

# 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,

Thursday, 23 February 2023

You are hereby summoned to attend a meeting of the **Planning Committee** which will be held on **Tuesday 28 February 2023** 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 read '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
PL23/212	<b>Apologies for absence</b> To note apologies for absence.	<i>Local Government Act 1972, s85 (1) &amp; Sch 12, p40.</i>
PL23/213	<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>
PL23/214	<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
PL23/215	<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 24 January 2023</b></p>	Local Government Act 1972, Sch 12, p41 (1).
<b>Planning Applications</b>		
PL23/216	<p>To consider planning application received. <a href="#">Application Ref No: 146119 (20/01/23, 28 days)</a> <a href="#">Proposal: Planning application for loft conversion to create additional bedroom space, including dormer extension to side elevation.</a> <a href="#">Location: 276 Lea Road, Gainsborough</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
PL23/217	<p>To consider planning application received. <a href="#">Application Ref No: 146120 (24/01/23, 28 days)</a> <a href="#">Proposal: Planning application for removal of existing store-front and construct replacement.</a> <a href="#">Location: Digitech Business Equipment, 63 Heaton Street, Gainsborough</a></p>	
PL23/218	<p>To consider planning application received. <a href="#">Application Ref No: 146152 (27/01/23, 28 days)</a> <a href="#">Proposal: Planning for change of use of the ground floor of no. 140 from residential to office space including internal alterations to link first floor of no. 140 to the first floor of no. 142 and removal of chimney.</a> <a href="#">Location: 138/142 Trinity Street, Gainsborough</a></p>	
PL23/219	<p>To consider planning application received. <a href="#">Application Ref No: 146172 (09/02/23, 28 days)</a> <a href="#">Proposal: Planning application for proposed two storey extension.</a> <a href="#">Location: Roses Sports Foundation - Rose Leisure Club, North Warren Road, Gainsborough</a></p>	
PL23/220	<p>To consider planning application received. <a href="#">Application Ref No: 146212 (14/02/23, 28 days)</a></p>	

Agenda no	Agenda item title	Power/Regulation
	<a href="#">Proposal: Planning application for proposed ground and first floor extensions to existing furniture shop to form improved disabled access and additional retail floor space</a> <a href="#">Location: Horsleys of Gainsborough, 27-29 Church Street, Gainsborough</a>	
PL23/221	To consider planning application received. <b><a href="#">Application Ref No: 146239 (17/02/23, 28 days)</a></b> <a href="#">Proposal: Planning application for conservatory and link extension and garage conversion.</a> <a href="#">Location: 57 North Marsh Road, Gainsborough</a>	
PL23/222	To consider planning application received. <b><a href="#">Application Ref No: 146166 (22/02/23, 28 days)</a></b> <a href="#">Proposal: Planning application for the change of use of land for open storage B8 use class including siting of storage containers and office and welfare container with associated parking</a> <a href="#">Location: Land off Lea Road, Gainsborough</a>	
PL23/223	To consider planning application received. <b><a href="#">Application Ref No: 146156 (02/02/23, 28 days)</a></b> <a href="#">Proposal: Planning application for the installation of 25no. roof mounted solar panels.</a> <a href="#">Location: Horse and Jockey Inn, 42 Church Street, Gainsborough</a>	
PL23/224	To consider planning application received. <b><a href="#">Application Ref No: 146248 (08/02/23, 28 days)</a></b> <a href="#">Proposal: Planning application to install 2no. rapid electric vehicle charging stations within the car park.</a> <a href="#">Location: McDonalds, 50, Trinity Street, Gainsborough</a>	
<b>Decision Notices</b>		
PL23/225	To note decision notice received. <b>Application Ref No: 145817 GRANTED</b> (delegated) Proposal: Planning application to provide 1no. additional apartment and change the use of 1no. apartment on the ground floor to an office. Location: 29 Lord Street, Gainsborough <b>Paper B</b>	
PL23/226	To note decision notice received. <b>Application Ref No: 145967 GRANTED</b>	

Agenda no	Agenda item title	Power/Regulation
	<p>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, lobby, WC and demolition of an existing Aviary structure. Location: Richmond House, Morton Terrace, Gainsborough <b>Paper C</b></p>	
PL23/227	<p>To note decision notice received. <b>Application Ref No: 145968 GRANTED</b> 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, lobby, WC and demolition of an existing Aviary structure. Location: Richmond House, Morton Terrace, Gainsborough <b>Paper D</b></p>	
PL23/228	<p>To note decision notice received. <b>Application Ref No: 146016 GRANTED</b> Proposal: Planning application for a small methane stripping plant and a 40ft storage and workshop container Location: Gainsborough Landfill Site, Lea Road, Gainsborough <b>Paper E</b></p>	
PL23/229	<p>To note decision notice received. <b>Application Ref No: 146071 GRANTED</b> (delegated) Proposal: Planning application for first floor extension. Location: 64 Old Showfields, Gainsborough <b>Paper F</b></p>	
PL23/230	<p><b>Street naming requests</b> To consider street naming requests received (if there are any).</p>	
PL23/231	<p><b>Tree preservation orders</b> To consider tree preservation orders received (if there are any).</p>	
PL23/232	<p><b>Community Infrastructure Levy (CIL)</b> To consider the following recommendation from Property and Services Committee held 10 January 2023 (PS23/151):</p>	

Agenda no	Agenda item title	Power/Regulation
	<p>The Committee <b>resolved to recommend to Planning Committee</b> to spend a proportion of the CIL funds on North Warren Allotments, clearing vacant plots, access road and boundary security.  <b>Paper G</b></p>	
PL23/233	<p><b>Aisby Walk S106 Funds</b>  To note report regarding S106 funds to be used at Aisby Walk.  <b>Paper H</b></p>	
PL23/234	<p><b>Lea Road Traffic Calming</b>  To consider correspondence received regarding speeding traffic on Lea Road.  <b>Paper I</b></p>	
PL23/235	<p><b>Pingle Hill Cycling Issue</b>  To consider concern raised regarding cyclists using Pingle Hill and no chicane fencing.</p>	
PL23/236	<p><b>Items for notification</b>  To receive any items for notification to be included on a future agenda – for information only  <i>Response from WLDC regarding Willow tree on Bridge Street</i>  <i>Response from WLDC regarding The Gap off Corringham Road</i></p>	N/A
PL23/237	<p><b>Time and date of next meeting</b>  To note the date and time of the next Planning committee is scheduled for 28 March 2023 at 7.00pm.</p>	<i>Local Government Act 1972, Sch 12, p10 (2)(a)</i>

# PAPER A



# DRAFT Minutes of the Planning Committee meeting

## 24 January 2023 at 19:00

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

### Councillors Present

		James Plastow (Chairman)
David Dobbie	Keith Panter	Aaron Taylor

### Councillors Absent

Matt Boles	Chris Lambie	Pat O'Connor
Richard Craig (Vice Chairman)	Liam Muggridge	

### In attendance:

	Rachel Allbones (DC&RFO)	
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Agenda no	Agenda item title	Resolution	Action	Power
PL23/192	To <b>note</b> apologies for absence.	The committee received apologies from Cllrs Boles, Craig, Lambie, Muggridge and O'Connor.	N/A	<i>Local Government Act 1972, s85 (1) &amp; Sch 12, p40.</i>
PL23/193	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>
PL23/194	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>

Initialled:

Agenda no	Agenda item title	Resolution	Action	Power
	disclosable pecuniary interests, not previously recorded.			
PL23/195	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 21 December 2022</b>	The committee received the minutes of the meeting 21 December 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>				
PL23/196	To consider planning application received. <a href="#">Application Ref No: 146003 (20/12/22, 28 days)</a> <a href="#">Proposal: Advertisement consent to display 1no. illuminated fascia sign.</a> <a href="#">Location: Emporium 2 Granary Wharf, Bridge 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>
PL23/197	To consider planning application received. <a href="#">Application Ref No: 145951 (22/12/22, 28 days)</a> <a href="#">Proposal: Reserved matters application for Phase 1 to erect 454no. dwellings, considering appearance, landscaping, layout and scale, following outline</a>	The committee <b>resolved</b> to support the application.	<b>DC</b> to send response to WLDC.	

Initialed:

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Agenda no	Agenda item title	Resolution	Action	Power
	<a href="#">planning permission 138921 granted 29 August 2019 - being variation of condition 1 of planning permission 145397 granted 12 December 2022 - addition of detached single garage for plot 384.</a> <a href="#">Location: Land at Foxby Lane, Gainsborough</a>			
PL23/198	To consider planning application received. <b><a href="#">Application Ref No: 146058 (13/1/23, 28 days)</a></b> <a href="#">Proposal: Planning application for proposed storage and distribution centre - re-submission of 144167</a> <a href="#">Location: Land east of Somerby Way, Gainsborough</a>	The committee <b>resolved</b> to support the application.	<b>DC</b> to send response to WLDC.	
PL23/199	To consider planning application received. <b><a href="#">Application Ref No: 146076 (16/01/23, 28 days)</a></b> <a href="#">Proposal: Planning application for proposed conversion of former hotel into 8no. flats.</a> <a href="#">Location: Former Friendship Hotel, 60 Church Street, Gainsborough</a>	The Committee <b>resolved</b> to support the application.	<b>DC</b> to send response to WLDC.	
PL23/200	To consider planning application received.	The committee <b>resolved</b> to make the following comment on the application: -	<b>DC</b> to send response to WLDC.	

