the creation of a new fire escape at ground floor on the rear elevation and new signage to the front elevation. Granted 08/04/2016.

**134083-** Planning application for internal alterations including the installation of a new customer lift and internal stairway, the creation of a new fire escape at ground floor on the rear elevation and new signage to the front elevation. Granted 08/04/2016.

**Representations:**

**Chairman/Ward member(s):** No representations received to date.

**Gainsborough Town Council:** No comments to make.

**Local residents:** No representations received to date.



**LCC Highways/Lead Local Flood Authority:** No objections. The proposal is for advertisement signs off the highway and it does not have an impact on the public highway or surface water flood risk.

**Archaeology:** No representations received to date.

**WLDC Conservation Officer:** No representations received to date.

**Historic England:** On the basis of the information available to date, in our view you do not need to notify us of this application under the relevant statutory provisions.

**IDOX Checked: 22/11/22**

**Relevant Planning Policies:**

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Here, the Development Plan comprises the provisions of the Central Lincolnshire Local Plan (adopted in April 2017); the Gainsborough Neighbourhood Plan (made June 2021) and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016).

- ***Central Lincolnshire Local Plan 2012-2036 (CLLP)***

Relevant policies of the CLLP include:

LP1: A Presumption in Favour of Sustainable Development

LP17: Landscape, Townscape and Views

LP25: The Historic Environment

LP26: Design and Amenity

LP27: Main Town Centre Uses - Frontages and Advertisements

LP42: Gainsborough Town Centre and Primary Shopping Area

- ***Lincolnshire Minerals and Waste Local Plan (LMWLP)***

The site is not within a Minerals Safeguarding Area, Minerals or Waste site / area.

- ***Gainsborough Neighbourhood Plan (NP)***

Relevant policies of the NP include:

NPP 1 Sustainable Development

NPP 6 Ensuring High Quality Design

NPP 7 Ensuring High Quality Design in each Character Area

NPP 18 Protecting and Enhancing Heritage Assets

NPP 19 Improving the Vitality of the Town Centre

National policy & guidance (Material Consideration)

- ***National Planning Policy Framework (NPPF)***

The NPPF sets out the Government's planning policies for England and how these should be applied. It is a material consideration in planning decisions. The most recent iteration of the NPPF was published in July 2021. Paragraph 219 states:

*"Existing [development plan] policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."*

National Planning Practice Guidance -

- *National Planning Practice Guidance*
- *National Design Guide (2019)*
- *National Design Model Code (2021)*

Draft Local Plan / Neighbourhood Plan (Material Consideration)

NPPF paragraph 48 states that Local planning authorities may give weight to relevant policies in emerging plans according to:

- (a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*
- (b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- (c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).*

- **Central Lincolnshire Local Plan Review Consultation Draft June 2021**

Review of the Central Lincolnshire Local Plan commenced in 2019. The 1st Consultation Draft (Reg18) of the Local Plan was published in June 2021, and was subject to public consultation. Following a review of the public response, the Proposed Submission (Reg19) draft of the Local Plan has been published (16th March) - and this is now subject to a further round of public consultation (expired 9th May 2022).

The Draft Plan may be a material consideration, where its policies are relevant. Applying paragraph 48 of the NPPF (above), the decision maker may give some weight to the Reg19 Plan (as the 2nd draft) where its policies are relevant, but this is still limited whilst consultation is taking place and the extent to which there may still be unresolved objections is currently unknown.

### Other

- The Town and Country Planning (Control of Advertisements) (England) Regulations 2007;
- Statutory duties under Sections 66 and 72 of the Town and Country Planning (Listed Buildings & Conservation Areas) Act 1990;
- Gainsborough Britannia Conservation Area Appraisal.

### **Main issues**

Under reg.3 (1) of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended), A local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account—

(a) the provisions of the development plan, so far as they are material; and (b) any other relevant factors.

- Design and Heritage (Amenity)
- Public/Highway Safety
- Residential Amenity

### **Assessment:**

#### Design and Heritage Impacts (Amenity)

The application site is an existing retail unit within the Marshall's Yard retail and leisure complex within the Town Centre of Gainsborough and the Primary Shopping Area. The site is also within a Conservation Area and is Grade II Listed.

There are other retail units (no.s 4 and 8) either side of this unit. The application seeks permission to replace the existing high level fascia sign and lower level signage over the doorway. The new signage is to reflect the updated logo/text design for the retailer, Next. The proposed signs are relatively modest in their scale (measurements detailed in the description) and the proposed illumination is to be as existing, they are also similar to the other advertisements within this area of Marshall's Yard. It is therefore considered that the proposal will preserve the Grade II Listed Building and its setting in accordance with the statutory duties within the Act and the heritage policies within the Development Plan.

#### Public/Highway Safety

Local Policy LP27 of the CLLP and Paragraph 136 of the NPPF require Local Planning Authorities to consider the impact on public safety when determining applications for advertisement consent.

No objections have been raised on safety grounds and it is considered that the proposal would not obstruct pedestrian routes or cause a probable distraction to drivers.

#### Residential Amenity

Considering the sites location within an established retail and leisure complex it is not considered that there would be any impact upon neighbouring amenity and the proposal accords to LP26 in this regard.

Other matters

None.

**Conclusion and reasons for decision:**

The decision has been considered against policies LP1: A Presumption in Favour of Sustainable Development, LP17: Landscape, Townscape and Views, LP25: The Historic Environment, LP26: Design and Amenity, LP27: Main Town Centre Uses - Frontages and Advertisements and LP42: Gainsborough Town Centre and Primary Shopping Area of the Central Lincolnshire Local Plan policies NPP 1 Sustainable Development, NPP 6 Ensuring High Quality Design, NPP 7 Ensuring High Quality Design in each Character Area, NPP 18 Protecting and Enhancing Heritage Assets and NPP 19 Improving the Vitality of the Town Centre of the Gainsborough Neighbourhood Plan and Sections 66 and 72 of the Planning (Listed Building & Conservation Areas) act 1990 in the first instance and guidance contained within the National Planning Policy Framework and the National Planning Practice Guidance.

In light of this assessment it is considered that the sign due to the present use of the site and the location and nature of the proposed signage is appropriate and would not detract from the visual amenity of the locality. Furthermore, it is considered that the proposal will preserve the character and appearance of the Conservation Area and will preserve the Grade II Listed Building and its setting

**Human Rights Implications:**

The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

**Legal Implications:**

Although all planning decisions have the ability to be legally challenged it is considered there are no specific legal implications arising from this report

**Representors to be notified -**  
*(highlight requirements):*

**Standard Letter**       **Special Letter**       **Draft enclosed**

**Prepared by :** Danielle Peck

**Date :** 22 November 2022

**Signed:** *D Peck*

**Authorising Officer:**

Handwritten signature in black ink, appearing to read "I. E. A." with a small mark above the "A".

**Date:** 22<sup>nd</sup> November 2022

**Decision Level** (tick as appropriate)

Delegated  X

PAPER E

## Listed Building Consent

Name and address of applicant

Next Retail Ltd

Desford Road  
Enderby  
Leicester  
LE19 4AT

Name and address of agent (if any)

Mrs Ruth Child  
Q+A Planning Ltd  
The Stables  
Paradise Wharf  
Ducie Street, Manchester  
M1 2JN

### Part I – Particulars of application

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Date of application  
20/10/2022

Application no  
145723

---

Particulars and location of development

Listed building consent for installation of 2no. replacement fascia signs on front elevation.

Unit 5 and 6 Marshalls Yard, Beaumont Street, Gainsborough, Lincolnshire DN21 2NA

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### Part II – Particulars of decision

The West Lindsey District Council hereby give notice that **Listed Building Consent has been granted** for the execution of the works referred to in Part 1 hereof in accordance with the application and plans submitted.

#### **Conditions stating the time by which the development must be commenced:**

1.The works to which this consent relates shall be begun before the expiration of three years from the date of this consent.

**Reason:** To conform with Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

#### **Conditions which apply or require matters to be agreed before the development commenced:**

None.

#### **Conditions which apply or are to be observed during the course of the development:**

2.With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following plans: OS Site Location Plan, Existing and Proposed front elevation 4 Rev 0, Existing and proposed front elevation signage 2 Rev 2, Proposed signage

details 3 Rev 2, all received 20 October 2022. The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

**Reason:** To ensure the development proceeds in accordance with the approved plans and to accord with section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and guidance within the National Planning Policy Framework.

**Conditions which apply or relate to matters which are to be observed following completion of the development:**

None.

**Reasons for granting consent**

It is therefore considered that the proposed works will preserve the special historic interest of the host listed building and is therefore in accordance with Section 16 of the 'Act'. It is recommended that listed building consent is granted subject to conditions.

**Working Practice Statement**

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Date: 22 November 2022

Signed:



Ian Knowles  
Head of Paid Service

West Lindsey District Council  
Guildhall  
Marshall's Yard  
Gainsborough  
DN21 2NA



## Note

Failure to adhere to the details of the approved plans or to comply with the conditions attached to this permission is a contravention of the provisions of the Town & Country Planning Act 1990 in respect of which enforcement action may be taken. Please contact the planning department for further advice relating to the discharge of condition process and the appropriate fee payable (if applicable).

Attention is drawn to section 8(2) of the Act, the effect of which is that demolition may not be undertaken (despite the terms of any consent granted by the local planning authority) until notice of the proposal has been given to the Royal Commission of Historical Monuments, Fortress House, 23 Savile Row, London W1X 1AB and the Commission subsequently have either been given reasonable access to the building for at least one month following the grant of consent, or have stated that they have completed their record of the building or that they do not wish to record it. A form on notice is available from the Royal Commission of Historical Monuments.

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- 1 If the applicant is aggrieved by the decision of the local planning authority to refuse listed building consent or conservation area consent for the proposed works, or to grant consent subject to conditions, he may appeal to the First Secretary of State in accordance with sections 20 and 21 of the Planning (Listed Building and Conservation Areas) Act 1990 within three months of receipt of this notice. Appeals must be made on a form which may be downloaded from the Planning Inspectorate website at <https://acp.planninginspectorate.gov.uk>. Alternatively, appeal forms may be obtained from The Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, BRISTOL, BS1 6PN, telephone 0303 444 5000. The First Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- 2 If listed building consent is refused, or granted subject to conditions, whether by the local planning authority or by the First Secretary of State and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any works which have been or would be permitted, he may serve on the council of the district, in which the land is situated a listed building purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of section 32 of the Planning (Listed Building and Conservation Areas) Act 1990.
- 3 In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the First Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 27 of the Planning (Listed Building and Conservation Areas) Act 1990.
- 4 **Only the applicant possesses the right to appeal the decision.**

If you require this letter in another format e.g. large print, please contact Customer Services on 01427 676676, by email [customer.services@west-lindsey.gov.uk](mailto:customer.services@west-lindsey.gov.uk) or by asking any of the Customer Services staff.

## **Officers Report**

### **Planning Application No: 145723**

**PROPOSAL:**Listed building consent for installation of 2no. replacement fascia signs on front elevation.

**LOCATION:** Unit 5 And 6, Marshalls Yard Beaumont Street  
Gainsborough Lincolnshire DN21 2NA  
**WARD:** Gainsborough South West

**TARGET DECISION DATE:** 15/12/2022  
**DEVELOPMENT TYPE:** Listed Building - Alter/Extend  
**CASE OFFICER:** Danielle Peck

**RECOMMENDED DECISION:** Grant Listed Building Consent

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#### **Description:**

The application site relates to Unit 5 and 6 of Marshall's Yard. The unit is located to the east of Beaumont Street and faces the courtyard car park. The unit is currently occupied by Next and Costa on the mezzanine level. The unit is part of the Grade II Listed red brick Britannia Works building dating from 1848. The former industrial site became part of the Gainsborough Britannia Works Conservation Area in 1999 and gained permission for retail, office, restaurants and cafes and leisure uses in 2005.

The application seeks listed building consent to replace two existing fascia signs at the unit, one being the high level sign and the other being the fascia over the door, due to a change in logo. They will both utilise the existing fixtures.

#### **Relevant history:**

**M02/P/1150** – Planning application to redevelop and partial demolition of former Britannia Works for mixed development of A1 and A3 retail, B1 business, D1 leisure uses, car parking and associated highway works. Permission granted 03/10/03

**M02/P/1151** – Listed building consent for partial demolition and renovation of former Britannia Works for mixed development of A1 and A3 retail, B1 business, D1 leisure uses, car parking and associated highway works. Permission granted 03/10/03

**M04/P/1192** – Planning application for re-development and partial renovation of former Britannia Works for a mixed use scheme, comprising of A1 and A3 retail, B1 business, B1 and B2 leisure uses, hard and soft landscaping, car parking and associated highway works. Permission granted 25/01/05

**M04/P/1193** – Listed building consent for re-development and partial renovation of former Britannia Works for a mixed use scheme, comprising of A1 and A3 retail, A1 business, D1 and D2 leisure uses, hard and soft landscaping, car parking and associated highway works. Permission granted 21/04/05

**119569** – Advertisement Consent to display static internally illuminated signs. Permission granted 02/01/07

**119826** – Planning Application for minor alterations to approved Planning Permission, reference number M04/P/1192 to provide revised gates, trolley shelter, hard landscaping and door canopies. Permission granted 22/03/07

**119833** – Listed Building Consent for minor alterations to approved Listed Building Consent, reference number M04/P/1193 to provide revised gates, trolley shelter, hard landscaping and door canopies. Permission granted 22/03/07

**123687** – Request for confirmation of compliance with Condition 21 of Planning Permission M04/P/1192 granted 25/01/2005

**134060-** Application for a lawful development certificate for a proposed coffee shop and retail floorspace on existing mezzanine floor. Permitted Development 08/04/2016.

**134084-** Listed building consent for internal alterations including the installation of a new customer lift and internal stairway, the creation of a new fire escape at ground floor on the rear elevation and new signage to the front elevation. Granted 08/04/2016.

**134083-** Planning application for internal alterations including the installation of a new customer lift and internal stairway, the creation of a new fire escape at ground floor on the rear elevation and new signage to the front elevation. Granted 08/04/2016.

**145616-** Advertisement consent for 2no. replacement fascia signs. Tandem application.

**Representations:**

**Chairman/Ward member(s):** No representations received to date.

**Gainsborough Town Council:** No comments to make.

**Local residents:** No representations received to date.

**LCC Highways/Lead Local Flood Authority:** No objections. The proposal is for shop front signage and it does not have an impact on the Public Highway or Surface Water Flood Risk.

**Archaeology:** No representations received to date.

**WLDC Conservation Officer:** No representations received to date.

**IDOX Checked: 22 November 2022**

**Relevant Planning Policy:**

The Courts have accepted that Section 54A of the Town and Country Planning Act 1990 does not apply to decisions on applications for listed building consents since in those cases there is no statutory requirement to have regard to the provisions of the development plan.

Any decisions relating to listed buildings and their settings and conservation areas must address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990 (in particular sections 16 and 72).

**Statutory Duties-**

S16(2) - In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

S72 - With respect to any buildings or other land in a conservation area, of any functions, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area

**Other**

- National Planning Policy Framework (NPPF) 2021
- National Planning Policy Guidance (NPPG)

**Main issues**

- Impact on Listed Building;

**Assessment:**

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when considering whether to grant listed building consent for any works, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 16 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

The proposal seeks Listed Building consent for replacement external signage at Units 5 and 6, currently occupied by the retailer, Next. The signs are considered to be sympathetic to the building, they have been designed to fix to the existing external fittings and their appearance is not too dissimilar to the

existing signage. Overall, it is not considered that the proposal would harm the special historic interest of the host Listed Building and is in accordance with the statutory duty contained within section 16 of the Planning (Listed Buildings and Conservation Areas Act) 1990 and guidance contained within National Planning Policy Framework.

**Conclusion and reasons for decision:**

It is therefore considered that the proposed works will preserve the special historic interest of the host listed building and is in accordance with Section 16 of the 'Act'. It is recommended that listed building consent is granted subject to conditions.

**Human Rights Implications:**

The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

**Legal Implications:**


Although all planning decisions have the ability to be legally challenged it is considered there are no specific legal implications arising from this report

**Representors to be notified -**  
*(highlight requirements):*

Standard Letter       Special Letter       Draft enclosed

Prepared by : Danielle Peck      Date : 22 November 2022

Signed: *D Peck*

Authorising Officer:       Date: 22<sup>nd</sup> November 2022

**Decision Level** (tick as appropriate)

Delegated    X

# PAPER F

## Listed Building Consent

Name and address of applicant	Name and address of agent (if any)
Mr Luke Matthews West Lindsey District Council Guidhall Marshall's Yard Gainsborough DN212NA	Mr Jon Phipps Latham Architects 50 St Marys Gate Nottingham NG11QA

### Part I – Particulars of application

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Date of application 22/09/2022	Application no 145568
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#### Particulars and location of development

Listed building consent to rebuild section of boundary wall.

Trinity Arts Centre Trinity Street Gainsborough Lincolnshire DN21 2AL

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### Part II – Particulars of decision

The West Lindsey District Council hereby give notice that **Listed Building Consent has been granted** for the execution of the works referred to in Part 1 hereof in accordance with the application and plans submitted.

