

Gainsborough Town Council

Richmond House, Richmond Park, Morton Terrace

Gainsborough, Lincolnshire, DN21 2RJ

Tel: 01427 811573

Website: gainsborough-tc.gov.uk



PLANNING COMMITTEE AGENDA

To: Committee members:

Councillor Richard Craig
Councillor Michael Devine
Councillor Stuart Morley
Councillor Keith Panter
Councillor James Ward

Councillor Tim Davies
Councillor David Dobbie
Councillor Liam Muggridge
Councillor James Plastow

Notice is hereby given that a meeting of the **Planning Committee** which will be held on **Tuesday 24 October 2023** commencing at **7:00pm** in the meeting room, **Richmond House, Richmond Park, Morton Terrace, Gainsborough, DN21 2RJ** and your attendance at such meeting is hereby requested to transact the following business.

AGENDA

PL24/107 Apologies for Absence

To note apologies for absence.

PL24/108 Declarations of Interest

To receive any declarations of interest in accordance with the requirements of the Localism Act 2011.

PL24/109 Dispensation Requests

To consider any dispensation requests received by the Town Clerk in relation to personal and/or disclosable pecuniary interests, not previously recorded.

PL24/110 Items for Exclusion of Public and Press

To determine which items on the agenda, if any, require the exclusion of public and press under the Public Bodies (Admissions to Meetings) Act 1960 1 (2) and resolve to exclude public and press for these items.

PL24/111 Minutes of the Previous Meeting

To receive the minutes of the previous Planning Committee meeting and resolve to sign these as a true and accurate record.

Paper A Tuesday 26 September 2023 (pages 6 to 14)

PL24/112 Planning Application

To consider planning application received.

[Application Ref No: 147359 \(25/09/23, 28 days\)](#)

Proposal: Listed building consent to change the use from 1no. shop, 2no. flats and a dance hall to 1no. shop, 3no. dwellings and 2no. flats
Location: 80-82 Church Street, Gainsborough

PL24/113 Planning Application

To consider planning application received.

Application Ref No: 147333 (28/09/23, 28 days)

Proposal: Planning application for 2no. shopfronts to form 2no. retail units and 5no. residential flats including replacement windows and full internal and external refurbishments.

Location: 27 Silver Street, Gainsborough

PL24/114 Planning Application

To consider planning application received.

Application Ref No: 147334 (28/09/23, 28 days)

Proposal: Listed building consent for 2no. shopfronts to form 2no. retail units and 5no. residential flats including replacement windows and full internal and external refurbishments.

Location: 27 Silver Street, Gainsborough

PL24/115 Planning Application

To consider planning application received.

Application Ref No: 147316 (29/09/23, 28 days)

Proposal: Application for advertisement consent to display 2no. built up Spar illuminated logos, 2no. Daily Deli fascia signs, digitally printed window graphics, 5m tall illuminated pole sign (double sided), 2no. mesh style banner frames into ground and 5no. lockable poster frames.

Location: Spar, Parkside Way, Gainsborough

PL24/116 Planning Application

To consider planning application received.

Application Ref No: 147368 (4/10/23, 28 days)

Proposal: Advertisement consent for 1no. illuminated fascia sign to building, 1no. illuminated lozenge sign to canopy, 1no. illuminated totem sign.

Location: Lincolnshire Cooperative Ltd, Corringham Road, Gainsborough

PL24/117 Planning Application

To consider planning application received.

Application Ref No: 147371 (12/10/23, 28 days)

Proposal: Outline planning application for to erect 20no. apartments with all matters reserved.

Location: Land on corner of North Street, Gainsborough

PL24/118 Planning Application

To consider planning application received.

Application Ref No: 147437 (16/10/23, 28 days)

Proposal: Planning application for change of use of vacant spaces on the 1st, 2nd & 3rd floors from E(a)-Retail to (C3)-residential accommodation, internal

[alterations to form 5no. residential units including installation of 4no. windows to rear elevation.](#)

[Location: 4 Silver Street, Gainsborough](#)

PL24/119 Planning Application

To consider planning application received.

[Application Ref No: 147438 \(16/10/23, 28 days\)](#)

[Proposal: Listed building consent for change of use of vacant spaces on the 1st, 2nd & 3rd floors from E\(a\)-Retail to \(C3\)-residential accommodation, internal alterations to form 5no. residential units including installation of 4no. windows to rear elevation.](#)

[Location: 4 Silver Street, Gainsborough](#)

PL24/120 Decision Notice

To note decision notice received.

Application Ref No: 146960 GRANTED (delegated)

Proposal: Planning application for removal of existing shopfronts and canopy with installation of replacement lean-to canopy and new hardwood timber shopfronts, replacement of shop windows on western elevation to match proposed south elevation shop fronts, and removal of external lighting fixtures from south elevation.

Location: The Old Town Hall 36 Lord Street Gainsborough

Paper B (pages 15 to 20)

PL24/121 Decision Notice

To note decision notice received.

Application Ref No: 147091 GRANTED (delegated)

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 rainwater goods with cast iron.

Location: 37, Lord Street, Gainsborough

Paper C (pages 21 to 26)

PL24/122 Decision Notice

To note decision notice received.

Application Ref No: 147093 GRANTED (delegated)

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 rainwater goods with cast iron.

Location: 37 Lord Street, Gainsborough

Paper D (pages 27 to 32)

PL24/123 Decision Notice

To note decision notice received.

Application Ref No: 144221 GRANTED (delegated)

Proposal: Planning application for the erection of an Extra Care home (Class C2) containing up to 48no. apartments of mixed one and two bedroom apartments, with associated amenities, staff facilities, landscaping and parking.

Location: Former Cedars Residential Home, Morton Terrace, Gainsborough

Paper E (pages 33 to 58)

PL24/124 Decision Notice

To note decision notice received.

Application Ref No: 146926 GRANTED (Planning Committee)

Proposal: Planning application to replacement shopfront and facade, introduction of 3no. new shopfronts, renovation and refurbishment of interior spaces to create new shop floor and 3no. flats above.

Location: 1 Silver Street, Gainsborough

Paper F (pages 59 to 86)

PL24/125 Decision Notice

To note decision notice received.

Application Ref No: 146927 GRANTED (Planning Committee)

Proposal: Listed building consent to replace shopfront and facade, introduction of 3no. new shopfronts, renovation and refurbishment of interior spaces to create new shop floor and 3no. flats above.

Location: 1 Silver Street, Gainsborough

Paper G (pages 87 to 112)

PL24/126 Decision Notice

To note decision notice received.

Application Ref No: 146815 GRANTED (Planning Committee)

Proposal: Planning application for the refurbishment of the front facade, replacement roof covering and conversion of upper floor into 1no. residential unit.

Location: 1-5 Lord Street, Gainsborough

Paper H (pages 113 to 129)

PL24/127 Decision Notice

To note decision notice received.

Application Ref No: 147129 GRANTED (delegated)

Proposal: Planning application to retain extensions to the side and front

Location: 19 Ravendale Road, Gainsborough

Paper I (pages 130 to 134)

PL24/128 Decision Notice

To note decision notice received.

Application Ref No: 147152 GRANTED (delegated)

Proposal: Planning application for proposed single storey rear extension and internal alterations.

Location: 46 Spital Hill, Gainsborough

Paper J (pages 135 to 139)

PL24/129 Street Naming Requests

To consider street naming requests received (if there are any).

PL24/130 Tree Preservation Orders

To consider tree preservation orders received (if there are any).

PL24/131 Anglian Water Smart Water Metering Network

To consider pre-consultation letter and associated drawing regarding proposed communications installation for Arqiva's smart meter network for Anglian Water at The Avenue, Gainsborough

Paper K (pages 140 to 146)

PL24/132 Community Infrastructure Levy (CIL)

To receive communication from WLDC regarding CIL liable permissions since its adoption in January 2018 and status of each one.

Paper L (pages 147 to 161)

PL24/133 Gainsborough Neighbourhood Plan

To note the Working Group terms of reference and Members of the group and begin the process on monitoring and reviewing the adopted plan.

Paper M (pages 162 to 164)

PL24/134 Items for Notification

To receive any items for notification to be included on a future agenda (for information only)

- Roses Sports Ground TPO Request

PL24/135 Time and Date of Next Meeting

To note the date and time of the next Planning Committee meeting is scheduled for Tuesday 28 November 2023 at 7:00pm.

Rachel Allbones
Interim Town Clerk
Richmond House
Gainsborough

Thursday, 19 October 2023

PAPER A

DRAFT Minutes of the Planning Committee meeting

Tuesday 26 September 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		

Councillors Absent

Richard Craig - ex officio		Keith Panter
Tim Davies - ex officio	Liam Muggridge	James Ward (Vice Chairman)

In attendance:

Rachel Allbones (ITC)		
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Agenda no	Agenda item title	Resolution	Action	Power
PL24/085	Apologies for absence To note apologies for absence.	The Council noted apologies for absence from Cllrs Davies and Muggridge.	N/A	<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.	There were none received.	N/A	<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	There were none received.	N/A	<i>Localism Act 2011, s33.</i>

Initialed:

Agenda no	Agenda item title	Resolution	Action	Power
	disclosable pecuniary interests, not previously recorded.			
PL24/088	<p>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</p>	The Committee resolved to sign the minutes of the Planning Committee Tuesday 22 August 2023 as a true record of that meeting.	ASO to publish.	<i>Local Government Act 1972, Sch 12, p41 (1).</i>
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>	The Committee resolved to support the application.	ITC to submit to WLDC.	<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
PL24/090	<p>To consider planning application received.</p> <p><u>Application Ref No: 147152 (31/08/23, 28 days)</u></p> <p><u>Proposal: Planning application for proposed single storey rear extension and internal alterations</u></p> <p><u>Location: 46 Spital Hill, Gainsborough</u></p>	The Committee resolved to support the application.	ITC to submit to WLDC.	
PL24/091	<p>To consider planning application received.</p> <p><u>Application Ref No: 147174 (31/08/23, 28 days)</u></p> <p><u>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 seperate the action of demolition from the development.</u></p> <p><u>Location: Former AMP Rose site, Heapham Road, Gainsborough</u></p>	The Committee resolved that due to the history of the site applications and 146656 being refused that it be brought in front of the Planning Committee. Also due to concerns regarding it being an old industrial site and disturbance during demolition.	ITC to submit to WLDC.	
PL24/092	<p>To consider planning application received.</p> <p><u>Application Ref No: 147129 (31/08/23, 28 days)</u></p> <p><u>Proposal: Planning application to retain extensions to the side and front</u></p>	The Committee resolved to have no comments on the application.	ITC to submit to WLDC.	

Initialed:

Agenda no	Agenda item title	Resolution	Action	Power
	Location: 19 Ravendale Road, Gainsborough			
PL24/093	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	The Committee resolved to note the consultation.	ITC to submit to WLDC.	
PL24/094	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	The Committee resolved to support the application.	ITC to submit to WLDC.	
PL24/095	To consider planning application received. Application Ref No: 147288 (20/9/23, 28 days) Proposal: Planning application for a single storey side and rear extension. Location: 3 Queen Street, Gainsborough	The Committee resolved to support the application.	ITC to submit to WLDC.	
PL24/096	To consider planning application received.	The Committee resolved to support the application.	ITC to submit to WLDC.	