Initialed:

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Agenda no	Agenda item title	Resolution	Action	Power
	<p><b><u>Application Ref No: 145239 (18/01/23, 30 days)</u></b>  <u>Proposal: Outline planning application for the demolition of existing structures; the erection of 2046 new homes with business, community services and facilities falling within Class E; school falling within Class F1; formal and informal open space and landscaping; outdoor sport and recreation falling within Class F2; together with the construction of new access junctions, cycleways and footways, and associated infrastructure and facilities - access to be considered and not reserved for subsequent applications</u>  <u>Location: Land at Foxby Lane, Gainsborough</u>  <i>Refer to previous consultation on the above and now wish to inform you that the application has been amended as follows.</i>  <i>Updated Ecology Chapter and appendices received.</i></p>	<p>That the triangle of established trees opposite from Maybell Close be retained.</p>		
<p><b>Decision notices</b></p>				

Initialed:

Agenda no	Agenda item title	Resolution	Action	Power
PL23/201	To note decision notice received. <b>Application Ref No: 145765</b> <b>GRANTED</b> (delegated) Proposal: Planning application for single storey extension to rear to replace conservatory Location: 27 Glenthams Road, Gainsborough <b>Paper B</b>	The Committee <b>resolved to note</b> the decision.	N/A	
PL23/202	To note decision notice received. <b>Application Ref No: 145770</b> <b>GRANTED</b> (delegated) Proposal: Listed building consent for alterations and refurbishment of an existing internal door. Location: Trinity Arts Centre, Trinity Street, Gainsborough <b>Paper C</b>	The Committee <b>resolved to note</b> the decision.	N/A	
PL23/203	To note decision notice received. <b>Application Ref No: 145861</b> <b>REFUSED</b> (delegated) Proposal: Planning application to erect 3no. dwellings. Location: Land adjacent to Gainsborough College, Acland Street, Gainsborough <b>Paper D</b>	The Committee <b>resolved to note</b> the decision.	N/A	
PL23/204	To note decision notice received. <b>Application Ref No: 145889</b> <b>GRANTED</b> (delegated)	The Committee <b>resolved to note</b> the decision.	N/A	

Initialed:

Agenda no	Agenda item title	Resolution	Action	Power
	<p>Proposal: Listed building consent for internal alterations to install staircase.</p> <p>Location: Marshalls Yard, Unit 22, Beaumont Street, Gainsborough</p> <p><b>Paper E</b></p>			
PL23/205	<p>To note decision notice received.</p> <p><b>Application Ref No: 145890</b></p> <p><b>GRANTED</b> (delegated)</p> <p>Proposal: Advertisement consent to display 2no. monolith signs.</p> <p>Location: Gainsborough Town Centre, Gainsborough</p> <p><b>Paper F</b></p>	The Committee <b>resolved to note</b> the decision.	N/A	
PL23/206	<p>To note decision notice received.</p> <p><b>Application Ref No: 143821</b></p> <p><b>GRANTED</b> (delegated)</p> <p>Proposal: Outline planning application to demolish all existing industrial structures and erect up to 64no. dwellings with all matters reserved.</p> <p>Location: Former AMP Rose site Heapham Road Gainsborough</p> <p><b>Paper G</b></p>	The Committee <b>resolved to note</b> the decision.	N/A	
PL23/207	<p>To note decision notice received.</p> <p><b>Application Ref No: 145852</b></p> <p><b>GRANTED</b> (delegated)</p> <p>Proposal: Listed building consent for the removal of 3no. en-suite bathrooms/shower cubicles.</p>	The Committee <b>resolved to note</b> the decision.	N/A	

Initialled:

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Agenda no	Agenda item title	Resolution	Action	Power
	Location: Bridge House 2 Lea Road Gainsborough <b>Paper H</b>			
PL23/208	<b>Street naming requests</b> To consider street naming requests received (if there are any).	There were none.	N/A	
PL23/209	<b>Tree preservation orders</b> To consider tree preservation orders received (if there are any).	There were none.	N/A	
PL23/210	<b>Items for notification</b> To receive any items for notification to be included on a future agenda – for information only	<ul style="list-style-type: none"> <li>• Response regarding Willow tree on Bridge Street from WLDC</li> <li>• Response regarding The Gap from WLDC</li> <li>• Proposal from P&amp;S Committee regarding CIL funds.</li> </ul>	<b>TC</b> to report.  <b>TC</b> to report.  <b>OM</b> to report.	N/A
PL23/211	<b>Time and date of next meeting</b> To note the date and time of the next Planning committee is scheduled for 28 February 2023 at 7.00pm.	The committee <b>noted</b> the date and time for the next scheduled meeting as 28 February 2023 at 7.00pm.		<i>Local Government Act 1972, Sch 12, p10 (2)(a)</i>

The meeting closed at 19.33.

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

Initialed:

# PAPER B

## Planning Permission

Name and address of applicant

Mr Andrew Hurley

29 Lord Street  
Gainsborough  
Lincolnshire  
DN21 2DD

Name and address of agent (if any)

Mr Dave Bickley  
dave bickley building design  
Station Farm  
Green Lane  
Pilham  
DN21 3NU

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### Part One – Particulars of application

Date of application:  
07/11/2022

Application number:  
145817

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### Particulars and location of development:

Planning application to provide 1no. additional apartment and change the use of 1no. apartment on the ground floor to an office.

29 Lord Street Gainsborough Lincolnshire DN21 2DD

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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 drawings:

Proposed Site Layout BBY/20/101a  
Proposed Layout Ground Floor BBY/20/110a  
Proposed Layout First Floor BBY/20/111ARI received on 26<sup>th</sup> January 2023  
Proposed Layout Second Floor BBY/20/112a

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

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

None

**Notes to the Applicant**

None

### **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 additional residential and office accommodation within the town centre of Gainsborough in accordance with the Central Lincolnshire Local Plan and Gainsborough Neighbourhood Plan with no adverse impacts arising and a grant of approval is appropriate.

### **Working Practice Statement**

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.



Date 27<sup>th</sup> January 2023

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: 145817**

**PROPOSAL:** Planning application to provide 1 no. additional apartment and change the use of 1 no. apartment on the ground floor to an office.

**LOCATION:** 29 Lord Street Gainsborough Lincolnshire DN21 2DD

**WARD:** Gainsborough South West

**WARD MEMBER(S):**

**APPLICANT NAME:**

**TARGET DECISION DATE:** Extension of Time to 27<sup>th</sup> January 2023

**DEVELOPMENT TYPE:** Minor - Dwellings

**CASE OFFICER:** George Backovic

**RECOMMENDED DECISION:** Grant Permission

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#### **Description:**

The site is within the Gainsborough Town Conservation Area. Public right of way Gain/11/1 Little Church Lane is directly east of the site boundary. To the east of the site is 31 Lord Street a grade II listed building; 33, 35, 37, 39 and 22-24 Lord Street are grade II listed buildings; to the west of the site (and new build dwellings) is Gainsborough Library, a grade II listed building; Gainsborough Old Hall, a grade I listed building, is 43m to the north west of the application site. The site is within the designated Town Centre Boundary.

It is proposed to replace an approved apartment on the ground floor with an office unit. On the first floor in place of 5 apartments originally approved: 2 single bed units; 1 two bed unit; 2 three bed units over two floors; it is proposed to provide 4 single bed units and 1 two bed unit. Apartment 4 was changed from a two bed to a single bed unit by revised plans received on 26<sup>th</sup> January 2023. Two new single bed units are proposed at second floor level. No changes to the previously approved elevations are proposed with only internal works proposed.

#### **Relevant history:**

144595: Local Authority Consultation for a Pavement Cafe and Stalls Licence. No objections.

143956: Confirmation of compliance with conditions 2 (Construction Management Plan), 7(Landscaping), 10 (Details of doors and windows), 11 (Stall riser tile details), 12(means of enclosure) of planning permission 141735 granted 12 January 2021. Details of 2 and 11 approved 24.12.21. Details of 7, 10 and 12 approved 04.12.22

141735: application for refurbishment of existing shop units, change of use of the public house to retail and cafe. Reconfiguration of existing living accommodation to form 6 apartments, and erection of 4 dwellings. GC 12.01.21

97/P/0307 Planning application to change the use of former shop to storage, alteration to elevations and demolish outbuildings to form increased car park area in accordance with amended plans 971/8 REVB, 971/10 REVB and 971/11 REVB received on 15 May 1997. Approved 12/6/1997.

**Representations:**

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

**Gainsborough Town Council:** The committee resolved to **support** the application

**Local residents:** No comments received.

**LCC Highways:** No objections.

**Development Plan**

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).

- ***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

LP13: Accessibility and Transport

LP14: Managing Water Resources and Flood Risk

LP16: Development on Land Affected by Contamination

LP17: Landscape, Townscape and Views

LP25: The Historic Environment

LP26: Design and Amenity

LP38: Protecting Gainsborough's Setting and Character

LP41: Regeneration of Gainsborough

LP42: Gainsborough Town Centre and Primary Shopping Area

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

Policy M11: Safeguarding of Mineral Resources

The site is within a sand and gravel minerals safeguarding 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

NPP 18 Protecting and Enhancing Heritage Assets

NPP 19 Improving the Vitality of the Town Centre

**National policy & guidance (Material Consideration)**

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

### **Main issues**

- Principle
- Amenities of the occupiers of proposed flats
- Heritage Assets

### **Assessment:**

Principle: Policy LP2 designates Gainsborough a main town which will be a 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. This proposal can be considered as additional growth in an appropriate location (as defined in the CLLP) within the developed footprint of the Gainsborough urban area.