#### Conditions stating the time by which the development must be commenced:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

#### Conditions which apply or require matters to be agreed before the development commenced:

2. No development shall take place until the methodology of the exploratory intrusive survey (including propping options) has been submitted to and approved in writing by the Local Planning Authority. The works shall be completed in accordance with the findings of the survey.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

#### Conditions which apply or are to be observed during the course of the development:

3. The works shall follow the “Preparation”, “Investigation”, “Stabilisation Works”, and “Repair Works” as noted in the plans 7536–LAT–0001 unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4. Prior to the removal of any gravestones, a photographic record of all gravestones, their locations and their condition shall be submitted to and approved in writing to the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

5. Prior to the removal of any gravestones, the location for the safe storage during the duration of the works shall be submitted to and approved in writing to the Local Planning Authority, following the completion of the ‘Stabilisation Works’ (as stated on drawing 7536–LAT–0001) the gravestones shall be reinstated to their previous recorded positions.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

6. Prior to the dismantling or any repair work to the wall, a detailed survey of defective material for the bricks, copings, and mortar shall be submitted and approved in writing by the Local Planning Authority. Works shall be completed in accordance with the findings of the survey.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

7. Prior to the dismantling or any repair work to the wall, the mortar sample analysis and proposed mortar for the work shall be submitted to and approved in writing by the Local Planning Authority. Works shall be completed in accordance with the findings of the analysis and the approved mortar mix.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

8. Prior to the dismantling or any repair work to the wall, a detailed photographic record of the wall to be taken down shall be submitted to and approved in writing to the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

9. The rebuilt brickwork shall match the existing brickwork noted through the detailed photographic survey (condition 6) within the “Stabilisation Works” in



respect of dimensions, colour, texture, face bond, and pointing unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

10. The following sound materials/features/fixtures forming part of the boundary as shown in the findings of condition 6 shall be carefully taken down, protected and securely stored for later re-erection/ re-use or disposal.

- Bricks
- Coping stones
- Pier cappings
- Gravestones

Where damage has occurred (for example, from unauthorised works, vandalism or fire), it is important to ensure that any loose historic items are identified and retained on site in a secure place pending their reinstatement.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

11. Demolition work shall be carried out by hand or by tools held in the hand and not by any power-driven tools.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

12. Following the partial demolition as shown on drawing 7536-LAT-0001, a 1m<sup>2</sup> (one square metre) sample panel of brickwork demonstrating the quality, materials, bond, mortar, coursing, colour and texture shall be constructed on site. The Local Planning Authority shall approve the above details of the brickwork prior to the rebuild commencing and the development shall be carried out in accordance with the approved details. The sample panel shall be retained on site until development is completed or removal is approved in writing by the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

13. Following the partial demolition as shown on drawing 7536-LAT-0001 any new materials to be used for repairs, replacements or as part of the rebuild shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

14. No cleaning of masonry, other than low pressure (20-100 psi) surface cleaning using a nebulous water spray is authorised by this consent without the prior approval of the Local Planning Authority. Before work begins, any other cleaning proposals must be approved in writing and carried out strictly in

accordance with those details. At the commencement of the cleaning, a test panel shall be undertaken in an inconspicuous position and the method recorded to the approval of the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

15. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings:

- 7536-LAT-S1-XX-DP-A-1002-S3-A dated 20/09/2022.
- 7536-LAT-0001 received 22/09/2022.

The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

Reason: To ensure the work proceeds in accordance with the approved plans in accordance with section 17 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

**Conditions which apply or relate to matters which are to be observed following completion of the development:**

None.

**Notes to the Applicant**

If, during the course of the works, human remains are revealed all work should halt as under the Burial Act 1853 it is an offence to disturb a burial without a license from the Ministry of Justice.

**Reasons for granting permission or Refusal**

The proposed works have been considered against the duty contained within Section 16 of the Planning (Listed Building and Conservation Areas) Act 1990 (as amended), and the advice given in Chapter 16 of the National Planning Policy Framework.

In light of this assessment, it is considered that subject to the recommended conditions, the proposed works will respect the character and appearance of the historic fabric of the Listed Building. The proposal will therefore preserve the special character and significance of the listed building, its setting and the special architectural features or historic interest it possesses. Accordingly a grant of Listed Building Consent is considered acceptable.

Date: 1<sup>st</sup> December 2022

Signed:



Head of Paid Service

West Lindsey District Council  
Guildhall  
Marshall's Yard  
Gainsborough  
DN21 2NA

## Note

Failure to adhere to the details of the approved plans or to comply with the conditions attached to this permission is a contravention of the provisions of the Town & Country Planning Act 1990 in respect of which enforcement action may be taken. Please contact the planning department for further advice relating to the discharge of condition process and the appropriate fee payable (if applicable).

Attention is drawn to section 8(2) of the Act, the effect of which is that demolition may not be undertaken (despite the terms of any consent granted by the local planning authority) until notice of the proposal has been given to the Royal Commission of Historical Monuments, Fortress House, 23 Savile Row, London W1X 1AB and the Commission subsequently have either been given reasonable access to the building for at least one month following the grant of consent, or have stated that they have completed their record of the building or that they do not wish to record it. A form on notice is available from the Royal Commission of Historical Monuments.

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- 1 If the applicant is aggrieved by the decision of the local planning authority to refuse listed building consent or conservation area consent for the proposed works, or to grant consent subject to conditions, he may appeal to the First Secretary of State in accordance with sections 20 and 21 of the Planning (Listed Building and Conservation Areas) Act 1990 within three months of receipt of this notice. Appeals must be made on a form which may be downloaded from the Planning Inspectorate website at <https://acp.planninginspectorate.gov.uk>. Alternatively, appeal forms may be obtained from The Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, BRISTOL, BS1 6PN, telephone 0303 444 5000. The First Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.
  - 2 If listed building consent is refused, or granted subject to conditions, whether by the local planning authority or by the First Secretary of State and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any works which have been or would be permitted, he may serve on the council of the district, in which the land is situated a listed building purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of section 32 of the Planning (Listed Building and Conservation Areas) Act 1990.
  - 3 In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the First Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 27 of the Planning (Listed Building and Conservation Areas) Act 1990.
  - 4 **Only the applicant possesses the right to appeal the decision.**

If you require this letter in another format e.g. large print, please contact Customer Services on 01427 676676, by email

[customer.services@west-lindsey.gov.uk](mailto:customer.services@west-lindsey.gov.uk) or by asking any of the Customer Services staff.

## Officers Report

### Planning Application No: 145640

**PROPOSAL:** Planning application to rebuild section of boundary wall.

### Listed Building Consent No: 145568

**PROPOSAL:** Listed Building Consent to rebuild section of boundary wall.

**LOCATION:** Trinity Arts Centre Trinity Street Gainsborough Lincolnshire DN21 2AL

**WARD:** Gainsborough South West

**WARD MEMBER(S):** Cllr Mrs J A Rainsforth and Cllr T V Young

**APPLICANT NAME:** Mr Luke Matthews on behalf of West Lindsey District Council

**TARGET DECISION DATE:** 29/11/2022 (Extension to 2<sup>nd</sup> December 2022)

**DEVELOPMENT TYPE:** Minor - all others

**CASE OFFICER:** Holly Horton

**RECOMMENDED DECISION:** Grant planning permission and listed building consent subject to conditions.

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#### **Description:**

This application has been referred to the planning committee as the applicant is an employee of West Lindsey District Council and is applying on behalf of West Lindsey District Council.

The application site is located in the town of Gainsborough, on the eastern side of Trinity Street and the western side of Sandsfield Lane. The boundary wall is curtilage listed in association with the listed Trinity Arts Centre. The site is bounded to the north by residential properties and their garden areas as well as a 'Kwik-Fit' garage and associated parking.

The Historic England record describes the site as follows: *'The (former) church of Holy Trinity, Gainsborough is designated at Grade II for the following principal reasons: \* Redundant church of 1841-3 by T Johnson of Lichfield, ashlar faced in a plain, pre-archaeological Gothic style. \* Chancel enlarged in 1871, with further work in 1911 and in 1982-4 following conversion to an arts centre. \* Tall W tower and spire form an important landmark.'*

The application seeks both planning permission, and listed building consent, to dismantle the unsafe section of walling, construct new foundations for the section, and rebuild the section of walling.

**Relevant history:**

**143385/143386** – Planning application and Listed Building Consent to rebuild section of boundary wall – Withdrawn by applicant – 23/09/2021  
*Reason for withdrawal – Insufficient information.*

**Representations:**

Chairman/Ward member(s): No representations received to date.

Parish/Town Council/Meeting: No representations received to date.

Local residents: 81 Sandsfield Lane, Gainsborough – Object to the proposal as below:

- Absolutely shocking more of our money being spent on this building even though streets surrounding it are in a shocking state.

LCC Highways: LCC Highways does not wish to restrict the grant of permission. The proposal is for the rebuild of a boundary wall that does not front the highway and it does not have an impact on the Public Highway or Surface Water Flood Risk.

Conservation Officer: The boundary wall is curtilage listed in association with the listed Trinity Arts Centre. The wall is lined with grave stones that were moved there at or shortly after the de-consecration of the church yard.

Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The original build, design and materials of the boundary wall and the grave stones lining the wall are the significant features linking the wall with the listed building. The wall offers architectural and artistic interest and the grave stones offer historic interest reflecting upon the history of the former church and church yard (Historic England, *Statements of Heritage Significance, Advice Note 12, 2019*).

Having viewed the documents and seen the wall in person, it is clear that the wall requires intervention in the near future before it collapses and causes harm to the fabric and the gravestones.

I support the proposal for option 1 (subject to conditions) to carefully remove the wall, allow for foundations, and under pin the retained wall. This would retain the historic character of the boundary, preserve the setting of the listed building and offer the opportunity to enhance the inappropriate modern interventions.

Please see the following conditions:

- 1) The works shall follow the “Preparation”, “Investigation”, “Stabilisation Works”, and “Repair Works” as noted in the plans 7536–LAT–0001 unless otherwise approved in writing by the Local Planning Authority.

*Reason:* To ensure that premature demolition does not take place and that an unsightly gap does not detract from the character and appearance of the area.

- 2) The photographic record of the gravestones and their locations shall be approved by the Local Planning Authority prior to the removal of the gravestones.

*Reason:* To ensure that special regard is paid to the features relating to the special architectural interest and character so that these are reincorporated into the boundary.

- 3) The location for the safe storage of the gravestones will be approved by the Local Planning Authority prior to removal of the gravestones.

*Reason:* To ensure that special regard is paid to specific architectural features or fixtures and to ensure the fabric is protected from damage during the course of works.

- 4) The methodology of the exploratory intrusive survey (including propping options) shall be approved by the Local Planning Authority prior to the work.

*Reason:* In the interests of ensuring that no damage is caused to the part of the building which is to be retained.

- 5) The detailed survey of defective material for the bricks, copings, and mortar shall be approved by the Local Planning Authority prior to dismantling of the wall or any repair work.

*Reason:* To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 6) The mortar sample analysis and proposed mortar for the work shall be approved by the Local Planning Authority prior to the dismantling of the wall or any repair work.

*Reason:* To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 7) The detailed photographic survey of the wall to be taken down will be approved by the Local Planning Authority prior to the dismantling of the wall

*Reason:* To ensure that special regard is paid to the features relating to the special architectural interest and character so that these are reincorporated into the building.



- 8) The rebuilt brickwork shall match the existing brickwork noted through the detailed photographic survey within the “Stabilisation Works” in respect of dimensions, colour, texture, face bond, and pointing unless otherwise approved in writing by the Local Planning Authority.

*Reason:* To ensure that special regard is paid to the features relating to the special architectural interest and character so that these are reincorporated into the building.

- 9) The following sound materials/features/fixtures forming part of the boundary shall be carefully taken down, protected and securely stored for later re-erection/ re-use or disposal.

- Bricks
- Coping stones
- Pier cappings
- Gravestones

Where damage has occurred (for example, from unauthorised works, vandalism or fire), it is important to ensure that any loose historic items are identified and retained on site in a secure place pending their reinstatement.

*Reason:* In order that such materials may be reused at a later date.

- 10) Demolition work shall be carried out by hand or by tools held in the hand other than power-driven tools.

*Reason:* In order that such materials may be reused at a later date.

- 11) 1m<sup>2</sup> of the rebuilt brickwork, as a sample, must be approved by the Local Planning Authority prior to the full rebuild of the wall. This must show:

- The wall bond
- pointing mortar mix
- joint thickness
- finish profile

*Reason:* To ensure that special regard is paid to the features relating to the special architectural interest and character so that these are reincorporated into the building.

- 12) Any new materials to be used for repairs, replacements or as part of the rebuild must be submitted and approved by the Local Planning Authority.

*Reason:* To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 13) No cleaning of masonry, other than low pressure (20-100 psi) surface cleaning using a nebulous water spray is authorised by this consent without the prior approval of the Local Planning Authority. Before work begins, any other cleaning proposals must be approved in writing and carried out strictly in accordance with those details. At the commencement of the cleaning, a test panel shall be undertaken in an inconspicuous position and the method recorded to the approval of the Local Planning Authority.

*Reason:* To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Archaeology: The proposed development involves the dismantling and reconstruction of a Listed historic boundary wall associated with the nineteenth century former Holy Trinity Church (now Arts Centre).

The information, photographs, and drawings provided in the developer's Heritage Statement will provide an adequate record of the wall and the 19th century gravestones which have been placed against it following clearance of the churchyard. These monuments are also proposed to be removed and reinstated following the work, so we would not recommend any further recording of these or the wall be required.

The proposed excavation and underpinning works has the potential to disturb human remains within the churchyard. However, as this cemetery was laid out relatively recently in the 19th century it would usually be anticipated that graves would be carefully arranged in rows within the cemetery in only one phase, so there is less chance of earlier disturbed remains within the graveyard soil or of graves that might extend up to, beneath or beyond the boundary wall as can occur on older medieval church sites. The church was also constructed in an area that was not previously within the settlement of Gainsborough and where earlier pre-Victorian remains are not anticipated.

Therefore we would not recommend that it was necessary for these works to be continuously monitored by an archaeologist. If, however, during the course of the works human remains are revealed all work should halt as under the Burial Act 1853 it is an offence to disturb a burial without a license from the Ministry of Justice.

It is also recommended that the applicant has ensured that a Faculty from the Diocese of Lincoln is not required for this work. Although the church is closed and the building is no longer subject to the requirement for a Faculty, the burial ground is usually still covered by the requirements for a Faculty in order to protect burials in consecrated ground from disturbance. This will be set out in the legal notices relating to the church's closure. The Lincoln Diocesan Registry may be able to clarify the position if there is any uncertainty.

Idox: Checked on 11<sup>th</sup> November 2022

## **Relevant Planning Policies:**

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Here, the Development Plan comprises the provisions of the Central Lincolnshire Local Plan (adopted in April 2017), the Gainsborough Neighbourhood Plan (adopted June 2021), and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016).

### Development Plan

- ***Central Lincolnshire Local Plan 2012-2036 (CLLP)***

Relevant policies of the CLLP include:

LP1: A Presumption in Favour of Sustainable Development

LP13: Accessibility and Transport

LP14: Managing Water Resources and Flood Risk

LP17: Landscape, Townscape and Views

LP25: The Historic Environment

LP26: Design and Amenity

- ***Gainsborough Neighbourhood Plan (2020-2036)***

The following policies are considered relevant in the determination of this application:

NPP 1 Sustainable Development

NPP 6 Ensuring High Quality Design

NPP 18 Protecting and Enhancing Heritage Assets

### Gainsborough Heritage and Character Assessment:

TCA 06 Gainsborough Town Centre

- ***Lincolnshire Minerals and Waste Local Plan (LMWLP)***

The site is not within a Minerals Safeguarding Area, Minerals or Waste site / area.

### National policy & guidance (Material Consideration)

- ***National Planning Policy Framework (NPPF)***

The NPPF sets out the Government's planning policies for England and how these should be applied. It is a material consideration in planning decisions. The most recent iteration of the NPPF was published in July 2021. Paragraph 219 states:

*"Existing [development plan] policies should not be considered out-of-date simply because they were adopted or made prior to the publication*

*of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."*

- **National Planning Practice Guidance**
- **National Design Guide (2019)**
- **National Model Design Code (2021)**

#### Other Guidance:

Section 16 of the Planning (Listed Building & Conservation Areas) act 1990.  
Section 66 of the Planning (Listed Building & Conservation Areas) act 1990.

#### Draft Local Plan / Neighbourhood Plan (Material Consideration)

In line with paragraph 48 of the NPPF, weight may now be given to any relevant policies in the emerging plan according to the criteria set out below:

- (a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- (b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- (c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)."

Review of the Central Lincolnshire Local Plan commenced in 2019. The 1st Consultation Draft ("Reg 18") of the Local Plan was published in June 2021, and was subject to public consultation. Following a review of the public response, the Proposed Submission Draft ("Reg 19") of the Local Plan was published in March 2022, and was subject to a further round of consultation. On 8th July 2022, the Local Plan Review was submitted to the Planning Inspectorate in order for it to commence its examination. Examination commences on 15<sup>th</sup> November 2022 and is programmed to run until January 2023.