Initialled:

Agenda no	Agenda item title	Resolution	Action	Power
	Application Ref No: 147202 (20/9/23, 28 days) Proposal: Planning application to change the use from 1no. shop, 2no. flats and a dance hall to 1no. shop, 3no. dwellings and 2no. flats. Location: 80-82 Church Street, Gainsborough			
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	The Committee resolved to note the decision notice.	N/A	
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	The Committee resolved to note the decision notice.	N/A	

Agenda no	Agenda item title	Resolution	Action	Power
	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. Location: Land at Somerby and Marshall Way, Gainsborough Paper D	The Committee resolved to note the decision notice.	N/A	
PL24/100	To note decision notice received. Application Ref No: 144913 GRANTED (delegated) Proposal: Planning application for	The Committee resolved to note the decision notice.	N/A	

Initialled:

Agenda no	Agenda item title	Resolution	Action	Power
	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).	There were none.	N/A	
PL24/102	Tree preservation orders To consider tree preservation orders received (if there are any).	There were none.	N/A	
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	The Committee resolved to request that the removal of the puffin crossing on Lea Road is not until the build of the roundabout begins and that all entrance and exits of the roundabout have refuge island to aid pedestrian safety.	ITC to respond to LCC.	
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	The Committee resolved to defer the item until the next meeting. In the mean time the ITC to see if the Council still have any 30mph signs, and Cllr Dobbie to obtain lamppost numbers in order to apply to LCC to erect signs on the lampposts.	ITC to investigate if the Council still have spare signs. Cllr Dobbie to look at lamppost numbers.	
PL24/105	Items for notification To receive any items for notification to be included on a	<ul style="list-style-type: none"> • TPO for Roses • Whiteswood Lane Traffic Calming • Street naming for Foxby Lane phase 2 	N/A	N/A

Agenda no	Agenda item title	Resolution	Action	Power
	future agenda – for information only	<ul style="list-style-type: none"> Neighbourhood Plan WG 		
PL24/106	Time and date of next meeting To note the date and time of the next Planning committee is scheduled for Tuesday 26 September 2023 at 7.00pm.	The Committee noted the date and time of the next Planning Committee as scheduled for Tuesday 24 October 2023 at 7:00pm.	N/A	<i>Local Government Act 1972, Sch 12, p10 (2)(a)</i>

The meeting closed at 8.08pm.

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

DRAFT

PAPER B

Planning Permission

Name and address of applicant

Mr Steve Jones
Aube Property Holdings Limited
520-522 Moseley Road
Birmingham
West Midlands
B12 9AE

Name and address of agent (if any)

Mr George James
Lathams
1 College Place
Derby
DE1 3DY

Part One – Particulars of application

Date of application:
11/07/2023

Application number:
146960

Particulars and location of development:

Planning application for removal of existing shopfronts and canopy with installation of replacement lean-to canopy and new hardwood timber shopfronts, replacement of shop windows on western elevation to match proposed south elevation shop fronts, and removal of external lighting fixtures from south elevation.

The Old Town Hall 36 Lord Street Gainsborough Lincolnshire DN21 2DB

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:

- Site Location Plan received 11/07/2023;
- Proposed Site Layout Plan 7534-LAT-XX-00-DP-A-1200-S3-P02 received 11/07/2023;
- Indicative Site Compound- Site hoardings plan 7534-LAT-XX-00-DP-A-1201-S3-P02 received 11/07/2023;
- Proposed Landscaping Plan 7534-LAT-XX-00-DP-A-2204-S0-P06 received 11/07/2023;
- Planter Proposal 7534-LAT-XX-XX-DR-A-5302-S3-P02 received 11/07/2023;
- Proposed canopy section 7534-LAT-XX-XX-DR-A-4200-S3-P05 received 11/07/2023;
- Proposed Elevation 5- 7534-LAT-XX-WW-DE-A-3220-S3-P02 received 11/07/2023;
- Amended Proposed Elevations 1- 7534-LAT-XX-SS-DE-A-3208-S3-P08 received 15/09/2023;
- Proposed Facia and Grille 7534-LAT-XX-XX-DR-A-5307-S3-P01 received 15/09/2023;
- Amended Proposed Shopfront 7534-LAT-XX-XX-DR-A-5301-S3-P04 received 15/09/2023;
- Amended Proposed Ground Floor Plan 7534-LAT-XX-00-DP-A-5312-S0-P07 received 15/09/2023;
- Repair Works Elevation 1 7534-LAT-XX-SS-DE-A-3204-S3-P01 received 15/09/2023;
- Repair Works Elevations 2 and 3 7534-LAT-XX-EE-DE-A-3205-S3-P01 received 15/09/2023;
- Repair Works Elevation 4 7534-LAT-XX-NN-DE-A-3206-S3-P01 received 15/09/2023;
- Repair Works Elevation 5 7534-LAT-XX-WW-DE-A-3207-S3-P01 received 15/09/2023;
- Proposed Landscaping setting out 7534- LAT- XX- 00- DP- A- 2400- S0-P06 received 26/09/2023.

The works, **including the proposed materials and repair works** shall be carried out in accordance with the details shown on the approved plans.

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

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

The application has been considered against policies Policy S1: The Spatial Strategy and Settlement Hierarchy, Policy S6: Design Principles for Efficient Buildings, Policy S13: Reducing Energy Consumption in Existing Buildings, Policy S37: Gainsborough Town Centre and Primary Shopping Area, Policy NS41: City and Town Centre Frontages, Policy S47: Accessibility and Transport, Policy S53: Design and Amenity, Policy S57: The Historic Environment of the Central

Lincolnshire Local Plan, the policies within the Gainsborough Town Neighbourhood Plan, Policy M11 of the Core Strategy and the Statutory duties contained within Sections 66 and 72 of the 'Act' in the first instance along with the provisions of the NPPF and guidance contained within the NPPG.

In light of this assessment it is considered that the proposed new canopy and shopfronts would improve the visual appearance of the host building, a non-designated heritage asset and the Gainsborough Town Conservation Area as well as the wider Market Place. The proposals would preserve the setting of the nearby listed buildings and no harm has been identified with regard to the impacts upon residential amenity, highways or drainage nor would the proposal impact upon the minerals safeguarding area.

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: 27th 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.

PAPER C

Planning Permission

Name and address of applicant

Mr Justin Leckie
Chaise House

Main Road
Besthorpe
Newark
NG23 7HR

Name and address of agent (if any)

Eleanor McEvedy
EB McEvedy Historic Building
Consultant
The Old Rectory
8 Water Lane
Stathern
LE14 4HX

Part One – Particulars of application

Date of application:
24/07/2023

Application number:
147091

Particulars and location of development:

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 rainwater goods with cast iron.

37 Lord Street Gainsborough Lincolnshire DN21 2DD

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:

- Site Location Plan received 24/07/2023;
- Proposed Front Elevation 2 received 24/07/2023;
- Proposed Shopfront Elevation 3 received 24/07/2023;
- Detail Section through door 4 received 24/07/2023;
- Section through shopfront window 5 and wall received 24/07/2023;
- Section above doorway and through pilaster 6 received 24/07/2023;
- Vertical Section through window 7 received 24/07/2023.

The works shall be carried out in accordance with the details shown on the approved plans.

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

3. Prior to the installation of the items listed below, exact details, including specifications shall be submitted to and approved in writing by the Local Planning Authority;

- a. Chimney pot with ventilated cap
- b. Cast iron downpipes
- c. Cast iron vents
- d. Colour finish of shop front
- e. New York stone to entrance
- f. Awning

The development shall only proceed in accordance with the approved details.

Reason: To ensure the appropriate methods are used to preserve the fabric and appearance of the host listed building and setting of the nearby listed buildings and the conservation area to accord with the National Planning Policy Framework and local policies S57 of the Central Lincolnshire Local Plan 2023 and NPP6, NPP7, NPP18 and NPP19 of the Gainsborough Neighbourhood Plan and Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4. The repairs works to the timber guttering and lead lining shall match the existing materials in terms of style and finish unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure the appropriate methods are used to preserve the fabric and appearance of the host listed building and setting of the nearby listed buildings and the conservation area to accord with the National Planning Policy Framework and local policies S57 of the Central Lincolnshire Local Plan 2023 and NPP6, NPP7, NPP18 and NPP19 of the Gainsborough Neighbourhood Plan and Section 66 and 72 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

None.

Reasons for granting permission

The application has been considered against policies Policy S1: The Spatial Strategy and Settlement Hierarchy, Policy S37: Gainsborough Town Centre and Primary Shopping Area, Policy NS41: City and Town Centre Frontages, Policy S47: Accessibility and Transport, Policy S53: Design and Amenity, Policy S57: The Historic Environment of the Central Lincolnshire Local Plan, the Statutory Duties contained within the 'Act', the policies within the Gainsborough Town Neighbourhood Plan and Policy M11 of the Core Strategy in the first instance as well as the provisions of the NPPF and guidance contained within the NPPG.

In light of this assessment, it is considered that the proposals would enhance the host listed building, conservation area and street scene, the proposals would also preserve the setting of the nearby listed buildings. The proposals would not impact upon highway safety, drainage, or residential amenity.

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: 28th 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.

PAPER D

Listed Building Consent

Name and address of applicant

Mr Justin Leckie
Chaise House
Consultant
Main Road
Besthorpe
Nottinghamshire
NG237HR

Name and address of agent (if any)

Eleanor McEvedy
EB McEvedy Historic Building
The Old Rectory
8 Water Lane
Stathern
LE14 4HX

Part I – Particulars of application

Date of application
24/07/2023

Application no
147093

Particulars and location of development

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 rainwater goods with cast iron.

37 Lord Street Gainsborough Lincolnshire DN21 2DD

Part II – Particulars of decision

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

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

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

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

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

None.

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

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

- Site Location Plan received 24/07/2023;
- Proposed Front Elevation 2 received 24/07/2023;
- Proposed Shopfront Elevation 3 received 24/07/2023;
- Detail Section through door 4 received 24/07/2023;
- Section through shopfront window 5 and wall received 24/07/2023;
- Section above doorway and through pilaster 6 received 24/07/2023;
- Vertical Section through window 7 received 24/07/2023.

The works shall be carried out in accordance with the details shown on the approved plans.

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

3. Prior to the installation of the items listed below, exact details, including specifications shall be submitted to and approved in writing by the Local Planning Authority;

- a. Chimney pot with ventilated cap
- b. Cast iron downpipes
- c. Cast iron vents
- d. Colour finish of shop front
- e. New York stone to entrance
- f. Awning

The development shall only proceed in accordance with the approved details.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

4. The repairs works to the timber guttering and lead lining shall match the existing materials in terms of style and finish unless otherwise approved in writing by the Local Planning Authority.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

5. The internal plasterwork shall match the existing in terms of style and product unless otherwise approved in writing by the Local Planning Authority.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

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

None.

Notes to the Applicant

None.

Reasons for granting Listed Building 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 proposal is considered to preserve, as well as enhance the desirability of the Listed Building and its setting. Furthermore the proposed development will enhance the desirability of the special architectural features or historic interest it possesses.

Date: 28th September 2023
Signed:



Head of Paid Service

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

Note

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

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

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

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

customer.services@west-lindsey.gov.uk or by asking any of the Customer Services staff.

PAPER E

Planning Permission

Name and address of applicant

Oculus Real Estate
C/O Agent
Staniforth Architects
The Warehouse
1a Stamford Street
LE1 6NL

Name and address of agent (if any)

Daniel Bates
Staniforth Architects
The Warehouse
1a Stamford Street
Leicester
LE1 6NL

Part One – Particulars of application

Date of application:
06/01/2022

Application number:
144221

Particulars and location of development:

Planning application for the erection of an Extra Care home (Class C2) containing up to 48no. apartments of mixed one and two bedroom apartments, with associated amenities, staff facilities, landscaping and parking

Former Cedars Residential Home Morton Terrace Gainsborough Lincolnshire DN21 2RJ

Part Two – Particulars of decision

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

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

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

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

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

2. No development shall take place until, suitably qualified contaminated land assessments and associated remedial strategy with none technical summaries, conclusions and recommendations, together with a timetable of works, have been submitted to and approved in writing by the Local Planning Authority (LPA) and the measures approved in that scheme shall be fully implemented. [Outcomes shall appropriately reflect end use and when combining another investigative purpose have a dedicated contaminative summary with justifications cross referenced]. The

scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically in writing –

- a) The contaminated land assessment shall include a desk study to be submitted to the LPA for approval. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved by the LPA prior to investigations commencing on site.
- b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.
- c) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters.
- d) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA.
- e) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

Reason: In order to safeguard human health and the water environment and identify potential contamination on-site and the potential for off-site migration.