Policy NPP 19 states "Development proposals for use of upper floors of commercial premises within the town centre for residential use will be supported". The additional apartments proposed would accord with this policy and the principle is both accepted and supported.

The site is within the designated Town Centre Boundary and the existing buildings (not the entire site) are within the designated Primary Shopping Area. Policy LP42 states:

"Proposals for main town centre uses will be supported within Gainsborough Town Centre, as identified on the Policies Map, provided that the proposed development is compatible with the use of adjacent buildings and land.

In the identified Primary Shopping Area, proposals for non-retail use on ground floors will only be supported if they:

- a. Are a recognised main town centre use; and
- b. Would not result in the over concentration of non-retail uses that would undermine the primary shopping area's overall retail function and character; and
- c. Would have no demonstrable impact on the vitality and viability of the centre as a whole."

Offices are identified within Annex 2: Glossary 2 of the NPPF as "Main town centre uses". On this basis the principle is accepted and supported.

The principle of residential and office use would be in accordance with Policies LP2 and LP42 of the Central Lincolnshire Local Plan and policies NPP1 and NPP19 of the Gainsborough Neighbourhood Plan.

Amenities of the occupiers of proposed flats:

Policy LP26 requires high quality design that that contributes positively to local character, landscape and townscape and also 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 is afforded full weight in the determination of this application.

The Technical housing standards – nationally described space standard (image below), whilst not adopted, are a useful tool to decide whether flat and dwelling sizes have sufficient amenity for the residents, in order to comply with LP26.. These standards are now mandatory for dwellings created through the permitted development process.

**Table 1 - Minimum gross internal floor areas and storage (m<sup>2</sup>)**

Number of bedrooms(b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) *			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	

\*Where a 1b1p has a shower room instead of a bathroom, the floor area may be reduced from 39m<sup>2</sup> to 37m<sup>2</sup>

Proposals:

Apartment 1- 2 bed	70 m <sup>2</sup>
Apartment 2 -1 bed	47 m <sup>2</sup>
Apartment 3 -1 bed with shower	38 m <sup>2</sup>
Apartment 4 - 1 bed	47 m <sup>2</sup>
Apartment 5 -1 bed / ensuite	38 m <sup>2</sup>
Apartment 6 - 1 bed	41m <sup>2</sup>
Apartment 7- 1 bed with shower	43m <sup>2</sup>

The above would indicate that each unit is appropriately sized to ensure sufficient future amenity for residents. Apartment 4 sits slightly little below the standard for a 1b2p bedroom apartment. However, it is considered that adequate amenity provision has been made in order to comply with LP26.

## **Heritage Assets**

Whilst the site is located within a conservation area and in close proximity to listed buildings there are no changes to the external appearance previously approved. On this basis there would be no harm to heritage assets and it would be in accordance with Policy LP25 of the Central Lincolnshire Local Plan and policy NPP 18 of the Gainsborough Neighbourhood Plan.

## **Other matters**

### Parking

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 NPPF paragraph 108 requiring proposals ensure safe and suitable access to the site can be achieved for all users and paragraph 109 requiring development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety. The policy is therefore given full weight.

Eight on-site car parking spaces would be provided for the eleven dwellings/apartments. Access would be provided by the access road leading from Parnell Street. The examination CLLP has a policy S49 "Parking Provision" which requires provision in line with standards set out in Appendix 2. Apartments can be considered as "Flatted Development" for which the requirement would be 1 per flat plus an allowance for visitors. The provision would fall below this requirement although it is important to note that this is located within the defined town centre with alternative transport options to the car available. It is also noted that no objections are raised by Highways to the level of parking provision. On this basis the parking provision does not represent a reason to withhold permission. It would also be in accordance with policy NPP1 of the Neighbourhood Plan.

### Outdoor Amenity Area

A landscaped communal amenity space has been approved for residents of the flats.

### Bin storage

This was approved to the north east of the existing building next to Little Church Lane

## **Planning balance and conclusion**

This is an application for additional residential and office accommodation within the town centre of Gainsborough in accordance with the Central Lincolnshire Local Plan and Gainsborough Neighbourhood Plan with no adverse impacts arising and a grant of 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

**Prepared by:** George Backovic

**Date:** 26<sup>th</sup> January 2023

**Signed:**



**Authorising Officer**

**Date:** 27/01/2023

**Decision Level** (tick as appropriate)

Delegated



# PAPER C

## Planning Permission

Name and address of applicant

Gainsborough Town Council  
Richmond House  
Register Office  
Morton Terrace  
DN21 2RJ

Name and address of agent (if any)

Mr Matt Deakins  
Ross Davy Associates  
Pelham House  
1 Grosvenor Street  
Grimsby  
DN32 0QH

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### Part One – Particulars of application

Date of application:  
02/12/2022

Application number:  
145967

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### Particulars and location of development:

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, lobby, WC and demolition of an existing Aviary structure.

Richmond House Morton Terrace Gainsborough Lincolnshire DN21 2RJ

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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 shall be carried out in accordance with the following proposed drawings:

- RD:5236-03 dated August 2022 – Elevation and Floor Plans
- RD:5236-06 dated November 2022 – Door Plans and Sections
- RD:5236-07 dated November 2022 – Door and Window Plans and Sections
- RD:5236-08 Rev C dated November 2022 – Site Plan and Aviary Photographs

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, local policy LP17, LP25 and LP26 of the Central Lincolnshire Local Plan 2012-2036, policy NPP6, NPP7 and NPP18 of the Gainsborough Town Neighbourhood Plan and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990

3. Prior to installation details of a sample header stone/brick for the folding doors and window hereby approved must be submitted to and approved in writing by the Local Planning Authority. The development must be completed in strict accordance with the approved details and retained as such thereafter.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and the character and appearance of the listed building and the site to accord with the National Planning Policy Framework, local policies LP17, LP25 and LP26 of the Central Lincolnshire Local Plan 2012-2036, policy NPP6, NPP7 and NPP18 of the Gainsborough Town Neighbourhood Plan and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990

4. The proposed development must be completed in strict accordance with the brick sample panel photos received 20<sup>th</sup> January 2023 and brick type and mortar specification/finish described in email dated 20<sup>th</sup> January 2023 and retained as such thereafter.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and the character and appearance of the listed building and the site to accord with the National Planning Policy Framework, local policies LP17, LP25 and LP26 of the Central Lincolnshire Local Plan 2012-2036, policy NPP6, NPP7 and NPP18 of the Gainsborough Town Neighbourhood Plan and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990

**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 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 and LP26 Design and Amenity of the Central Lincolnshire Local plan 2012-2036, policy NPP6 Ensuring High Quality Design, NPP7 Ensuring High Quality Design in each Character Area and NPP18 Protecting and Enhancing Heritage Assets of the Gainsborough Town Neighbourhood Plan and draft policies of Submitted Draft Central Lincolnshire Local plan Review. Consideration is additionally given to the duty set out in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and guidance contained within the National Planning Policy Framework, National Planning Practice Guidance and the National Design Guide. It is considered that the proposed development would enhance the desirability of the Listed Building and its setting whilst maintaining its other special architectural features and historic interest. The proposal would improve the visual impact of the site and the surrounding area. It would not have an unacceptable harmful impact on the living conditions of neighbouring occupiers, highway safety, archaeology or drainage.

### **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: 23<sup>rd</sup> January 2023

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.

# PAPER D

## Listed Building Consent

Name and address of applicant	Name and address of agent (if any)
Gainsborough Town Council Richmond House Register Office Morton Terrace Gainsborough DN21 2RJ	Mr Matt Deakins Pelham House 1 Grosvenor Street Ross Davy Associates Grimsby DN32 0QH

### **Part I – Particulars of application**

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Date of application	Application no
02/12/2022	145968

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#### Particulars and location of development

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, lobby, WC and demolition of an existing Aviary structure.

Richmond House, Morton Terrace, Gainsborough, Lincolnshire DN21 2RJ

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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 must 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 proposed drawings:



- RD:5236-03 dated August 2022 – Elevation and Floor Plans
- RD:5236-06 dated November 2022 – Door Plans and Sections
- RD:5236-07 dated November 2022 – Door and Window Plans and Sections
- RD:5236-08 Rev C dated November 2022 – Site Plan and Aviary Photographs

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 to safeguard the desirability and setting of the Grade II Listed Buildings to accord with the National Planning Policy Framework.

3. Prior to installation details of a sample header stone/brick for the folding doors and window hereby approved must be submitted to and approved in writing by the Local Planning Authority. The development must be completed in strict accordance with the approved details and retained as such thereafter.

Reason: To safeguard the desirability and setting of the Grade II Listed Buildings to accord with the National Planning Policy Framework.

4. The proposed development must be completed in strict accordance with the brick sample panel photos received 20<sup>th</sup> January 2023 and brick type and mortar specification/finish described in email dated 20<sup>th</sup> January 2023 and retained as such thereafter.