The Draft Plan may be a material consideration, where its policies are relevant. Applying paragraph 48 of the NPPF, the decision maker may give some weight to relevant policies within the submitted "Reg 19" Plan, with the weight to be given subject to the extent to which there may still be unresolved objections to those policies (the less significant the unresolved objections, the greater the weight that may be given).

Consultation responses can be found in document STA022 Reg 19 Consultation Responses by policy / STA023 Reg 19 Consultation Responses by respondent.

#### **Main issues**

- Design and Heritage Impact
- Other Matters
  - Archaeology

## **Assessment:**

### **Design and Heritage Impact**

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when considering whether to grant listed building consent for any works, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 66 of the Planning (Listed Building & Conservation Areas) Act 1990 places a legislative requirement that when considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Setting is more than views, it is how the building is experienced.

Section 16 of the NPPF states that when considering the impact of a proposed development in the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of Grade II Listed Buildings, should be exceptional.

With regard to Listed Buildings, Policy LP25 of the CLLP states that *'Permission to change the use of a Listed Building or to alter or extend such a building will be granted where the local planning authority is satisfied that the proposal is in the interest of the building's preservation and does not involve activities or alterations prejudicial to the special architectural or historic interest of the Listed Building or its setting.'*

In relation to design and visual impact, the NPPF makes clear that the creation of high quality places is fundamental to what the planning and development process should achieve. Policies LP17 and LP26 seek to ensure development respects the landscape character and identity, and relates well to the site and surroundings and achieve high quality design.

Policy NPP 18 of the Gainsborough Neighbourhood Plan states that restoration projects will be supported where the proposal better reveals the significance of heritage assets including their settings.

The proposal seeks permission for the partial dismantling and rebuilding of the northern boundary wall to the Trinity Arts Centre. The rebuilt wall would

use retained bricks using the bonder patten, pointing and mortar to match the existing. Underpinning would also be required to both ends of the original wall either side of the opening created by the removal of the failing section of brickwork.

The accompanying documents explain that the wall has been subject to a structural survey. It concludes that *“The wall is inherently unstable, the lean of 100mm (2 degrees) is beyond that which is considered acceptable for a wall of this width and height.”*

The Conservation Officer has been consulted and has commented as follows:

*‘Having viewed the documents and seen the wall in person, it is clear that the wall requires intervention in the near future before it collapses and causes harm to the fabric and the gravestones.*

*I support the proposal for option 1 (subject to conditions) to carefully remove the wall, allow for foundations, and under pin the retained wall. This would retain the historic character of the boundary, preserve the setting of the listed building and offer the opportunity to enhance the inappropriate modern interventions.’*

They have recommended thirteen conditions, all in relation to materials and method. In view of the sensitive setting, it is agreed that conditions to ensure appropriate materials and methodology are necessary.

In accordance with paragraph 56 of the NPPF, which requires that conditions are precise and enforceable, the conditions suggested by the Conservation Officer as referenced in the ‘representations’ section of this report have been amended and can be found at the end of this report.

Overall, the proposed works are required to avoid the potential partial collapse of the historic boundary wall. The proposed works would preserve the special character and significance of the listed building and its setting. It is considered that the proposed works are in accordance with policy LP25 of the CLLP, policy NPP 18 of the NP, the guidance contained within the National Planning Policy Framework and the statutory duties set out in the Planning (Listed Buildings and Conservation Areas) Act 1990.

It is considered that policy LP25 and NPP 18 are consistent with the historic environment guidance of the NPPF and can be attached full weight.

## **Other Matters**

### **Archaeology**

Policy LP25 states “Development affecting archaeological remains, whether known or potential, designated or undesignated, should take every practical and reasonable step to protect and, where possible, enhance their significance”. The Historic Environment Officer at Lincolnshire County Council

has advised that archaeological monitoring should not be necessary during works but that *“If, however, during the course of the works human remains are revealed all work should halt as under the Burial Act 1853 it is an offence to disturb a burial without a license from the Ministry of Justice.”*

It is considered that it is not necessary to include any conditions in regards to archaeology, however an advisory note would be added to the decision notice in regards to the Burial Act 1853 on the occurrence of human remains being revealed during the course of the works. It is therefore considered that the proposal would accord with policy LP25 of the CLLP.

## **Conclusion and Planning Balance**

### **Planning Application 145640:**

The proposal has been considered against policies LP1: A Presumption in Favour of Sustainable Development, LP13: Accessibility and Transport, LP14: Managing Water Resources and Flood Risk, LP17: Landscape, Townscape and Views, LP25: The Historic Environment, LP26: Design and Amenity, of the Central Lincolnshire Local Plan, and 66 of the Planning (Listed Building & Conservation Areas) act 1990 as well as the Gainsborough Neighbourhood Plan in the first instance, and guidance contained within the National Planning Policy Framework, National Planning Practice Guidance, National Design Guide, National Model Design Code and the Central Lincolnshire Local Plan 2021 Consultation Draft has also been taken into consideration.

In light of this assessment, it is considered that subject to the recommended conditions, the proposal will respect the character and appearance of the historic fabric of the curtilage listed wall as well as Trinity Arts Centre. The proposal will therefore preserve the special character and significance of the listed building, its setting and the special architectural features or historic interest they possesses. It will not harm the character and appearance of the street-scene or have an unacceptable impact on the living conditions of the residents of neighbouring properties.

### **Listed Building Consent 145568:**

The proposed works have been considered against the duty contained within Section 16 of the Planning (Listed Building and Conservation Areas) Act 1990 (as amended), and the advice given in Chapter 16 of the National Planning Policy Framework.

In light of this assessment, it is considered that subject to the recommended conditions, the proposed works will respect the character and appearance of the historic fabric of the Listed Building. The proposal will therefore preserve the special character and significance of the listed building, its setting and the special architectural features or historic interest it possesses. Accordingly a grant of Listed Building Consent is considered acceptable.

## **Other Matters**

Whilst the comments of a 3<sup>rd</sup> party are noted in regard to WLDC funding, they are not relevant to the determination of the applications under consideration and are afforded no weight.

**Human Rights Implications:**

The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.


**Legal Implications:**

Although all planning decisions have the ability to be legally challenged it is considered there are no specific legal implications arising from this report

**Prepared by:** Holly Horton

**Date:** 11<sup>th</sup> November 2022

**Signed:** *Holly Horton*



**Authorising Officer**

**Date:** 14/11/2022

**Decision Level**

Committee X



Recommended Planning Permission Conditions:

**Conditions stating the time by which the development must be commenced:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**Reason:** To conform with Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

**Conditions which apply or require matters to be agreed before the development commenced:**

None.

**Conditions which apply or are to be observed during the course of the development:**

2. The works shall follow the "Preparation", "Investigation", "Stabilisation Works", and "Repair Works" as noted in the plans 7536-LAT-0001 unless otherwise approved in writing by the Local Planning Authority.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under LP25 of the Central Lincolnshire Local Plan and the provisions of the National planning policy Framework.

3. Prior to the dismantling or any repair work to the wall, a detailed survey of defective material for the bricks, copings, and mortar shall be submitted and approved in writing by the Local Planning Authority. Works shall be completed in accordance with the findings of the survey.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under LP25 of the Central Lincolnshire Local Plan and the provisions of the National planning policy Framework.

4. The rebuilt brickwork shall match the existing brickwork noted through the detailed photographic survey (condition 3) within the "Stabilisation Works" in respect of dimensions, colour, texture, face bond, and pointing unless otherwise approved in writing by the Local Planning Authority.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under LP25 of the Central Lincolnshire Local Plan and the provisions of the National planning policy Framework.

5. Following the partial demolition as shown on drawing 7536-LAT-0001 any new materials to be used for repairs, replacements or as part of the rebuild

shall be submitted to and approved in writing by the Local Planning Authority.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under LP25 of the Central Lincolnshire Local Plan and the provisions of the National planning policy Framework.

6. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings:

- 7536-LAT-S1-XX-DP-A-1002-S3-A dated 20/09/2022.
- 7536-LAT-0001 received 22/09/2022.

The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

**Reason:** To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework and Policy LP17, LP25 and LP26 of the Central Lincolnshire Local Plan.

**Conditions which apply or relate to matters which are to be observed following completion of the development:**

None.

Recommended Listed Building Consent Conditions:

**Conditions stating the time by which the development must be commenced:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**Reason:** To conform with Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

**Conditions which apply or require matters to be agreed before the development commenced:**

2. No development shall take place until the methodology of the exploratory intrusive survey (including propping options) has been submitted to and approved in writing by the Local Planning Authority. The works shall be completed in accordance with the findings of the survey.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

**Conditions which apply or are to be observed during the course of the development:**

3. The works shall follow the “Preparation”, “Investigation”, “Stabilisation Works”, and “Repair Works” as noted in the plans 7536–LAT–0001 unless otherwise approved in writing by the Local Planning Authority.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4. Prior to the removal of any gravestones, a photographic record of all gravestones, their locations and their condition shall be submitted to and approved in writing to the Local Planning Authority.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

5. Prior to the removal of any gravestones, the location for the safe storage during the duration of the works shall be submitted to and approved in writing to the Local Planning Authority, following the completion of the ‘Stabilisation Works’ (as stated on drawing 7536–LAT–0001) the gravestones shall be reinstated to their previous recorded positions.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

6. Prior to the dismantling or any repair work to the wall, a detailed survey of defective material for the bricks, copings, and mortar shall be submitted and approved in writing by the Local Planning Authority. Works shall be completed in accordance with the findings of the survey.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

7. Prior to the dismantling or any repair work to the wall, the mortar sample analysis and proposed mortar for the work shall be submitted to and approved in writing by the Local Planning Authority. Works shall be completed in accordance with the findings of the analysis and the approved mortar mix.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

8. Prior to the dismantling or any repair work to the wall, a detailed photographic record of the wall to be taken down shall be submitted to and approved in writing to the Local Planning Authority.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

9. The rebuilt brickwork shall match the existing brickwork noted through the detailed photographic survey (condition 6) within the “Stabilisation Works” in respect of dimensions, colour, texture, face bond, and pointing unless otherwise approved in writing by the Local Planning Authority.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

10. The following sound materials/features/fixtures forming part of the boundary as shown in the findings of condition 6 shall be carefully taken down, protected and securely stored for later re-erection/ re-use or disposal.

- Bricks
- Coping stones
- Pier cappings
- Gravestones

Where damage has occurred (for example, from unauthorised works, vandalism or fire), it is important to ensure that any loose historic items are identified and retained on site in a secure place pending their reinstatement.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

11. Demolition work shall be carried out only by hand or by tools held in the hand and not by any power-driven tools.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

12. Following the partial demolition as shown on drawing 7536–LAT–0001, a 1m<sup>2</sup> (one square metre) sample panel of brickwork demonstrating the quality, materials, bond, mortar, coursing, colour and texture shall be constructed on site. The Local Planning Authority shall approve the above details of the brickwork prior to the rebuild commencing and the

development shall be carried out in accordance with the approved details. The sample panel shall be retained on site until development is completed or removal is approved in writing by the Local Planning Authority.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

13. Following the partial demolition as shown on drawing 7536–LAT–0001 any new materials to be used for repairs, replacements or as part of the rebuild shall be submitted to and approved in writing by the Local Planning Authority.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

14. No cleaning of masonry, other than low pressure (20-100 psi) surface cleaning using a nebulous water spray is authorised by this consent without the prior approval of the Local Planning Authority. Before work begins, any other cleaning proposals must be approved in writing and carried out strictly in accordance with those details. At the commencement of the cleaning, a test panel shall be undertaken in an inconspicuous position and the method recorded to the approval of the Local Planning Authority.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

15. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings:

- 7536-LAT-S1-XX-DP-A-1002-S3-A dated 20/09/2022.
- 7536-LAT-0001 received 22/09/2022.

The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

**Reason:** To ensure the work proceeds in accordance with the approved plans in accordance with section 17 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

### **Notes to Applicant**

If, during the course of the works, human remains are revealed all work should halt as under the Burial Act 1853 it is an offence to disturb a burial without a license from the Ministry of Justice.

# PAPER G

## Planning Permission

Name and address of applicant

Mr Luke Matthews  
West Lindsey District Council  
Guidhall  
Marshall's Yard  
Gainsborough  
DN212NA

Name and address of agent (if any)

Mr Jon Phipps  
Latham Architects  
50 St Marys Gate  
Nottingham  
  
NG11QA

### Part One – Particulars of application

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Date of application:  
04/10/2022

Application number:  
145640

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Particulars and location of development:

Planning application to rebuild section of boundary wall.

Trinity Arts Centre Trinity Street Gainsborough Lincolnshire DN21 2AL

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### Part Two – Particulars of decision

The West Lindsey District Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that **planning permission has been granted** for the carrying out of the development referred to in Part One hereof in accordance with the application and plans submitted subject to the following conditions:

#### **Conditions stating the time by which the development must be commenced:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

#### **Conditions which apply or require matters to be agreed before the development commenced:**

None.

#### **Conditions which apply or are to be observed during the course of the development:**

2. The works shall follow the “Preparation”, “Investigation”, “Stabilisation Works”, and “Repair Works” as noted in the plans 7536–LAT–0001 unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under LP25 of the

Central Lincolnshire Local Plan and the provisions of the National planning policy Framework.

3. Prior to the dismantling or any repair work to the wall, a detailed survey of defective material for the bricks, copings, and mortar shall be submitted and approved in writing by the Local Planning Authority. Works shall be completed in accordance with the findings of the survey.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under LP25 of the Central Lincolnshire Local Plan and the provisions of the National planning policy Framework.

4. The rebuilt brickwork shall match the existing brickwork noted through the detailed photographic survey (condition 3) within the “Stabilisation Works” in respect of dimensions, colour, texture, face bond, and pointing unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under LP25 of the Central Lincolnshire Local Plan and the provisions of the National planning policy Framework.

5. Following the partial demolition as shown on drawing 7536–LAT–0001 any new materials to be used for repairs, replacements or as part of the rebuild shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under LP25 of the Central Lincolnshire Local Plan and the provisions of the National planning policy Framework.

6. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings:

- 7536-LAT-S1-XX-DP-A-1002-S3-A dated 20/09/2022.
- 7536-LAT-0001 received 22/09/2022.

The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

**Reason:** To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework and Policy LP17, LP25 and LP26 of the Central Lincolnshire Local Plan.

**Conditions which apply or relate to matters which are to be observed following completion of the development:**

None.

**Notes to the Applicant**



If, during the course of the works, human remains are revealed all work should halt as under the Burial Act 1853 it is an offence to disturb a burial without a license from the Ministry of Justice.

## **COMMUNITY INFRASTRUCTURE LEVY**

Please be aware that as of the 22<sup>nd</sup> January 2018 West Lindsey District Council implemented a Community Infrastructure Levy and that eligible development granted on or after this date will be subject to this charge. The development subject to this Decision Notice could fall within the definitions held within the adopted charging schedule and as such may be liable to pay the levy. For further information on CIL, processes, calculating the levy and associated forms please visit the Planning Portal [www.west-lindsey.gov.uk/cilforms](http://www.west-lindsey.gov.uk/cilforms) and West Lindsey District Council's own website [www.west-lindsey.gov.uk/CIL](http://www.west-lindsey.gov.uk/CIL)

Please note that CIL liable development cannot commence until all forms and necessary fees have been submitted and paid. Failure to do so will result in surcharges and penalties

### **Reasons for granting permission**

The proposal has been considered against policies LP1: A Presumption in Favour of Sustainable Development, LP13: Accessibility and Transport, LP14: Managing Water Resources and Flood Risk, LP17: Landscape, Townscape and Views, LP25: The Historic Environment, LP26: Design and Amenity, of the Central Lincolnshire Local Plan, and 66 of the Planning (Listed Building & Conservation Areas) act 1990 as well as the Gainsborough Neighbourhood Plan in the first instance, and guidance contained within the National Planning Policy Framework, National Planning Practice Guidance, National Design Guide, National Model Design Code and the Central Lincolnshire Local Plan 2021 Consultation Draft has also been taken into consideration.

In light of this assessment, it is considered that subject to the recommended conditions, the proposal will respect the character and appearance of the historic fabric of the curtilage listed wall as well as Trinity Arts Centre. The proposal will therefore preserve the special character and significance of the listed building, its setting and the special architectural features or historic interest they possesses. It will not harm the character and appearance of the street-scene or have an unacceptable impact on the living conditions of the residents of neighbouring properties.

### **Working Practice Statement**

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Date: 1<sup>st</sup> December 2022

Signed:



Ian Knowles  
Head of Paid Service

West Lindsey District Council  
Council Offices  
Guildhall  
Marshall's Yard  
Gainsborough  
DN21 2NA

Note: This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation. You are strongly advised not to commence works until you have obtained any other permissions or consents that may be required, for example approval under the Building Regulations, otherwise there may be a risk of significant legal and financial consequences. For further advice on the Building Regulations, contact the Council's Building Control section.

Failure to adhere to the details of the approved plans or to comply with the conditions attached to this permission is a contravention of the provisions of the Town & Country Planning Act 1990 in respect of which enforcement action may be taken. Please contact the planning department for further advice relating to the discharge of condition process and the appropriate fee payable (if applicable).

