

Gainsborough Town Council

Richmond House, Richmond Park, Morton Terrace

Gainsborough, Lincolnshire, DN21 2RJ

Telephone: 01427 811573

Website: gainsborough-tc.gov.uk



Dear Councillor,

Thursday, 21 September 2023

You are hereby summoned to attend a meeting of the **Planning Committee** which will be held on **Tuesday 26 September 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.

A handwritten signature in black ink, appearing to read 'Rachel Allbones'.

Rachel Allbones
Interim Town Clerk

Committee members: Cllr R Craig - ex officio, Cllr T Davies - ex officio, Cllr M Devine, Cllr D Dobbie, Cllr S Morley, Cllr L Muggridge, Cllr K Panter, Cllr J Plastow (C), Cllr J Ward (VC)

Agenda no	Agenda item title	Power/Regulation
PL24/085	Apologies for absence To note apologies for absence.	<i>Local Government Act 1972, s85 (1) & Sch 12, p40.</i>
PL24/086	Declarations of interest To receive any declarations of interest in accordance with the requirements of the Localism Act 2011.	<i>Localism Act 2011, s31.</i>
PL24/087	Dispensation requests 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>
PL24/088	Minutes of the previous meeting(s) To receive the minutes of the previous Planning Committee meeting(s) and resolve to sign these as a true record of the meeting(s). Paper A – Planning Committee, Tuesday 22 August 2023	<i>Local Government Act 1972, Sch 12, p41 (1).</i>

Agenda no	Agenda item title	Power/Regulation
Planning Applications		
PL24/089	<p>To consider planning application received. Application Ref No: 147104 (30/08/23, 28 days) Proposal: Hybrid planning application comprising: (1) full planning application to erect drive thru Starbucks Coffee Shop with associated car parking and landscaping, and (2) outline planning application for additional drive-thru restaurant - access to be considered and not reserved for subsequent applications. Location: Land off Somerby Way, Somerby Park, Gainsborough</p>	<i>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</i>
PL24/090	<p>To consider planning application received. Application Ref No: 147152 (31/08/23, 28 days) Proposal: Planning application for proposed single storey rear extension and internal alterations Location: 46 Spital Hill, Gainsborough</p>	
PL24/091	<p>To consider planning application received. Application Ref No: 147174 (31/08/23, 28 days) Proposal: Outline planning application to demolish all existing industrial structures and erect up to 64no. dwellings with all matters reserved being variation of conditions 2, 4, 5 & 6 of planning permission 143821 granted 11 January 2023 - to separate the action of demolition from the development. Location: Former AMP Rose site, Heapham Road, Gainsborough</p>	
PL24/092	<p>To consider planning application received. Application Ref No: 147129 (31/08/23, 28 days) Proposal: Planning application to retain extensions to the side and front Location: 19 Ravendale Road, Gainsborough</p>	
PL24/093	<p>To consider planning application received. Application Ref No: 147212 (12/9/23, 28 days) Proposal: 90 day consultation for removal of 2no. public payphones Location: Payphones Gainsborough & District</p>	
PL24/094	<p>To consider planning application received. Application Ref No: 147230 (12/9/23, 28 days) Proposal: Planning application for alterations and single storey extension with attached car port Location: 41 Heaton Street, Gainsborough</p>	

Agenda no	Agenda item title	Power/Regulation
PL24/095	To consider planning application received. <u>Application Ref No: 147288 (20/9/23, 28 days)</u> <u>Proposal: Planning application for a single storey side and rear extension.</u> <u>Location: 3 Queen Street, Gainsborough</u>	
PL24/096	To consider planning application received. <u>Application Ref No: 147202 (20/9/23, 28 days)</u> <u>Proposal: Planning application to change the use from 1no. shop, 2no. flats and a dance hall to 1no. shop, 3no. dwellings and 2no. flats.</u> <u>Location: 80-82 Church Street, Gainsborough</u>	
Decision Notices		
PL24/097	To note decision notice received. Application Ref No: 146273 REFUSED (delegated) Proposal: Planning Application for alterations to shop front and proposed change of use from (E use class) to a betting shop (sui generis use class). Location: 11, Market Place, Gainsborough Paper B	
PL24/098	To note decision notice received. Application Ref No: 146998 GRANTED (delegated) Proposal: Listed building consent for temporary propping to rear section of roof, replacement or repair of rotten structural timbers and inclusion of new supporting precast concrete pad stone and joist hanger, installation of reinforcement bars at north-east corner, installation of new restraint straps to brick wall and header plate for rafters, temporary removal of existing roof tiles and re-laying following repair, and removal of existing render to north elevation (high level) and re-rendering following strapping and stabilising of gable wall Location: 5-7 Market Place, Gainsborough Paper C	
PL24/099	To note decision notice received. Application Ref No: 147029 GRANTED (delegated) Proposal: Application for prior notification of proposed development by telecommunications code systems operators for installation of 1no. omni at 13.82m mean mounted on proposed 12m streetworks pole, 1no. GPS antenna at 12.4m, 1no. 3G omni antenna at 3.8m, and associated equipment to be installed on a root foundation.	

Agenda no	Agenda item title	Power/Regulation
	Location: Land at Somerby and Marshall Way, Gainsborough Paper D	
PL24/100	To note decision notice received. Application Ref No: 144913 GRANTED (delegated) Proposal: Planning application for change of use to 28no. apartments Location: Former Lea Road School, Lea Road, Gainsborough Paper E	
PL24/101	Street naming requests To consider street naming requests received (if there are any).	
PL24/102	Tree preservation orders To consider tree preservation orders received (if there are any).	
PL24/103	Proposed Removal of Puffin Crossing – Lea Road, Gainsborough To consider consultation from LCC regarding proposed removal of puffin crossing on Lea Road. Paper F	
PL24/104	Whiteswood Lane Traffic Calming To note a complaint regarding speeding cars on Whiteswood Lane and consider supporting the complaint and forwarding it to the Highways Authority. Paper G	
PL24/105	Items for notification To receive any items for notification to be included on a future agenda – for information only	N/A
PL24/106	Time and date of next meeting To note the date and time of the next Planning committee is scheduled for 24 October 2023 at 7.00pm.	<i>Local Government Act 1972, Sch 12, p10 (2)(a)</i>

PAPER A

DRAFT Minutes of the Planning Committee meeting

Tuesday 22 August 2023 at 7:00pm

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

Councillors Present

	David Dobbie	
	Stuart Morley	James Plastow (Chairman)
Michael Devine		James Ward (Vice Chairman)

Councillors Absent

Richard Craig - ex officio		Keith Panter
Tim Davies - ex officio	Liam Muggridge	

In attendance:

Rachel Allbones (ITC)		
-----------------------	--	--

Agenda no	Agenda item title	Resolution	Action	Power
PL24/070	Apologies for absence To note apologies for absence.	The Council noted apologies for absence from Cllrs Davies and Craig.	N/A	<i>Local Government Act 1972, s85 (1) & Sch 12, p40.</i>
PL24/071	Declarations of interest To receive any declarations of interest in accordance with the requirements of the Localism Act 2011.	There were none received.	N/A	<i>Localism Act 2011, s31.</i>
PL24/072	Dispensation requests To consider any dispensation requests received by the Clerk in relation to personal and/or	There were none received.	N/A	<i>Localism Act 2011, s33.</i>

Initialled:

Planning Committee Minutes 2023-24

26 | Page



Agenda no	Agenda item title	Resolution	Action	Power
	disclosable pecuniary interests, not previously recorded.			
PL24/073	Minutes of the previous meeting(s) To receive the minutes of the previous Planning Committee meeting(s) and resolve to sign these as a true record of the meeting(s). Paper A – Planning Committee, Tuesday 25 July 2023	The Committee resolved to sign the minutes of the Planning Committee Tuesday 25 July 2023 as a true record of that meeting. Cllr Ward abstained from voting.	ASO to publish.	<i>Local Government Act 1972, Sch 12, p41 (1).</i>
Planning Applications				
PL24/074	To consider planning application received. Application Ref No: 146998 (20/07/23, 28 days) Proposal: Listed building consent for temporary propping to rear section of roof, replacement or repair of rotten structural timbers and inclusion of new supporting precast concrete pad stone and joist hanger, installation of reinforcement bars at north-east corner, installation of new restraint straps to brick wall and header plate for rafters, temporary removal of existing roof tiles and re-laying following repair, and removal of existing render to north elevation	Cllr Dobbie left the meeting. The Committee resolved to not comment on the application. Cllr Dobbie returned to the meeting.	N/A	<i>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</i>

Agenda no	Agenda item title	Resolution	Action	Power
	(high level) and re-rendering following strapping and stabilising of gable wall. Location: 5-7 Market Place, Gainsborough			
PL24/075	To consider planning application received. Application Ref No: 147029 (10/08/23, 21 days) Proposal: Application for prior notification of proposed development by telecommunications code systems operators for installation of 1no. omni at 13.82m mean mounted on proposed 12m streetworks pole, 1no. GPS antenna at 12.4m, 1no. 3G omni antenna at 3.8m, and associated equipment to be installed on a root foundation. Location: Land at Somerby and Marshall Way, Gainsborough	The Committee resolved to support the application.	ITC to submit to WLDC.	
PL24/076	To consider planning application received. Application Ref No: 147181 (10/08/23, 28 days) Proposal: Planning application to remove and replace 4no. bus shelters, street furniture including benches, waste bins, railings & planters, addition of traffic calming	The Committee resolved to support the application.	ITC to submit to WLDC.	

Agenda no	Agenda item title	Resolution	Action	Power
	measures, screening, walling, signage & erect cycle shelter. Location: Gainsborough Bus Station, Heaton Street, Gainsborough			
PL24/077	To consider planning application received. Application Ref No: 147091 (16/08/23, 28 days) Proposal: Planning application to renew the shopfront - retain the existing structure and install a traditional timber shopfront, rebuild the top of the chimney, and replace plastic raniwater goods with cast iron. Location: 37 Lord Street, Gainsborough	Cllr Dobbie left the meeting. The Committee resolved to support the application.	ITC to submit to WLDC.	
PL24/078	To consider planning application received. Application Ref No: 147093 (16/08/23, 28 days) Proposal: Listed building consent to renew the shopfront - retain the existing structure and install a traditional timber shopfront, rebuild the top of the chimney, and replace plastic raniwater goods with cast iron. Location: 37 Lord Street, Gainsborough	The Committee resolved to support the application. Cllr Dobbie returned to the meeting.	ITC to submit to WLDC.	

Agenda no	Agenda item title	Resolution	Action	Power
PL24/079	Decision Notices To consider street naming requests received (if there are any).	There were none.	N/A	
PL24/080	Street naming requests To consider street naming requests received (if there are any).	There were none.	N/A	
PL24/081	Tree preservation orders To consider tree preservation orders received (if there are any). To consider WLDC response to TPO's on trees at Roses Sports Ground. Paper B	There were none. The Committee resolved to ask the officers (OM) to apply for TPO's to be put in the x2 trees on the north western boundary of Roses due to as it would significantly impact the boundary of the site if they are felled, pruned or damaged.	OM to apply for a TRO on trees.	
PL24/082	Proposed Waiting Restrictions – Springthorpe Road, Gainsborough To consider consultation from LCC regarding proposed waiting restrictions on Springthorpe Road. Paper C	The Committee resolved to support the proposed waiting restrictions on Springthorpe Road, also to suggest LCC implement a 'Park and Stride' in the area to help alleviate traffic congestion at school start and finish times.	ITC to respond to consultation.	
PL24/083	Items for notification To receive any items for notification to be included on a future agenda – for information only	<ul style="list-style-type: none"> • TPO for Roses • Street naming for Foxby Lane phase 2 • Neighbourhood Plan WG 	N/A	N/A
PL24/084	Time and date of next meeting	The Committee noted the date and time of the next Planning Committee as	N/A	<i>Local Government Act 1972, Sch 12, p10 (2)(a)</i>

Agenda no	Agenda item title	Resolution	Action	Power
	To note the date and time of the next Planning committee is scheduled for Tuesday 26 September 2023 at 7.00pm.	scheduled for Tuesday 26 September 2023 at 7:00pm.		

The meeting closed at 7.46pm.

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

PAPER B

Refusal of Planning Permission

Name and address of applicant

Done Brothers (cash betting) Ltd
Care Of Id Planning
9 York Place
Leeds

LS1 2DS

Name and address of agent (if any)

Mrs Laura Chandler
ID Planning
9 York Place
Leeds

LS1 2DS

Part One – Particulars of application

Date of application:

13/02/2023

Application number:

146273

Particulars and location of development:

Planning Application for alterations to shop front and proposed change of use from (E use class) to a betting shop (sui generis use class).

11 Market Place Gainsborough Lincolnshire DN21 2BP

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 refused** for the carrying out of the development referred to in Part One hereof for the following reasons:

1. A betting shop (sui generis use class) is not a recognised main town centre use under use class E (Commercial, Business and Service) of the Town & Country Planning (Use Classes) Order 1987 (as amended). The proposed development would result in the loss of a Class E use and would introduce a non-retail frontage that would undermine the vitality and viability of the Primary Shopping Area and would therefore be in direct conflict with policy S37 of the Central Lincolnshire Local Plan.

Working Practice Statement

The Local Planning Authority has acted positively and proactively in determining this application. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible

Date 22nd August 2023

Signed:



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

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 (or within **12 weeks** on a minor commercial or householder application).

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 Months of the date of this notice (12 weeks on a minor commercial or householder application), whichever period expires earlier.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days 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://www.planninginspectorate.gov.uk/submit-an-appeal/>. The Secretary of State can allow a longer period for giving notice of an appeal, but 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 the Secretary of State 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 the Secretary of State.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate

(inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#)

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 the owner 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 District Council in whose area the land is situated. This notice will require the Council to purchase the owners interest in the land in accordance with the provisions of Chapter I of Part 6 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 or by asking any of the Customer Services staff.

Officers Report

Planning Application No: 146273

PROPOSAL: Planning Application for alterations to shop front and proposed change of use from (E use class) to a betting shop (sui generis use class).

LOCATION: 11 Market Place Gainsborough Lincolnshire DN21 2BP

WARD: Gainsborough South West

WARD MEMBER(S):

APPLICANT NAME:

TARGET DECISION DATE: 10/04/2023

DEVELOPMENT TYPE: Change of Use

CASE OFFICER: George Backovic

RECOMMENDED DECISION: Refuse permission

Description:

The site is a vacant former retail unit within the defined Town Centre of Gainsborough and also located within the Primary Shopping Area (PSA). It is within Gainsborough Town Centre Conservation Area.

Alterations are proposed to the shopfront and a change of use to a betting shop.

The applicant wishes to relocate from their existing unit at 8 Silver Street also within the defined Town Centre boundary and PSA.

Relevant history: None

The representations are summarised below full details are available to view on the WLDC website.

Representations (In summary):

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

Gainsborough Town Council: "No comments"

Local residents: No comments received.

LCC Highways: No objections.

Conservation Officer: The conservation officer objected to the original submission and subsequently made numerous comments on proposed amendments (which are available to view in full on the website) before his objections were addressed to his satisfaction in the most recent proposals.

26.07.23: "I am happy with the information provided in the emails below in relation to the projected sign, fascia sign, glazing and colour". The email is dated 26th July 2023 from the agent and also enclosed the final shop front elevation details on drawing no. 1354 BF – 11SP. (Reproduced at the start of the report)

Head of Policy and Strategy:

Recommends refusal on basis when you consider the NPPF, the new CLLP and the evidence document behind S37 (EVR037).