3. No development must take place until a demolition and construction method statement has been submitted and agreed in writing by the local planning authority. The approved statement(s) shall be adhered to throughout the construction period. The statement shall provide for:

- (i) The routing and management of traffic;
- (ii) The parking of vehicles of site operatives and visitors;
- (iii) Loading and unloading of plant and materials;
- (iv) Storage of plant and materials used in constructing the development;
- (v) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (vi) Wheel cleaning facilities;
- (vii) Measures to control the emission of dust and dirt;
- (viii) Protection of the public footpath;
- (ix) Details of noise reduction measures;
- (x) A scheme for recycling/disposing of waste;
- (xi) The hours during which machinery may be operated, vehicles may enter and leave, and works may be carried out on the site;

Reason: To restrict disruption to the living conditions of the neighbouring dwelling and surrounding area from noise, dust and vibration and to accord with the National Planning Policy Framework and local policy S53 of the Central Lincolnshire Local Plan.

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

4. 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:

1619 P02 Rev A

1619 P03

1619 P10

1619 P11

1619 P20

1619 P50

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.

5. The development shall be carried out in accordance with the submitted flood risk assessment (ref: 734 The Cedars FRA_01.doc) the following mitigation measure it details:

- Finished floor levels shall be set no lower than 7.00 metres above Ordnance Datum (AOD)

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

Reason To the risk of flooding to the proposed development and future occupants.

6. The development shall be carried out in accordance with the Arboricultural Method Statement contained within the Arboricultural Report dated August 2021 by ACS Consulting.

Reason: To safeguard the existing trees on the site during construction works, in the interest of visual amenity to accord with the National Planning Policy Framework and local policy S66 of the Central Lincolnshire Local Plan.

7. Unless otherwise agreed in writing with the Local Planning Authority, landscaping including its management and maintenance shall be in accordance with details submitted on plan 1619 P50.

Reason: To ensure that appropriate landscaping is introduced and will not adversely impact on the character and appearance of the site to accord with the National Planning Policy Framework and local policy S53 of the Central Lincolnshire Local Plan.

8. Unless otherwise agreed in writing by the Local Planning Authority, the materials for the development shall be carried out in accordance with the details submitted on plan 1619 P20.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and the character and appearance of the area and setting of the Listed Building to accord with the National Planning Policy Framework and local policies S53 and S57 of the Central Lincolnshire Local Plan.

9. Ecological mitigation shall be carried out in accordance with the submitted Ecological Impact Assessment ref 21452/EcIA dated 5th April 2022 by Whitcher Wildlife Ltd and retained as such thereafter.

Reason: In the interest of nature conservation to accord with the National Planning Policy Framework and local policy S60 of the Central Lincolnshire Local Plan.

10. Drainage shall be carried out in accordance with the details contained with the Drainage Strategy Report dated August 2021 by George Shuttleworth Ltd and retained thereafter.

Reason: To ensure adequate drainage facilities are provided to serve the development, to reduce the risk of flooding and to prevent pollution of the water environment to accord with the National Planning Policy Framework and local policy S21 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 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 LP1: A Presumption in Favour of Sustainable Development, LP2: The Spatial Strategy and Settlement Hierarchy, LP10: Meeting Accommodation Needs, LP11: Affordable Housing, LP12: Infrastructure to Support Growth, LP13: Accessibility and Transport, LP14: Managing Water Resources and Flood Risk, LP17: Landscape, Townscape and Views, LP21: Biodiversity and Geodiversity, LP25:

The Historic Environment and LP26: Design and Amenity in the Central Lincolnshire Local Plan and policies NPP1 Sustainable Development, NPP5 Protecting the Landscape Character, NPP6 Ensuring High Quality Design and NPP7 Ensuring High Quality Design in each Character Area of the Gainsborough Town Neighbourhood Plan including the advice given in the National Planning Policy Framework and the National Planning Practice Guidance. In light of this assessment the proposal is considered acceptable. The proposal would not have a detrimental impact on the character of the area, the setting of the listed building, residential amenity, 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: 5th October 2023

Signed:



Ian Knowles
Head of Paid Service

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

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Self-build and Custom housebuilding

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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

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- 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.
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- 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.

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Officers Report

Planning Application No: 144221

PROPOSAL:

Planning application for the erection of an Extra Care home (Class C2) containing up to 48no. apartments of mixed one and two bedroom apartments, with associated amenities, staff facilities, landscaping and parking

LOCATION: Former Cedars Residential Home Morton Terrace
Gainsborough Lincolnshire DN21 2RJ

WARD: Gainsborough North

APPLICANT NAME: Oculus Real Estate

TARGET DECISION DATE: 07/04/2022 (Extension agreed until 31st October 2023)

DEVELOPMENT TYPE: Major - Other

CASE OFFICER: Rachel Woollass/Ian Elliott

RECOMMENDED DECISION: Grant permission subject to the signing of s106 to include NHS contribution and to secure the development as Extra Care.

Description:

The Site lies approximately 2.5 miles north of Gainsborough train station and town centre in the Morton Terrace area. The immediate context is predominantly residential with nearby amenities consisting of shopping parades and general community facilities. The residential buildings are a mix of two and three storey semi-detached and town houses. The site itself is currently vacant but was formerly The Cedars, a former care home comprising circa 2100m² of floor area on the of 0.5 Hectare site.

The former Cedars care home was severely fire damaged in 2019 and has been demolished.

The western boundary (Morton Terrace) is the most open aspect to the public domain; the public footpath delineates most of the boundary, with an area of lawn and trees between the footpath and previous building.

Prior to demolition, the existing building occupied most of the north west corner of the site in a 'h' shaped footprint forming a south east facing landscaped area.

Parts of the site are located in flood zone 3 (around vehicle access), with the main body of the site in flood zones 2 and 1. There are several trees on and around the site some of which are protected by Tree Preservation Order including;

- Gainsborough 2012- magnolia, 3 cherry, 3 birch, catalpa and sycamore.
- Gainsborough 1994- protects trees in Richmond Park to the north of the site.

There are substantial highway trees along the entire site frontage. To the north of the site is Richmond Park which contains the grade II listed building Richmond House; to the east are allotments, to the south is Morton Court (an Acis property); and to the west are residential dwellings.

Relevant history:

135914 – Planning application to demolish existing building, erect 7 detached dwellings and garages, and form additional vehicular access. Permission refused 18/07/17

137259 – Outline planning application all matters reserved for residential development of up to 16 dwellings. Demolition of existing care home building. Permission refused 09/05/18

138774 – Planning application for demolition of existing building and erection of 5 dwellings. Permission granted 12/04/19

Representations (in summary):

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

Gainsborough Town Council: Has no comments to make.

Local residents: Support received from 1 Princess Walk, Gainsborough, 11 Bycroft Road, Morton and 40 Doncaster Road, Westwoodside –

- Lovely quality materials and would blend in with the area
- Good proposal idea, this would benefit Gainsborough
- 100% support the proposal, the plan materials, landscaping
- Jobs are needed
- It is a perfect location for this type of development and meets the needs of the wider community giving residents their own home with assistance if needed. Providing support for both physical and mental health and wellbeing

LCC Highways: 15/02/22 - The Highway Authority would request the applicant submits a parking strategy or justification statement to support the current level of parking provided. On-site parking will have to cater for residents, visitors and staff accessing and using the site. Can the applicant please provide details regarding the servicing arrangements for the site?

Following a revised site plan for the parking –

03/03/22 – Happy with the parking arrangements, please can details of the servicing arrangements be provided.

26/04/22 – Happy with the servicing arrangements. Drainage should be in accordance with the strategy submitted.

Lincolnshire Police: Do not have any objections to this application.

Natural England: No comments to make.

NHS England: The development will impact Cleveland Surgery and Caskgate Surgery as the development is within their catchment area. The contribution requested for the development is £22,022.00.

Neighbourhood Plans: The application site is covered by the adopted (made) Gainsborough NP which should be given full weight in planning decisions and forms part of the development plan for the town. Below are NP references to the site/proposal which have been identified as being of note. But please inspect whole plan and any supporting documents as may be other references you consider relevant.

NPP1 Sustainable Development

- a) the site in the Gainsborough Morton Character Area – see later
- b) it is adjacent Richmond Park and Allotments, existing open spaces see Map 6
- c) it is near Richmond House a heritage asset

NPP3 Creating a Local Green Network

Support would be given to proposals that help deliver the Local Green Network. Morton Terrace is a proposed green route -see map 8

NPP5 Protecting the Landscape Character

Key view 1 on Map 11 crosses the site.

NPP6 Ensuring High Quality Design

As mentioned, the site is in Gainsborough Morton Character Area. For design guidance refer to this policy, supporting text and supporting document Gainsborough Heritage and Character Assessment.

NPP7 Ensuring High Quality Design in each Character Area

Further design guidance provided here. In particular to Morton Terrace. Also refer to Map 13 with supporting text and Character Assessment.

NPP8 A Mix of House Types

Policy requires a mix of housing and which is accessible too.

Trees and Landscape Officer: I have no objections to the proposals in terms of impact to nearby trees and hedges.

Details given in the AMS regarding tree protection measures and removal of hard surfaces should be followed.

Strategic Housing: 14/02/22 - Location – the site location for Extra Care offers easy access to amenities and facilities such as shops, Dr's and the hospital, there are also good bus links to neighbouring towns which can be easily accessed from this location.

Housing need – in conjunction with Lincolnshire County Council, there is an identified need for around 60 units of Extra Care Housing in Gainsborough. Housing Lin also identified this need in their report regarding housing for older people in West Lindsey published in 2020. This scheme does not exceed the identified need for this type of accommodation in Gainsborough and so a need for 48 units can be evidenced.

Apartment sizes – the apartments do not meet the size standard as set out in the Design Principles for Extra Care Housing which has been adopted as the desired standard for Extra Care by Lincolnshire County Council.

11/03/22 - After further discussion on this site with our LCC colleagues, I can confirm that LCC have determined the size of the units is not a material consideration for them when looking at whether or not they will commission care into the properties and the attached standards, although are considered best practice, are just that and not a hard and fast rule in determining suitability of Extra Care accommodation.

Environmental Protection: No objections, two conditions on contaminated land and construction management plan.

Environment Agency: No objections, one condition.

Archaeology: No archaeological input required.

Relevant Planning Policies:

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

Development Plan

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

Relevant policies of the CLLP include:

- S1: The Spatial Strategy and Settlement Hierarchy
- S6: Design Principles for Efficient Buildings
- S7: Reducing Energy Consumption – Residential Development
- S21: Flood Risk and Water Resources
- S22: Affordable Housing
- S23: Meeting Accommodation Needs
- S45: Strategic Infrastructure Requirements
- S47: Accessibility and Transport
- S49: Parking Provision
- S53: Design and Amenity
- S57: The Historic Environment
- S60: Protecting Biodiversity and Geodiversity
- S61: Biodiversity Opportunity and Delivering Measurable Net Gains
- S66: Trees, Woodlands and Hedgerows

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

Relevant policies of the NP include:
NPP1 Sustainable Development
NPP5 Protecting the Landscape Character
NPP6 Ensuring High Quality Design
NPP7 Ensuring High Quality Design in each Character Area

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

The site is not impacted by these policies.

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 September 2023. Paragraph 219 states:

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

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

Other

Section 66 of the Planning (Listed Buildings and Conservations Areas) Act 1990

Main issues

- Principle
- Affordable Housing
- Highways
- Flood Risk and Drainage
- Infrastructure
- Impact on Listed Building
- Design and Character
- Trees
- Ecology and Landscaping

Assessment:

Principle

Policy S1 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.

Policy S23 states that residential care accommodation, which is designed to accommodate those who need some form of on-site assistance, should be located in a settlement in levels 1 to 4 of the settlement hierarchy.

The site is within Gainsborough, level 2 of the settlement hierarchy and therefore principally acceptable.

Affordable Housing

Policy S22 states that where specialist housing for older people is provided as private provision, including within a residential care home setting and including dwellings falling within Use Class C2, an affordable housing contribution will be sought.

As the development is to be secured via s106 for extra care, an affordable housing contribution does not need to be sought as confirmed by the Housing Strategy Officer.

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.