### **Self-build and Custom housebuilding**

Did you know that West Lindsey District Council maintains a register of people who would be interested in taking up self-build and custom housebuilding opportunities within the area?

There are certain benefits that arise from self-build developments i.e. you may be eligible for exemption from Community Infrastructure Levy (CIL). Further details of self-build and custom housebuilding within West Lindsey can be viewed here: <https://www.west-lindsey.gov.uk/my-services/planning-and-building/self-build>

If you would be interested in the provision of Self-Build and Custom Housebuilding opportunities as part of your development proposal, and would be willing for those with a registered interest to contact you, please visit the above web page and complete our site submission form.

### Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- **If you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice. Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at <https://acp.planninginspectorate.gov.uk>. You must use a Planning Appeal Form when making your appeal. If requesting**

***forms from the Planning Inspectorate, please state the appeal form you require.***

- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.
- **Please note only the applicant possesses the right to appeal.**

#### Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

If you require this document in another format e.g. large print, please contact Customer Services on 01427 676 676, by email [customer.services@west-lindsey.gov.uk](mailto:customer.services@west-lindsey.gov.uk) or by asking any of the Customer Services staff.

## Officers Report

### Planning Application No: 145640

**PROPOSAL:** Planning application to rebuild section of boundary wall.

### Listed Building Consent No: 145568

**PROPOSAL:** Listed Building Consent to rebuild section of boundary wall.

**LOCATION:** Trinity Arts Centre Trinity Street Gainsborough Lincolnshire DN21 2AL

**WARD:** Gainsborough South West

**WARD MEMBER(S):** Cllr Mrs J A Rainsforth and Cllr T V Young

**APPLICANT NAME:** Mr Luke Matthews on behalf of West Lindsey District Council

**TARGET DECISION DATE:** 29/11/2022 (Extension to 2<sup>nd</sup> December 2022)

**DEVELOPMENT TYPE:** Minor - all others

**CASE OFFICER:** Holly Horton

**RECOMMENDED DECISION:** Grant planning permission and listed building consent subject to conditions.

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#### **Description:**

This application has been referred to the planning committee as the applicant is an employee of West Lindsey District Council and is applying on behalf of West Lindsey District Council.

The application site is located in the town of Gainsborough, on the eastern side of Trinity Street and the western side of Sandsfield Lane. The boundary wall is curtilage listed in association with the listed Trinity Arts Centre. The site is bounded to the north by residential properties and their garden areas as well as a 'Kwik-Fit' garage and associated parking.

The Historic England record describes the site as follows: *'The (former) church of Holy Trinity, Gainsborough is designated at Grade II for the following principal reasons: \* Redundant church of 1841-3 by T Johnson of Lichfield, ashlar faced in a plain, pre-archaeological Gothic style. \* Chancel enlarged in 1871, with further work in 1911 and in 1982-4 following conversion to an arts centre. \* Tall W tower and spire form an important landmark.'*

The application seeks both planning permission, and listed building consent, to dismantle the unsafe section of walling, construct new foundations for the section, and rebuild the section of walling.

**Relevant history:**

**143385/143386** – Planning application and Listed Building Consent to rebuild section of boundary wall – Withdrawn by applicant – 23/09/2021  
*Reason for withdrawal – Insufficient information.*

**Representations:**

Chairman/Ward member(s): No representations received to date.

Parish/Town Council/Meeting: No representations received to date.

Local residents: 81 Sandsfield Lane, Gainsborough – Object to the proposal as below:

- Absolutely shocking more of our money being spent on this building even though streets surrounding it are in a shocking state.

LCC Highways: LCC Highways does not wish to restrict the grant of permission. The proposal is for the rebuild of a boundary wall that does not front the highway and it does not have an impact on the Public Highway or Surface Water Flood Risk.

Conservation Officer: The boundary wall is curtilage listed in association with the listed Trinity Arts Centre. The wall is lined with grave stones that were moved there at or shortly after the de-consecration of the church yard.

Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The original build, design and materials of the boundary wall and the grave stones lining the wall are the significant features linking the wall with the listed building. The wall offers architectural and artistic interest and the grave stones offer historic interest reflecting upon the history of the former church and church yard (Historic England, *Statements of Heritage Significance, Advice Note 12, 2019*).

Having viewed the documents and seen the wall in person, it is clear that the wall requires intervention in the near future before it collapses and causes harm to the fabric and the gravestones.

I support the proposal for option 1 (subject to conditions) to carefully remove the wall, allow for foundations, and under pin the retained wall. This would retain the historic character of the boundary, preserve the setting of the listed building and offer the opportunity to enhance the inappropriate modern interventions.

Please see the following conditions:

- 1) The works shall follow the “Preparation”, “Investigation”, “Stabilisation Works”, and “Repair Works” as noted in the plans 7536–LAT–0001 unless otherwise approved in writing by the Local Planning Authority.

*Reason:* To ensure that premature demolition does not take place and that an unsightly gap does not detract from the character and appearance of the area.

- 2) The photographic record of the gravestones and their locations shall be approved by the Local Planning Authority prior to the removal of the gravestones.

*Reason:* To ensure that special regard is paid to the features relating to the special architectural interest and character so that these are reincorporated into the boundary.

- 3) The location for the safe storage of the gravestones will be approved by the Local Planning Authority prior to removal of the gravestones.

*Reason:* To ensure that special regard is paid to specific architectural features or fixtures and to ensure the fabric is protected from damage during the course of works.

- 4) The methodology of the exploratory intrusive survey (including propping options) shall be approved by the Local Planning Authority prior to the work.

*Reason:* In the interests of ensuring that no damage is caused to the part of the building which is to be retained.

- 5) The detailed survey of defective material for the bricks, copings, and mortar shall be approved by the Local Planning Authority prior to dismantling of the wall or any repair work.

*Reason:* To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 6) The mortar sample analysis and proposed mortar for the work shall be approved by the Local Planning Authority prior to the dismantling of the wall or any repair work.

*Reason:* To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 7) The detailed photographic survey of the wall to be taken down will be approved by the Local Planning Authority prior to the dismantling of the wall

*Reason:* To ensure that special regard is paid to the features relating to the special architectural interest and character so that these are reincorporated into the building.

- 8) The rebuilt brickwork shall match the existing brickwork noted through the detailed photographic survey within the “Stabilisation Works” in respect of dimensions, colour, texture, face bond, and pointing unless otherwise approved in writing by the Local Planning Authority.

*Reason:* To ensure that special regard is paid to the features relating to the special architectural interest and character so that these are reincorporated into the building.

- 9) The following sound materials/features/fixtures forming part of the boundary shall be carefully taken down, protected and securely stored for later re-erection/ re-use or disposal.

- Bricks
- Coping stones
- Pier cappings
- Gravestones

Where damage has occurred (for example, from unauthorised works, vandalism or fire), it is important to ensure that any loose historic items are identified and retained on site in a secure place pending their reinstatement.

*Reason:* In order that such materials may be reused at a later date.

- 10) Demolition work shall be carried out by hand or by tools held in the hand other than power-driven tools.

*Reason:* In order that such materials may be reused at a later date.

- 11) 1m<sup>2</sup> of the rebuilt brickwork, as a sample, must be approved by the Local Planning Authority prior to the full rebuild of the wall. This must show:

- The wall bond
- pointing mortar mix
- joint thickness
- finish profile

*Reason:* To ensure that special regard is paid to the features relating to the special architectural interest and character so that these are reincorporated into the building.

- 12) Any new materials to be used for repairs, replacements or as part of the rebuild must be submitted and approved by the Local Planning Authority.

*Reason:* To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 13) No cleaning of masonry, other than low pressure (20-100 psi) surface cleaning using a nebulous water spray is authorised by this consent without the prior approval of the Local Planning Authority. Before work begins, any other cleaning proposals must be approved in writing and carried out strictly in accordance with those details. At the commencement of the cleaning, a test panel shall be undertaken in an inconspicuous position and the method recorded to the approval of the Local Planning Authority.

*Reason:* To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Archaeology: The proposed development involves the dismantling and reconstruction of a Listed historic boundary wall associated with the nineteenth century former Holy Trinity Church (now Arts Centre).

The information, photographs, and drawings provided in the developer's Heritage Statement will provide an adequate record of the wall and the 19th century gravestones which have been placed against it following clearance of the churchyard. These monuments are also proposed to be removed and reinstated following the work, so we would not recommend any further recording of these or the wall be required.

The proposed excavation and underpinning works has the potential to disturb human remains within the churchyard. However, as this cemetery was laid out relatively recently in the 19th century it would usually be anticipated that graves would be carefully arranged in rows within the cemetery in only one phase, so there is less chance of earlier disturbed remains within the graveyard soil or of graves that might extend up to, beneath or beyond the boundary wall as can occur on older medieval church sites. The church was also constructed in an area that was not previously within the settlement of Gainsborough and where earlier pre-Victorian remains are not anticipated.

Therefore we would not recommend that it was necessary for these works to be continuously monitored by an archaeologist. If, however, during the course of the works human remains are revealed all work should halt as under the Burial Act 1853 it is an offence to disturb a burial without a license from the Ministry of Justice.

It is also recommended that the applicant has ensured that a Faculty from the Diocese of Lincoln is not required for this work. Although the church is closed and the building is no longer subject to the requirement for a Faculty, the burial ground is usually still covered by the requirements for a Faculty in order to protect burials in consecrated ground from disturbance. This will be set out in the legal notices relating to the church's closure. The Lincoln Diocesan Registry may be able to clarify the position if there is any uncertainty.

Idox: Checked on 11<sup>th</sup> November 2022



## **Relevant Planning Policies:**

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Here, the Development Plan comprises the provisions of the Central Lincolnshire Local Plan (adopted in April 2017), the Gainsborough Neighbourhood Plan (adopted June 2021), and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016).

### Development Plan

- ***Central Lincolnshire Local Plan 2012-2036 (CLLP)***

Relevant policies of the CLLP include:

LP1: A Presumption in Favour of Sustainable Development

LP13: Accessibility and Transport

LP14: Managing Water Resources and Flood Risk

LP17: Landscape, Townscape and Views

LP25: The Historic Environment

LP26: Design and Amenity

- ***Gainsborough Neighbourhood Plan (2020-2036)***

The following policies are considered relevant in the determination of this application:

NPP 1 Sustainable Development

NPP 6 Ensuring High Quality Design

NPP 18 Protecting and Enhancing Heritage Assets

### Gainsborough Heritage and Character Assessment:

TCA 06 Gainsborough Town Centre

- ***Lincolnshire Minerals and Waste Local Plan (LMWLP)***

The site is not within a Minerals Safeguarding Area, Minerals or Waste site / area.

### National policy & guidance (Material Consideration)

- ***National Planning Policy Framework (NPPF)***

The NPPF sets out the Government's planning policies for England and how these should be applied. It is a material consideration in planning decisions. The most recent iteration of the NPPF was published in July 2021. Paragraph 219 states:

*"Existing [development plan] policies should not be considered out-of-date simply because they were adopted or made prior to the publication*

*of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."*

- **National Planning Practice Guidance**
- **National Design Guide (2019)**
- **National Model Design Code (2021)**

#### Other Guidance:

Section 16 of the Planning (Listed Building & Conservation Areas) act 1990.  
Section 66 of the Planning (Listed Building & Conservation Areas) act 1990.

#### Draft Local Plan / Neighbourhood Plan (Material Consideration)

In line with paragraph 48 of the NPPF, weight may now be given to any relevant policies in the emerging plan according to the criteria set out below:

- (a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- (b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- (c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)."

Review of the Central Lincolnshire Local Plan commenced in 2019. The 1st Consultation Draft ("Reg 18") of the Local Plan was published in June 2021, and was subject to public consultation. Following a review of the public response, the Proposed Submission Draft ("Reg 19") of the Local Plan was published in March 2022, and was subject to a further round of consultation. On 8th July 2022, the Local Plan Review was submitted to the Planning Inspectorate in order for it to commence its examination. Examination commences on 15<sup>th</sup> November 2022 and is programmed to run until January 2023.

The Draft Plan may be a material consideration, where its policies are relevant. Applying paragraph 48 of the NPPF, the decision maker may give some weight to relevant policies within the submitted "Reg 19" Plan, with the weight to be given subject to the extent to which there may still be unresolved objections to those policies (the less significant the unresolved objections, the greater the weight that may be given).

Consultation responses can be found in document STA022 Reg 19 Consultation Responses by policy / STA023 Reg 19 Consultation Responses by respondent.

#### **Main issues**

- Design and Heritage Impact
- Other Matters
  - Archaeology

## **Assessment:**

### **Design and Heritage Impact**

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when considering whether to grant listed building consent for any works, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 66 of the Planning (Listed Building & Conservation Areas) Act 1990 places a legislative requirement that when considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Setting is more than views, it is how the building is experienced.

Section 16 of the NPPF states that when considering the impact of a proposed development in the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of Grade II Listed Buildings, should be exceptional.

With regard to Listed Buildings, Policy LP25 of the CLLP states that *'Permission to change the use of a Listed Building or to alter or extend such a building will be granted where the local planning authority is satisfied that the proposal is in the interest of the building's preservation and does not involve activities or alterations prejudicial to the special architectural or historic interest of the Listed Building or its setting.'*

In relation to design and visual impact, the NPPF makes clear that the creation of high quality places is fundamental to what the planning and development process should achieve. Policies LP17 and LP26 seek to ensure development respects the landscape character and identity, and relates well to the site and surroundings and achieve high quality design.

Policy NPP 18 of the Gainsborough Neighbourhood Plan states that restoration projects will be supported where the proposal better reveals the significance of heritage assets including their settings.

The proposal seeks permission for the partial dismantling and rebuilding of the northern boundary wall to the Trinity Arts Centre. The rebuilt wall would

use retained bricks using the bonder patten, pointing and mortar to match the existing. Underpinning would also be required to both ends of the original wall either side of the opening created by the removal of the failing section of brickwork.

The accompanying documents explain that the wall has been subject to a structural survey. It concludes that *“The wall is inherently unstable, the lean of 100mm (2 degrees) is beyond that which is considered acceptable for a wall of this width and height.”*

The Conservation Officer has been consulted and has commented as follows:

*‘Having viewed the documents and seen the wall in person, it is clear that the wall requires intervention in the near future before it collapses and causes harm to the fabric and the gravestones.*

*I support the proposal for option 1 (subject to conditions) to carefully remove the wall, allow for foundations, and under pin the retained wall. This would retain the historic character of the boundary, preserve the setting of the listed building and offer the opportunity to enhance the inappropriate modern interventions.’*

They have recommended thirteen conditions, all in relation to materials and method. In view of the sensitive setting, it is agreed that conditions to ensure appropriate materials and methodology are necessary.

In accordance with paragraph 56 of the NPPF, which requires that conditions are precise and enforceable, the conditions suggested by the Conservation Officer as referenced in the ‘representations’ section of this report have been amended and can be found at the end of this report.

Overall, the proposed works are required to avoid the potential partial collapse of the historic boundary wall. The proposed works would preserve the special character and significance of the listed building and its setting. It is considered that the proposed works are in accordance with policy LP25 of the CLLP, policy NPP 18 of the NP, the guidance contained within the National Planning Policy Framework and the statutory duties set out in the Planning (Listed Buildings and Conservation Areas) Act 1990.

It is considered that policy LP25 and NPP 18 are consistent with the historic environment guidance of the NPPF and can be attached full weight.

## **Other Matters**

### **Archaeology**

Policy LP25 states “Development affecting archaeological remains, whether known or potential, designated or undesignated, should take every practical and reasonable step to protect and, where possible, enhance their significance”. The Historic Environment Officer at Lincolnshire County Council

has advised that archaeological monitoring should not be necessary during works but that *“If, however, during the course of the works human remains are revealed all work should halt as under the Burial Act 1853 it is an offence to disturb a burial without a license from the Ministry of Justice.”*

It is considered that it is not necessary to include any conditions in regards to archaeology, however an advisory note would be added to the decision notice in regards to the Burial Act 1853 on the occurrence of human remains being revealed during the course of the works. It is therefore considered that the proposal would accord with policy LP25 of the CLLP.

## **Conclusion and Planning Balance**

### **Planning Application 145640:**

The proposal has been considered against policies LP1: A Presumption in Favour of Sustainable Development, LP13: Accessibility and Transport, LP14: Managing Water Resources and Flood Risk, LP17: Landscape, Townscape and Views, LP25: The Historic Environment, LP26: Design and Amenity, of the Central Lincolnshire Local Plan, and 66 of the Planning (Listed Building & Conservation Areas) act 1990 as well as the Gainsborough Neighbourhood Plan in the first instance, and guidance contained within the National Planning Policy Framework, National Planning Practice Guidance, National Design Guide, National Model Design Code and the Central Lincolnshire Local Plan 2021 Consultation Draft has also been taken into consideration.

In light of this assessment, it is considered that subject to the recommended conditions, the proposal will respect the character and appearance of the historic fabric of the curtilage listed wall as well as Trinity Arts Centre. The proposal will therefore preserve the special character and significance of the listed building, its setting and the special architectural features or historic interest they possesses. It will not harm the character and appearance of the street-scene or have an unacceptable impact on the living conditions of the residents of neighbouring properties.