Whilst the policy does support uses other than those covered in use class E, there is also a strong focus on vitality and viability of the town centre, as well as the development of cultural, social and leisure facilities. Whilst a betting shop may be considered a leisure facility for some I think in the broader context of the policy wording and also considering the key issues and opportunities, including the investment the Town Centre has recently received the introduction of an additional betting shop would undermined the broader objectives. Equally as you have pointed out in your report there is no guarantee that the vacated unit couldn't then be occupied by another betting shop.

Growth and Projects:

27.07.23: The previous comments from the Growth perspective were based on the original proposal. This has been revised since, and where the Conservation Officer has indicated his satisfaction with the updates to the proposal, there would be nothing more from Growth at this time. That is a Planning matter.

27.03.23: In principle, improvements to the shop front are welcome, however this design proposal does not address the location and context of the property within the conservation area. As such this proposal lacks design elements that would complement and remain sympathetic to its setting.

Gainsborough's conservation area is currently undergoing transformative renewal. The externally funded Townscape Heritage Initiative and the Levelling Up regeneration plans both are enabling fundamental repair and reinstatement of the historic fabric and character within the town centre. Development within, affecting the setting of, or affecting views into or out of a Conservation Area should preserve (and enhance or reinforce it, as appropriate) with features that contribute positively to the area's character, appearance and setting.

The **objection** is based on the following principles: Materials: negative values and the use of modern materials The use of UPVC and other non-natural and modern materials is not appropriate for properties within the conservation area, and have a negative impact on the streetscape. In this case, the applicant seeks to replace the existing shop front and advertising board on the shop front elevation of the premises. However, within the existing and proposed elevation drawings, there are no specifics provided about materials, nor technical detail about size and scope of advertising space/fascia.

The current proposal reproduces the existing scale of the modern shop front, and is of negative value to the building and the streetscape. There is a missed opportunity with this proposal to compliment surroundings with a more

sympathetic design. Of note also, is that the suggested colour for the design detracts from those of adjacent properties.

Elias Topping (Consultancy): We are retained by clients who occupy premises close to the property and who wish to strongly object to the loss of another retail unit. This will result in the loss of a key retail unit as well as increasing the likelihood of an additional betting office in the applicants existing unit. There will be an over concentration of non-retail uses which would be of detriment to the viability and vitality of the town centre. In seeking to add another betting office it would be contrary to the Gainsborough Neighbourhood Plan policy NPP 19. The concentration of multiple betting shops would have a detrimental impact on the health and wellbeing of local residents contrary to the National Planning Policy Framework and policy LP9 of the CLLP.

Relevant Planning Policies:

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Here, the Development Plan comprises the provisions of the Central Lincolnshire Local Plan (adopted in April 2023); the Gainsborough Neighbourhood Plan (made June 2021); and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016).

Development Plan

- **Central Lincolnshire Local Plan adopted 2023 (CLLP)**

Relevant Policies include:

Policy S1: The Spatial Strategy and Settlement Hierarchy

Policy S37: Gainsborough Town Centre and Primary Shopping Area

Policy S53: Design and Amenity

Policy S57: The Historic Environment

Policy NS 41: City and Town Centre Frontages

- **Gainsborough Neighbourhood Plan made 28.06.21**

Relevant Policies include:

NPP 1: Sustainable Development

NPP 6: Ensuring High Quality Design

NPP 19: Improving the vitality of the Town Centre

National policy & guidance (Material Consideration)

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

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

- **National Planning Practice Guidance**
- *National Design Guide (2019)*
- Planning (Listed Buildings and Conservation Areas) Act 1990

Main issues

Principle- Impacts on vitality and viability

Design - Impact on heritage assets (conservation area)

Assessment:

Policy S37 is the principal policy to assess this against.

“S37: Gainsborough Town Centre and Primary Shopping Area

“Primary Shopping Area .Within the Primary Shopping Area, identified on the Policies Map, proposals for non-retail use on ground floors will only be supported if they:

- a) are a recognised main town centre use under E Use Class; and*
- b) would not result in the over concentration of non-retail uses or ‘dead’ frontages 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.*

A betting shop is “sui generis” or unclassified – article 3(6)(n) of the Use Classes Order makes clear that no class specified in the Order includes such a use - it therefore does not fall within Use Class E. It is considered to be a “non-retail use”.

It is acknowledged that a betting shop could be considered a main town centre use under the umbrella of “leisure” uses. However, criteria (a) is specific that for sites within the Primary Shopping Area, it must be a use within Use Class E (Commercial, service and Business). A betting office or shop is not, and is therefore in conflict with the policy.

Whilst the policy does state that “development of a cultural, social or leisure facilities suitable for a town centre location will be supported in Gainsborough Town Centre...” subject to given criteria, the policy is clear that in the Primary shopping area itself, *“proposals for non-retail use on ground floors **will only be supported if they:***

a) are a recognised main town centre use under E Use Class”

Whilst it is acknowledged, as a material consideration, that it is intended to facilitate a relocation from elsewhere within the Primary Shopping Area, there is no guarantee that the existing unit would not be used by another operator as a betting shop, or other non-retail use. Even If it did result in the conversion

of 9 Silver Street to a new class E use – this would not automatically offset the loss of the existing authorised class E use at 11 Market Place.

On this basis it could undermine the vitality and viability of the town centre. This is particularly of importance given the recent inward investment directed at the town centre. The improvements to the shopfront that exists are acknowledged and are a positive factor, however this does not overcome the policy conflict with the proposal in particular criteria b and c of S37.

Other Matters

The alterations to the shop front include signage which although considered under the umbrella of the current application and found appropriate, would require advertisement consent in its own right.

Conclusion and planning balance:

This represents a relocation of an existing unit operated by the applicant to new premises. The use does not fall within Class E and is contrary to policy S37 criteria “b” and “c” due to the potential that the existing unit could be used by a different betting shop operator to the detriment of the vitality and viability of Gainsborough Town Centre. Whilst the shopfront represents a visual enhancement it does not outweigh the policy conflict. Refusal 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: 08.08.2023

Signed:



Authorising Officer:



Date: 22/08/2023

Decision Level (tick as appropriate)

Delegated

PAPER C

Listed Building Consent

Name and address of applicant

Mr Simon Hope
Lindum BMS
Lindum Business Park
Station Road
North Hykeham
LN6 3QX

Name and address of agent (if any)

Mr Simon Chiou
Lathams
50 St Mary's Gate
Nottingham
NG11QA

Part I – Particulars of application

Date of application
05/07/2023

Application no
146998

Particulars and location of development

Listed building consent for temporary propping to rear section of roof, replacement or repair of rotten structural timbers and inclusion of new supporting precast concrete pad stone and joist hanger, installation of reinforcement bars at north-east corner, installation of new restraint straps to brick wall and header plate for rafters, temporary removal of existing roof tiles and re-laying following repair, and removal of existing render to north elevation (high level) and re-rendering following strapping and stabilising of gable wall.

5-7 Market Place Gainsborough Lincolnshire DN21 2BP

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:

NONE

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:

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

- 1000 S3 Rev P01 dated 18th June 2023 – Site Location Plan
- 2000 S3 Rev P01 dated 18th June 2023 – Existing Roof Plan with Alteration Works Plan
- 3000 S3 Rev P01 dated 18th June 2023 – Existing Elevations with Alteration Works Plan
- MPG-AWP-ZZ-XX-DR-2-6001 Rev C02 dated 26th June 2023 – Proposed Remedial Works to Roof Sheet 1 of 2
- MPG-AWP-ZZ-XX-DR-2-6002 Rev C02 dated 26th June 2023 – Proposed Remedial Works to Roof Sheet 2 of 2

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

Reason: To ensure the development proceeds in accordance with the approved plans to safeguard the fabric and setting of the Grade II Listed Building 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

Highways

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit the Highway Authority's website via the following link: Traffic Management – <https://www.lincolnshire.gov.uk/traffic-management>

Reasons for granting Consent:

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 works are considered acceptable as they preserve the fabric and setting of the Grade II Listed House.