Reason: To safeguard the desirability and setting of the Grade II Listed Buildings 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**

NONE

**Reasons for granting permission or Refusal**

The proposal has been considered against the duty contained within section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended. In light of this assessment, the proposal is considered as an enhancement to the desirability of the Listed Building and its setting. Furthermore the proposed development will preserve the desirability of the special architectural features or historic interest it possesses.

**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: 23<sup>rd</sup> January 2023

Signed:

A handwritten signature in black ink, appearing to read 'John H. ...', written in a cursive style.

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.



PAPER E

# Planning Permission

Name and address of applicant

FCC Environment  
White Rose Way  
Doncaster  
DN4 5NU

Name and address of agent (if any)

## Part I - Particulars of application

Date of application:  
14 October 2022

Application No.  
146016  
LCC Ref. No.  
PL/0122/22

Particulars and location of development:

For a small methane stripping plant and a 40ft storage and workshop container at Gainsborough Landfill Site, Lea Road, Gainsborough

## Part II - Particulars of decision

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

1. The development hereby permitted shall be carried out in accordance with the following:
  - Planning Application Form (received 31 October 2022)
  - Covering Letter and Planning Statement (received 31 October 2022)
  - Drawing No. 709T017B – Site Location Plan (received 31 October 2022)
  - Drawing No. 709A303 – Application Boundary Plan (received 23 November 2022)
  - Drawing No. 709A304 – Storage and Workshop Elevation Plan (received 31 October 2022)
  - Drawing No. 709A306 – Stripping Plant Plan (received 31 October 2022)

Date: 02 February 2023

*N McBride*

County Offices, Newland,  
Lincoln LN1 1YL

Head of Planning  
Lincolnshire County Council

1. **There may be pre-development conditions attached to this notice and if these are not complied with before development commences then you may not have been deemed to have been granted planning consent.**
2. **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, bylaw, order or regulation.**

*Reason: To ensure the development hereby permitted is carried out in strict accordance with the approved details.*

2. The methane stripping plant and 40ft storage container hereby permitted shall be used only for the storage and processing of leachate arising from within the Gainsborough landfill site and shall be removed once the landfill site has ceased producing leachate and/or are no longer required for their intended purpose.

*Reason: To ensure the site is restored at the earliest opportunity.*

## **Informative**

Attention is drawn to:

- (i) In dealing with this application the Waste Planning Authority has worked with the applicant in a positive and proactive manner by processing the application efficiently so as to prevent any unnecessary delay. This approach ensures the application is handled in a positive way to foster the delivery of sustainable development which is consistent with the requirements of the National Planning Policy Framework and as required by Article 35(2) of the Town & Country Planning (Development Management Procedure)(England) Order 2015.

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, they may appeal to the Secretary of State in accordance with Section 78 of the Town and Country Planning Act 1990, within six months of receipt of this notice. (Appeals must be made either electronically via the Planning Portal at [www.gov.uk/government/organisations/planning-inspectorate](http://www.gov.uk/government/organisations/planning-inspectorate) or by using a form which can be obtained by contacting the Customer Support Team on 0303 444 00 00). The Secretary of State has a power to allow a longer period for the giving notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving of a notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to them that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. The Secretary of State does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by them. Please note, only the applicant possesses the right of appeal.
2. Applicants that want a planning appeal to follow the Inquiry procedure should notify the local planning authority and the Planning Inspectorate at least 10 working days before submitting their planning appeal. Further information and a copy of the template notification form can be found here: <https://www.gov.uk/government/publications/notification-of-intention-to-submit-an-appeal>  
  
The form should be emailed to Lincolnshire County Council at [dev\\_planningenquiries@lincolnshire.gov.uk](mailto:dev_planningenquiries@lincolnshire.gov.uk) and the Planning Inspectorate at [inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)
3. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the 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 carrying out of any development which has been or would be permitted, they may serve on the council of the district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
4. 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 Secretary of State on appeal or on a reference of the application to them. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

# PAPER F



## Planning Permission

Name and address of applicant

Name and address of agent (if any)

Mr Daniel Anderson

64 Old Showfields  
Gainsborough  
Lincolnshire  
DN21 2QE

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### Part One – Particulars of application

Date of application:  
10/01/2023

Application number:  
146071

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Particulars and location of development:

Planning application for first floor extension.

64 Old Showfields Gainsborough Lincolnshire DN21 2QE

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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 commence 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 drawings: Site Plan, Site Location Plan and Existing & Proposed Site Layouts REV A, received 10<sup>th</sup> January 2023. 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 and LP26 of the Central Lincolnshire Local Plan.

3. The development must be completed in strict accordance with the external materials listed on the application form dated, 23<sup>rd</sup> December 2022.

Reason: To ensure the use of appropriate materials to accord with the National Planning Policy Framework and Policy 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**

**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 Policy LP1: A Presumption in Favour of Sustainable Development, LP17: Landscape, Townscape and Views and LP26: Design and Amenity of the Central Lincolnshire Local Plan in the first instance. Guidance contained in 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 is acceptable and will not harm the character and appearance of the street scene or the dwelling or have an unacceptable harmful impact on the living conditions of the residents of neighbouring properties or highway safety.

**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: 13<sup>th</sup> February 2023

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: 146071

**PROPOSAL:** Planning application for first floor extension.

**LOCATION:** 64 Old Showfields Gainsborough Lincolnshire DN21 2QE  
**WARD:** Gainsborough North

**TARGET DECISION DATE:** 07/03/2023  
**DEVELOPMENT TYPE:** Householder Development  
**CASE OFFICER:** Daniel Galpin

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

### Description:

Old Showfields is a late 20<sup>th</sup> century residential cul-de-sac comprising of spacious semi-detached and detached residential dwellings with a contemporary appearance. The dwellings appear somewhat uniform in their appearance but do exhibit some heterogeneity in their material specification which comprises of varying brick styles, clay and concrete roof tiles and uniform white uPVC windows. The application site is located within a large and visually dominant central plot.

In the wider context, Richmond Park is located directly to the west with the Gainsborough Town Council and Registry Office buildings located within close proximity to the application site. Queen Elizabeth's High School is located to the north and mature woodland and Castle Wood Academy to the east. The application site is not subject to any relevant statutory or non-statutory designations.

Planning permission is being sought for a first floor side extension above the existing single storey double garage extension. The proposed development will utilise materials to match the existing dwelling (rendered brick, white uPVC windows and clay roof tiles which will be reclaimed from the existing roof where possible). The submitted floor plans confirm that the proposed development would function as a new master bedroom. The fenestration of the new windows will match the existing dwelling but will see a slight variation in the design on some windows which mimics the dormer appearance of similar windows seen on most adjacent dwellings in the cul-de-sac.

### Relevant history:

116042 – Planning application to erect attached double garage – GC 17<sup>th</sup> June 2005;

143297 – Pre-application enquiry for first floor extension above existing garage;

### Representations:

Chairman/Ward member(s):	No representations received to date.
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Parish/Town	No reply received to date.
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Council/Meeting:	
Local residents:	No representations received to date.
LCC Highways/Lead Local Flood Authority:	No objection – <i>‘the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application’.</i>
Archaeology:	No reply received to date.
Conservation Officer:	N/A
Environmental Protection:	N/A
IDOX:	Checked 13 <sup>th</sup> February 2023

<b>Relevant Planning Policies:</b>	
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
Neighbourhood Plan:	NPP1: Sustainable Development NPP5: Protecting the Landscape Character NPP6: Ensuring High Quality Design NPP7: Ensuring High Quality Design in each Character Area

<b>POLICY LP26 – Design and Amenity</b>	
Is the proposal well designed in relation to its siting, height, scale, massing and form?	
Local Plan Policy LP26 states that 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 are well designed in relation to siting, height, scale, massing and form.	
<p>Policy NPP6 of the GNP outlines, amongst other things, that development proposals should respond to the local character of both the surrounding area and the immediate neighbouring properties. Policy NPP7 of the GNP identifies that; as appropriate to their scale and nature, development proposals should be designed to take account of the Character Area within which they are located. The application site is located within the TCA01 Gainsborough Morton within the GNP which outlines that development proposals should alter existing buildings should demonstrate a thorough understanding of the history and design qualities of the buildings and provide a clear rationale for how this is taken account of in the design of the alterations proposed.</p> <p>Policy NPP6 of the GNP outlines, amongst other things, that development proposals should demonstrate sensitive positioning within plots and be of such scale and form as to not dominate neighbouring properties or the streetscape.</p>	

Concern was raised during the pre-application phase that the introduction of a large gable extension that visually dominates the existing dwelling on a highly prominent central plot would represent an unacceptable intrusion into the street scene. The applicant was advised that either a lower ridge height or setting the front extension back may be acceptable.

This application has completely removed the projecting gable element of the proposed extension with the exception of two gable windows on both the north and south elevations, which is a feature prevalent on the majority of adjacent dwellings. There has also been a modest but noticeable reduction in ridge height which although modest, gives the extension a clear sense of subservience and prevents the extension visually dominating the existing dwelling. The windows on both the principal and rear elevation match both the appearance and fenestration of the main dwelling thus helping to preserve its character.

It is noted that the proposed development would make the dwelling the largest in the immediate vicinity on a prominent central plot. However, this should be viewed in the context of the overall plot size which is considerably larger than all other adjacent plots. In this context, the scale of the extension is considered to be acceptable and would reflect to spacious nature of the site context. This in turn prevents the proposal from appearing as an overdevelopment of the application site or appearing as visually disproportionate in terms of scale.