### **Listed Building Consent 145568:**

The proposed works have been considered against the duty contained within Section 16 of the Planning (Listed Building and Conservation Areas) Act 1990 (as amended), and the advice given in Chapter 16 of the National Planning Policy Framework.

In light of this assessment, it is considered that subject to the recommended conditions, the proposed works will respect the character and appearance of the historic fabric of the Listed Building. The proposal will therefore preserve the special character and significance of the listed building, its setting and the special architectural features or historic interest it possesses. Accordingly a grant of Listed Building Consent is considered acceptable.

## **Other Matters**

Whilst the comments of a 3<sup>rd</sup> party are noted in regard to WLDC funding, they are not relevant to the determination of the applications under consideration and are afforded no weight.

**Human Rights Implications:**

The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

**Legal Implications:**

Although all planning decisions have the ability to be legally challenged it is considered there are no specific legal implications arising from this report

**Prepared by:** Holly Horton

**Date:** 11<sup>th</sup> November 2022

**Signed:** *Holly Horton*



**Authorising Officer**

**Date:** 14/11/2022

**Decision Level**

Committee X

Recommended Planning Permission Conditions:

**Conditions stating the time by which the development must be commenced:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**Reason:** To conform with Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

**Conditions which apply or require matters to be agreed before the development commenced:**

None.

**Conditions which apply or are to be observed during the course of the development:**

2. The works shall follow the “Preparation”, “Investigation”, “Stabilisation Works”, and “Repair Works” as noted in the plans 7536–LAT–0001 unless otherwise approved in writing by the Local Planning Authority.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under LP25 of the Central Lincolnshire Local Plan and the provisions of the National planning policy Framework.

3. Prior to the dismantling or any repair work to the wall, a detailed survey of defective material for the bricks, copings, and mortar shall be submitted and approved in writing by the Local Planning Authority. Works shall be completed in accordance with the findings of the survey.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under LP25 of the Central Lincolnshire Local Plan and the provisions of the National planning policy Framework.

4. The rebuilt brickwork shall match the existing brickwork noted through the detailed photographic survey (condition 3) within the “Stabilisation Works” in respect of dimensions, colour, texture, face bond, and pointing unless otherwise approved in writing by the Local Planning Authority.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under LP25 of the Central Lincolnshire Local Plan and the provisions of the National planning policy Framework.

5. Following the partial demolition as shown on drawing 7536–LAT–0001 any new materials to be used for repairs, replacements or as part of the rebuild

shall be submitted to and approved in writing by the Local Planning Authority.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under LP25 of the Central Lincolnshire Local Plan and the provisions of the National planning policy Framework.

6. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings:

- 7536-LAT-S1-XX-DP-A-1002-S3-A dated 20/09/2022.
- 7536-LAT-0001 received 22/09/2022.

The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

**Reason:** To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework and Policy LP17, LP25 and LP26 of the Central Lincolnshire Local Plan.

**Conditions which apply or relate to matters which are to be observed following completion of the development:**

None.

Recommended Listed Building Consent Conditions:

**Conditions stating the time by which the development must be commenced:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**Reason:** To conform with Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

**Conditions which apply or require matters to be agreed before the development commenced:**

2. No development shall take place until the methodology of the exploratory intrusive survey (including propping options) has been submitted to and approved in writing by the Local Planning Authority. The works shall be completed in accordance with the findings of the survey.



**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

**Conditions which apply or are to be observed during the course of the development:**

3. The works shall follow the “Preparation”, “Investigation”, “Stabilisation Works”, and “Repair Works” as noted in the plans 7536–LAT–0001 unless otherwise approved in writing by the Local Planning Authority.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4. Prior to the removal of any gravestones, a photographic record of all gravestones, their locations and their condition shall be submitted to and approved in writing to the Local Planning Authority.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

5. Prior to the removal of any gravestones, the location for the safe storage during the duration of the works shall be submitted to and approved in writing to the Local Planning Authority, following the completion of the ‘Stabilisation Works’ (as stated on drawing 7536–LAT–0001) the gravestones shall be reinstated to their previous recorded positions.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

6. Prior to the dismantling or any repair work to the wall, a detailed survey of defective material for the bricks, copings, and mortar shall be submitted and approved in writing by the Local Planning Authority. Works shall be completed in accordance with the findings of the survey.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

7. Prior to the dismantling or any repair work to the wall, the mortar sample analysis and proposed mortar for the work shall be submitted to and approved in writing by the Local Planning Authority. Works shall be completed in accordance with the findings of the analysis and the approved mortar mix.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

8. Prior to the dismantling or any repair work to the wall, a detailed photographic record of the wall to be taken down shall be submitted to and approved in writing to the Local Planning Authority.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

9. The rebuilt brickwork shall match the existing brickwork noted through the detailed photographic survey (condition 6) within the “Stabilisation Works” in respect of dimensions, colour, texture, face bond, and pointing unless otherwise approved in writing by the Local Planning Authority.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

10. The following sound materials/features/fixtures forming part of the boundary as shown in the findings of condition 6 shall be carefully taken down, protected and securely stored for later re-erection/ re-use or disposal.

- Bricks
- Coping stones
- Pier cappings
- Gravestones

Where damage has occurred (for example, from unauthorised works, vandalism or fire), it is important to ensure that any loose historic items are identified and retained on site in a secure place pending their reinstatement.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

11. Demolition work shall be carried out only by hand or by tools held in the hand and not by any power-driven tools.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

12. Following the partial demolition as shown on drawing 7536–LAT–0001, a 1m<sup>2</sup> (one square metre) sample panel of brickwork demonstrating the quality, materials, bond, mortar, coursing, colour and texture shall be constructed on site. The Local Planning Authority shall approve the above details of the brickwork prior to the rebuild commencing and the

development shall be carried out in accordance with the approved details. The sample panel shall be retained on site until development is completed or removal is approved in writing by the Local Planning Authority.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

13. Following the partial demolition as shown on drawing 7536–LAT–0001 any new materials to be used for repairs, replacements or as part of the rebuild shall be submitted to and approved in writing by the Local Planning Authority.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

14. No cleaning of masonry, other than low pressure (20-100 psi) surface cleaning using a nebulous water spray is authorised by this consent without the prior approval of the Local Planning Authority. Before work begins, any other cleaning proposals must be approved in writing and carried out strictly in accordance with those details. At the commencement of the cleaning, a test panel shall be undertaken in an inconspicuous position and the method recorded to the approval of the Local Planning Authority.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

15. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings:

- 7536-LAT-S1-XX-DP-A-1002-S3-A dated 20/09/2022.
- 7536-LAT-0001 received 22/09/2022.

The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

**Reason:** To ensure the work proceeds in accordance with the approved plans in accordance with section 17 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

### **Notes to Applicant**

If, during the course of the works, human remains are revealed all work should halt as under the Burial Act 1853 it is an offence to disturb a burial without a license from the Ministry of Justice.

# PAPER H

## Planning Permission

Name and address of applicant

Mr & Mrs McClue  
2 Rothwell Close  
Gainsborough  
Lincolnshire  
DN21 1XN

Name and address of agent (if any)

Sean Madden  
Hubble Architecture  
91 Sunningdale Way  
Gainsborough  
DN21 1FZ

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### Part One – Particulars of application

Date of application:  
10/10/2022

Application number:  
145678

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Particulars and location of development:

Planning application for proposed rear extension to replace conservatory.

2 Rothwell Close Gainsborough Lincolnshire DN21 1XN

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### Part Two – Particulars of decision

The West Lindsey District Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that **planning permission has been granted** for the carrying out of the development referred to in Part One hereof in accordance with the application and plans submitted subject to the following conditions:

#### **Conditions stating the time by which the development must be commenced:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**Reason:** To conform with Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

#### **Conditions which apply or require matters to be agreed before the development commenced:**

None

#### **Conditions which apply or are to be observed during the course of the development:**

2. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawing: D02 P03 dated July 2022 and D03 P01 dated 03-10-22.

**Reason:** To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework.

**Conditions which apply or relate to matters which are to be observed following completion of the development:**

None

### **Notes to the Applicant**

#### **COMMUNITY INFRASTRUCTURE LEVY**

Please be aware that as of the 22<sup>nd</sup> January 2018 West Lindsey District Council implemented a Community Infrastructure Levy and that eligible development granted on or after this date will be subject to this charge. The development subject to this Decision Notice could fall within the definitions held within the adopted charging schedule and as such may be liable to pay the levy. For further information on CIL, processes, calculating the levy and associated forms please visit the Planning Portal [www.west-lindsey.gov.uk/cilforms](http://www.west-lindsey.gov.uk/cilforms) and West Lindsey District Council's own website [www.west-lindsey.gov.uk/CIL](http://www.west-lindsey.gov.uk/CIL)

Please note that CIL liable development cannot commence until all forms and necessary fees have been submitted and paid. Failure to do so will result in surcharges and penalties.

#### **Reasons for granting permission**

The proposal has been assessed against Central Lincolnshire Local Plan Policies LP1, LP17 and LP26 and Policy NPP6 of the Gainsborough Town Neighbourhood Plan as well as all other material considerations and guidance within the National Planning Policy Framework. As a result of the assessment it is considered that the proposal is acceptable in design and amenity terms and highways safety terms and will not have a harmful visual impact on the streetscene.

#### **Working Practice Statement**

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Date: 30<sup>th</sup> November 2022

Signed:



Ian Knowles  
Head of Paid Service

West Lindsey District Council  
Council Offices  
Guildhall  
Marshall's Yard  
Gainsborough  
DN21 2NA

Note: This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation. You are strongly advised not to commence works until you have obtained any other permissions or consents that may be required, for example approval under the Building Regulations, otherwise there may be a risk of significant legal and financial consequences. For further advice on the Building Regulations, contact the Council's Building Control section.

Failure to adhere to the details of the approved plans or to comply with the conditions attached to this permission is a contravention of the provisions of the Town & Country Planning Act 1990 in respect of which enforcement action may be taken. Please contact the planning department for further advice relating to the discharge of condition process and the appropriate fee payable (if applicable).

### **Self-build and Custom housebuilding**

Did you know that West Lindsey District Council maintains a register of people who would be interested in taking up self-build and custom housebuilding opportunities within the area?

There are certain benefits that arise from self-build developments i.e. you may be eligible for exemption from Community Infrastructure Levy (CIL). Further details of self-build and custom housebuilding within West Lindsey can be viewed here: <https://www.west-lindsey.gov.uk/my-services/planning-and-building/self-build>

If you would be interested in the provision of Self-Build and Custom Housebuilding opportunities as part of your development proposal, and would be willing for those with a registered interest to contact you, please visit the above web page and complete our site submission form.

### Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- **If you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.**  
**Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at <https://acp.planninginspectorate.gov.uk>. You must use a *Planning Appeal Form* when making your appeal. If requesting forms from the Planning Inspectorate, please state the appeal form you require.**
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.
- **Please note only the applicant possesses the right to appeal.**

#### Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

If you require this document in another format e.g. large print, please contact Customer Services on 01427 676 676, by email [customer.services@west-lindsey.gov.uk](mailto:customer.services@west-lindsey.gov.uk) or by asking any of the Customer Services staff.



# Officer's Report

## Planning Application No: 145678

**PROPOSAL:** Planning application for proposed rear extension to replace conservatory.

**LOCATION:** 2 Rothwell Close Gainsborough Lincolnshire DN21 1XN  
**WARD:** Gainsborough East

**TARGET DECISION DATE:** 05/12/2022  
**DEVELOPMENT TYPE:** Householder Development  
**CASE OFFICER:** Vicky Maplethorpe

**RECOMMENDED DECISION:** Grant permission

Description:
The application site comprises of a detached bungalow located within Gainsborough. The site is surrounded by other detached bungalows. The application seeks permission to erect a single storey extension to the rear measuring 3.8m by 4.8m and will have a flat roof at a height of 2.5m. The development has already begun.

Relevant history:
None

Representations:	
Chairman/Ward member(s):	None received
Parish/Town Council/Meeting:	No objections
Local residents:	None received
LCC Highways/Lead Local Flood Authority:	No objections
Archaeology:	None received
IDOX:	Checked 29/11/22

Relevant Planning Policies:	
National guidance	National Planning Policy Framework National Planning Practice Guidance
Local Guidance	Central Lincolnshire Local Plan ( 2012 -2036):  LP1: A Presumption in Favour of Sustainable Development LP17: Landscape, Townscape and Views LP26: Design and Amenity <i>*With consideration to paragraph 219 of the National Planning Policy Framework (July 2021) the above policies are consistent with the NPPF (July 2021). LP1 is consistent with NPPF paragraph 11 as they both apply a presumption in favour of sustainable development. LP17 is consistent with NPPF paragraph 174 as they seek to protect valued landscapes and recognise the intrinsic character and beauty of the countryside and LP26 is consistent with section 12 of the NPPF in requiring well designed places. The above policies are therefore attributed full weight.</i>

Neighbourhood Plan:	Gainsborough Town Neighbourhood Plan (MADE): NPP6: Design Principles
Draft Central Lincolnshire Local Plan:	<p>In line with paragraph 48 of the NPPF, weight may now be given to any relevant policies in the emerging plan according to the criteria set out below:</p> <p>(a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);</p> <p>(b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and</p> <p>(c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).”</p> <p>Review of the Central Lincolnshire Local Plan commenced in 2019. The 1st Consultation Draft (“Reg 18”) of the Local Plan was published in June 2021, and was subject to public consultation. Following a review of the public response, the Proposed Submission Draft (“Reg 19”) of the Local Plan was published in March 2022, and was subject to a further round of consultation. On 8th July 2022, the Local Plan Review was submitted to the Planning Inspectorate in order for it to commence its examination. Examination commenced on 15<sup>th</sup> November 2022.</p> <p>The Draft Plan may be a material consideration, where its policies are relevant. Applying paragraph 48 of the NPPF, the decision maker may give some weight to relevant policies within the submitted “Reg 19” Plan, with the weight to be given subject to the extent to which there may still be unresolved objections to those policies (the less significant the unresolved objections, the greater the weight that may be given)</p> <p>Consultation responses can be found in document STA022 Reg 19 Consultation Responses by policy / STA023 Reg 19 Consultation Responses by respondent.</p>

<b>POLICY LP26 – Design and Amenity</b>
Is the proposal well designed in relation to its siting, height, scale, massing and form?
Yes.
Does the proposal respect the existing topography, landscape character, street scene and local distinctiveness of the surrounding area?
Yes.
Does the proposal harm any important local views into, out of or through the site?
No.
Does the proposal use appropriate materials which reinforce or enhance local distinctiveness?
Yes.

Does the proposal adversely affect the residential amenity of neighbouring properties by virtue of overlooking, overshadowing, loss of light or over dominance?
No.
Does the proposal adversely impact any existing natural or historic features?
No.

<b>Other considerations:</b>
Does the proposal enable an adequate amount of private garden space to remain?
Yes.
Does the proposal enable an adequate level of off street parking to remain?
Yes.
<u>Permitted Development:</u>
It should be noted that the proposed development would be likely to qualify as permitted development under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

<b>Conclusion and reasons for decision:</b>
The proposal has been assessed against Central Lincolnshire Local Plan Policies LP1, LP17 and LP26 and Policy NPP6 of the Gainsborough Town Neighbourhood Plan as well as all other material considerations and guidance within the National Planning Policy Framework. As a result of the assessment it is considered that the proposal is acceptable in design and amenity terms and highways safety terms and will not have a harmful visual impact on the streetscene.

**Human Rights Implications:**

The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

**Legal Implications:**

Although all planning decisions have the ability to be legally challenged it is considered there are no specific legal implications arising from this report.

**Prepared by : VJM**

**Date : 29/11/22**

**Signed:** ...V.Maplethorpe.....



**Authorising Officer:**

**Date: 29/11/2022**

<b>Decision Level</b> (tick as appropriate)			
Delegated	X	Delegated via Members	Committee

# PAPER I

## Listed Building Consent

Name and address of applicant	Name and address of agent (if any)
Specsavers Cirrus House 10 Experian Way Nottingham  NG2 1EP	Fisch Planning  Fisch Design Ltd Unit 1 Heritage Business Centre Derby Road DE56 1SW

### **Part I – Particulars of application**

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Date of application 24/10/2022	Application no 145756
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#### Particulars and location of development

Listed building consent for proposed internal shop-fit refurbishment.

Unit 18, Marshalls Yard Beaumont Street Gainsborough Lincolnshire DN21 2NA

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### **Part II – Particulars of decision**

The West Lindsey District Council hereby give notice that **Listed Building Consent has been granted** for the execution of the works referred to in Part 1 hereof in accordance with the application and plans submitted.

#### **Conditions stating the time by which the development must be commenced:**

1. The works to which this consent relates shall be begun before the expiration of three years from the date of this consent.

Reason: To conform with Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

#### **Conditions which apply or require matters to be agreed before the development commenced:**

None.