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: 29th August 2023

Signed:



Ian Knowles
Head of Paid Service

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

Note

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

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

-
- 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 or by asking any of the Customer Services staff.

PAPER D

DEVELOPMENT BY TELECOMMUNICATIONS CODE SYSTEM OPERATORS

DETERMINATION BY THE LOCAL PLANNING AUTHORITY THAT THE APPROVAL OF THE AUTHORITY IS GIVEN FOR THE SITING AND APPEARANCE OF DEVELOPMENT PERMITTED BY PART 16 OF SCHEDULE 2 TO THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) (Amendment) (No. 2) Order 2015

Name and address of applicant

Arqiva (Ltd)

Crawley Court
Winchester

SO21 2QA

Name and address of agent (if any)

Damian Hosker
WHP Telecoms Limited
1a Station Court
Station Road
Guiseley, Leeds
LS20 8EY

Description and location of proposed development

Application for prior notification of proposed development by telecommunications code systems operators for installation of 1no. omni at 13.82m mean mounted on proposed 12m streetworks pole, 1no. GPS antenna at 12.4m, 1no. 3G omni antenna at 3.8m, and associated equipment to be installed on a root foundation. at

Land at Somerby and Marshall Way Gainsborough Lincolnshire DN21 1QT

Date of Application

13/07/2023

Application Reference

147029

Date of receipt of application: 13/07/2023

Date of local planning authority's determination that prior approval to the siting and appearance of the development is required: 29th August 2023

The West Lindsey District Council hereby **give notice that prior approval** is required and **granted** for the siting and appearance of the development proposed in the above-mentioned application in accordance with the application and plans submitted subject to the following conditions:

1. The development hereby approved shall be carried out in accordance with the following drawings: 322381-00-004-ML001, 322381-01-101-MD001, 322381-01-100-MD001 and 322381-01-100-MD001 all received 13th July 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 policy S53 of the Central Lincolnshire Local Plan and with the National Planning Policy Framework.

Notes to the applicant

1. In accordance with Section 59 of the Highways Act 1980, please be considerate of causing damage to the existing highway during construction

and implement mitigation measures as necessary. Should extraordinary expenses be incurred by the Highway Authority in maintaining the highway by reason of damage caused by construction traffic, the Highway Authority may seek to recover these expenses from the developer.

2. Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit the Highway Authority's website via the following link: Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>

Signed:



Ian Knowles
Head of Paid Service

(Council's authorised officer)

On behalf of: West Lindsey District Council

Date: 29/08/2023

PAPER E

Planning Permission

Name and address of applicant

Mr C Wright
Wright Leonard
Loversall Hall
Rakes Lane
Loversall, Doncaster
DN11 9DA

Name and address of agent (if any)

Mr Max Jones
Max Design Consultancy
Armstrong House
First Avenue
Doncaster
DN9 3GA

Part One – Particulars of application

Date of application:
01/06/2022

Application number:
144913

Particulars and location of development:

Planning application for change of use to 28no. apartments

Former Lea Road School Lea Road Gainsborough Lincolnshire DN21 1LX

Part Two – Particulars of decision

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

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

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

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

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

2. Prior to any works, a level 3 Historic Building Record (as set out in the 2016 Historic England publication "Understanding Historic Buildings" - a guide to good recording practice") shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To record existing features of this Conservation Area Important Building.

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

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

001

002

003

004 Rev A

005 Rev A

006 Rev A

007

008

011 Rev A

012

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

Reason: To ensure the development proceeds in accordance with the approved plans.

4. Prior to occupation, details of secure cycle parking shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved plans and the parking shall be retained thereafter.

Reason: To encourage the use of alternative forms of transport to the site, other than the private car.

5. Prior to occupation, details of foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved plans.

Reason: To ensure adequate drainage facilities are provided to serve the development in accordance with S21 of the Central Lincolnshire Local Plan.

6. Prior to occupation, details of the windows including details of the reflective finish of one way privacy shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved plans.

Reason: In order to keep the special interest of this Conservation Area Important Building in accordance with policy S57 of the Central Lincolnshire Local Plan.

7. Prior to occupation, final details including materials and locations of the boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved plans.

Reason: In the interests of visual amenity in accordance with policy S53 of the Central Lincolnshire Local Plan.

8. The development shall be carried out in accordance with the submitted FRA (ref 22626-FRA-001, Revision B, dated August 23, compiled by Topping Engineers)

and the following mitigation measures it details. In particular, finished floor levels shall be set no lower than 6.75 metres above Ordnance Datum (AOD).

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/ phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants, in accordance with policy S21 of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

9. Prior to any works to internal features, a methodology to include retention or removal of any internal features shall be submitted to and approved in writing by the Local Planning Authority to ensure precautions are taken to secure and protect the interior features. The development shall be carried out in accordance with the approved plans.

Reason: In order to keep the special interest of this Conservation Area Important Building in accordance with policy S57 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

Reducing Energy Consumption in Existing Buildings

Policy S13 of the Central Lincolnshire Local Plan encourages the improvement of energy efficiency as stated below:

'For all development proposals which involve the change of use or redevelopment of a building, or an extension to an existing building, the applicant is encouraged to consider all opportunities to improve the energy efficiency of that building (including the original building, if it is being extended).'

The applicant is therefore encouraged to use PAS 2035:2019 Specifications and Guidance (or any superseding guidance) for this proposal.

COMMUNITY INFRASTRUCTURE LEVY

Please be aware that as of the 22nd 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 and West Lindsey District Council's own website www.west-lindsey.gov.uk/CIL

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

Reasons for granting permission

The proposal has been considered against the Development Plan namely policies S1: The Spatial Strategy and Settlement Hierarchy, S2: Growth Levels and Distribution, S3: Housing in the Lincoln Urban Area, Main Towns and Market Towns, S13: Reducing Energy Consumption in Existing Buildings, S21: Flood Risk and Water Resources, S22: Affordable Housing, S45: Strategic Infrastructure Requirements, S47: Accessibility and Transport, S48: Walking and Cycling Infrastructure, S49: Parking Provision, S53: Design and Amenity, S57: The Historic Environment, S58: Protecting Lincoln, Gainsborough and Sleaford's Setting and Character of the Central Lincolnshire Local Plan and policies NPP 1 Sustainable Development, NPP 6 Ensuring High Quality Design, NPP 7 Ensuring High Quality Design in each Character Area, NPP 9 Gateway Riverside (CL4686), NPP 18 Protecting and Enhancing Heritage Assets of the Gainsborough Town Neighbourhood Plan including the advice given in the National Planning Policy Framework and the National Planning Practice Guidance. The proposal would not have a detrimental impact on the character of the area, amenity, and highways and does not conflict with neighbouring land uses.

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: 8th September 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 or by asking any of the Customer Services staff.

Officers Report

Planning Application No: 144913

PROPOSAL: Planning application for change of use to 28no. apartments

LOCATION: Former Lea Road School Lea Road Gainsborough
Lincolnshire DN21 1LX

WARD: Gainsborough South West

APPLICANT NAME: Wright Leonard

TARGET DECISION DATE: 31/08/2022 (Extension of time agreed until 18/09/2023)

DEVELOPMENT TYPE: Major - Dwellings

CASE OFFICER: Rachel Gordon/Danielle Peck

RECOMMENDED DECISION: Grant permission subject to conditions

Description:

The site is located on Lea Road, backing onto the River Trent. It is predominantly surrounded by residential buildings with good access to main access roads throughout Gainsborough. The site backs onto the River Trent offering open views to the rear of the site.