It is therefore considered that the proposed development is in accordance with Policy LP26 of the Central Lincolnshire Local Plan, Policy NPP6 and NPP7 of the Gainsborough Neighbourhood Plan and paragraph 130 of the NPPF.

Does the proposal respect the existing topography, landscape character, street scene and local distinctiveness of the surrounding area?

Local policy LP17 states that:

*'To protect and enhance the intrinsic value of our landscape and townscape, including the setting of settlements, proposals should have particular regard to maintaining and responding positively to any natural and man-made features within the landscape and townscape which positively contribute to the character of the area, such as (but not limited to) historic buildings and monuments, other landmark buildings, topography, trees and woodland, hedgerows, walls, water features, field patterns and intervisibility between rural historic settlements'.*

This is reiterated by Policy LP26 which states:

*'The policy also states that the proposal should respect the existing topography, landscape character, street scene and local distinctiveness of the surrounding area and should use appropriate, high quality materials which reinforce or enhance local distinctiveness. Any important local view into, out of or through the site should not be harmed.'*

It is considered that the use of matching materials, fenestration and the subservience of the extension to the existing dwelling results in the extension being in keeping with the

existing topography, street scene and landscape character. The use of gable designed windows is considered acceptable as these features are heavily present on adjacent dwellings. The extension will result in the dwelling being the largest dwelling within the street scene but given the spacious nature of the existing plot and the size of the host dwelling, the extension is considered to be acceptable within this spatial context. The existing boundary treatments on the site and presence of several trees also serves to partially screen the dwelling which reduces its prominence.

It is therefore considered that the proposed development is in accordance with Policy LP17 and LP26 of the Central Lincolnshire Local Plan, Policy NPP5 of the Gainsborough Neighbourhood Plan and paragraph 130 of the NPPF.

Does the proposal harm any important local views into, out of or through the site?

The suburban character of the application site with a high density of dwellings and a flat topography results in the proposed extension only being visible from the immediate site context. Therefore, it is considered that the proposed development will pose no harm to important local views and the proposal is considered to be in accordance with Policy LP17 of the Central Lincolnshire Local Plan, Policy NPP5 of the Gainsborough Neighbourhood Plan and paragraph 130 of the NPPF.

Does the proposal use appropriate materials which reinforce or enhance local distinctiveness?

The proposed development will make use of materials to match the existing dwelling and will utilise reclaimed roof tiles where possible. This will help to ensure that the proposed development reinforces and enhances local distinctiveness and maintain the character of the existing dwelling.

Does the proposal adversely affect the residential amenity of neighbouring properties by virtue of overlooking, overshadowing, loss of light or over dominance?

There will be no impacts resulting from the proposed development in relation to the residential amenity of neighbouring dwellings. The closest dwelling to the application site is 60 Old Showfields which has a separation distance of 17 metres from the principal elevation of 64 Old Showfields. Although there will be an increase shadow created by the proposed extension, the separation distance between adjacent dwellings will prevent any overshadowing, loss of natural light or increased dominance.

Does the proposal adversely impact any existing natural or historic features?

The application site is situated within a contemporary suburban cul-de-sac with no features of natural or historic interest within close proximity that have the potential to be impacted by the proposed development.

#### **Other considerations:**

Does the proposal enable an adequate amount of private garden space to remain?

There will be no increase in the overall footprint of the dwelling and therefore there will be no loss of garden space. Furthermore, the amount of amenity space provided by the plot is considerably greater than all other dwellings in the immediate vicinity. In this respect, the proposed development does not conflict with Policy LP26 of the Central Lincolnshire Local Plan and paragraph 130 f) of the NPPF.



Does the proposal enable an adequate level of off street parking to remain?

No objection has been received from the Lincolnshire County Council's Highway Authority in relation to the proposed development. The two parking spaces afforded by the existing attached double garage will remain and there is sufficient provision on the front driveway for at least two further cars.

In this regard, it is considered that the proposed development will not conflict with the requirements of Policy LP13 and paragraphs 110 and 111 of the NPPF.

**Conclusion and reasons for decision:**

The decision has been considered against Policy LP1: A Presumption in Favour of Sustainable Development, LP17: Landscape, Townscape and Views and LP26: Design and Amenity of the Central Lincolnshire Local Plan in the first instance. Guidance contained in 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 is acceptable and will not harm the character and appearance of the street scene or the dwelling or have an unacceptable harmful impact on the living conditions of the residents of neighbouring properties or highway safety.

**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.

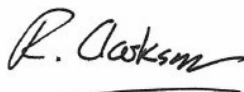
**Legal Implications:**

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:** Daniel Galpin

**Date:** 13<sup>th</sup> February 2023

**Signed:** *D. Galpin*



**Authorising Officer:**

**Date:** 13/02/2023

**Decision Level** (tick as appropriate)

Delegated	<input checked="" type="checkbox"/>	Delegated via Members	<input type="checkbox"/>	Committee	<input type="checkbox"/>
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# PAPER G

**Officer Report to  
The Planning Committee**

Report Author: Stephen Coulman  
Report Date: 03/02/2023



**Gainsborough**  
TOWN COUNCIL

## CIL Funds

### 1. Summary

Town and Parish Councils receive Community Infrastructure Levy (CIL) charged on liable local developments in their parish area. As this Council has an adopted a Neighbourhood Plan we receive the maximum 25% of CIL.

CIL monies can be spent on the provision, improvement, replacement, operation or maintenance of infrastructure, or anything else that is concerned with addressing demands that development places on the Council's area. The Council should spend the CIL monies within 5 years of receipt.

1.1 The following are the amounts of CIL money available:

- (a) Planning application to erect 95 dwellings, Land adjacent, Middlefield Lane, Gainsborough. Payment of £17,858.16 received October 2022.
- (b) Planning application to erect 3 dwellings, Plots 54A, 70A and 70B, former Castle Hills Community Arts College, The Avenue, Gainsborough. Payment of £1,344.99 October 2022.
- (c) Planning application to erect 1 dwelling including new access, land adjacent, 43, Heapham Road, Gainsborough. Payment of £206.90 received 27 October 2020.
- (d) Total CIL money available is £19,410.05.

### 2. Background

2.1 At the Property & Services Committee held on the 10th of January 2023 it was resolved to recommend to the Planning Committee to spend a proportion of the CIL funds on North Warren Allotments, clearing vacant plots, access road and boundary security and that the Operations Manager write a report to the Planning Committee on a proposal to spend any CIL monies available to the Council – refer PS23/151:

2.2 North Warren Allotment site (NWAS) is owned by the Council and is presently approximately 50% unlet due to vacant plots being unusable having not been occupied for several years or employed as grazing / stabling of horses. As a result, the Council is missing out on a potential plot rental income of approximately £900 per annum.

2.3 It is fair to say that NWAS has, over recent years, gained a reputation for an allotment site to be avoided due to the amount of work required to bring a plot back into use. Upon first sight many plots will put off a prospective allotment holder.

2.4 The Operations Manager invited three (3) contractors to undertake site inspections of the five (5) allotment sites with a view to quoting for the clearance of asbestos, unwanted and abandoned materials / items as well as clearing vegetation that had grown on vacant plots. However, the focus was on NWAS. This would facilitate the following:

- a) Remove items that could potentially be hazardous to health.
- b) Clear plots that are presently unlettable so that they are an attractive proposition and may be offered to prospective allotment holders.

- c) Items that may be reused / recycled can be retained and offered to new and existing allotment holders – sheds, greenhouses, tools, water butts, composters etc. This to be managed by the Allotment Officer.
- d) Make it clear to allotment holders, old and new, that the council is taking a new positive approach to allotments and hopefully to promote self-management, with assistance from the Allotment Officer.

### **3. Cost**

Of the three (3) contractors asked to undertake site visits only two attended.

Due to the nature of the works, the 'unknowns' (what will they uncover in the undergrowth / just below ground) and waste disposal costs it was evident from onsite conversations that this would be difficult to quantify and price. However, the two contractors submitted quotations as follows:

- a) Contractor A is a demolition company who specialise in demolition, civils, and waste management. Their quotation to clear NWAS is £36,000 plus Vat. Additional costs are likely to be incurred should any unseen hazardous materials be found.
- b) Contractor B is a family run company who are farmers and have branched out into environmental cleaning. They undertake allotment works for numerous local authorities. Their quotation to clear NWAS is £19,500 plus Vat. Additional costs are likely to be incurred should any unseen hazardous materials be found.

### **4. Recommendation**

To recommend to full Council the following:

- a) To appoint contractor B to undertake the necessary clearance works on NWAS.
- b) The Allotment Officer, in collaboration with the Operations Manager, to monitor and direct the contractor to ensure costs are kept to the minimum and all recyclables are reused.
- c) To employ £19,410.05 CIL monies to fund the majority of the cost of the works.
- d) To set aside an additional £2,500 for unforeseen works / contingencies etc. The expenditure of the additional £2,500 to be at the discretion of the Operations Manager in consultation with the Clerk and / or Deputy Clerk / RFO.
- e) To adjust the budget accordingly.