#### **Conditions which apply or are to be observed during the course of the development:**

2. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following plans: Site Location Plan 1853-LP Rev A, Site Block Plan 1853-BP Rev A, Proposed Ground & First Floor General Arrangement 796/3011 Rev A, Proposed Ground and Mezzanine Level Reflected Ceiling Plan 796/3012 Rev B all

received 24 October 2022. The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

**Reason:** To ensure the development proceeds in accordance with the approved plans and to accord with section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and guidance within the National Planning Policy Framework.

3. The materials used in the development shall match those stated on the drawing Proposed Ground Floor and First Floor General Arrangement 796/3011 Rev A and as detailed within the submitted Design and Access Statement & Heritage Statement both received 24 October 2022.

**Reason:** To ensure the use of appropriate materials to preserve the character and appearance of the Listed Building to accord with section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and guidance within the National Planning Policy Framework.

**Conditions which apply or relate to matters which are to be observed following completion of the development:**

None.

**Notes to the Applicant**

None.

**Working Practice Statement**

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

**Reasons for granting consent**

The proposed works will preserve the special historic interest of the host listed building and is in accordance with Section 16 of the 'Act'.

Date: 9<sup>th</sup> December 2022

Signed:



Head of Paid Service

West Lindsey District Council  
Guildhall  
Marshall's Yard  
Gainsborough  
DN21 2NA

## Note

Failure to adhere to the details of the approved plans or to comply with the conditions attached to this permission is a contravention of the provisions of the Town & Country Planning Act 1990 in respect of which enforcement action may be taken. Please contact the planning department for further advice relating to the discharge of condition process and the appropriate fee payable (if applicable).

Attention is drawn to section 8(2) of the Act, the effect of which is that demolition may not be undertaken (despite the terms of any consent granted by the local planning authority) until notice of the proposal has been given to the Royal Commission of Historical Monuments, Fortress House, 23 Savile Row, London W1X 1AB and the Commission subsequently have either been given reasonable access to the building for at least one month following the grant of consent, or have stated that they have completed their record of the building or that they do not wish to record it. A form on notice is available from the Royal Commission of Historical Monuments.

- 
- 1 If the applicant is aggrieved by the decision of the local planning authority to refuse listed building consent or conservation area consent for the proposed works, or to grant consent subject to conditions, he may appeal to the First Secretary of State in accordance with sections 20 and 21 of the Planning (Listed Building and Conservation Areas) Act 1990 within three months of receipt of this notice. Appeals must be made on a form which may be downloaded from the Planning Inspectorate website at <https://acp.planninginspectorate.gov.uk>. Alternatively, appeal forms may be obtained from The Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, BRISTOL, BS1 6PN, telephone 0303 444 5000. The First Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.
  - 2 If listed building consent is refused, or granted subject to conditions, whether by the local planning authority or by the First Secretary of State and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any works which have been or would be permitted, he may serve on the council of the district, in which the land is situated a listed building purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of section 32 of the Planning (Listed Building and Conservation Areas) Act 1990.
  - 3 In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the First Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 27 of the Planning (Listed Building and Conservation Areas) Act 1990.
  - 4 **Only the applicant possesses the right to appeal the decision.**

If you require this letter in another format e.g. large print, please contact Customer Services on 01427 676676, by email

[customer.services@west-lindsey.gov.uk](mailto:customer.services@west-lindsey.gov.uk) or by asking any of the Customer Services staff.



# PAPER J

**Your contact for this matter is:**

Shayleen Towns  
[communityrights@west-lindsey.gov.uk](mailto:communityrights@west-lindsey.gov.uk)

Town Clerk  
Gainsborough Town Council  
Richmond Park,  
Morton Terrace  
Gainsborough  
Lincolnshire  
DN21 2RJ

Dear Sir/Madam,

**Community Right to Bid  
Part 5 Chapter 3 Localism Act 2011  
Assets of Community Value (England) Regulations 2012**

**Property:** Mercer Wood, Gainsborough  
**Reference:** ACV21-22 07  
**Date:** Friday, 21 October 2022

I am writing to advise you that the Council has determined that the above property has been registered as an Asset of Community Value. We have also written to the owner to inform them of the decision.

The registration takes effect from Monday, 24 October 2022 and will expire on Sunday, 24 October 2027. An entry on the Land Registry will now be made to show the property has been registered as an Asset of Community Value.

The owner of the property has until Saturday, 24 December 2022 to request a review of the decision to register. If a request to review is received we will write to notify you.

You can read our Community Right to Bid Guidance Notes for further information about the review process. These are available to download from our website:

[www.west-lindsey.gov.uk/communityrights](http://www.west-lindsey.gov.uk/communityrights)

Enclosed with this letter is an information sheet explaining how this registration now impacts on the property. This includes the process to be followed if the owner now decides to sell the property.

Yours sincerely,



Shayleen Towns  
Senior Community Action Officer

**Your contact for this matter is:**

Shayleen Towns  
[communityrights@west-lindsey.gov.uk](mailto:communityrights@west-lindsey.gov.uk)

Town Clerk  
Gainsborough Town Council  
Richmond Park,  
Morton Terrace  
Gainsborough  
Lincolnshire  
DN21 2RJ

Dear Sir/Madam,

**Community Right to Bid  
Part 5 Chapter 3 Localism Act 2011  
Assets of Community Value (England) Regulations 2012**

**Property:** Gainsborough Library  
**Reference:** ACV21-22 06  
**Date:** Tuesday, 22 November 2022

I am writing to advise you that the Council has determined that the above property has been registered as an Asset of Community Value. We have also written to the owner to inform them of the decision.

The registration takes effect from Thursday, 17 November 2022 and will expire on Tuesday, 16 November 2027. An entry on the Land Registry will now be made to show the property has been registered as an Asset of Community Value.

The owner of the property has until Monday, 16 January 2023 to request a review of the decision to register. If a request to review is received we will write to notify you.

You can read our Community Right to Bid Guidance Notes for further information about the review process. These are available to download from our website:

[www.west-lindsey.gov.uk/communityrights](http://www.west-lindsey.gov.uk/communityrights)

Enclosed with this letter is an information sheet explaining how this registration now impacts on the property. This includes the process to be followed if the owner now decides to sell the property.

Yours sincerely,



Shayleen Towns  
Senior Community Action Officer

**Your contact for this matter is:**

Shayleen Towns  
[communityrights@west-lindsey.gov.uk](mailto:communityrights@west-lindsey.gov.uk)

Town Clerk  
Gainsborough Town Council  
Richmond Park,  
Morton Terrace  
Gainsborough  
Lincolnshire  
DN21 2RJ

Dear Sir/Madam,

**Community Right to Bid  
Part 5 Chapter 3 Localism Act 2011  
Assets of Community Value (England) Regulations 2012**

**Property:** Land off Corringham Road, Gainsborough  
**Reference:** ACV21-22 05  
**Date:** Friday, 21 October 2022

I am writing to advise you that the Council has determined that the above property has been registered as an Asset of Community Value. We have also written to the owner to inform them of the decision.

The registration takes effect from Monday, 24 October 2022 and will expire on Sunday, 24 October 2027. An entry on the Land Registry will now be made to show the property has been registered as an Asset of Community Value.

The owner of the property has until Saturday, 24 December 2022 to request a review of the decision to register. If a request to review is received we will write to notify you.

You can read our Community Right to Bid Guidance Notes for further information about the review process. These are available to download from our website:

[www.west-lindsey.gov.uk/communityrights](http://www.west-lindsey.gov.uk/communityrights)

Enclosed with this letter is an information sheet explaining how this registration now impacts on the property. This includes the process to be followed if the owner now decides to sell the property.

Yours sincerely,



Shayleen Towns  
Senior Community Action Officer

# PAPER K

# **PUBLIC NOTICE**

## **LINCOLNSHIRE COUNTY COUNCIL (GAINSBOROUGH - CHURCH STREET, NEW STREET & ACLAND STREET) (PROHIBITION OF WAITING) AMENDMENT ORDER 2022**

NOTICE IS HEREBY GIVEN that the Lincolnshire County Council propose to make an Order under their powers contained in the Road Traffic Regulation Act 1984, the effect of which will be to prohibit waiting as set out in the Schedule below.

Proposed Waiting Restrictions.

- Proposed 1 hour Limited Waiting Mon – Sat 8am-6pm No return Within 1 hour will replace the existing 30 mins Limited Waiting Mon–Sat 8am to 6pm no return within 30 mins on Church Street
- No Waiting at Any Time – Junction of Church Street/ Acland Street and in the vicinity of the H Bars and limited waiting (Numbers 65 & 67, 108, 72, 74) and at its junction with New Street.
- Formalizations of One-Way System – on Church Street from its junction with New Street to Morton Terrace/ Northolme
- Revocation Limited Waiting Mon – Sat 8am-6pm 30mins No return Within 1 hour on Church Street in the vicinity of (Numbers 67-77)

Exemptions are included which will permit waiting for disabled persons' vehicles and for the purpose of picking up or setting down passengers, loading or unloading of goods, the maintenance of the roads, and works in connection with the supply of gas, electricity, water and telecommunications apparatus.

A copy of the plan showing the lengths of road concerned along with a Statement of Reasons for proposing to make the Order may be inspected on our website: [www.lincolnshire.gov.uk/trafficorders](http://www.lincolnshire.gov.uk/trafficorders)

If you are unable to view our website the documents can be supplied to you by contacting us using the contact details below or calling our Customer Service Centre on 01522 782070 during office hours.

You may also be able to view these documents at the offices of West Lindsey District Council, during normal office hours.

Objections to the proposals, together with the grounds on which they are made, must be made in writing to Chief Executive - Lincolnshire County Council, Lancaster House, 36 Orchard Street, Lincoln, LN1 1XX or Email: [TRO@lincolnshire.gov.uk](mailto:TRO@lincolnshire.gov.uk) (For the attention of: Mrs A McMorrow, Traffic Orders Section) by **26<sup>th</sup> January 2023**

# PAPER L

Our Ref: 18334 / WLI047

5<sup>th</sup> December 2022

The Town Clerk  
Gainsborough Town Council  
Richmond House  
Richmond Park  
Morton Terrace  
Gainsborough  
Lincolnshire  
DN21 2RJ

Dear Sir / Madam,

**Re: Preliminary Inquiry – Marshall Way, Site situated on Public Footpath Adjacent to Magnetec Universal Marshall Way, Gainsborough, Lincolnshire, DN21 1LT. NGR: E: 483185, N: 389341**

EE and Hutchison are in the process of upgrading a number of sites in the UK to make them 5G. This upgrade process will primarily involve swapping existing equipment and replacing this with new apparatus. A number of sites to facilitate capacity and this vital 5G upgrade require a second monopole in addition to the swap out of the existing monopole. The attached drawings capture the upgrade and form the basis of what will be submitted to the LPA.

The purpose of this letter is to inform stakeholders prior to upgrading the site. The upgrade will not materially affect the building / installation or the surrounding area.

If you have any comments prior to this minor upgrade development submission we look forward to receiving these. Please do not hesitate to contact me if you require any further information.

Yours faithfully,

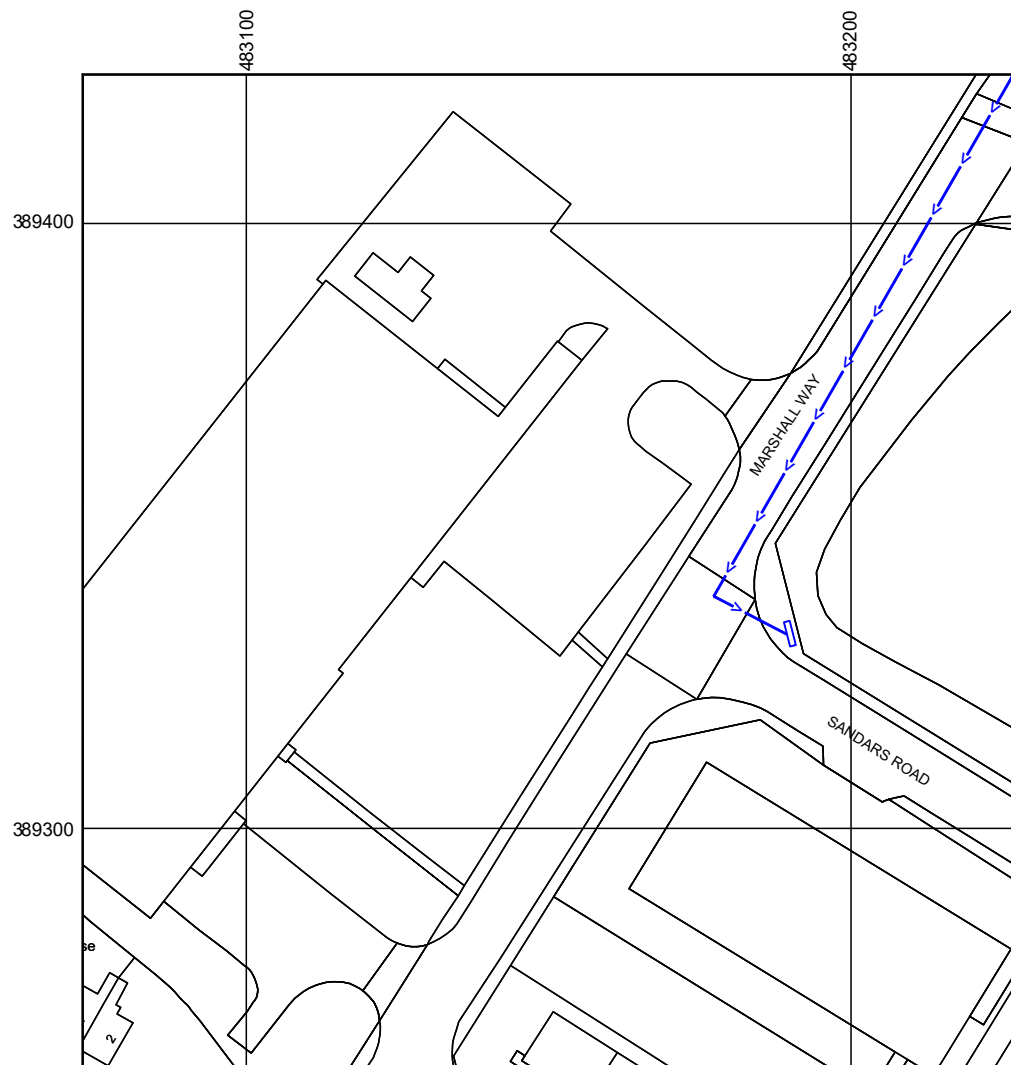
Julia Marshall  
[j.marshall@whptelecoms.com](mailto:j.marshall@whptelecoms.com)



SITE LOCATION



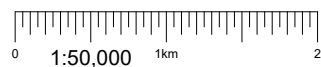
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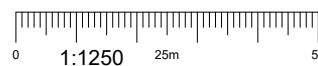
NGR UK E: 483185 N: 389341

SITE AREA PLAN



SITE PHOTOGRAPH

SITE LOCATION PLAN



GOOGLE MAPS QR CODE

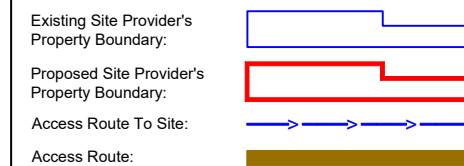
GOOGLE MAPS - <https://goo.gl/maps/5ssTjtdrmBwjBT6b8>

GOOGLE STREETVIEW - <https://goo.gl/maps/x4UQYJuPET1XN5fcA>

NOTES:

1. ALL DIMENSIONS IN MM UNLESS OTHERWISE NOTED.

DIRECTIONS TO SITE: From A1/A46 junction at Newark follow the A46 towards Lincoln. At roundabout of A46/A1133. Follow the A1133 towards Gainsborough. Continue along A1133 until meet A156 and turn left on the A156 towards Gainsborough. Follow the A156 into Gainsborough. Turn left on to the Marshall way. Destination will be on the left.