The site lies within the Gainsborough Riverside Conservation Area. The building itself is a Conservation Area Important Building and a non-designated heritage asset.

The architecture of the school suggests that it is a grandiose example of an Edwardian red-brick secondary school, built in response to the 1906 Education Act.

The site is an allocated residential site known as the Gainsborough Riverside Housing Zone. The site also lies within Flood Zones 2 and 3.

The application seeks a change of use of the building to 28 apartments.

Relevant history:

W33/441/78 – erect bin store and construct a pedestrian access. Deemed consent 17/07/78

96/P/1007 – Planning application to use existing building as managed workspace and office accommodation. Permission granted 28/02/97

97/P/0478 – Planning application to convert existing building to managed workspace/office accommodation and erection of extension to front of building. Permission granted 08/08/97

98/P/0119 – Consent to display external static signs. Consent granted
24/04/98

M02/P/0640 – Display non-illuminated projecting sign. Consent refused
11/09/02

Representations:

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

Gainsborough Town Council: As per other responses would like to see the provision of a Flood Risk Assessment and Drainage plan submitted. Queries over if the front facade of the building was listed. Would like to see the history of the building apparent.

Local residents: No representations received to date.

LCC Highways and Lead Local Flood Authority: Highways – Can the applicant confirm that the northern vehicular access to the site will no longer be required? It is recommended that secure cycle parking is provide onsite. Can the applicant revise the block plan accordingly?
Drainage – No drainage strategy or flood risk assessment information has been submitted as part of this application and there is a planning requirement to deliver a sustainable drainage strategy for the site. The following is required to support a full planning application:

- A Flood Risk Assessment or Statement, as applicable
- Drainage Strategy including adoption and/or maintenance proposals and sketch layout plans
- Detailed development layout showing surface water drainage infrastructure
- Detailed Hydraulic calculations
- Geotechnical interpretive reports (infiltration assessment, groundwater tables etc.)
- Discharge and adoption agreements

Conservation Officer: No objections to the proposal.

LCC Education: The County Council has no comments on this consultation in relation to education as there is sufficient capacity in the locality for the children generated by this scheme.

NHS Lincolnshire: The development will impact Caskgate Street Surgery and Cleveland Surgery as the development is within their catchment area.
Request £17,710.00

Anglian Water: Having reviewed the development, it falls out of our statutory boundary. We therefore have no comments.

Severn Trent: No objections subject to a condition on foul and surface waters and one informative.

Strategic Housing: Based on the nature of this development and the shared spaces which will require repairs, maintenance and a service charge, it is unlikely that a registered provider would engage to take a small amount of affordable units on this development. However, based on the requirement for First Homes to be delivered and the small number of units, I would suggest a tenure split of 50% First Homes and 50% affordable rented units with flexibility within a S106 to deliver an off-site contribution in lieu of the affordable rented units should a RP not be secured after evidenced engagement. The affordable housing commuted sum currently in the Non-Lincoln Strategy Area is £98,349 per unit. This amount would have to be provided per unit not delivered as affordable.

Canal & River Trust: 21/06/22 – The Trust has reviewed the application but is unable to make a substantive response under the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended) due to the absence of the following information:

The site lies within the Conservation Area along the eastern bank of the River Trent. The building proposed for conversion is a non-designated heritage asset that is an important landmark within the Conservation Area and the riverside townscape. The proposal includes changes to the roof to install a mezzanine level which the Design & Access Statement states is needed to retain the long term and active use of this building. The Heritage Appraisal as submitted lacks the necessary preparatory work to ascertain the significance of the building and the level of harm the proposals (particularly the roof) would have on the Conservation Area. Such assessment should be looking at whether there is justification for the loss of the roof including an options appraisal looking at costs/benefits and heritage value. The proposed approach needs to be suitably justified within an updated Heritage Appraisal to enable the LPA and consultees to make a balanced judgement as required by Policy LP25: The Historic Environment of the Central Lincolnshire Local Plan 2017 and paragraphs 200 - 203 of the National Planning Policy Framework 2021.

It is unclear from the submitted plans what the proposed boundary treatments to the car park area are as existing or proposed. This boundary treatment of the former school as a non-designated heritage asset and within the Conservation Area is an important consideration as part of the proposal and as above we would recommend further information is provided on this as part of an updated Heritage Assessment to enable the LPA and consultees to West Lindsey District Council make a balanced judgement as required by Policy LP25: The Historic Environment of the Central Lincolnshire Local Plan 2017 and paragraphs 200 - 203 of the National Planning Policy Framework 2021.

Furthermore, the historic curtilage of the rear playground area appears to have included the small rectangular area between the proposed car park and the river, and whilst this area is outside the site area it is unclear how this space will be utilised as part of the regeneration of the Gainsborough riverside. This rectangular area appears to have been excluded from planning

applications on neighbouring land and it would be unfortunate if opportunity was lost to maintain the historic association of this area of land with the former school and to bring about its beneficial use through this scheme. Would it be possible to clarify with the applicant if this space should be outlined in blue on the site location plan?

26/04/23 – The revised HIA is thorough in terms of describing significance and justifies the impact of the proposals in terms of national policy. The ‘façade’ retention element was a concern, and whilst originally it had been thought this could be unnecessary the application now provides justification of this in terms of viability. The LPA may consider that any minor harm in this case is outweighed by public benefits and the long-term future use of the building in the conservation area. We consider that the LPA should now be able to make a balanced judgement as required by policies S3, S53, S57 and paragraphs 200-203 of the NPPF.

It remains unclear from the submitted plans and revised HIA what the proposed boundary treatments to the car park area are – existing or proposed. This boundary treatment of the former school as a non-designated asset and within the Conservation Area is an important consideration and the LPA should clarify this prior to determination, or via a pre-commencement condition to ensure the proposal complies with policies S3, S53, S57 and paragraphs 200-203 of the NPPF.

As previously, we note that the application form states that surface water is proposed for disposal to the mains sewer. Any proposal to discharge surface water to the river would require consent/approval from the Trust as well as other interest parties.

Environment Agency: 14/06/22 - In the absence of a flood risk assessment (FRA), we object to this application and recommend that planning permission is refused.

03/08/22 - The FRA submitted, dated July 2022 does not satisfactorily address our earlier concerns. We therefore maintain our objection set out in our response (ref: AN/2022/133160/01-L01) dated 14 June 2022.

13/02/23 – We have reviewed the amended FRA prepared by Topping Engineers, ref: 22626-FRA-00, Revision A and consider that it does not satisfactorily address our earlier concerns. We therefore maintain our objection set out in our response dated 03 August 2022.

25/04/23 – We have reviewed the amended FRA prepared by Topping Engineers, ref:22626-FRA-001, Revision B and consider that it does not satisfactorily address our earlier concerns. We therefore maintain our objection set out in our response dated 13 February 2023.

04/09/23- We have reviewed the flood risk assessment (FRA) compiled by Topping Engineers dated, April 2023 (ref: 2262-FRA-001) and the technical note, breach assessment dated, August 2023 (ref: DID-156572-01). We

consider that they satisfactorily addresses our earlier concerns. Subject to the condition below, we therefore withdraw our previous objection, dated 25 April 2023. Recommends a condition.

Archaeology: Recommendation: if the local planning authority is minded to grant permission it is recommended that the developer should be required to commission a programme of historic building recording prior to development. This should provide a record of the building's historic fabric and its evidential value prior to any loss or alteration during conversion and renovation. The historic building recording should be carried out in accordance with a specification approved in writing by the local planning authority, prior to development. The report of this work should also be submitted and approved in writing by the local planning authority prior to development or conversion taking place.