# Community Infrastructure Levy

Guidance for  
Parish and Town  
Councils



September 2019

## Introduction

The information contained within this guide is intended to assist Town and Parish Councils within the district of West Lindsey to understand their responsibilities relating to Community Infrastructure Levy (CIL). In the guide PC is used to refer to both Parish and Town Councils. There is a separate section of information for non-parished areas such as Parish Meetings (PMs). Further information is available on the councils' websites and advice is available from West Lindsey's planning team.

## Overview

CIL is a levy that local authorities can charge on developments in their area to ensure facilities and services in the area have capacity to keep up with new homes and to enable further sustainable growth. The adopted CIL Charging Schedule sets out the rate per square meter for charged developments which is payable on commencement of development.

A portion of CIL income is paid to PCs to be spent by the PCs on offsetting the impacts of development in the area. The PC must report on the CIL received and spent each year. The remaining CIL income is spent by the district council.

West Lindsey District Council is responsible for administering the collection of CIL, payments to PCs and district spending. The processes of CIL income generation, payments to PCs and spending and reporting are illustrated in Figures 1 to 3 below.



# What Development is CIL liable in West Lindsey?

West Lindsey District Council's Charging Schedule sets out which developments are liable to pay CIL. Developments not included on the adopted Charging Schedule will not be charge CIL.

WEST LINDSEY DISTRICT COUNCIL CIL CHARGE SCHEDULE RESIDENTIAL CHARGING ZONES			
		Charge Per Square Metre (houses)	Charge Per Square Metre (apartments)
Zone 1	Lincoln Strategy Area (LSA)	£25	£0
Zone 2	Non Lincoln Strategy Area	£15	£0
Zone 3	North East Quadrant Sustainable Urban Extension	£20	£0
Zone 4	Gainsborough West (as shown shaded green on the charging schedule map of Gainsborough)	£0	£0

WEST LINDSEY DISTRICT COUNCIL CIL CHARGING SCHEDULE COMMERCIAL CHARGING ZONES (APPLICABLE TO WHOLE DISTRICT)	
Convenience Retail*	£40
All other uses**	£0

\*Convenience retail is defined as everyday items including food, drink and non-durable household goods  
 \*\*All other uses' and the £0 rate include comparison retail and retail warehousing.

## When do developments become liable?

Development becomes CIL liable on the approval of a Full Planning Application or in the instance of Outline Applications once the Reserved Matters has been approved.

CIL is payable within 60 days of Commencement of Development or in line with West Lindsey District Council's Installment Policy where the CIL charge meets the defined thresholds.

Fig.1 CIL Income Generation

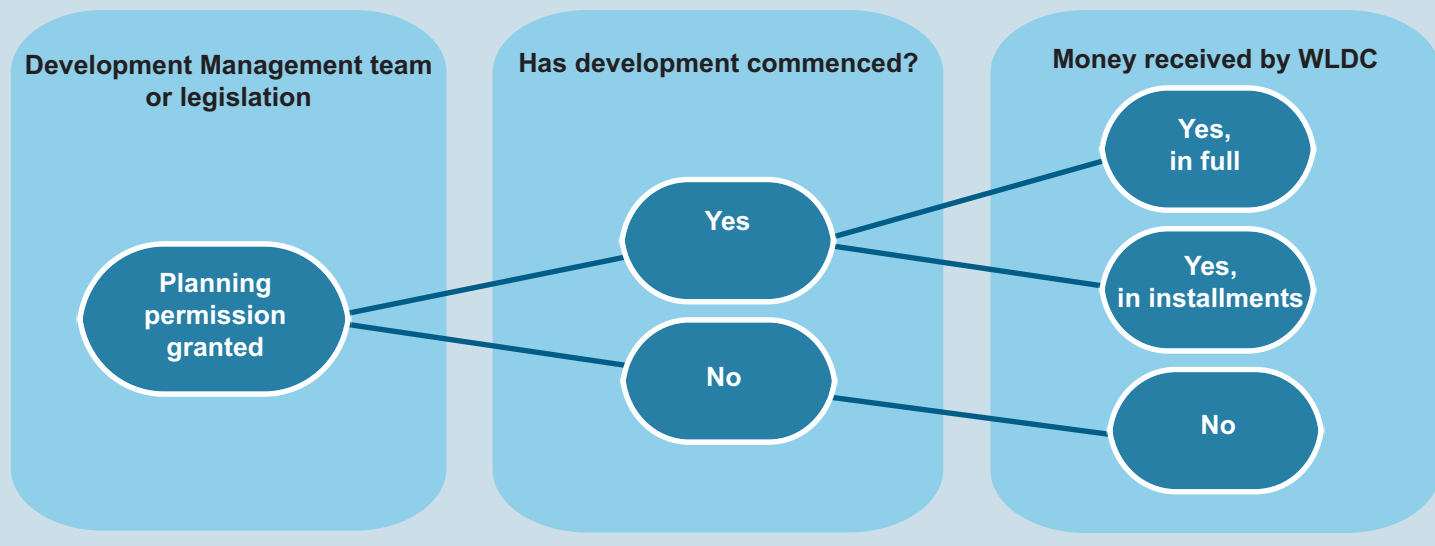
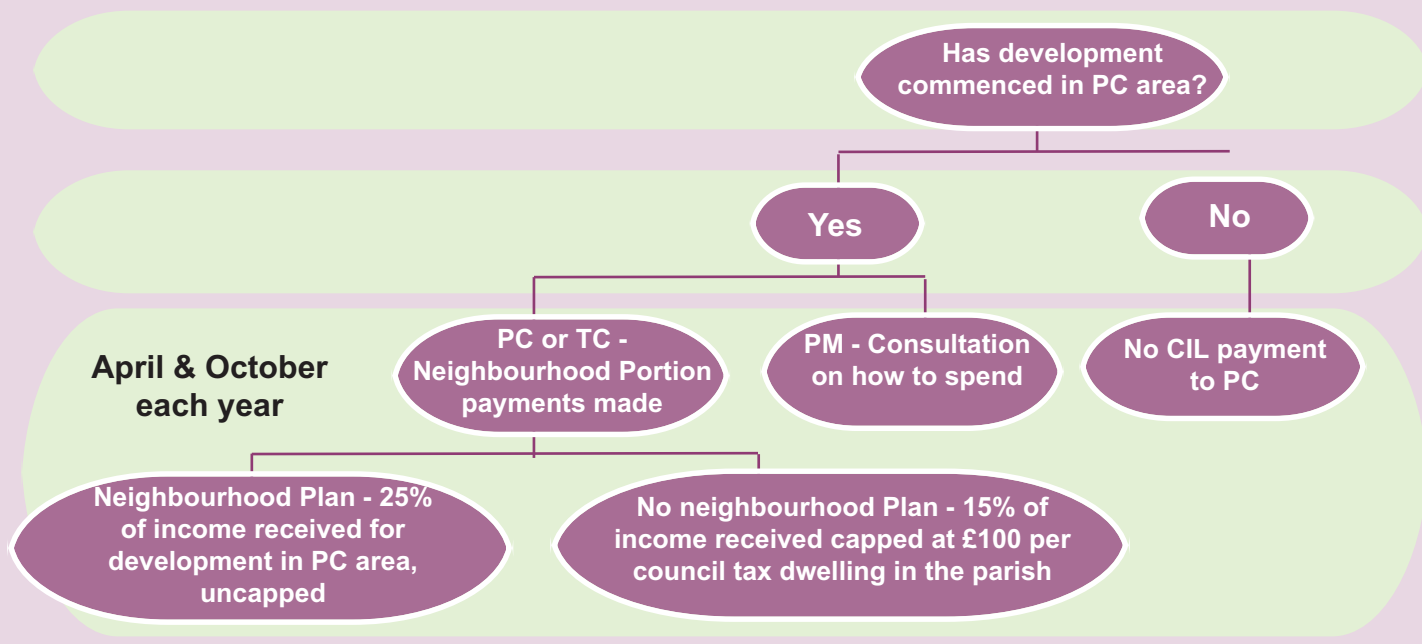
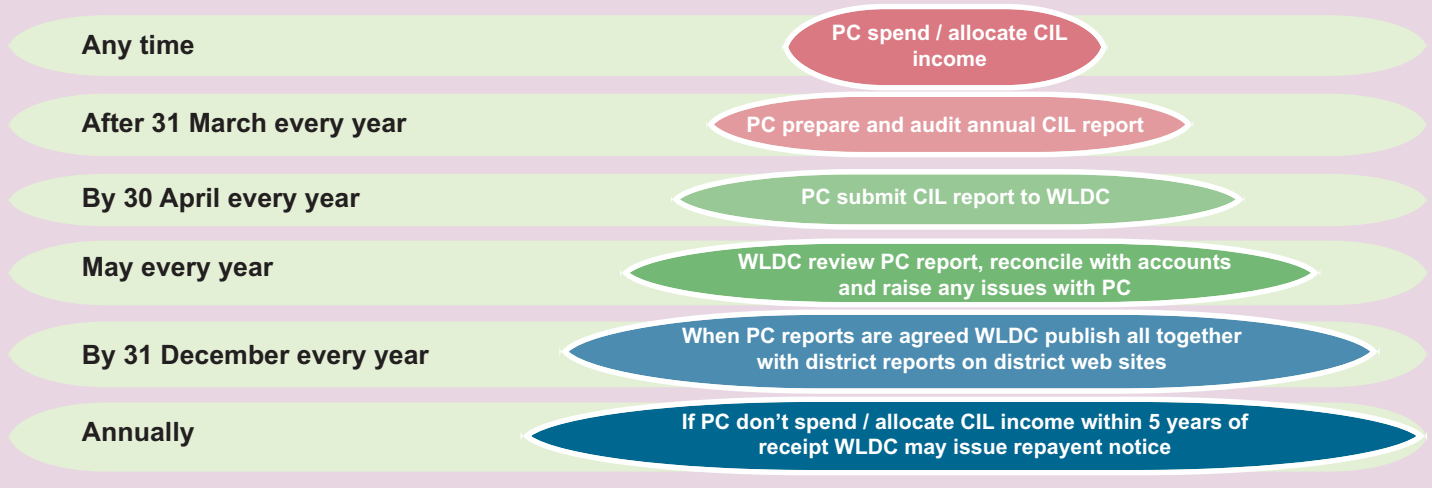


Fig.2 CIL income payments to PCs





### Fig.3 CIL Income Spending and reporting



### How does CIL affect the Parish / Town Council?

A proportion of CIL payments collected by the District are passed on to the PC.