Master: M001	MBNL / EE / H3G: H3G	Project: MBNL - 3UK BUY-IN	Purpose of Issue: Planning	Issue: A
Date: 01/12/22	Drawn: SB	Revision / Upgrade Description: First Issue - Site nomination dated: TBC		
Checked: RAJ	Approved: GJ			



Three's Head Office  
Green park, 450 Longwater Avenue  
Reading, RG30 3UR  
Tel: 01628 765 000  
Fax: 01628 765 001



Hatfield Business Park  
Hatfield  
Hertfordshire  
AL10 9BW  
Tel: 01707 315000  
Fax: 01707 319001



Mobile Broadband Network Limited  
Sixth Floor, Thames Tower, Station Road, Reading, RG1 1LX

Design Consultant & Principal Contractor:



WHP Telecoms  
Unit 1 Maple Park,  
Low Fields Avenue, Leeds  
LS12 6HH

Tel: 01133023550  
e-mail: info@whptelecoms.com

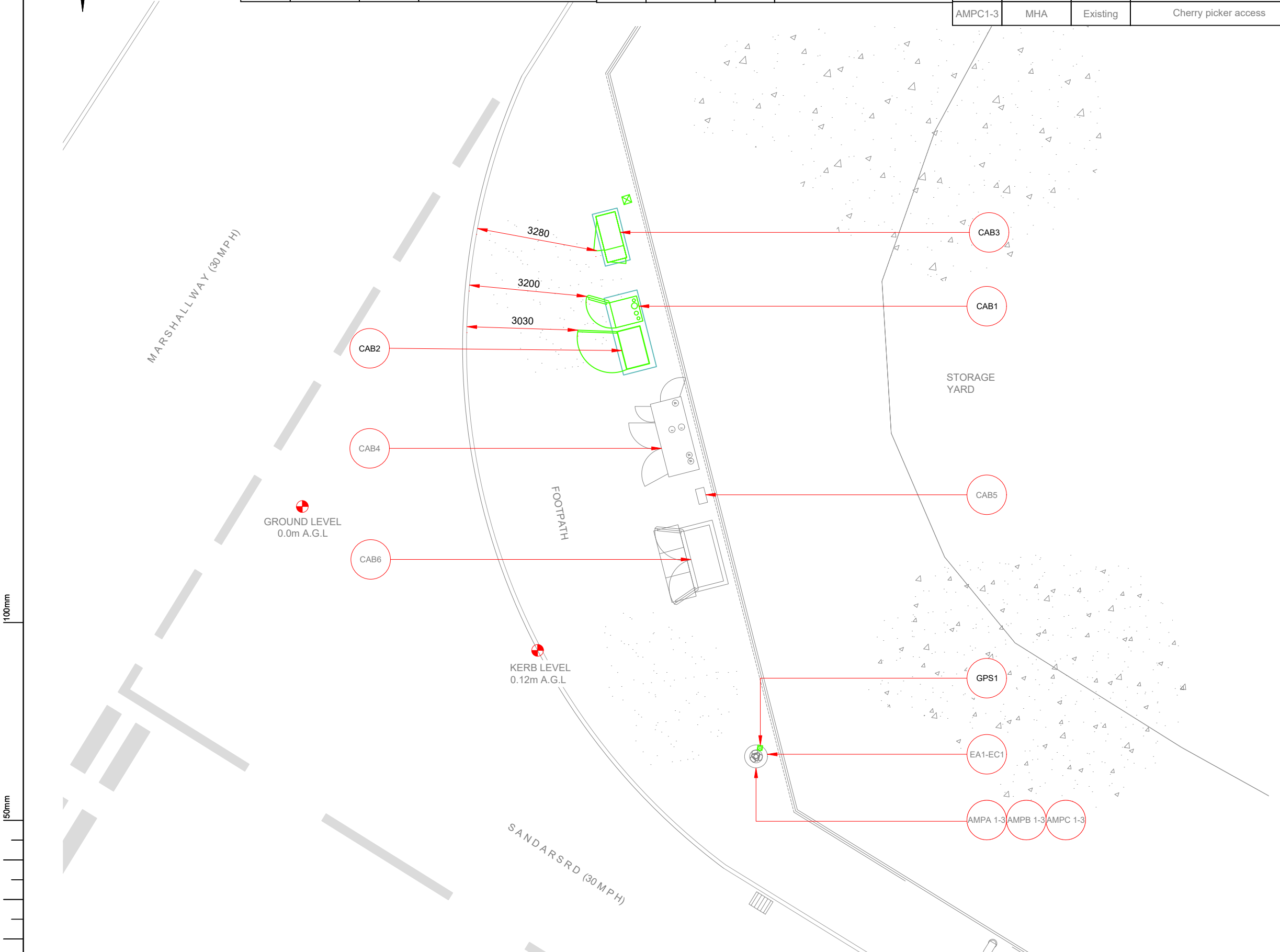
Site Name:	MARSHALL WAY		
Site ID:	1189897		
Address:	SITE SITUATED ON PUBLIC FOOTPATH ADJACENT TO MAGNETEC UNIVERSAL MARSHALL WAY, GAINSBOROUGH, LINCOLNSHIRE, DN21 1LT.		
Title:	002 SITE LOCATION PLAN		
Project:	MBNL - 3UK BUY-IN		
Purpose of Issue:	GENERAL ARRANGEMENT		
EE Cell ID:	MBNL Cell ID:	3UK Cell ID:	
18334	WLI047	DN0549	
Master Drawing No:	1189897_WLI047_18334_DN0549_M001		Issue: A



Asset Reference	Asset Description:	Asset Status:	Antenna / Dish / MHA / RRU / Equipment Access Description:	Asset Reference	Asset Description:	Asset Status:	Antenna / Dish / MHA / RRU / Equipment Access Description:	Asset Reference	Asset Description:	Asset Status:	Antenna / Dish / MHA / RRU / Equipment Access Description:
EA1-EC1	Antenna	Existing	Cherry picker access	CAB1-3	Cabinet	Proposed	Unrestricted access	AMPA1-3	MHA	Existing	Cherry picker access
GPS1	GPS	Proposed	Cherry picker access	CAB4-6	Cabinet	Existing	Unrestricted access	AMPB1-3	MHA	Existing	Cherry picker access
								AMPC1-3	MHA	Existing	Cherry picker access

NOTES:  
 1. ALL DIMENSIONS IN MM UNLESS OTHERWISE NOTED.  
 DEFINED ACCESS ROUTE DESCRIPTION FROM SITE ENTRANCE TO THE EQUIPMENT:

SHARED CONFIGURATION SITE	
RF CONFIG	HS2



Master:	MBNL / EE / H3G:	Project:	Purpose of Issue:	Issue:
M001	H3G	MBNL - 3UK BUY-IN	Planning	A
Date:	01/12/22	Revision / Upgrade Description:		
Drawn:	SB	First Issue - Site nomination dated: TBC		
Checked:	RAJ			
Approved:	GJ			

 Three's Head Office Green park, 450 Longwater Avenue Reading, RG30 3UR Tel: 01628 765 000 Fax: 01628 765 001 H3G Base Station Information line: 0845 6043000 Available 8am-6pm Monday to Friday	 Hatfield Business Park Hatfield Hertfordshire AL10 9BW Tel: 01707 315000 Fax: 01707 319001
--	---

**MBNL** Mobile Broadband Network Limited  
 Sixth Floor, Thames Tower, Station Road, Reading, RG1 1LX

Design Consultant & Principal Contractor:

**WHP Telecoms**  
 Unit 1 Maple Park,  
 Low Fields Avenue, Leeds  
 LS12 6HH  
 Tel: 01133023550  
 e-mail: info@whptelecoms.com

Site Name: **MARSHALL WAY**

Site ID: **1189897**

Address: **SITE SITUATED ON PUBLIC FOOTPATH ADJACENT TO MAGNETEC UNIVERSAL MARSHALL WAY, GAINSBOROUGH, LINCOLNSHIRE, DN21 1LT.**

Title: **003 ACCESS PLAN**

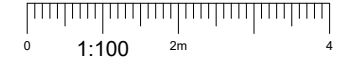
Project: **MBNL - 3UK BUY-IN**

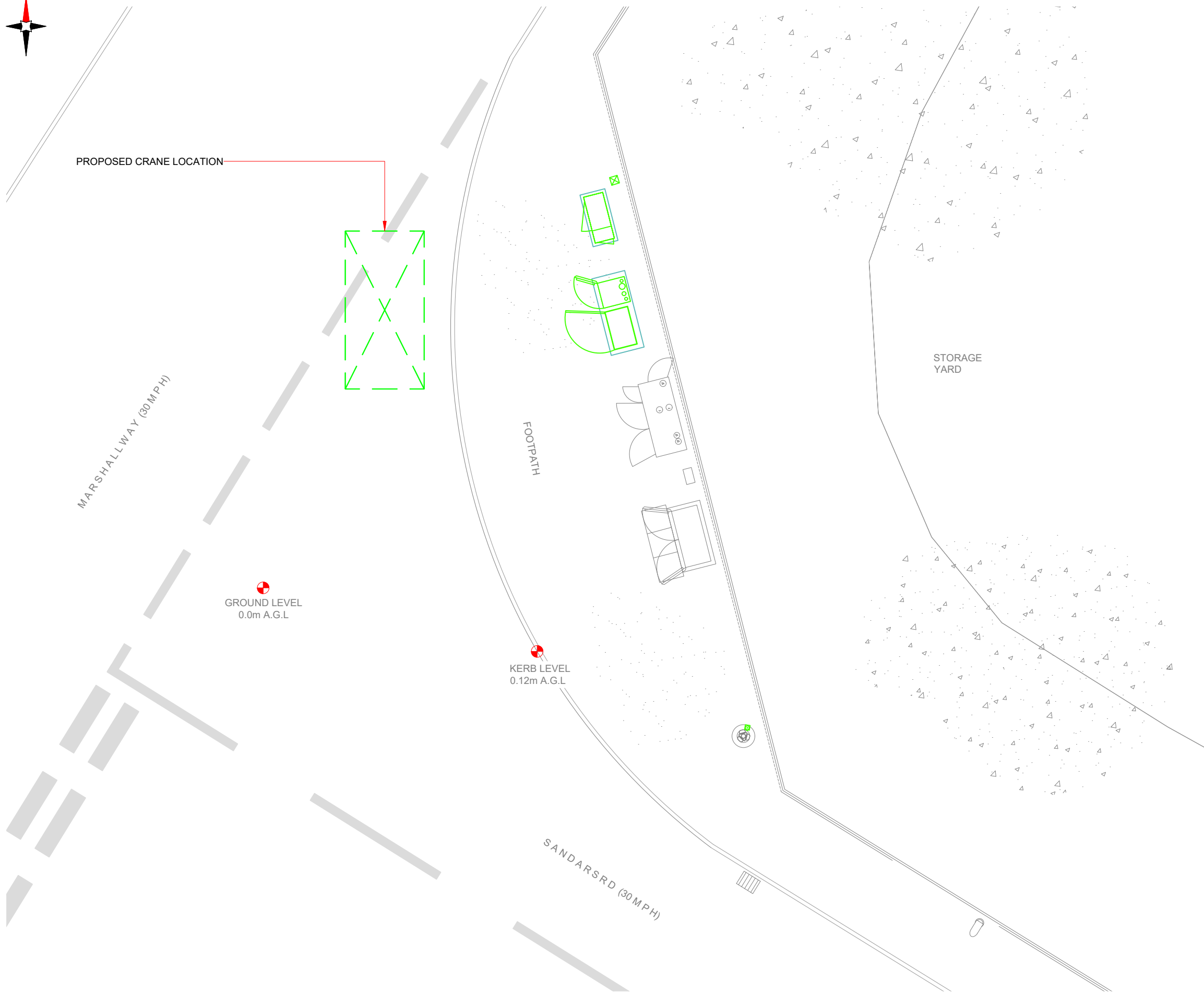
Purpose of Issue: **GENERAL ARRANGEMENT**

EE Cell ID: <b>18334</b>	MBNL Cell ID: <b>WLI047</b>	3UK Cell ID: <b>DN0549</b>
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Master Drawing No: **1189897\_WLI047\_18334\_DN0549\_M001** Issue: **A**

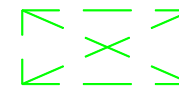
ACCESS PLAN





NOTES:  
1. ALL DIMENSIONS IN MM UNLESS OTHERWISE NOTED.

PROPOSED CRANE OR CHERRY PICKER LOCATION:



Master:	MBNL / EE / H3G:	Project:	Purpose of Issue:	Issue:
M001	H3G	MBNL - 3UK BUY-IN	Planning	A
Date:	01/12/22	Revision / Upgrade Description:		
Drawn:	SB	First Issue - Site nomination dated: TBC		
Checked:	RAJ			
Approved:	GJ			



Three's Head Office  
Green park, 450 Longwater Avenue  
Reading, RG30 3UR  
Tel: 01628 765 000  
Fax: 01628 765 001



Hatfield Business Park  
Hatfield  
Hertfordshire  
AL10 9BW  
Tel: 01707 315000  
Fax: 01707 319001



Mobile Broadband Network Limited  
Sixth Floor, Thames Tower, Station Road, Reading, RG1 1LX

Design Consultant & Principal Contractor:



**WHP Telecoms**  
Unit 1 Maple Park,  
Low Fields Avenue, Leeds  
LS12 6HH  
Tel: 01133023550  
e-mail: info@whptelecoms.com

Site Name: **MARSHALL WAY**

Site ID: **1189897**

Address: **SITE SITUATED ON PUBLIC FOOTPATH ADJACENT TO MAGNETEC UNIVERSAL MARSHALL WAY, GAINSBOROUGH, LINCOLNSHIRE, DN21 1LT.**

Title: **005 CHERRY PICKER & CRANE LOCATION**

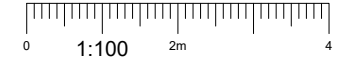
Project: **MBNL - 3UK BUY-IN**

Purpose of Issue: **GENERAL ARRANGEMENT**

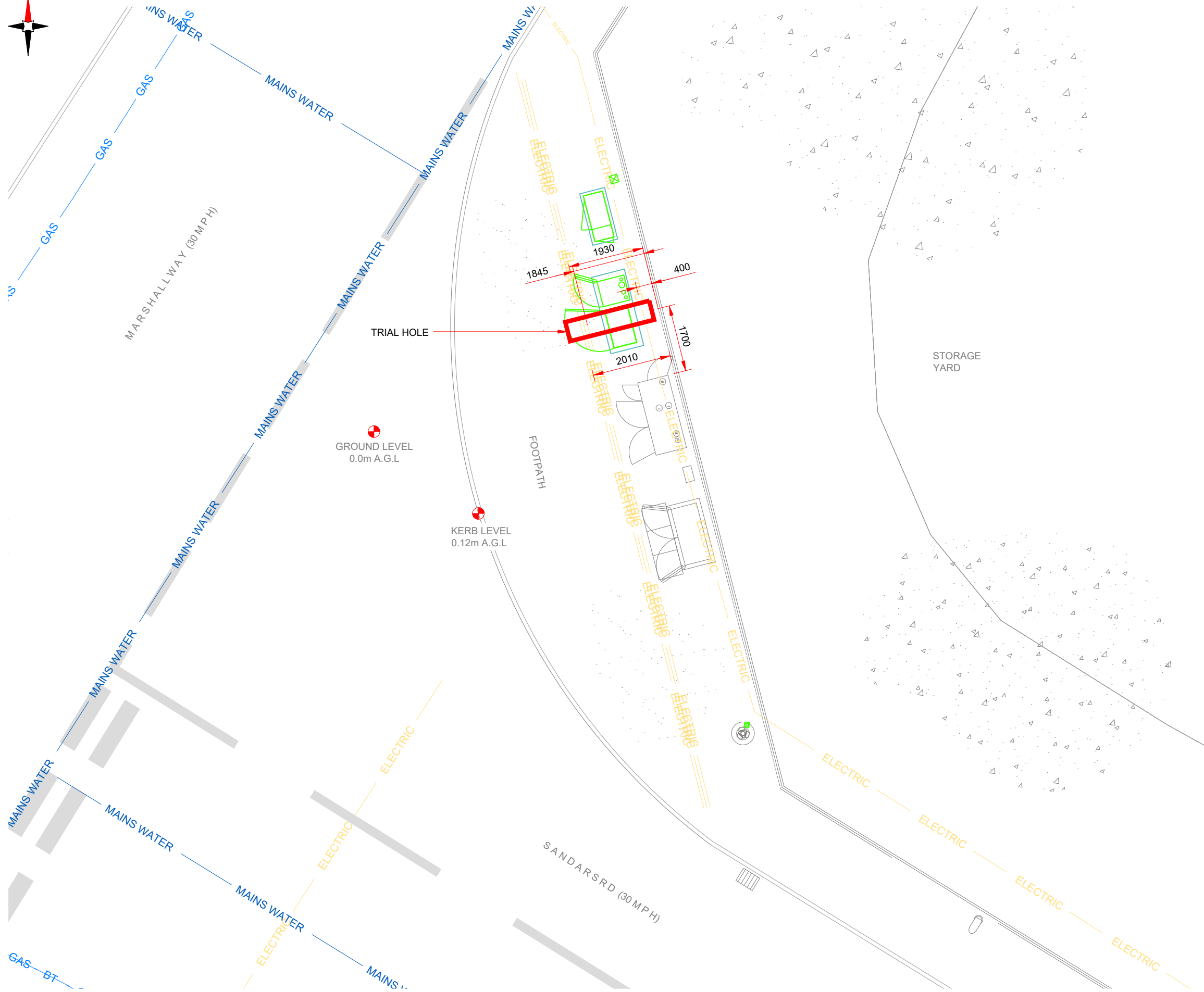
EE Cell ID:	MBNL Cell ID:	3UK Cell ID:
<b>18334</b>	<b>WLI047</b>	<b>DN0549</b>

Master Drawing No: **1189897\_WLI047\_18334\_DN0549\_M001** Issue: **A**

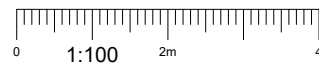
CHERRY PICKER / CRANE LOCATION PLAN



100mm  
50mm  
10mm



SERVICES PLAN



NOTES:

- 1. ALL DIMENSIONS IN MM UNLESS OTHERWISE NOTED.