App checked: 08/09/2023

Relevant Planning Policies:

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Here, the Development Plan comprises the provisions of the Central Lincolnshire Local Plan (adopted in April 2023); the Gainsborough Town Neighbourhood Plan (made June 2021); and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016).

Development Plan

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

Relevant policies of the CLLP include:

S1: The Spatial Strategy and Settlement Hierarchy
S2: Growth Levels and Distribution
S3: Housing in the Lincoln Urban Area, Main Towns and Market Towns
S13: Reducing Energy Consumption in Existing Buildings
S21: Flood Risk and Water Resources
S22: Affordable Housing
S45: Strategic Infrastructure Requirements
S47: Accessibility and Transport
S48: Walking and Cycling Infrastructure
S49: Parking Provision
S53: Design and Amenity
S57: The Historic Environment
S58: Protecting Lincoln, Gainsborough and Sleaford's Setting and Character

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

Relevant policies of the NP include:

NPP 1 Sustainable Development
NPP 6 Ensuring High Quality Design

NPP 7 Ensuring High Quality Design in each Character Area
NPP 9 Gateway Riverside (CL4686)
NPP 18 Protecting and Enhancing Heritage Assets

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

The site is in a Minerals Safeguarding Area and policy M11 of the Core Strategy applies.

National policy & guidance (Material Consideration)

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

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

Main issues

- Principle
- Viability
- Highways
- Affordable Housing
- Infrastructure
- Flood Risk and Drainage
- Design and Heritage
- Residential Amenity
- Minerals

Assessment:

Principle

Policy S1 of the CLLP states that to maintain and enhance their roles as main towns, and to meet the objectives for regeneration, Sleaford and Gainsborough will, primarily via sites allocated in this Local Plan and any applicable neighbourhood plan, be the focus for substantial housing development supported by appropriate levels of employment growth, retail growth and wider service provision. In addition to sites being allocated in the Local Plan or a neighbourhood plan, development proposals in accordance with Policy S3 and other relevant development plan policies will be viewed positively.

Policy S3 of the CLLP states that within the developed footprint of the Lincoln Urban Area and Main Towns and Market Towns, development proposals at appropriate locations not specifically identified as an allocation or an area for change in this plan will be supported in principle.

The proposed development is for the change of use to 28 apartments. The proposal is within the developed footprint of Gainsborough and is acceptable as a matter of principle.

Reducing Energy Consumption

Policy S13 states that for all development proposals which involve the change of use or redevelopment of a building, or an extension to an existing building, the applicant is encouraged to consider all opportunities to improve the energy efficiency of that building.

The application was valid 1st June 2022 and as such was submitted under the previous CLLP for which policy S13 was not a requirement. However, the policy only requires encouragement to consider opportunities to improve the energy efficiency of the building. It is therefore considered reasonable for an informative to be added to the decision notice to advise the developer of this.

Viability

The site is in the zero charging area for CIL and a brownfield site and as such it is recognised that viability is compromised. Therefore the specific infrastructure contributions cannot be made (see infrastructure section below).

Highways

Policy S47 states that development proposals which contribute towards an efficient and safe transport network that offers a range of transport choices for the movement of people and goods will be supported.

Policy S48 states that development proposals should facilitate active travel by incorporating measures suitable for the scheme from the design stage.

The site is located approximately 1.3km south of Gainsborough town centre and situated between the River Trent to the west and Lea Road to the east. Building works are ongoing for dwellings to the south of the site whilst to the north is The Maltings Bar and Restaurant (now permanently closed).

In terms of connection to the site, the A156 (Lea Road, follows a north south alignment providing connection northward towards Gainsborough town centre and Scunthorpe via the A159. Looking south, the A156 connects with the A57 providing access to Lincoln and the surrounding area via the A46.

Both northbound and southbound movements of the A156 can be accessed via the four-arm roundabout that intersects Carr Lane and Ashcroft Road.

The A156 forms one approach to a set of signalised cross road that control movement northbound towards Gainsborough town centre, southbound towards Carr Lane, eastbound along the A631 towards Corringham and westbound over the River Trent towards Beckingham.

The nearest bus services to the site are accessible within 400m of the developments northern site access points (services operating Bridge Road) and within 500m of the access point proposed off Carr Lane (services operating from Shakespeare Street).

The nearest rail station to the site is Gainsborough Lea Road. The station is approximately 530m from the site whilst the other station, Gainsborough Central is approximately 1.5km away in the town centre.

The proposed development is situated in a sustainable location with access to rail and bus services in close proximity.

LCC Highways have been consulted on the application and raise no objections.

They required clarity as to whether the north access is to be closed.

This will be the case as the north access road will be utilised for gardens.

LCC Highways also recommended that secure cycle parking is provided onsite. This can be conditioned.

Policy S49 states that outside of areas covered by Part A, planning permission for new residential development will only be granted if the proposal makes appropriate and deliverable parking provision in accordance with the standards in Appendix 2.

Parking standards are shown in the below table.

The proposal provides 31 spaces which means that there will be at least 1 space for all the apartments.

There are 4 x 1 bed apartments, 20 x 2 bed apartments and 4 x 3 bed apartments.

In the below table, the requirements for flatted development in mains towns are as follows –

1 space plus visitor allowance.

The proposal would meet the requirements of policy S29. Furthermore, the site is situated in a sustainable location in close proximity to train and bus networks and Gainsborough Town itself.

Table A2.1. Car parking standards in Central Lincolnshire

Accommodation type / size	Lincoln City Centre	Other Urban and Suburban Areas (including wider Lincoln urban area and main towns and market towns)
1 bed dwelling (C3)	No standards, each application considered on a case by case basis (with further detail provided in a Lincoln City specific SPD)	1
2 bed dwelling (C3)		2
3 bed dwelling (C3)		2
4 bed dwelling (C3)		2
5+ bed dwelling (C3)		3
Flatted Development		1 plus visitor allowance
C4 Houses in Multiple Occupation		1 per bedroom
Sheltered Housing Category 1		1 space per unit, 5 dwellings visitor to be disabled space
Sheltered Housing Category 2		
Extra Care		

The proposal is considered to be in accordance with policies S47, S28 and S49.

Affordable Housing

Policy S22 of the CLLP states that to help maximise what the planning system can contribute to meeting affordable housing need, affordable housing will be sought on all qualifying housing development sites:

- a) of 10 or more dwellings or 0.5 hectares or more; or
- b) within a designated rural area within North Kesteven District, of 5 or more dwellings.

Where a site qualifies for affordable housing under a) and b), the percentage sought will be based on the value zones indicated on Map 3 in the CLLP.

This site lies within Value Zone D and therefore a requirement of 10% affordable housing would be required. However, as stated above, the proposals viability is compromised and therefore no affordable housing will be secured.

Infrastructure

Policy S45 states that Developers will be expected to contribute towards the delivery of relevant infrastructure, either through direct provision or contribution towards the provision of local and strategic infrastructure to meet the needs arising from the development either alone or cumulatively with other developments.

LCC Education have been consulted on the proposal and no contributions are requested.

NHS Lincolnshire have stated that the development will impact Caskgate Street Surgery and Cleveland Surgery as the development is within their catchment area and have requested £17,710.00 to contribute to the expansion in capacity through remodelling/changes to layout or extension to existing facilities within the Trent Care Primary Care Network (PCN) at Caskgate Street Surgery and/or Cleveland Surgery. Alternatively the funding may, where appropriate, be used to support expansion in capacity at an alternative general practice site as required to meet the local population health need.

However, as stated above, the proposals viability is compromised and therefore no contributions will be secured.

Flood Risk and Drainage

Policy S21 of the CLLP provides the criteria for development in Flood Zones and requirements for drainage.

All development proposals will be considered against the NPPF, including application of the sequential and, if necessary, the exception test. As the proposal is for a change of use the sequential and exceptions test is not applicable, instead the application should be accompanied with a site specific flood risk assessment.