The PC have a duty to spend CIL income on providing, improving, replacing, operating or maintaining infrastructure that supports the development of the PC area or anything else concerned with addressing the demands that development places on the area. PC spending is also affected by the General Power of Competence (GPC – see overleaf).

### The PC must publish a report on their CIL income and expenditure every year.

The majority of CIL income will be received as cash, however, where the CIL charge for a development is £50k or greater the District may consider accepting land as the CIL payment for a development in lieu of some or all of the CIL charge due if this would help to deliver facilities within parish areas. The PC may be invited to accept ownership of a piece of land on the condition that the land is used for infrastructure purposes.

CIL payments (land and cash) are due on the commencement of development and West Lindsey will monitor commencement using information from Development Management, Planning Enforcement and Building Control teams. The PC may be asked to help with monitoring investigations by answering questions about development in their area. In exceptional circumstances when the CIL charge exceeds £50k West Lindsey District Council has an 'In Kind' Policy which allows some or all of the CIL charge to be paid in the form of land.

PC can publish their CIL reports from end of May each year.

### How much CIL money will the Parish / Town Council receive?

The amount passed on depends on the income received by the District which in turn depends on whether there has been development granted and commenced in the PC's area and if all or any part of that development is granted exemption or relief from some / all of the CIL charge. The amount is also dependent on the presence of a Neighbourhood Plan and the number of dwellings in the area. Figure 4 below shows average incomes.

If no income has been received by the Districts for development commenced in the PC's area then no CIL payments are passed to the PC.

If development has been commenced in the area and there is a Neighbourhood Plan 25% of CIL will be passed on, otherwise 15% will be passed on capped at £100 per council tax dwelling in the PC's area, multiplied by the index figure for the year.

Where the CIL charge of a development is £50k or greater or the planning permission is phased the CIL payments may be made in installments in line with West Lindsey's adopted Installments Policy or phases meaning the total charge may be collected over a period of time. On the basis of other authorities' experience it is also likely that CIL income will not become steady until around year 3 of charging. This will all affect the amount of income received within a period and passed on to the PC.

The PC may choose not to receive CIL and must notify West Lindsey District Council of this decision. In such cases the District will spend the CIL income on the PCs behalf and in consultation with the PC.

### Fig.4 Average CIL incomes (assuming no exemption or relief)

Type of Development	Average CIL charge	15%/25% PC Payment
1 x average size 3 bed dwelling in Zone 2	£1,350	Up to £192 / £321
1 x average size 3 bed dwelligd in Zone 1	£2,250	Up to £321 / £534
30 x average size 3 bed dwellings in zone 2	£40,500	Up to £5,771 / £9,619
30 x average size 3 bed dwellings in zone 1	£67,500	Up to £9,619 / £16,031
100sqm extension to A1 convenience retail shop	55,000	Up to £570 / £950

## When and how will the Parish / Town Council receive CIL monies?

CIL payments to PCs are paid twice a year for the preceding 6 months' income in the same way as precepts. CIL income received between 1st April and 30th September will be paid by 28th October and CIL income received between 1st October and 31st March will be paid by 28th April.

West Lindsey District Council will record income in each parish as it is received and will in turn pay each PC 15% or 25% respectively of the cumulated amount.

## What does the Parish Council / Town Council need to do?

### Spending:

The CIL Regulations 2010 as amended state that the PC must spend the CIL income they received from the District on:

- The provision, improvement, replacement, operation or maintenance of infrastructure; or
- Anything else that is concerned with addressing the demands that development places on an area.

Providing CIL is spent in accordance with the above CIL monies may be used as match funding with other income streams and / or may be spent collaboratively with other parish councils, community interest companies or other providers to make the most efficient use of funding to benefit the community.

West Lindsey District Council suggest that PCs consider preparing a Parish Infrastructure Investment Plan (PIIP) to inform their spending decisions, this could be contained in a Neighbourhood Plan if applicable or be a stand-alone document. Proportionate to the size of the community and anticipated levels of development within the area a PIIP may help PCs to audit existing facilities within the locality, capture opinion on the needs and wants of residents and identify opportunities for collaborative spending with other groups, PCs, etc. to achieve the best use of funding sources for the benefit of the community.

If shared with West Lindsey District Council, PIIPs will also help the Districts to gather information about how the communities access facilities and to make decisions on securing other funding including s106 contributions to mitigate the impacts of development, improve facilities for the community and enable further sustainable growth where appropriate.

### Reporting:

The PC must record all carried over CIL, CIL receipts and expenditure for each year.

The PC must prepare an annual CIL report for each financial year (the 12 months ending 31st March) they receive CIL detailing:

- CIL receipts
- CIL expenditure
- A summary of items on which CIL has been spent
- The amount spent on each item
- The amount of any CIL repaid following a repayment notice
- The amount of CIL retained at the end of the year
- The amount of CIL from previous years retained at the end of the year

The report must comply with accounting and audit procedures as set out in Governance and Accountability for Smaller Authorities in England, NALC (March 2016).

A template for CIL reporting and an example of a completed report are included at Appendix A.

A template for CIL accounting is included at Appendix B.

The PC must publish the report on their website, or on West Lindsey District Council's website if the PC doesn't have its own website, and the PC must send a copy of the report to the Infrastructure team.

We ask that the PC reports are received no later than 30th April following the reported year to enable West Lindsey District Council to review and publish all PC reports together with the Districts reports by the statutory deadline of 31st December.

### Other:

The PC must notify West Lindsey District Council as soon as possible if it decides not to receive CIL.

If the PC receives a repayment notice the PC must respond as required and send the mis/un-spent CIL back to the District as directed. In this instance the District will spend the returned CIL income on behalf of the PC.

When the PC become aware of development having commenced in their area they may want to notify West Lindsey District Council to help with monitoring.



## How does the General Power of Competence (GPC) affect CIL spending by the Parish / Town council?

Any Parish Councils who have or in the future become a Council with General Power of Competence (GPC) in the District of West Lindsey, it will be necessary to alert West Lindsey District Council of this as this status gives wider opportunities for spending of CIL.

## What can Town and Parish Councils spend CIL on?

PCs are able to spend CIL receipts on all the infrastructure items or other matters which it has a statutory power to provide, maintain or improve, as set out in Appendix C. Although fairly extensive, the only way that CIL receipts in a PC area without a GPC can be used to fund strategic infrastructure, is for the PC to work closely with the District (as the National Planning Policy Framework requires) to agree infrastructure priorities (i.e. as set out in a Local Investment Plan and Programme). The District could then retain CIL receipts to spend on specific agreed infrastructure item/s. This could include infrastructure outside the PCs statutory remit and/or outside the Council's geographic boundary, for example the provision of a new road.

## What if the Parish / Town Council mis-spend or do not spend their CIL income?

If the PC mis-spends CIL income, i.e. if it has not spent CIL in accordance with the CIL Regulations the Infrastructure team will send the PC a repayment notice for the mis-spent funds. The PC must repay the amount specified in the notice to the District.

If the PC do not spend their CIL within 5 years of receipt West Lindsey District Council may send the PC a repayment notice and the District will spend the CIL income on their behalf and in consultation with the PC. Exceptions may be made if the PC can show they have allocated their CIL income to a particular project for which they are accumulating funds before spending.

If the PC is unable to repay the amount specified in the repayment notice the Infrastructure team will recover the amount from future CIL income the PC are due to receive.

## How does CIL affect non-parished areas?

The CIL Regulations 2010 as amended set out the procedures for payments to 'local councils' which applies to Town and Parish Council's only. In areas where there is no PC (i.e. areas with a Parish Meeting) the District will spend the 15% / 25% 'parish' CIL income collected within the non-parished area on behalf of the community and in consultation with the Parish Meeting, Ward Member and any other relevant parties.

## West Lindsey District Council Responsibilities

West Lindsey District Council is responsible for collecting, administering, monitoring and enforcing developer contributions secured through s106 and CIL. This includes calculating the amount of CIL payable on individual developments, monitoring commencement of development and payment of CIL and calculating the amount of CIL to be passed on to PCs.