SERVICES:

EXISTING 2No. BLACK CABLES, 1No. RED CABLE & 1No. MASSIVE CLAY PIPE FOUND IN TRIAL DIG



Master: M001	MBNL / EE / H3G: H3G	Project: MBNL - 3UK BUY-IN	Purpose of Issue: Planning	Issue: A
Date: 01/12/22	Revision / Upgrade Description: First Issue - Site nomination dated: TBC			
Drawn: SB	Checked: RAJ			
Approved: GJ				




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0845 6043000  
Available 8am-6pm Monday to Friday



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**MBNL** Mobile Broadband Network Limited  
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Design Consultant & Principal Contractor:



**WHP Telecoms**  
Unit 1 Maple Park,  
Low Fields Avenue, Leeds  
LS12 6HH  
Tel: 01133023550  
e-mail: info@whptelecoms.com

Site Name: **MARSHALL WAY**

Site ID: **1189897**

Address: **SITE SITUATED ON PUBLIC FOOTPATH ADJACENT TO MAGNETEC UNIVERSAL MARSHALL WAY, GAINSBOROUGH, LINCOLNSHIRE, DN21 1LT.**

Title: **006 SERVICES PLAN**

Project: **MBNL - 3UK BUY-IN**

Purpose of Issue: **GENERAL ARRANGEMENT**

EE Cell ID: <b>18334</b>	MBNL Cell ID: <b>WLI047</b>	3UK Cell ID: <b>DN0549</b>
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Master Drawing No: <b>1189897_WLI047_18334_DN0549_M001</b>	Issue: <b>A</b>
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MARSHALL WAY (30 MPH)

GROUND LEVEL  
0.0m A.G.L

EXISTING EE/H3G 1No. METER CABINET ON  
ROOT FOUNDATION

KERB LEVEL  
0.12m A.G.L

ELEVATION A

FOOTPATH

STORAGE  
YARD

EXISTING EE/H3G 1No. COBRA CABINET ON ROOT FOUNDATION

EXISTING EE/H3G 1No. DORSET CABINET ON ROOT FOUNDATION

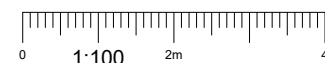
EXISTING EE/H3G 3No. ATR4518R4v06 ANTENNAS  
MOUNTED ON PHASE 5 MONOPOLE

EXISTING EE/H3G 12.5m HIGH PHASE 5  
MONOPOLE ON ROOT FOUNDATION

EXISTING S/L No.1 LAMPPOST

SANDARSD (30 MPH)

EXISTING SITE PLAN



3G / 4G Antenna ID	Existing 3G Bearing
EA1	0°
EB1	120°
EC1	240°

NOTES:

- ALL DIMENSIONS IN MM UNLESS OTHERWISE NOTED.

Master:	MBNL / EE / H3G:	Project:	Purpose of Issue:	Issue:
M001	H3G	MBNL - 3UK BUY-IN	Planning	A
Date:	01/12/22	Revision / Upgrade Description:		
Drawn:	SB	First Issue - Site nomination dated: TBC		
Checked:	RAJ			
Approved:	GJ			



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Design Consultant & Principal Contractor:



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LS12 6HH

Tel: 01133023550  
e-mail: info@whptelecoms.com

Site Name: **MARSHALL WAY**

Site ID: **1189897**

Address: **SITE SITUATED ON PUBLIC  
FOOTPATH ADJACENT TO  
MAGNETEC UNIVERSAL MARSHALL  
WAY, GAINSBOROUGH,  
LINCOLNSHIRE,  
DN21 1LT.**

Title: **100 EXISTING SITE PLAN**

Project: **MBNL - 3UK BUY-IN**

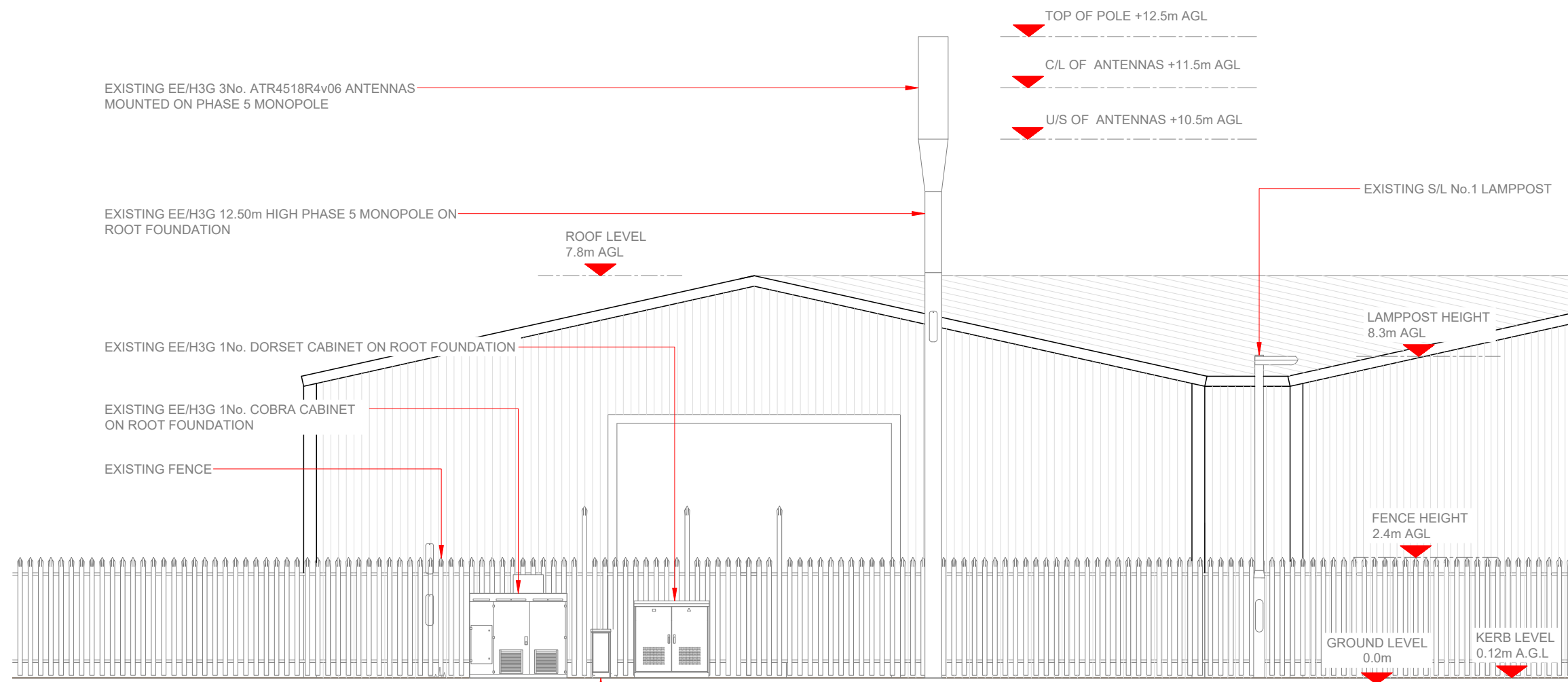
Purpose of Issue: **GENERAL ARRANGEMENT**

EE Cell ID: <b>18334</b>	MBNL Cell ID: <b>WLI047</b>	3UK Cell ID: <b>DN0549</b>
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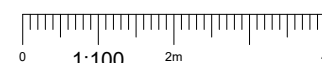
Master Drawing No: <b>1189897_WLI047_18334_DN0549_M001</b>	Issue: <b>A</b>
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3G / 4G Antenna ID	Existing 3G Bearing
EA1	0°
EB1	120°
EC1	240°

NOTES:  
1. ALL DIMENSIONS IN MM UNLESS OTHERWISE NOTED.



EXISTING SITE ELEVATION



Master: M001	MBNL / EE / H3G	Project: MBNL - 3UK BUY-IN	Purpose of Issue: Planning	Issue: A
Date: 01/12/22	Revision / Upgrade Description:			
Drawn: SB	First Issue - Site nomination dated: TBC			
Checked: RAJ				
Approved: GJ				



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e-mail: info@whptelecoms.com

Site Name: **MARSHALL WAY**

Site ID: **1189897**

Address: **SITE SITUATED ON PUBLIC FOOTPATH ADJACENT TO MAGNETEC UNIVERSAL MARSHALL WAY, GAINSBOROUGH, LINCOLNSHIRE, DN21 1LT.**

Title: **150 EXISTING SITE ELEVATION**

Project: **MBNL - 3UK BUY-IN**

Purpose of Issue: **GENERAL ARRANGEMENT**

EE Cell ID: <b>18334</b>	MBNL Cell ID: <b>WLI047</b>	3UK Cell ID: <b>DN0549</b>
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Master Drawing No: **1189897\_WLI047\_18334\_DN0549\_M001** Issue: **A**



MARSHALL WAY (30 MPH)

PROPOSED 200x200mm EARTH PIT

PROPOSED H3G 1No. RBS6130 CABINET TO BE INSTALLED ON PROPOSED CONCRETE PLINTH

GROUND LEVEL  
0.0m A.G.L.

EXISTING EE/H3G 1No. METER CABINET ON ROOT FOUNDATION

ELEVATION A

KERB LEVEL  
0.12m A.G.L.

FOOTPATH

EXISTING S/L No.1 LAMPPOST

SANDARSD (30 MPH)

PROPOSED H3G/EE 1No. MK5B LINK AC CABINET TO BE INSTALLED ON ROOT CAST IN CONCRETE

PROPOSED H3G 1No. HALF BOWLER CABINET ON PROPOSED CONCRETE PLINTH TO ACCOMMODATE PROPOSED H3G 3No. 2262 ERS (800), 3No. 4480 ERS (18/21)

EXISTING EE/H3G 1No. COBRA CABINET ON ROOT FOUNDATION

EXISTING EE/H3G 1No. DORSET CABINET ON ROOT FOUNDATION

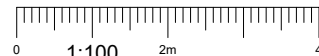
PROPOSED H3G/EE 3No. RD0816 (2100) & 3No. RD0569 (800)SBC's TO BE INSTALLED WITH IN COBRA CABINET

EXISTING EE/H3G 3No. ATR4518R4v06 ANTENNAS MOUNTED ON PHASE 5 MONOPOLE

PROPOSED H3G 1No. GPS NODE TO BE INSTALLED ON PHASE 5 MONOPOLE

EXISTING EE/H3G 12.5m HIGH PHASE 5 MONOPOLE ON ROOT FOUNDATION

MAX CONFIGURATION SITE PLAN



3G / 4G Antenna ID	Existing 3G Bearing
EA1	0°
EB1	120°
EC1	240°

NOTES:

1. ALL DIMENSIONS IN MM UNLESS OTHERWISE NOTED.

EXISTING SW POLE TO BE RETAINED

EXISTING NGR UK E: 483185 N: 389341

SHARED CONFIGURATION SITE

RF CONFIG      HS2

Master: M001	MBNL / EE / H3G: H3G	Project: MBNL - 3UK BUY-IN	Purpose of Issue: Planning	Issue: A
Date: 01/12/22	Revision / Upgrade Description: First Issue - Site nomination dated: TBC			
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Approved: GJ				



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Sixth Floor, Thames Tower, Station Road, Reading, RG1 1LX

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e-mail: info@whptelecoms.com

Site Name: MARSHALL WAY

Site ID: 1189897

Address: SITE SITUATED ON PUBLIC FOOTPATH ADJACENT TO MAGNETEC UNIVERSAL MARSHALL WAY, GAINSBOROUGH, LINCOLNSHIRE, DN21 1LT.

Title: 215 MAX CONFIGURATION SITE PLAN

Project: MBNL - 3UK BUY-IN

Purpose of Issue: GENERAL ARRANGEMENT

EE Cell ID: 18334	MBNL Cell ID: WLI047	3UK Cell ID: DN0549
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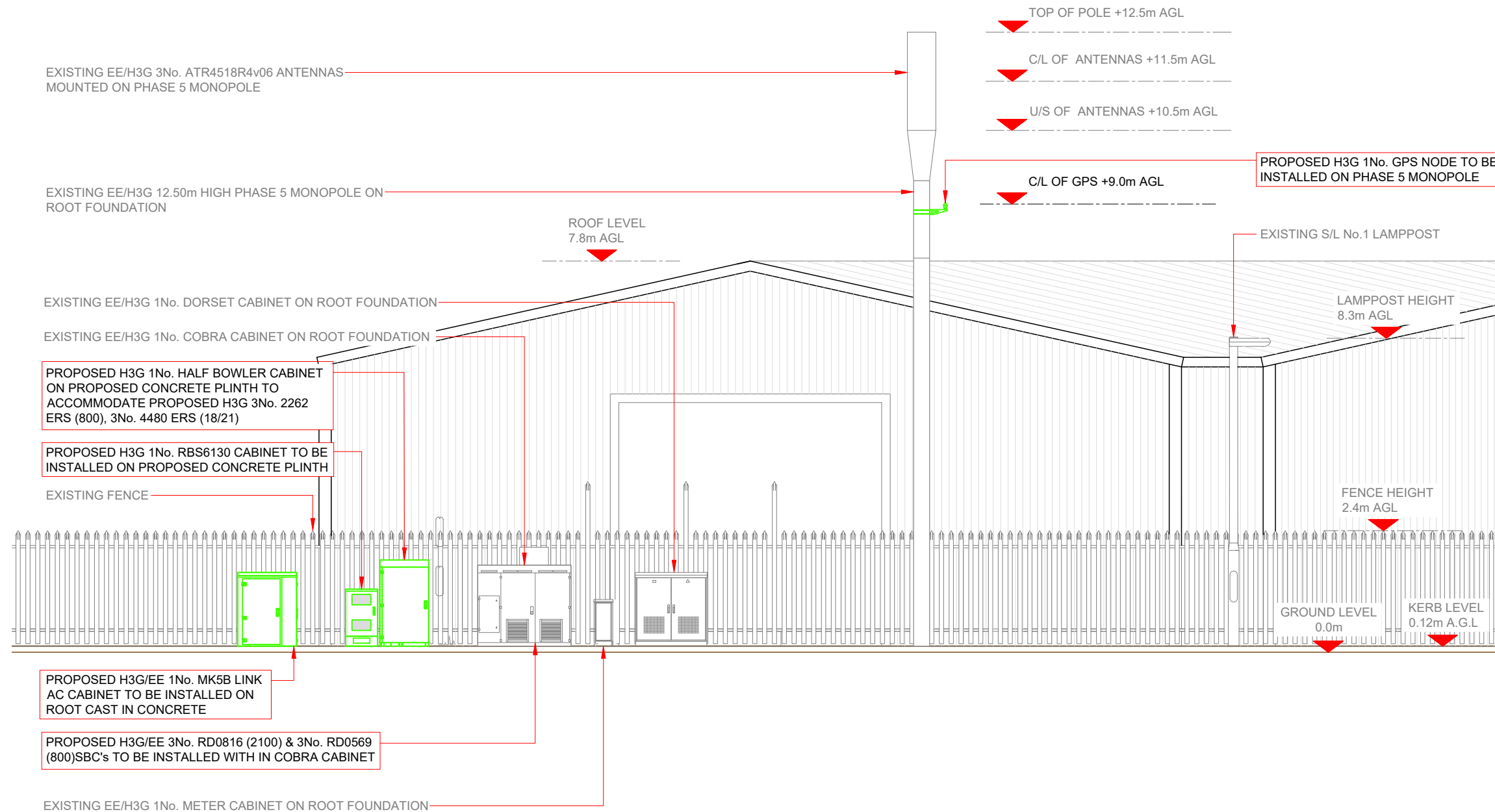
Master Drawing No: 1189897_WLI047_18334_DN0549_M001	Issue: A
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3G / 4G Antenna ID	Existing 3G Bearing
EA1	0°
EB1	120°
EC1	240°

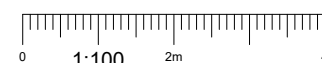
NOTES:  
1. ALL DIMENSIONS IN MM UNLESS OTHERWISE NOTED.

EXISTING SW POLE TO BE RETAINED  
EXISTING NGR UK E: 483185 N: 389341

SHARED CONFIGURATION SITE	
RF CONFIG	HS2



MAX CONFIGURATION SITE ELEVATION



Master:	MBNL / EE / H3G:	Project:	Purpose of Issue:	Issue:
M001	H3G	MBNL - 3UK BUY-IN	Planning	A
Date:	01/12/22	Revision / Upgrade Description:		
Drawn:	SB	First Issue - Site nomination dated: TBC		
Checked:	RAJ			
Approved:	GJ			

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Site Name: **MARSHALL WAY**

Site ID: **1189897**

Address: **SITE SITUATED ON PUBLIC FOOTPATH ADJACENT TO MAGNETEC UNIVERSAL MARSHALL WAY, GAINSBOROUGH, LINCOLNSHIRE, DN21 1LT.**

Title: **265 MAX CONFIGURATION SITE ELEVATION**

Project: **MBNL - 3UK BUY-IN**

Purpose of Issue: **GENERAL ARRANGEMENT**

EE Cell ID: <b>18334</b>	MBNL Cell ID: <b>WLI047</b>	3UK Cell ID: <b>DN0549</b>
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Master Drawing No: <b>1189897_WLI047_18334_DN0549_M001</b>	Issue: <b>A</b>
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