LCC Highways have been consulted on the application and requested further details on the parking strategy. The agent provided the following information -

Parking provision at the Gainsborough Extra Care site which contains 58 bedrooms (38x 1 bedroom, 10x 2 bedroom)

Oculus has allowed 1 car parking space for every 5 bedrooms in the development (12 in total). This is consistent with parking provision for extra care developments and residential/nursing homes and has been validated with operators and care commissioners throughout the country.

Oculus extra care accommodation is designed for older people with chronic medical issues and is predominantly housing benefit funded which will mean that residents are unlikely to be driving their own vehicles. Parking provision will be mainly used by staff and visitors, many of whom will use public transport to access the site.

Policy S49 requires the following parking provision –

1 space per unit, plus 1 per warden, plus 1 per 5 dwellings visitor spaces, plus 1 in 10 spaces to be disabled spaces.

Whilst the proposal does not meet this requirement, LCC Highways have confirmed that their parking strategy would be acceptable for this specific

proposal. Furthermore, the site is within a highly sustainable location with good public transport links.

LCC Highways also required servicing arrangements for the site.

The agent confirmed that the extra care facilities are serviced by vans and deliveries made during regular office hours.

This would be acceptable in this location. The proposal is considered to be in accordance with policy S47.

Flood Risk and Drainage

Policy S21 requires development proposals demonstrate that certain criteria are met with regards to flood risk and drainage.

The Environment Agency's Flood Map for Planning shows the majority of the site is in Flood Zone 1 but the north west part of the site is in both Flood Zones 2 and 3 with Flood Zone 3 benefiting from defences.

The site is at risk of flooding from the following sources –

- a) Flooding from high water levels in the River Trent
- b) Flooding from surface water
- c) Flooding from reservoir failure.
- d) Flooding from infrastructure failure
- e) Flooding from groundwater
- f) Flooding from failure of the site surface water drainage system.

A Flood Risk Assessment has been submitted with the application. This concludes –

- There is only a small part of the site near the entrance, which is a risk of flooding from a breach of the existing defences on a 1 in 100 year plus climate change event but no development is proposed in this location.
- The 1 in 100 year plus 29% climate change breach flood level has been estimated as 6.23m. It is proposed that the minimum floor level is set at 7.00m which is 770mm above the estimated flood breach level.
- There are safe, dry, emergency pedestrian access and egress routes to Morton Terrace across grounds to the south west of the proposed building.
- The proposed surface water drainage scheme, contained in a separate report will attenuate the run-off such that the risk of flooding elsewhere in the catchment is not increased.
- The development can be made safe for the lifetime of the development and not increase the risk of flooding elsewhere in the catchment.

The site was formerly used as a Nursing Home. The current proposal replaces the Nursing Home which previously stood on the site providing a similar facility. The majority of the site is in Flood Zone 1 and the built form providing resident accommodation is only proposed within Flood Zone 1.

Taking this into account the site is considered to have met the requirements of the Sequential Test.

The Environment Agency have been consulted on the application and have no objections subject to a condition on the floor levels.

A drainage strategy has been submitted with the application.

Surface Water

Surface water run-off is generated from the building roofs and hardstanding areas.

The former site had 2426m² of existing impermeable surfaces discharging to the combined sewer. At the Building Regulations design rate of 0.014l/s/m² this equates to an unrestricted discharge of 34.0 l/s.

Normally, for the redevelopment of brownfield sites such as this the receiving water company will look for a reduction in peak discharge of at least 30%.

The discharges from Morton Court and the Bungalow roofs will remain unaltered at 280m².

The discharges from shared access road and the access road to Morton Court will remain the same at 426m².

The total artificial surfaces covering the whole site will reduce to 2311m² a reduction of 5%

The total artificial surfaces covering the development site will reduce from 1720m² to 1605m² a reduction of 7%.

When the green roofs and roof garden are considered the area of impermeable artificial surfaces reduces to 958m², a reduction of 44%

It is accepted that the green roofs will need to be positively drained and at certain times of the year they will generate some run-off but the system will intercept most of the rainfall and delay discharges until the peak of the discharge has passed in the rest of the on-site system.

Therefore, it is reasonable to remove the roof garden and green roofs from the areas contributing to the peak rate of discharge.

Considering the whole site this would result in the peak discharge generated by 1664m² of directly drained impermeable surfaces. At 0.014l /sm², this would generate a peak run-off of 23.3l/s. This represents a 31% reduction from the existing peak rate of discharge.

For The Cedars site only, there would only be 958m² of directly drained impermeable surfaces. At 0.014l/s/m², this would generate a peak run-off of

13.4 l/s. This represents a 60% reduction of from the existing peak rate of discharge.

Foul Water

The existing foul discharges from Morton Court and the Bungalow will be maintained.

The former nursing home had a least 34 beds and facilities provided for staff.

The proposed development has 50 beds and a reduced number of staff.

At the Sewers for Adoption foul design flow rate of 4000 litres per dwelling, at an average occupancy of 3.5 there will be no significant increase in foul flow from the proposed development.

If support staff and visitors increased the number on site to 70, this would equate to 20 dwellings. A design flow rate of $20 \times 4000 = 80,000$ litres per day, which is 0.93 l/s.

This is much less than the capacity of a 100mm pipe at minimum gradient is around 6.0 l/s.

The invert level of the existing pipe is 1.42m below a cover level of 6.18m.

The surveyed slab level of the former nursing home is 6.97m. Provided the new ground floor level is set similar to the former slab level then there should be sufficient fall available for a gravity connection.

The drainage strategy concludes –

- Surface water drainage for the proposed development can be provided in a sustainable way, which will reduce the peak rate of discharge from the existing site.
- For The Cedars site only, a 60% reduction in peak run-off can be achieved, reducing to 31% when considering the whole site.
- The existing discharges from Morton Court, the bungalow and the access road to Morton Court will be maintained.
- It is recommended that a CCTV survey of the all the existing drains is undertaken and their routes are traced and marked on the surface so that they can be taken into account in the detailed design of the proposed development.

The development shall be conditioned to be in accordance with the drainage strategy.

The proposal is considered to be in accordance with policy S21.

Infrastructure

Policy S45 states that new development should be supported by, and have good access to infrastructure.

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.

The development will impact Cleveland Surgery and Caskgate Surgery as the development is within their catchment area.

The development would put additional demands on the existing GP services for the area and additional infrastructure would be required to meet the increased demands.

NHS England therefore request £22,022.00. This contribution will be secured by s106 legal agreement.

Lincolnshire Clinical Commissioning Group (LCCG) wishes for the s106 contribution from the development to contribute to the expansion in capacity through remodelling/changes to layout or extension to existing facilities within the Trent Care Primary Care Network at Cleveland Surgery and Caskgate 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.

The proposal is considered in accordance with policy S45.

Impact on Listed Building

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

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

A Heritage Impact Assessment has been submitted with the application. This concludes –

Gainsborough is a historic town which celebrates its past whilst embracing its potential. It has a rich and varied architectural character, with a wealth of built heritage that ranges from medieval grandiosity, Georgian balance, Victorian ornamentation and modern practicality, all of which sit side-by-side comfortably.

This application is to provide an extra care facility on Morton Terrace, Gainsborough on a brownfields site which sits within the wider area of two listed heritage assets, Richmond House and Lodge, as well as an area that is

regarded favourably by Gainsborough Town Council for its historic character and visual appeal.

The building in question has been sensitively designed to reflect the character and needs of this area, to work in harmony with the existing built heritage whilst ensuring the building has its own identity and does not fall into pastiche.

The elevation that faces Richmond Park has been carefully managed, with a visual softening of any harsh edges, to ensure that the building, whilst sitting at three levels, will read as a two storey building. This has been achieved through innovative material choice and design techniques, including the use of a mansard roof to break up the singular, geometric properties and improve massing. The use of powder-coated zinc, weathered steel accents and pale brick is in direct response to the character of the surrounding area. Textured brickwork has been employed to add visual interest and bay windows punctuate elevations to provide visual variation in a manner that is harmonious with the adjacent Victorian Villas.

This building is not a carbon copy of the surrounding historic buildings that have come before it, just as those were pioneering in their own right at their time of construction. This building has achieved a delicate balance of contemporary and contextual design. Whilst its scale may be beyond the neighbouring historic homes, this is not a grandiose statement but rather to fulfil a necessary function: to provide residential space for older adults in Gainsborough. This scale has been managed in a way that the building can perform vital functions for its residential community without harmful impact on the wider setting of the historic north Gainsborough area.

In terms of the neighbouring heritage assets, any impact will be minimal therefore preserving their setting and could even inspire regeneration for the deteriorating elevation of Richmond House which faces the rear corner. The boundary elevation has been minimised and softened to neutralise harm whilst the existing mature trees in the area will continue to provide a physical and visual border for Richmond Park that this proposal does not encroach upon.

This proposal embraces and expands upon the character of this area to create a building that both celebrates and innovates, in this way emulating the wider values that Gainsborough itself strives for and it provides the opportunity to encourage a greater consideration throughout the town for how contemporary design and historic character can be brought together to achieve a successful, balanced proposal. The development would therefore preserve the setting of nearby heritage assets.

The proposal is considered to be in accordance with policy S57.

Design and Character

Policy S53 states that All development proposals will:

- a) Be based on a sound understanding of the context, integrating into the surroundings and responding to local history, culture and heritage;

- b) Relate well to the site, its local and wider context and existing characteristics including the retention of existing natural and historic features wherever possible and including appropriate landscape and boundary treatments to ensure that the development can be satisfactorily assimilated into the surrounding area;
- c) Protect any important local views into, out of or through the site

Furthermore policy S53 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 NPP5 states that as appropriate to their scale, nature and location, development proposals should be designed and arranged to take account of the landscape and topographical setting of the neighbourhood area and its urban environment.

Policy NPP6 states that development should be of a high design quality that will contribute to the character of Gainsborough Parish. In order to achieve this, proposals should demonstrate how they will reinforce the character of the area as set out in Gainsborough Heritage and Character Assessment 2018 (or its successor) Appendix H.

Policy NPP7 states that development proposals in TCA 01 Gainsborough and Morton should;

- a) reflect the distinctive historic character of TCA 01 and the separation of the Town from the village of Morton, ensuring distinction between the two settlements. Design proposals should demonstrate how this separation would be achieved with reference to density and pattern of development, separation between buildings, plot widths, building lines, boundary treatments such as walls, railings or hedges and spatial qualities of front gardens. The maintenance of existing views towards listed buildings within Morton should be considered; and
- b) demonstrate how the design, layout and boundary treatment reinforces the character of the Morton Terrace area identified in Map 13.

The neighbourhood plan character assessment states that Morton Terrace is wide in section with buildings well set back from the road, wide pavements and variously, grass verges, hedges and boundary trees to unbound plots. Further south, set back semi-detached houses introduce low brick walls to boundaries. These tend to be yellow brick at Morton Terrace with red brick dominant to the south. Moving southwards, front gardens with off street parking give way to on street parking with increasingly small front yards and narrow street section overall.

The site shape, orientation, and existing buildings have dictated the form of the building – essentially an ‘L’ shaped plan. The massing, has also been informed by the brief; a key design objective is to deliver a viable level of accommodation and requisite number of units whilst maintaining a scale in

response to, and appropriate for the context. The proposal will largely remain within the confines of the previous building footprint. Modern space standards and regulations dictate that a general increase in plan depths to that of the previous footprint will be necessary; for instance, each apartment will be circa 7m deep with corridor widths between apartments a minimum of 1.8m for compliance.

The massing addresses the constraints of the site by locating the four-storey element on the eastern boundary and towards the centre of the site. All other roofs, parapets and ridge heights are stepped down towards the existing buildings that surround the site. Especially towards Richmond Park, where a section of the third storey has been removed from the design.

The scheme incorporates a strong sense of massing hierarchy with the bulk of the mass located towards the east of the site, next to the allotments and set back as far as possible from Morton Terrace.

The design has undergone a small sequence series of development options, each with subtle adjustments in massing strategy. The key changes in design were in order to sympathetically integrate the proposal into the landscape.

The Richmond Park registry office is a Grade II listed building so it was imperative that the massing did not impose on the views from inside the grounds.