And there is more information about CIL on our website:

[www.west-lindsey.gov.uk/CIL](http://www.west-lindsey.gov.uk/CIL)

Specific queries in relation to CIL can be directed to Planning Customer Care:

[Planning.customercare@west-lindsey.gov.uk](mailto:Planning.customercare@west-lindsey.gov.uk)

## Appendix A - Parish CIL reporting template and example report

**Parish:**

**Reporting Year 1 April \_\_\_\_\_ to 31 March \_\_\_\_\_**

<b>A</b>	Total CIL income carried over from previous years	£
<b>B</b>	Total CIL income received (receipts)	£
<b>C</b>	Total CIL spent (expenditure)	£
<b>D</b>	Total CIL repaid following a repayment notice	£
<b>E</b>	<b>Total CIL retained at year end (A+B-C-D)</b>	<b>£</b>

### CIL expenditure

<b>Item / Purpose</b>	<b>Amount spent</b>
<b>Total spent</b>	<b>£</b>

Signed: \_\_\_\_\_ Position:

Verified: \_\_\_\_\_ Position:

Publish on PC website and send copy to West Lindsey District Council no later than 30<sup>th</sup> April following the reported year.

**Appendix B  
Parish Council - CIL Income Monitoring**

\* Please complete table B of this form everytime a CIL payment is received (28th Apr & 28th Oct) and table C when CIL expenditure is made, this will make the Parish CIL Report (to be submitted to WLDC by 30th Apr each year) easier to complete.

Reporting year: \_\_\_\_\_

**A** CIL income carried over from previous year: \_\_\_\_\_

**B**

Date	CIL Income £
<b>TOTAL</b>	

**C**

Date	CIL Expenditure £	Detail of expenditure
<b>TOTAL</b>		

**D** CIL retained at year end: \_\_\_\_\_

*Please note - after a period of 5 years from the date CIL income is received, if it is not spent in full then West Lindsey District Council may reclaim back.*

## Appendix C - Infrastructure items (which can be provided or maintained by Parish Councils (not exhaustive))

Infrastructure Type	Power & Duty	Statutory Provision
Allotments	Provision of allotments	Small Holding and Allotments Act 1908 s.23
Burial Grounds; cemeteries and crematoria	Power to acquire and maintain; Power to provide Power to agree to maintain monuments and memorials	Open Spaces Act 1906 ss.9 & 10; Local Government Act (LGA) 1972 s.214 Parish Councils and Burial Authorities (Miscellaneous Provisions) Act 1970, s.1
Bins	Provision of litter bins	Litter Act 1983 ss. 5,6
Bus Shelters	Power to provide	Local Government (Miscellaneous Provision) Act 1953 s.4
Clock	Power to provide public clock	Parish Councils Act 1957, s.2
Closed Church Yards	Power to maintain	LGA 1972 , s.215
Commons and common pastures	Power in relation to inclosure, regulation and management and providing common pasture	Inclosure Act 1845; small Holdings and Allotments Act 1908, s.34
Conference facilities	Power to provide	LGA 1972 s.144
Community Centres	Power to provide and equip building for use of clubs (sport/social/educational); Power to acquire, provide and furnish community building	Local Government (Miscellaneous Provisions) Act 1976 s.19 LGA 1972, s.133
Crime Prevention	Power to spend money on crime prevention	Local Government and Rating Act 1997, s.31
Drainage	Power to deal with ponds and ditches	Public Health Act 1936 s.260
Entertainment and the Arts	Provision of entertainment	LGA 1972 s.145
Highways	Power to repair and maintain public footpaths and bridleways Power to light roads and public places Power to provide parking places for vehicles, bikes, and motorbikes Power to enter into agreement as to dedication and widening Power to provide roadside seats and shelters and bus shelters Power to provide certain traffic signs and other notices Power to plant trees and maintain roadside verges Traffic calming – powers to contribute financially to such schemes Community Transport – power to spend money on community transport schemes	Road Traffic Regulations Act 1984 s.72 Highways Act 1980 s.96 Local Government and Rating Act 1997 s.30 Local Government and Rating Act 1997 ss.26-29
Land	Power to acquire and dispose of land	LGA 1972 ss.124; 126; 127
Mortuaries and post mortem rooms	Power to provide	Public Health Act 1936 s.198
Open Space	Power to acquire land for public recreation Power to acquire and maintain land for open spaces	Public Health Act 1875 s.164 Open Spaces Act 1906 ss.9 and 10
Public Buildings and village hall	Power to acquire and provide buildings for public meetings and assemblies	LGA 1972 s.133
Public Toilets	Power to provide	Public Health Act 1936 s.87
Recreation	Power to acquire land for recreation grounds; public walks; pleasure grounds and open space; and to manage and control them. Power to provide a wide range of recreational facilities Provision of boating pools	Public Health Act 1875 s.164; LGA 1972 sch.14 para27; Public Health Acts Amendments Act 1890 s.44; Open Spaces Act 1906 ss.9 and 10 Local Government (Miscellaneous Provisions) Act 1976 s.19 Public health Act 1961 s.54
War Memorials	Power to maintain, repair, protect and adopt	War Memorial (Local Authorities' Power) Act 1923, s.1; as extended by Local Government Act 1948 s.133
Water Supply	Power to utilise well or spring and to provide facilities for obtaining water from them	Public Health Act 1936 s.125

# PAPER H



## Section 106 – Aisby Walk Park

### 1. Summary

- a) Gainsborough has seen significant development in recent years and Section 106 agreements are payable to mitigate the impact on the town.
- b) It was resolved at the Property and Services Committee held on the 10<sup>th</sup> of January 2023 that the Operations Manager look at the terms of Section 106 agreement 138733, Middlefield Lane, and write a report to the Planning Committee – refer PS23/151.

### 2. Background

- a) Planning obligations under Section 106 of the Town and Country Planning Act 1990 (as amended), known as Section 106 agreements, are a mechanism which make a development proposal acceptable, in planning terms, that would otherwise be unacceptable. They focus on site specific mitigation of the impact of any development.
- b) Within Section 106 Agreement 138733, Middlefield Lane, the public open space contribution “means the sum of £134,792 (one hundred and thirty-four thousand seven hundred and ninety-two pounds) towards play equipment at Aisby Walk”. The wording of the agreement is specific as to the permitted use for the funds and the location. It may not be changed.
- c) The public open space monies for Aisby Walk Park are confirmed to be transferred to Gainsborough Town Council subject to:
  - Details as to how the monies will be used for the public open space at Aisby Walk.
  - Full details of the expenditure of the public space contribution.
  - The Section 106 agreement is dated 31<sup>st</sup> of March 2021 and the monies should be spent within five (5) years.
- d) It is important that any new play equipment installed is what the residents, and specifically, what their children want. It is all too easy for adults to assume what children want.
- e) From the Operations Manager’s experience of opportunities to develop, or redevelop, a play area or public open space, it is best to include the users (children) at the earliest opportunity and to have their input from the start. This is proven to revitalise a play area, encourage its use, get users out of their homes, and reduce misuse / vandalism due to their ownership of the area / equipment etc.
- f) The following schools could be involved in the design and content of any new play equipment via a selection panel:
  - St Georges
  - Hill Crest
  - Charles Bains
  - Whiteswood Lane
- g) Each school could have a female, male and teacher representative on the panel which would also include an elected member(s) and the Operations Manager.

h) The budget could be set, say £114,792 and selected contractors, say those presently tendering for the redevelopment of Levellings play area, could do their sales pitch to the panel. The outstanding £20,000 (not revealed to the contractor or panel) could be used for any contingencies or for any 'over budget desirables'. The panel would make their choice of design and content which would only be subject to council scrutiny for value for money, ease of maintenance, due diligence etc.

### **3. Recommendation**

1. That the Council undertakes the redevelopment of the Aisby Walk play area at the earliest opportunity.
2. That a user panel is created, as per 2(g) above.
3. That a minimum of three (3), if not all, the contractors who submit valid bids for the redevelopment of Levellings play area are included in those invited to present to the panel. They will have already past the tender process and due diligence checks.

# PAPER I



To Gainsborough Parish Council  
Richmond House  
Richmond Park  
Morton Terrace  
Gainsborough  
DN21 2RJ

19 February 2023

Good morning,

I called your office on Friday, having already been through Sir Edward Lee, (Gainsborough MP), West Lindsey Council and Lincolnshire council regarding road traffic signs and speeding along Lea Road, from Drovers Court to the railway bridge in Lea road, towards Gainsborough.

Because we live on this road, we see every day the speeds that cars are doing. Most are driving at 50 miles an hour when approaching the bridge. Right outside our house, there is a 30 limit sign, however, virtually no cars adhere to this.

We have seen many accidents happen between Drovers court and the bridge over the past years. Our neighbour had his brand new car written off due to someone speeding and not taking enough care and attention to their driving. There was also an accident last week, which involved 3 police cars, an ambulance and a fire engine (all costing the us the tax payer, money).

When I was a very young child, I saw a child killed on a main road, and I never want to see this ever again. Several of our neighbours have young children and we all have animals. We do not want to see them dead.

I am, therefore, writing to urge you to install an additional speed camera (there is one further down lea road, near to the shop), or/and to install an additional 30 Mile an hour sign/ or to move the sign closer to Drover's court.

If you have any care and concern about our community you will take action on the above at your earliest opportunity, or further accidents/deaths will occur.

Meanwhile, I have ordered some stickers, which I will place everywhere I can. If nothing is done about this by the council/parish council, I will consider installing something that will stop the traffic altogether.

I look forward to hearing from you.

Kind Regards