The site is located within Flood Zone 3 (High Probability) therefore the site is considered to be high risk of flooding. Flood Zone 3 is defined as land assessed as having an annual probability of flooding from fluvial and tidal sources greater than 1%.

The report demonstrates that the proposed development is a significant flood risk. Therefore, the proposed mitigation measures are as follows -

- It is proposed that flood resilient building techniques will be implemented for this building, flood proofing to the ground floor. The new building will incorporate some of the following, details of which will be finalised by the Architect at detailed design stage:
 - Electricity supply cables to enter building from above flood level and wired downwards; electric sockets to be positioned at least 800mm above floor level.
 - Anti-flood valves on internal building drainage.
 - Water resilient ground floor coverings should be considered.

- In addition to the flood resilient techniques above, a safe place of refuge should be provided for the building, the site is situated within an Environment Agency Flood Alert Area. It is recommended that the resident registers with this service. In the event of an extreme storm notification on the alert service the following Flood Management Plan should be put in place:
 - Advise all occupiers on the site that a Flood Alert has been issued and they should prepare to vacate.
 - Maintain contact with the Environment Agency and Local Authority.
 - Monitor flood levels of the nearby river, if water levels rise up top of the bank level, retreat to a safe place of refuge which will be outside of the Flood Zone 3.

The Environment Agency have been consulted on the application and an initial objection was first received in June 2022 and again in April 2023. The objections stated that the submitted FRA did not comply with the requirements for a site-specific flood risk assessment.

An amended FRA and a technical note-breach assessment was submitted on the 21st August 2023. The EA have since reviewed this information and have now withdrawn their objection, subject to a condition that the development proceeds in accordance with the proposed mitigation measures and that finished floor levels shall be set no lower than 6.75 metres AOD.

LCC Highways as the Lead Local Flood Authority requested a drainage strategy be submitted. However, this information can be conditioned and as such a condition will be attached the permission.

Heritage and Design

Policy S57 of the CLLP states that development proposals should protect, conserve and seek opportunities to enhance the historic environment of Central Lincolnshire.

Policy NPP 18 states that insofar as planning permission or listed building consent are required, the restoration of listed buildings on Historic England's Heritage at Risk register, or non-designated heritage assets which are in a poor state of repair, will be supported where the proposal is compatible with the character and the integrity of the building concerned. In particular restoration projects will be supported where the proposal better reveals the significance of heritage assets including their settings.

Policy S53 of the CLLP states that all development, including extensions and alterations to existing buildings, must achieve high quality sustainable design that contributes positively to local character, landscape and townscape, and supports diversity, equality and access for all.

Policy S58 of the CLLP states that all development proposals should contribute to protect and enhance the landscape character and setting of Gainsborough.

Policy NPP 9 states that proposals for the development of the Gateway Riverside should be of a high design quality as defined in NPP 6 and NPP 7 and assist in meeting the wider housing, leisure and economic regeneration objectives of the Riverside. In particular, development proposals should incorporate the development and design principles listed in the policy.

2. Development around Lea Road School (on the Local List see appendix D) and the northern part of the site should respect the character of the Riverside Conservation Area and reinforce the character of the locally listed building. The use of local materials, style and colour palette (bricks and clay roof tiles) will be supported.

The principle elevation has largely remained the same with the fenestration and window style matching closely with the existing. The proposed roof terraces have been designed so that they are hidden from view from the street, which also means they do not have much of an impact on the original layout of the buildings elevations.

The building is a former school on Lea Road in Gainsborough. The building is no longer in use as a school and is currently sitting empty.

It was a school (Edwardian to Late 20th Century - 1906 AD to 1993 AD) and an office (Late 20th Century to 21st Century - 1994 AD to 2010 AD)

The school is listed as a Conservation Area important building due to its design and materials contributing most strongly to the character of the area according to the Gainsborough Riverside Conservation Area Appraisal.

The mezzanine has been designed due to the height of the existing ceilings. By splitting each floor horizontally, this has formed the mezzanine/duplex apartment units.

The apartments will be open and well-lit with natural light from the large windows with apartments on the side and the rear having access to outdoor terraces and Juliet balconies.

Care will be taken with the design of the transoms and mullions to the large windows facing Lea Road and the Riverside to ensure the style of the windows remain unaltered and not impacted by internal floor configurations.

Balconies are proposed to be included. The existing roof construction is poor with damaged tiles and water ingress which would require demolition and replacement. The proposal to form terrace areas allows for private amenity space at first floor whilst retaining the brick gable features. At street level the visual impact of the terraces would be minimal.

The comments from the Canal and River trust make reference to a rectangular area of land not included within the application site, given its location outside of the site, it is not relevant to the considerations in this proposal.

The Canal and River Trust comments also make reference to what the proposed boundary treatments will be, these are to be as follows.

The boundary to the main site and the car park (western boundary) will be a 2m high brick wall.

The boundaries to the front and southern side of the site will be brick dwarf walls, approx. 600mm high.

Material details and the exact location of the boundaries have not been stated at this time. However these can be conditioned. It would also be appropriate to condition window details.

The application proposes mezzanine floors and given the long windows this may look at odds to see different floor levels through the windows and detract from the building. It was suggested and agreed by the agent that the windows would require a special glazing/film that would allow for the residents to see out of the window but passers-by would not be able to see in. This would keep the special interest of the building. A condition will be imposed to that effect.

LCC Archaeology have requested a historic building recording prior to development. This will be conditioned.

It is considered that the proposal, subject to conditions, would be in accordance with policies S53, S57 and s58 of the CLLP and policies NPP 6, NPP 7, NPP 9 and NPP 18 of the neighbourhood plan.

Paragraph 130 states that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 197 states that in determining applications, local planning authorities should take account of:

a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

c) the desirability of new development making a positive contribution to local character and distinctiveness.

Policies NPP 6, NPP 7, NPP 9 and NPP 18 of the NP are consistent with the NPPF and attached full weight.

Residential Amenity

Policy S53 of the CLLP states that all development proposals will not result in harm to people's amenity either within the proposed development or neighbouring it through overlooking, overshadowing, loss of light or increase in artificial light or glare.

The proposal does not give rise to any detrimental impacts to residential amenity. The property most affected would be no.20 Lea Road. This property has a blank gable facing Lea Road School. Due to window positioning and the property layout of no.20, it is not considered that the proposal would have a harmful impact through overlooking.

As the proposal is a conversion of an existing building there are no concerns with regards to overshadowing and loss of light etc.

The proposal is considered to be in accordance with policy S53.

Minerals

The proposal is within a Sand and Gravel Minerals Safeguarding Area. Policy M11 states that Sand and gravel, blown sand and limestone resources that are considered to be of current or future economic importance within the Minerals Safeguarding Areas, together with potential sources of dimension stone for use in building and restoration projects connected to Lincoln Cathedral/Lincoln Castle within the areas shown on Figure 2, and chalk resources included on Figure 3, will be protected from permanent sterilisation by other development.

Applications for non-minerals development in a minerals safeguarding area must be accompanied by a Minerals Assessment. Planning permission will be granted for development within a Minerals Safeguarding Area provided that it would not sterilise mineral resources within the Mineral Safeguarding Areas or prevent future minerals extraction on neighbouring land. Where this is not the case, planning permission will be granted when:

- the applicant can demonstrate to the Mineral Planning Authority that prior extraction of the mineral would be impracticable, and that the development could not reasonably be sited elsewhere; or
- the incompatible development is of a temporary nature and can be completed and the site restored to a condition that does not inhibit extraction within the timescale that the mineral is likely to be needed; or
- there is an overriding need for the development to meet local economic needs, and the development could not reasonably be sited elsewhere; or
- the development is of a minor nature which would have a negligible impact with respect to sterilising the mineral resource;

Or

- the development is, or forms part of, an allocation in the Development Plan.