The proposals use materials and design elements familiar to Morton Terrace such as flat roofed bay windows, pale buff, and red brick features. Seen through the trees this building should therefore appear familiar to the area.

Individual dwellings are expressed with Juliet balconies, set in bay windows. The bays add depth and interest interrupting what would otherwise be an extensive plain of facing bricks.

The massing of the four storey elements are broken down through an alternate brickwork colour at ground floor and the inclusion of a top floor clad with a standing seam metal cladding achieving the effect of a 2-storey building with accommodation in the roof space. The windows of the top floor consequently read as dormer windows.

Street facing elevations (west and south) have an eaves level at three storeys with a mix of pitched and flat roofs, albeit the fourth floor to the main block is designed to represent a mansard roof. This helps to deliver a more forgiving four storey structure for the context and reducing the overall height of the development. The bay windows and recesses along the facade assist in the breaking up of long repetitive elevations.

The regular window pattern is punctuated with full height bay windows, featuring vertically orientated bands of recessed brickwork.

Generally, all windows have cill heights 150mm above finished floor levels with head heights either at 2250mm or corresponding to the underside of ceilings. The windows are consequently slender proportions offering a more satisfying aesthetic to standard 'punched hole' openings.

The principal entrance and lobby space will have multiple sections of full height curtain walling and fully glazed door sets on both West (entrance) and East (garden/amenity space access) elevations, to admit as much light as possible into the 'heart' of the building. The glazing to both sides also provides a penetrating line of sight through the 'heart' (lobby, community room, bistro & lounge) and the external landscaped areas beyond providing a sense of arrival and increasing legibility for visitors.

The principal street facing elevation along Meadow Road features stepped parapets as referred to in the form and massing section. All significant expanses of flat roof will receive a sedum blanket to soften the aesthetic and contribute towards the projects sustainable urban drainage strategy (SUDS).

All pitched roofs are to be clad with natural slate effect tiles in keeping with the regional vernacular. Facing bricks will be from a red/brown multi range with intention of presenting a transitional material between the vivid red brick of more recent developments and the light coloured render of the surrounding 1950's housing estate.

The design is considered to be appropriate and has evolved through pre-application to be sensitive to the character of the area and heritage assets.

The proposal is considered to be in accordance with policies LP17 and LP26 of the CLLP and NPP5, NPP6 and NPP7 of the GTNP.

Paragraph 126 of the NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Policies NPP5, NPP6 and NPP7 are consistent with the NPPF and attached full weight.

Trees

Policy S66 states that planning permission will only be granted if the proposal provides evidence that it has been subject to adequate consideration of the impact of the development on any existing trees and woodland found on-site (and off-site, if there are any trees near the site, with 'near' defined as the distance comprising 12 times the stem diameter of the off-site tree). If any trees exist on or near the development site, 'adequate consideration' is likely to mean the completion of a British Standard 5837 Tree Survey and, if applicable, an Arboricultural Method Statement.

Tree Preservation Order Gainsborough 2012 is in place protecting various trees across the frontage of this site.

There are 6 trees proposed to be removed for this development, none of which are TPO's. There are no objections to their removal as they are mainly trees of low quality which should not pose a constraint to development, or the one tree, T22, which is of moderate quality is at the back of the site and is not visible from the highway along Morton Terrace.

Tree 6 which is a stump, was the better quality magnolia of the two magnolia trees positioned next to each other. T6 was the TPO tree and was cut down a few years ago without consent. A 2nd TPO also appears to have been removed without an application asking for consent. There was a TPO group of three birch trees in the front, SW corner of the site, and only two birch trees remain. The 3rd birch was removed at some time between June 2017 and May 2019.

The proposed development is a sufficient distance from the trees to avoid tree damage. Tree protection fencing is shown on the Arboricultural plans, including a Tree Protection Plan, with a description of installation included in the Arboricultural Method Statement (AMS) section of the Arboricultural Report document from ACS Consulting.

Some of the existing hard surfacing (car parking to the north) is to be removed and returned to garden/lawn. Some brief details of this task are also given in the AMS, and should be followed to avoid root damage or soil compaction that could potentially harm TPO tree nearby, which are close to the site boundary to the north. This can be conditioned.

The proposal, subject to conditions would be in accordance with policy LP66.

Ecology and Landscaping

Policy S60 states that all development should:

- a) protect, manage, enhance and extend the ecological network of habitats, species and sites of international, national and local importance (statutory and non-statutory), including sites that meet the criteria for selection as a Local Site;
- b) minimise impacts on biodiversity and features of geodiversity value;
- c) deliver measurable and proportionate net gains in biodiversity in accordance with Policy S61; and
- d) protect and enhance the aquatic environment within or adjoining the site, including water quality and habitat.

Policy S61 states that all qualifying development proposals must deliver at least a 10% measurable biodiversity net gain attributable to the development. The net gain for biodiversity should be calculated using Natural England's Biodiversity Metric.

The application has been submitted with a preliminary ecological appraisal.

This recommended further surveys and the report turned into an Ecological Impact Assessment.

This was subsequently submitted and offers various mitigation including nesting birds, bat boxes and lighting. The mitigation will we be conditioned.

The landscaped areas of the site will be planted in such a way that will maximise the biodiversity on the site whilst still achieving a look that is aesthetically pleasing. Where amenity grassland is to be provided, this will be seeded with a flowering lawn mix. This will be managed in accordance with the manufacturers instructions by relaxing the frequency it is mown and mowing it to a slightly longer length than normally would for amenity grassland.

Native scrub will be planted along the western and eastern edges of the site. Three new native trees will also be planted on the site. The existing and new tree canopies will overhang the scrub planting to create connectivity across the site.

Hedgerow 1 will be replaced with a new and extended length of mixed native hedgerow along the northern boundary of the site. Lastly, some ornamental shrubs will be planted in borders around the new building on the site.

These proposals were input into the Biodiversity Metric 3.0, which shows that this will deliver 0.65 habitat Bu and 0.13 hedgerow Bu. This will deliver an overall net gain of 2.82% of habitats and 5.34% of hedgerows. The calculations are provided below.

Habitat Type	Extent (ha)	Distinctiveness	Condition Assessment
Developed land; sealed surface	0.32	V.Low	N/A - Other
Modified grassland	0.09	Low	Fairly Good
Mixed scrub	0.04	Medium	Fairly Poor
Introduced shrub	0.03	Low	Poor
Urban Tree	0.001	Medium	Fairly Poor
Total	0.48		

Hedge Number and type	Extent (ha)	Distinctiveness	Condition Assessment

Given the amount of time the application has been under consideration (submitted January 2022), it is not considered reasonable to apply policy S61.

However, the application has shown an overall net gain of 2.82% of habitats and 5.34% of hedgerows and whilst not 10%, there will be an overall improvement in biodiversity.

Other matters

NPP3 and NPP8 do not directly apply to the development. With regards to NPP3 and the green network, the proposal connects to existing paths. NPP8 refers to dwellings and the proposal is a C2 residential institution.

Since the submission of the application in January 2022 the new Central Lincolnshire Local Plan has been adopted (April 2023).

The new Local Plan contains a suite of climate change policies to adhere to. However, given the amount of time the application has been under consideration, it is not considered reasonable to apply these climate change policies.

Following discussion and negotiation with the agent of the application the description of the development has been agreed to be changed at a late stage in the determination of the application. The application has been formally signed off and is awaiting the signing and certifying of a S106 Legal Agreement. The change in description has not altered the development to be determined or the plans which have been assessed as acceptable by the previous case officer but provides more flexibility for potential changes that it has been advised may occur in the future. The change in the description is not considered a reason to instruct a formal re-consultation process.

Conclusion

The proposal has been considered against the Development Plan namely policies S1: The Spatial Strategy and Settlement Hierarchy, S6: Design Principles for Efficient Buildings, S7: Reducing Energy Consumption – Residential Development, S21: Flood Risk and Water Resources, S22: Affordable Housing, S23: Meeting Accommodation Needs, S45: Strategic Infrastructure Requirements, S47: Accessibility and Transport, S49: Parking Provision, S53: Design and Amenity, S57: The Historic Environment, S60: Protecting Biodiversity and Geodiversity, S61: Biodiversity Opportunity and Delivering Measurable Net Gains, S66: Trees, Woodlands and Hedgerows in the Central Lincolnshire Local Plan and policies NPP1 Sustainable Development, NPP5 Protecting the Landscape Character, NPP6 Ensuring High Quality Design and NPP7 Ensuring High Quality Design in each Character Area of the Gainsborough Town Neighbourhood Plan including the advice given in the National Planning Policy Framework and the National Planning Practice Guidance. In light of this assessment the proposal is considered acceptable. The proposal would not have a detrimental impact on the character of the area, the setting of the listed building, residential amenity, 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 **Date:** 1st June 2023

Signed: *Rachel Gordon*

Authorising Officer:  **...Date:** 26th April 2022

Prepared by: Ian Elliott **Date:** 26th September 2023

Signed: 

Authorising Officer: Danielle Peck-*D Peck* **Date:** 28/09/2023

Decision Level (tick as appropriate)

Delegated X

Delegated via Members

Committee

PAPER F

Planning Permission

Name and address of applicant

M. Adair

1 Silver Street
Gainsborough
Lincolnshire
DN21 2DT

Name and address of agent (if any)

Scorer Hawkins Architects Ltd.

Lodge Farm Barns
Skendleby
Spilsby
PE23 4QF

Part One – Particulars of application

Date of application:
10/07/2023

Application number:
146926

Particulars and location of development:

Planning application to replacement shopfront and facade, introduction of 3no. new shopfronts, renovation and refurbishment of interior spaces to create new shop floor and 3no. flats above.

1 Silver Street Gainsborough Lincolnshire DN21 2DT

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:

Site Location plan inc. block plan 2419-OS01;
Proposed Roof plan 2419-BC05 Rev A;
Proposed Ground Floor Plan 2419- BC01 Rev A;
Proposed East elevation 2419- BC01 Rev A;
Proposed North Elevation 2419- BC06 Rev A;
Proposed First Floor Plan 2419- BC02 Rev A;
Proposed Second Floor Plan 2419- BC03- Rev A;
Proposed Third Floor Plan 2419- BC04 Rev A;
Proposed Section Elevation AA 2419-BC10 Rev A;
Proposed Ridge and Eaves Detail 2419 BC12;
Proposed Silver Street Shopfront Details 2419- BC07 Rev A;
Proposed Curtis Walk Shopfront Details 2419- BC09;
Proposed South Elevation and Section BB 2419-BC11- Rev A;
Proposed W.01, W.03, W.06 and W15 Window details 2419- W01;
Proposed W.05 window details 2419- W02;
Proposed M& E Third Floor 2419-ME04;
Proposed W.16 Window Details;
Proposed M&E Ground Floor 2419- ME01;
Proposed M&E Second Floor 2419- ME03;
Proposed W.17, W.24 Window Details 2419- W04;
Proposed W.23 Window Details 2419- W06;
Proposed W.20, W.21 Windows Details 2419- W08;
Proposed W.18, W.19 Window Details 2419- W07;
Proposed Interior Door Details 2419- D02;
Proposed M & E First Floor Plan 2419- ME02;
Proposed Exterior Door Details 2419-D01;
Proposed Flat 1 Kitchen 2419- K01;
Proposed Flat 2 en- suite 2419- B03;
Proposed Flat 2 Kitchen 2419- K02;
Proposed Flat 1 Bathroom 2419-B01;
Proposed No.8 Kitchen 2419- K03;
Proposed Flat 2 Bathroom 2419- B02;
Proposed No.8 Bathroom 2419- B04.
All received 7th August 2023
And;
Email from agent received 11 September 2023 (including internal shutter details).

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.

3. Where any repair/replacement is required on the pantile roof, the roof tiles to be used shall match the existing pantiles exactly in terms of size, shape and colour unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and the character and appearance of the site and the Gainsborough Conservation Area. To preserve the fabric and appearance of the host listed building and setting of the nearby listed buildings to accord with the National Planning Policy Framework and local policies S53 and S57 of the Central Lincolnshire Local Plan and NPP6, NPP7 and NPP18 of the Gainsborough

Neighbourhood Plan and Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4. The floor tiles hereby approved shall be “Mandarin Stone di Scacchi tumbled marble” as detailed in the specification in email from Chris Bowen received 2nd October 2023. The development shall proceed in accordance with the agreed details and be 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 site and the Gainsborough Conservation Area. To preserve the fabric and appearance of the host listed building and setting of the nearby listed buildings to accord with the National Planning Policy Framework and local policies S53 and S57 of the Central Lincolnshire Local Plan and NPP6, NPP7 and NPP18 of the Gainsborough Neighbourhood Plan and Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

5. The awning hereby approved, to be installed to the front façade/shop front on Silver Street shall be “Deans Shop Blind- The Original Victorian Awning” as detailed in the specification in email from Chris Bowen received 2nd October and as depicted on drawing reference 2419- BC07 Rev A. The development shall proceed in accordance with the agreed details and be 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 site and the Gainsborough Conservation Area. To preserve the fabric and appearance of the host listed building and setting of the nearby listed buildings to accord with the National Planning Policy Framework and local policies S53 and S57 of the Central Lincolnshire Local Plan and NPP6, NPP7 and NPP18 of the Gainsborough Neighbourhood Plan and Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

6. The glazed brick hereby approved to be used on the shop frontages shall be Royal Blue glazed brick by Ibstock, as detailed in email received 11th September 2023 from Scorer Hawkins Architects unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and the character and appearance of the site and the Gainsborough Conservation Area. To preserve the fabric and appearance of the host listed building and setting of the nearby listed buildings to accord with the National Planning Policy Framework and local policies S53 and S57 of the Central Lincolnshire Local Plan and NPP6, NPP7 and NPP18 of the Gainsborough Neighbourhood Plan and Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

7. The zinc roof covering hereby approved to be used in the development shall be “RheinZink- Double Standing Seam” as detailed in the specification in email received 2nd October 2023 from Chris Bowen. The development shall only proceed in accordance with the agreed details and be 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 site and the Gainsborough Conservation Area. To preserve the fabric and appearance of the host listed

building and setting of the nearby listed buildings to accord with the National Planning Policy Framework and local policies S53 and S57 of the Central Lincolnshire Local Plan and NPP6, NPP7 and NPP18 of the Gainsborough Neighbourhood Plan and Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

8. The render to be used in the development hereby approved shall be “Cork Sol breathable render” in an off-white finish as detailed in email from Chris Bowen dated 11th September 2023. The development shall only proceed in accordance with the agreed details and be 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 site and the Gainsborough Conservation Area. To preserve the fabric and appearance of the host listed building and setting of the nearby listed buildings to accord with the National Planning Policy Framework and local policies S53 and S57 of the Central Lincolnshire Local Plan and NPP6, NPP7 and NPP18 of the Gainsborough Neighbourhood Plan and Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

9. Prior to the installation of any new coping stones, provision shall be made on site for the Local Planning Authority to inspect the existing and proposed coping stones to be used in the development hereby approved. The development shall only proceed in accordance with the agreed details and be retained as such thereafter.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

10. All new external and internal works and finishes and works of making good to the retained fabric, shall match the existing original work adjacent in respect of methods, detailed execution and finished appearance unless otherwise approved in writing by the Local Planning Authority.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

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

None.

Notes to the Applicant

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>

Shopfront Colour

A suitable heritage colour should be used in the painting of the shop front/façade.

Reasons for granting permission

The application has been considered against policies Policy S1: The Spatial Strategy and Settlement Hierarchy, Policy S2: Growth Levels and Distribution, Policy S3: Housing in the Lincoln Urban Area, Main Towns and Market Towns, Policy S6: Design Principles for Efficient Buildings, Policy S13: Reducing Energy Consumption in Existing Buildings, Policy S20: Resilient and Adaptable Design, Policy S21: Flood Risk and Water Resources, Policy S23: Meeting Accommodation Needs, Policy S37: Gainsborough Town Centre and Primary Shopping Area, Policy NS41: City and Town Centre Frontages, Policy S47: Accessibility and Transport, Policy S49: Parking Provision, Policy S53: Design and Amenity, Policy S57: The Historic Environment of the Central Lincolnshire Local Plan and the policies contained within the Gainsborough Neighbourhood Plan and the statutory duties contained within the 'Act' in the first instance as well as the provisions of the NPPF and guidance contained within the NPPG.

In light of this assessment it is considered that the principle of development in this location can be supported. The proposed external alterations would enhance the character and appearance of the conservation area and the street scene in this town centre location. The proposals would enhance the host listed building and the impacts on this historic fabric have been found to be acceptable. Matters of highway safety, residential amenity, flood risk and drainage are also considered to be acceptable. The proposal does represent a departure from the provisions of Policy S49, however as detailed in the above report, the heritage benefits that the scheme would bring is considered to outweigh the lack of proposed parking provision in this case.

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: 5th October 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: 146926
Listed Building Consent: 146927

PROPOSAL: Planning application to replace shopfront and facade, introduction of 3no. new shopfronts, renovation and refurbishment of interior spaces to create new shop floor and 3no. flats above.

AND

Listed building consent to replace shopfront and facade, introduction of 3no. new shopfronts, renovation and refurbishment of interior spaces to create new shop floor and 3no. flats above.

LOCATION: 1 Silver Street Gainsborough Lincolnshire DN21 2DT
WARD: Gainsborough South West
WARD MEMBER(S): Cllr T V Young and Cllr J S McGhee
APPLICANT NAME: Mr Adair

TARGET DECISION DATE: 04/09/2023
DEVELOPMENT TYPE: Minor all others and Listed Building Alter/Extend
CASE OFFICER: Danielle Peck

RECOMMENDED DECISION: Grant planning permission and listed building consent with conditions

The application is referred to the planning committee for determination in line with the constitution as the proposal is considered to be a departure from Policy S49: Parking Standards of the Central Lincolnshire Local Plan 2023.

Site Description: The application site comprises of a Grade II Listed Building within the Gainsborough Town Centre. The property is a three storey terraced building that fronts on to the southern side of Silver Street, one of the main routes through Gainsborough Town Centre. The site is within the Gainsborough Town Conservation Area, within close proximity to a number of Grade II Listed Buildings and is also within the Gainsborough Primary Shopping Area.

The Historic England listing describes the property as follows¹

*SILVER STREET 1. 5315 (South-East Side) Nos 1 and 3 SK 8189
1/120 II GV*

¹ <https://historicengland.org.uk/listing/the-list/list-entry/1359762?section=official-list-entry>

2. C18. 3 storeys in red and painted brick with coped parapet. 4 windows, painted brick voussoirs, hung sashes without glazing bars, 2 modern shop fronts. Centre passage entry.

Nos 1 to 7 (odd) form a group together with No 10 Silver Street and Nos 21 to 27 (odd) Market Place. Nos 25 and 27 Market Place being of local interest.

The Proposal: The application seeks planning permission and listed building consent for the replacement of the shop front and facade (Silver Street), the introduction of 3no. new shop units and frontages along the east elevation (Curtis Walk). The proposals also include external and internal alterations to facilitate the new shop units and 3no. flats above, consisting of two one-bedroom flats and one three bedroom flat. The proposed development would benefit from the Townscape Heritage funding scheme.

Departure Procedure: The application has been advertised as a departure from the local plan in line with Section 15 (2) of the TCPA Development Management Procedure Order 2015² a site notice was displayed on 31/08/2023 and a notice has been placed in the local newspaper on 07/09/2023. The advertisement of the departure therefore meets the provisions of Section 15 of the DMPO.

Relevant history:

W33/LB/40/91- Listed Building consent to display 2 signs. Granted 11/12/91.

W33/A/16/91- Consent to display non-illuminated fascia sign and non-illuminated projecting sign. Consent granted 11/12/91.

Representations:

Full versions of the following representations can be found on the council's website using the following links:

146926- <https://www.west-lindsey.gov.uk/planning-building-control/planning/view-search-planning-applications/search-planning-application-database?docid=146926>

146927- <https://www.west-lindsey.gov.uk/planning-building-control/planning/view-search-planning-applications/search-planning-application-database?docid=146927>

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

² <https://www.legislation.gov.uk/uksi/2015/595/article/15>

Gainsborough Town Council: The committee resolved to support the application subject to consideration of sufficient fire escape routes at the rear of residential properties/flats.

Historic England: Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application. We suggest that you seek the views of your specialist conservation and archaeological advisers.

WLDC Growth Team: In principle and subject to normal planning considerations, the Growth Team are supportive of the proposal for the following reasons:

- The proposal strongly aligns to the wider regeneration and investment objectives for Gainsborough's town centre, such as heritage led regeneration with reinstatement of traditional shop fronts and creation of upper floor residential space to support the integration of multiple uses across the town centre space.
- Enhanced retail offer – whilst the town centre currently has several vacant retail units, a high proportion of the vacant retail units in the immediate vicinity are of a much larger size. The smaller scale units proposed would bring a new offer and strengthen the variety of options available to traders within the historic heart of Gainsborough.
- A busier street scene encourages greater use of the existing linkage between Heaton Street and the Market Place.
- Complements the existing primary retail use of space on Curtis Walk.
- Improves the street scape in the immediate vicinity of Curtis Walk and onto Silver Street.

WLDC Conservation Officer: No objections. Email (dated 08/09/2023) sent to case officer with queries re proposed materials. Points in the email have been responded to by the agent (dated 11/09/2023). No further comments have been received.

Local residents: No representations received to date.

LCC Highways/Lead Local Flood Authority: No objections. This site is in a highly sustainable location within the town for the siting of flats. There will be no impact on the public highway as a result of external changes to the shopfront.

Environment Agency: No representations received to date.

Archaeology: The building affected by this planning application is of local significance. It is a Grade II listed building within the Gainsborough Conservation Area. As such I recommend that an Historic Building Recording is carried out. The report produced should be sent to and approved by LCC Archaeology Section prior to any alterations being carried out at 1 Silver Street.

ECM Checked: 18/09/2023

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 2021); and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016).

Development Plan

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

Relevant policies of the CLLP include:

Policy S1: The Spatial Strategy and Settlement Hierarchy

Policy S2: Growth Levels and Distribution

Policy S3: Housing in the Lincoln Urban Area, Main Towns and Market Towns

Policy S6: Design Principles for Efficient Buildings

Policy S13: Reducing Energy Consumption in Existing Buildings

Policy S20: Resilient and Adaptable Design

Policy S21: Flood Risk and Water Resources

Policy S23: Meeting Accommodation Needs

Policy S35: Network and Hierarchy of Centres

Policy S37: Gainsborough Town Centre and Primary Shopping Area

Policy NS41: City and Town Centre Frontages

Policy S47: Accessibility and Transport

Policy S49: Parking Provision

Policy S53: Design and Amenity

Policy S57: The Historic Environment

<https://www.n-kesteven.gov.uk/central-lincolnshire>

- ***Gainsborough Neighbourhood Plan MADE 2021 (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 8 A Mix of Housing Types

NPP 18 Protecting and Enhancing Heritage Assets

NPP 19 Improving the Vitality of the Town Centre

<https://www.west-lindsey.gov.uk/planning-building-control/planning/neighbourhood-planning/all-neighbourhood-plans-west-lindsey/gainsborough-town-neighbourhood-plan>

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

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

<https://www.lincolnshire.gov.uk/planning/minerals-waste>

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 latest iteration of the NPPF was published in September 2023.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf

- ***National Planning Practice Guidance***
<https://www.gov.uk/government/collections/planning-practice-guidance>
- ***National Design Guide (2019)***
<https://www.gov.uk/government/publications/national-design-guide>
- ***National Design Code (2021)***
<https://www.gov.uk/government/publications/national-model-design-code>

Other

Statutory Duties under Sections 16, 66 and 72 of the Town and Country Planning (Listed Buildings & Conservations Area) Act 1990.

Gainsborough Town Centre Conservation Area Appraisal

Main issues

- Principle of Development;
- Impact on designated heritage assets, including the host listed buildings;
- Design and Visual Impact;
- Impact upon Residential Amenity;
- Highways and Parking;
- Drainage;
- Other Matters.