As the site is an allocated site, a Minerals Assessment is not required.

Conclusion

The proposal has been considered against the Development Plan namely policies S1: The Spatial Strategy and Settlement Hierarchy, S2: Growth Levels and Distribution, S3: Housing in the Lincoln Urban Area, Main Towns and Market Towns, S13: Reducing Energy Consumption in Existing Buildings, S21: Flood Risk and Water Resources, S22: Affordable Housing, S45: Strategic Infrastructure Requirements, S47: Accessibility and Transport, S48: Walking and Cycling Infrastructure, S49: Parking Provision, S53: Design and Amenity, S57: The Historic Environment, S58: Protecting Lincoln, Gainsborough and Sleaford's Setting and Character of the Central Lincolnshire Local Plan and policies NPP 1 Sustainable Development, NPP 6 Ensuring High Quality Design, NPP 7 Ensuring High Quality Design in each Character Area, NPP 9 Gateway Riverside (CL4686), NPP 18 Protecting and Enhancing Heritage Assets of the Gainsborough Town Neighbourhood Plan including the advice given in the National Planning Policy Framework and the National Planning Practice Guidance. The proposal would not have a detrimental impact on the character of the area, amenity, and highways and does not conflict with neighbouring land uses.

Human Rights Implications:

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

Legal Implications:

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

Representors to be notified -

(highlight requirements):

Standard Letter ☐

Special Letter ☐

Draft enclosed ☐

Prepared by: Rachel Gordon/ Danielle Peck

Date: 08/09/2023

Signed: *D Peck*

Authorising Officer:



Date: 8th September 2023

Decision Level (tick as appropriate)

Delegated X

PAPER F

PUBLIC NOTICE

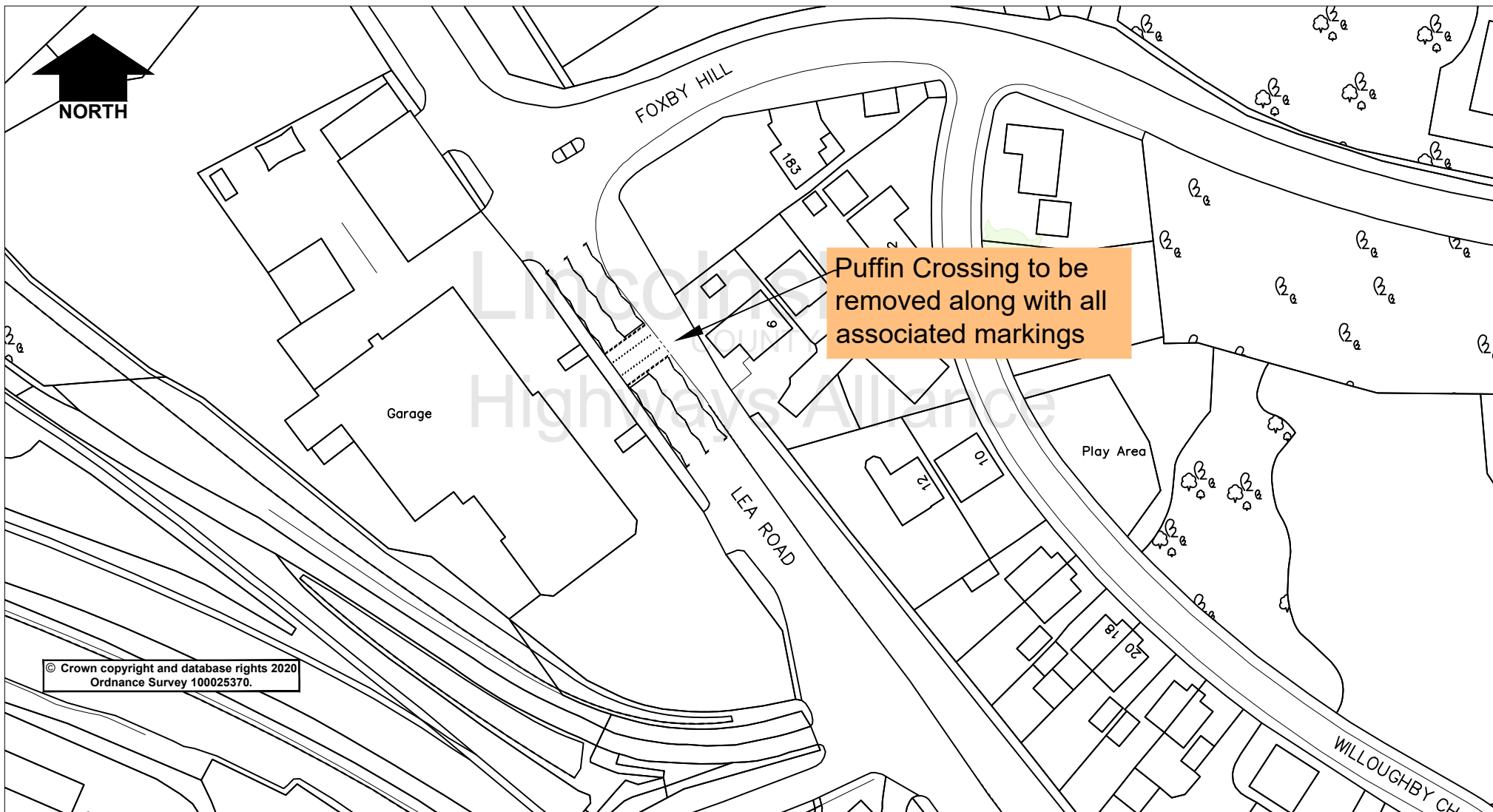
LINCOLNSHIRE COUNTY COUNCIL ROAD TRAFFIC REGULATION ACT 1984 REMOVAL OF PUFFIN CROSSING (GAINSBOROUGH – LEA ROAD)

NOTICE IS HEREBY GIVEN that the Lincolnshire County Council propose to make an Order under their powers contained in the Road Traffic Regulation Act 1984 to remove a puffin crossing on Lea Road, Gainsborough in the vicinity of The Ford Centre and number 183.

A copy of the plan showing the lengths of road concerned may be inspected on our website: www.lincolnshire.gov.uk/trafficorders

If you are unable to view our website the documents can be supplied to you by contacting us using the contact details below or calling our Customer Service Centre on 01522 782070 during office hours.

Objections to the proposals, together with the grounds on which they are made, must be made in writing to Chief Executive - Lincolnshire County Council, Lancaster House, 36 Orchard Street, Lincoln, LN1 1XX or Email: TRO@lincolnshire.gov.uk (For the attention of: K Fraser, Traffic Orders Section) by **Monday 23rd October 2023**



© Crown copyright and database rights 2020
Ordnance Survey 100025370.

Project		Proposed removal of Puffin Crossing		Drawn	Ch'kd	Auth	Date
Status	Project No.	KF		12/09/23			
	3009						
Drawing Title		Lea Road, Gainsborough		Auth	Ch'kd	Traced	Date
Drawing No.		H/KF/3009/001		Rev.	0	Scale	1:?? @A4

PAPER G

MRS E. HOYD

GAINSBOROUGH

5th SEPTEMBER 2021

I have a problem with speeding down whitewood lane. I am very concerned for children, as I'm sure you're aware, that there are 2 schools at the bottom of whitewood lane. One is around the corner of the other one.

Also there are a lot of elderly and disabled people who live on whitewood lane. The Council have put ramps at the top of Coxes Hill near the coop for easier crossing for wheelchairs, and pushchairs

as you cannot see the traffic coming up the hill. I would like it if you could support me in this issue.

I have spoke to councillor Dobbie and Councillor Bowler. Councillor Dobbie is hoping the council will look into the problem will it take the death of a person, before anyone looks into this problem.

Pcso Bremby has been to see me at my bungalow, and is trying to help too.