Assessment:

Principle of Development

The application seeks planning permission for a new hardwood timber shopfront, the conversion of the upper floors to 3no. flats as well as the installation of 3no. shop units, along with other internal and external works and repairs. The Central Lincolnshire Local Plan contains a suite of policies to guide development within the Town Centre.

Gainsborough is designated as a Main Town within Policy S1 of the CLLP. Policy S1 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 relates to new housing in the Main Towns of Central Lincolnshire and 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.*

Paragraph 86 of the NPPF is supportive of residential development within Town Centre locations as it helps to ensure their vitality by increasing the total population living in close proximity to local amenities. Significant weight is also attached to securing the future use of a designated heritage asset.

The Gainsborough Town Centre section of Policy S37 of the CLLP states that; *'Development proposals within Gainsborough Town Centre, not in E Use Class will be considered on their merits subject to satisfying the criteria in a)-e) where relevant and providing that they will:*

f) not result in large gaps between town centre uses in frontages;
g) not detract from or otherwise harm or conflict with town centre uses; and
h) be compatible with maintaining or enhancing Gainsborough Town Centre as a sub-regional shopping destination.

Proposals for residential or commercial development above town centre uses will be supported providing that the proposed use would not be likely to introduce conflict with existing uses.'

Point 4 of Policy NPP19 of the GNP states that; *Development proposals for the use of upper floors of commercial premises within the town centre for residential use will be supported where it can be demonstrated.*

With regard to the shop units, the site is within the Gainsborough Primary Shopping Area where such retail units on ground floors are supported in

principle given that they will contribute towards the vitality and viability of the town centre. The proposals will also help to assist in wider regeneration of the town centre by offering an improved retail offer given the smaller units proposed.

Overall, the site is located within the developed footprint of Gainsborough, being within the town centre. The proposal will maintain a retail use on its ground floor level and would therefore meet within criteria f-h of Policy S37.

The residential development element of the proposals is supported by the development plan and the NPPF as this would complement the existing uses ensuring the continued vitality of the town centre. In principle it is considered that the proposal accords to policies S1, S3, S35, S37 and NS41 of the CLLP.

Impact on designated heritage assets including the host listed building

The application site comprises of a Grade II Listed building and lies within the setting of other Grade II Listed buildings as well as being within the Gainsborough Town Centre Conservation Area.

The applications propose several alterations to the building externally and internally, comprising of:

- The installation of new timber shop front with awning and façade to Silver Street frontage (north elevation);
- Installation of 3no. shop units and frontages to Curtis Walk (east) along with internal works to divide the units;
- Internal alterations to form 3no. flats;
- External repairs and alterations to the existing building, including new window and door openings;
- Installation of new zinc pitched roof to rear part of building along Curtis Walk above new shop units.

Section 16 (2) of the Planning (Listed Building & Conservation Areas) act 1990 places a legislative requirement that in considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 of the Planning (Listed Building & Conservation Areas) Act 1990 places a legislative requirement that when considering whether to grant planning permission for development which affects a conservation area, the local planning authority shall have special regard to the desirability of preserving or enhancing the character or appearance of that area.

Policy S57 states that development proposals should protect, conserve and seek opportunities to enhance the historic environment of Central Lincolnshire. This aim is echoed within policy NPP18 of the NP.

Policy NS41 of the CLLP states that:

'Proposals for new frontages or alterations to existing frontages within an identified centre will be permitted provided the proposal: a. is of a high quality design and is sympathetic in scale, proportion and appearance to the building of which it forms part, and to the character of the surrounding street scene; and
b. protects, and where possible enhances, traditional or original frontage or features that are of architectural or historic interest, particularly if the building is listed or within a conservation area; and
c. is designed to allow equal access for all users.'

Point 8 of Policy NPP18 of the NP states that; *Development proposals for the renovation of buildings and shopfronts in the Town Centre that reinforce its historic character and comply with West Lindsey District Council's shopfront improvement scheme will be supported.*

The existing site comprises of a Grade II Listed building with a frontage located on the south side of Silver Street and a more modern red brick extension to the south, along Curtis Walk. The application has been accompanied with a large number of plans with annotations, materials info including window and door details.

The proposed new timber shopfront and façade onto Silver Street is of a design that is appropriate, reflecting its historic appearance whilst also helping to improve the frontage along this main route through Gainsborough Town Centre. The applicant and agent have been involved with the councils Townscape Heritage team to design an appropriate shop front, with reference to the historic design. The new shop frontages along Curtis Walk will have timber cladded folding shutters, with royal blue glazed bricks on the surrounds these are considered to be of a design that would enhance this part of the conservation area. Other external alterations along the Curtis Walk elevation include the insertion of new window openings to serve the flats. Pantile roof repairs on the building will be like for like and copings will be replaced with stone. Full proposed replacement window detail drawings have been provided and are considered to be acceptable. The internal works to form the 3no. flats, include the repair of existing staircases and retention of features such as fireplaces. New internal divides are also proposed in the ground floor south section of the building to form the 3no. new shop units. The full scope of the works shown on the proposed plans have also been reviewed by the councils Conservation Officer and have been found to be acceptable in terms of the impact on historic fabric and that they would preserve the special historic interest of the host building.

The comments from Lincolnshire County Council archaeology department requiring the submission of a historic building record are noted. This has been discussed between the case officer and conservation officer. Many photographs and existing plans have been submitted with the application and it is not considered necessary or reasonable to request any further information to be conditioned.

Overall, the works would preserve the special historic interest of the host listed building and the conservation area. In addition to this, the proposal would enhance the street scenes within the Town Centre with improved and new shop fronts that reflects the history of the building in a sympathetic way. The proposals would accord to Statutory Duties, the policies within the Development Plan and Section 16 of the NPPF.

Impact upon Residential Amenity

Policy S53 of the CLLP requires that development proposals do not have an unacceptable impact on residential amenity. This includes considerations such as compatibility with neighbouring land uses, noise, vibration, odour, and the creation of safe environments amongst other things.

There are no concerns in relation to overlooking, over dominance or loss of light over adjoining properties. All three of the units meet with the nationally described space standards. The main living areas of the flats and bedrooms would all be served by windows, allowing adequate light to enter the rooms. In terms of noise, a level of noise is to be expected in a town centre location. One of the adjoining units is a fast food takeaway, however it is not considered that there would be any unacceptable noise, odour or extraction impacts for the occupiers of the flats and is considered to be acceptable.

The lack of outside amenity space is noted; however this is not an unusual situation for town centre flats, other grassed amenity areas are available within the town centre area, notably along the Riverside Walk.

The development would therefore not have an unacceptable harmful impact on the living conditions of the future occupiers and is acceptable with regard to the impact on existing neighbouring uses and would accord with policy S53 and the provisions of the NPPF, particularly paragraph 130(f).

Highways and Parking

No objection has been received from the Local Highway Authority relating to the proposed development. Appendix 2 of the CLLP which is referred to in Policy S49 states that 1 bed dwellings in market towns should provide 1 parking space per dwelling plus visitor spaces. The proposal does not include any dedicated parking provision for the flats. It is noted that no parking provision has been requested by the highway's authority, stating that the development is in a highly sustainable location. The Gainsborough NP does not contain any specific figures with regard to parking provision for new dwellings within the town.

With consideration to the town centre location with close walking proximity to numerous facilities/services and siting close to public transport links, including the bus station, it is considered that the non-inclusion of parking provision is acceptable in this case. It is also considered that the benefits of restoring and bringing the upper floors of this Grade II listed building back into use greatly

outweighs the harm caused by the lack of parking provision and the departure from local policy S49 of the CLLP. Taking this into account it is not considered reasonable to withhold permission on this ground alone and on balance the lack of parking is justified in this instance.

Drainage

The site benefits from existing foul and surface water drainage connections which the proposed flats and shop units will link into. The proposals will not increase the external floor space of the existing building. Given the existing drainage connections at the site it is not considered necessary to request any further details to be submitted in this respect.

Other Matters-

Flood Risk- The majority of the site is located within Flood Zone 2 with a small area to the rear being located within Flood Zone 3, the application has been accompanied with an FRA. With regard to the ground floor use of the building, as existing it is a retail use, therefore there is no change in the vulnerability category as defined in the flood risk vulnerability table in the NPPF. The external façade and new shop frontage works would not increase the risk of flooding to others, given that there would be no increase in the floor space. In addition to this none of the 3no. flats are located at ground floor level, whilst their ground floor access is located in Flood Zone 2, this is the same as the existing situation at the site. There is to be no increase in external floor space and therefore it is not considered that the proposal would increase the risk of flooding for others and future occupiers would be safe in a flood event. Overall, matters of flood risk are considered to be acceptable.

Minerals Safeguarding Area- Changes of use to existing buildings and listed building consent applications are considered to be exempt from safeguarding considerations. In any case, due to the development being within the continuous developed footprint of Gainsborough it is not considered that safeguarding considerations are engaged in this case.

Energy Policies- It is noted that Policy S13 of the CLLP encourages applicants to consider all opportunities to improve energy efficiency and where such efforts achieve an improved EPC rating would be supported in principle. Notwithstanding that the wording of Policy S13 only encourages applicants to take into account improving energy efficiency, in this instance, it is not considered necessary to request that any amendments are made to the proposals given that the site comprises of a listed building, in a conservation area and within the setting of other listed buildings where such new internal materials, solar panels and air source heat pumps, for example would likely not be supported.

Community Infrastructure Levy- West Lindsey District Council adopted a Community Infrastructure Levy (CIL) which will be charged from 22nd January 2018. The development would be located within Zone 4 West Gainsborough therefore would not be liable to a CIL payment.

Planning Application Conclusion:

The application has been considered against policies Policy S1: The Spatial Strategy and Settlement Hierarchy, Policy S2: Growth Levels and Distribution, Policy S3: Housing in the Lincoln Urban Area, Main Towns and Market Towns, Policy S6: Design Principles for Efficient Buildings, Policy S13: Reducing Energy Consumption in Existing Buildings, Policy S20: Resilient and Adaptable Design, Policy S21: Flood Risk and Water Resources, Policy S23: Meeting Accommodation Needs, Policy S37: Gainsborough Town Centre and Primary Shopping Area, Policy NS41: City and Town Centre Frontages, Policy S47: Accessibility and Transport, Policy S49: Parking Provision, Policy S53: Design and Amenity, Policy S57: The Historic Environment of the Central Lincolnshire Local Plan and the policies contained within the Gainsborough Neighbourhood Plan and the statutory duties contained within the 'Act' in the first instance as well as the provisions of the NPPF and guidance contained within the NPPG.

In light of this assessment it is considered that the principle of development in this location can be supported. The proposed external alterations would enhance the character and appearance of the conservation area and the street scene in this town centre location. The proposals would enhance the host listed building and the impacts on this historic fabric have been found to be acceptable. Matters of highway safety, residential amenity, flood risk and drainage are also considered to be acceptable. The proposal does represent a departure from the provisions of Policy S49, however as detailed in the above report, the heritage benefits that the scheme would bring is considered to outweigh the lack of proposed parking provision in this case. The application is therefore recommended for approval, subject to conditions.

Listed Building Consent Conclusion:

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 preserving 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. The consent is therefore recommended for approval, subject to conditions.

RECOMMENDATION- Grant planning permission and listed building consent with the following conditions.

Recommended Conditions- Planning Permission 146926

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:

Site Location plan inc. block plan 2419-OS01;
Proposed Roof plan 2419-BC05 Rev A;
Proposed Ground Floor Plan 2419- BC01 Rev A;
Proposed East elevation 2419- BC01 Rev A;
Proposed North Elevation 2419- BC06 Rev A;
Proposed First Floor Plan 2419- BC02 Rev A;
Proposed Second Floor Plan 2419- BC03- Rev A;
Proposed Third Floor Plan 2419- BC04 Rev A;
Proposed Section Elevation AA 2419-BC10 Rev A;
Proposed Ridge and Eaves Detail 2419 BC12;
Proposed Silver Street Shopfront Details 2419- BC07 Rev A;
Proposed Curtis Walk Shopfront Details 2419- BC09;
Proposed South Elevation and Section BB 2419-BC11- Rev A;
Proposed W.01, W.03, W.06 and W15 Window details 2419- W01;
Proposed W.05 window details 2419- W02;
Proposed M& E Third Floor 2419-ME04;
Proposed W.16 Window Details;
Proposed M&E Ground Floor 2419- ME01;
Proposed M&E Second Floor 2419- ME03;
Proposed W.17, W.24 Window Details 2419- W04;
Proposed W.23 Window Details 2419- W06;
Proposed W.20, W.21 Windows Details 2419- W08;
Proposed W.18, W.19 Window Details 2419- W07;
Proposed Interior Door Details 2419- D02;
Proposed M & E First Floor Plan 2419- ME02;
Proposed Exterior Door Details 2419-D01;
Proposed Flat 1 Kitchen 2419- K01;
Proposed Flat 2 en- suite 2419- B03;
Proposed Flat 2 Kitchen 2419- K02;
Proposed Flat 1 Bathroom 2419-B01;
Proposed No.8 Kitchen 2419- K03;
Proposed Flat 2 Bathroom 2419- B02;
Proposed No.8 Bathroom 2419- B04.
All received 7th August 2023
And;

Email from agent received 11 September 2023 (including internal shutter details).

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.

3. Prior to any internal insulation being installed a specification of the insulation to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the agreed details and be retained as such thereafter.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

4. Where any repair/replacement is required on the pantile roof, the roof tiles to be used shall match the existing pantiles exactly in terms of size, shape and colour unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and the character and appearance of the site and the Gainsborough Conservation Area. To preserve the fabric and appearance of the host listed building and setting of the nearby listed buildings to accord with the National Planning Policy Framework and local policies S53 and S57 of the Central Lincolnshire Local Plan and NPP6, NPP7 and NPP18 of the Gainsborough Neighbourhood Plan and Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

5. Prior to the installation of the stone floor tiles, a specification shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the agreed details and be 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 site and the Gainsborough Conservation Area. To preserve the fabric and appearance of the host listed building and setting of the nearby listed buildings to accord with the National Planning Policy Framework and local policies S53 and S57 of the Central Lincolnshire Local Plan and NPP6, NPP7 and NPP18 of the Gainsborough Neighbourhood Plan and Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

6. Prior to the installation of the awning hereby approved and to be installed to the front façade/shop front on Silver Street an exact specification shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the agreed details and be 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 site and the Gainsborough Conservation Area. To preserve the fabric and appearance of the host listed building and setting of the nearby listed buildings to accord with the National Planning Policy Framework and local policies S53 and S57 of the Central Lincolnshire Local Plan and NPP6, NPP7 and NPP18 of the Gainsborough Neighbourhood Plan and Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

7. The glazed brick hereby approved to be used on the shop frontages shall be Royal Blue glazed brick by Ibstock, as detailed in email received 11th September 2023 from Scorer Hawkins Architects unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and the character and appearance of the site and the Gainsborough Conservation Area. To preserve the fabric and appearance of the host listed building and setting of the nearby listed buildings to accord with the National Planning Policy Framework and local policies S53 and S57 of the Central Lincolnshire Local Plan and NPP6, NPP7 and NPP18 of the Gainsborough Neighbourhood Plan and Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

8. Prior to the installation of the zinc roof covering hereby approved an exact specification and drawings detailing the style, widths, rolls, fascia's and finishes shall be submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the agreed details and be 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 site and the Gainsborough Conservation Area. To preserve the fabric and appearance of the host listed building and setting of the nearby listed buildings to accord with the National Planning Policy Framework and local policies S53 and S57 of the Central Lincolnshire Local Plan and NPP6, NPP7 and NPP18 of the Gainsborough Neighbourhood Plan and Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

9. Prior to any works commencing in respect of the render, a specification of the proposed render to be used/replaced shall be submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the agreed details and be 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 site and the Gainsborough Conservation Area. To preserve the fabric and appearance of the host listed

building and setting of the nearby listed buildings to accord with the National Planning Policy Framework and local policies S53 and S57 of the Central Lincolnshire Local Plan and NPP6, NPP7 and NPP18 of the Gainsborough Neighbourhood Plan and Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

10. Prior to the installation of any new coping stones, provision shall be made on site for the Local Planning Authority to inspect the existing and proposed coping stones to be used in the development hereby approved. The development shall only proceed in accordance with the agreed details and be retained as such thereafter.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

11. Prior to any repair works to the brick wall forming the eastern elevation, a plan showing the extent of any repairs along with specification details of the proposed mortar to be used in any repair/repointing works shall be submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the agreed details and be 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 site and the Gainsborough Conservation Area. To preserve the fabric and appearance of the host listed building and setting of the nearby listed buildings to accord with the National Planning Policy Framework and local policies S53 and S57 of the Central Lincolnshire Local Plan and NPP6, NPP7 and NPP18 of the Gainsborough Neighbourhood Plan and Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

12. All new external and internal works and finishes and works of making good to the retained fabric, shall match the existing original work adjacent in respect of methods, detailed execution and finished appearance unless otherwise approved in writing by the Local Planning Authority.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

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

None.

Notes to the Applicant

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>

Shopfront Colour

A suitable heritage colour should be used in the painting of the shop front/façade.

Recommended Conditions- Listed Building Consent 146927

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:

- Site Location plan inc. block plan 2419-OS01;
- Proposed Roof plan 2419-BC05 Rev A;
- Proposed Ground Floor Plan 2419- BC01 Rev A;
- Proposed East elevation 2419- BC01 Rev A;
- Proposed North Elevation 2419- BC06 Rev A;
- Proposed First Floor Plan 2419- BC02 Rev A;
- Proposed Second Floor Plan 2419- BC03- Rev A;
- Proposed Third Floor Plan 2419- BC04 Rev A;
- Proposed Section Elevation AA 2419-BC10 Rev A;
- Proposed Ridge and Eaves Detail 2419 BC12;
- Proposed Silver Street Shopfront Details 2419- BC07 Rev A;
- Proposed Curtis Walk Shopfront Details 2419- BC09;
- Proposed South Elevation and Section BB 2419-BC11- Rev A;
- Proposed W.01, W.03, W.06 and W15 Window details 2419- W01;
- Proposed W.05 window details 2419- W02;
- Proposed M& E Third Floor 2419-ME04;

Proposed W.16 Window Details;
Proposed M&E Ground Floor 2419- ME01;
Proposed M&E Second Floor 2419- ME03;
Proposed W.17, W.24 Window Details 2419- W04;
Proposed W.23 Window Details 2419- W06;
Proposed W.20, W.21 Windows Details 2419- W08;
Proposed W.18, W.19 Window Details 2419- W07;
Proposed Interior Door Details 2419- D02;
Proposed M & E First Floor Plan 2419- ME02;
Proposed Exterior Door Details 2419-D01;
Proposed Flat 1 Kitchen 2419- K01;
Proposed Flat 2 en- suite 2419- B03;
Proposed Flat 2 Kitchen 2419- K02;
Proposed Flat 1 Bathroom 2419-B01;
Proposed No.8 Kitchen 2419- K03;
Proposed Flat 2 Bathroom 2419- B02;
Proposed No.8 Bathroom 2419- B04.

All received 7th August 2023

And;

Email from agent received 11 September 2023 (including internal shutter details).

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.

3. Prior to any internal insulation being installed a specification of the insulation to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the agreed details and be retained as such thereafter.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

4. Where any repair/replacement is required on the pantile roof, the roof tiles to be used shall match the existing pantiles exactly in terms of size, shape and colour unless otherwise approved in writing by the Local Planning Authority.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

5. Prior to the installation of the stone floor tiles, a specification shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the agreed details and be retained as such thereafter.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

6. Prior to the installation of the awning hereby approved and to be installed to the front façade/shop front on Silver Street an exact specification shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the agreed details and be retained as such thereafter.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

7. The glazed brick hereby approved to be used on the shop frontages shall be Royal Blue glazed brick by Ibstock, as detailed in email received 11th September 2023, unless otherwise approved in writing by the Local Planning Authority.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

8. Prior to the installation of the zinc roof covering hereby approved an exact specification and drawings detailing the style, widths, rolls, fascia's and finishes shall be submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the agreed details and be retained as such thereafter.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

9. Prior to any works commencing in respect of the render, a specification of the proposed render to be used/replaced shall be submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the agreed details and be retained as such thereafter.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

10. Prior to the installation of any new coping stones, provision shall be made on site for the Local Planning Authority to inspect the existing and proposed coping stones to be used in the development hereby approved. The development shall only proceed in accordance with the agreed details and be retained as such thereafter.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

11. Prior to any repair works to the brick wall forming the eastern elevation, a plan showing the extent of any repairs along with specification details of the proposed mortar to be used in any repair/repointing works shall be submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the agreed details and be retained as such thereafter.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

12. All new external and internal works and finishes and works of making good to the retained fabric, shall match the existing original work adjacent in respect of methods, detailed execution and finished appearance unless otherwise approved in writing by the Local Planning Authority.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

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

None.

Notes to the Applicant

Hidden Historic Features During the works, if any hidden historic features are revealed they must be retained in-situ. Works must cease within the relevant area of the building and the Local Planning Authority notified immediately.

Shopfront Colour- A suitable heritage colour should be used in the painting of the shop front/façade.

Human Rights Implications:

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

Legal Implications:

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

Representors to be notified -
(highlight requirements):

Standard Letter

Special Letter

Draft enclosed

Prepared by : Danielle Peck

Date : 18/09/2023

Signed: *D Peck*

Authorising Officer:



... Date: 18th September 2023

Decision Level (tick as appropriate)

Committee X

PAPER G

Listed Building Consent

Name and address of applicant

M. Adair
1 Silver Street
Gainsborough
Lincolnshire
DN21 2DT

Name and address of agent (if any)

Scorer Hawkins Architects Ltd.
Lodge Farm Barns
Skendleby
Spilsby
PE23 4QF

Part I – Particulars of application

Date of application

10/07/2023

Application no

146927

Particulars and location of development

Listed building consent to replace shopfront and facade, introduction of 3no. new shopfronts, renovation and refurbishment of interior spaces to create new shop floor and 3no. flats above.

1 Silver Street Gainsborough Lincolnshire DN21 2DT

Part II – Particulars of decision

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

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

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

Reason: To conform with Section 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 Location plan inc. block plan 2419-OS01;

Proposed Roof plan 2419-BC05 Rev A;
Proposed Ground Floor Plan 2419- BC01 Rev A;
Proposed East elevation 2419- BC01 Rev A;
Proposed North Elevation 2419- BC06 Rev A;
Proposed First Floor Plan 2419- BC02 Rev A;
Proposed Second Floor Plan 2419- BC03- Rev A;
Proposed Third Floor Plan 2419- BC04 Rev A;
Proposed Section Elevation AA 2419-BC10 Rev A;
Proposed Ridge and Eaves Detail 2419 BC12;
Proposed Silver Street Shopfront Details 2419- BC07 Rev A;
Proposed Curtis Walk Shopfront Details 2419- BC09;
Proposed South Elevation and Section BB 2419-BC11- Rev A;
Proposed W.01, W.03, W.06 and W15 Window details 2419- W01;
Proposed W.05 window details 2419- W02;
Proposed M& E Third Floor 2419-ME04;
Proposed W.16 Window Details;
Proposed M&E Ground Floor 2419- ME01;
Proposed M&E Second Floor 2419- ME03;
Proposed W.17, W.24 Window Details 2419- W04;
Proposed W.23 Window Details 2419- W06;
Proposed W.20, W.21 Windows Details 2419- W08;
Proposed W.18, W.19 Window Details 2419- W07;
Proposed Interior Door Details 2419- D02;
Proposed M & E First Floor Plan 2419- ME02;
Proposed Exterior Door Details 2419-D01;
Proposed Flat 1 Kitchen 2419- K01;
Proposed Flat 2 en- suite 2419- B03;
Proposed Flat 2 Kitchen 2419- K02;
Proposed Flat 1 Bathroom 2419-B01;
Proposed No.8 Kitchen 2419- K03;
Proposed Flat 2 Bathroom 2419- B02;
Proposed No.8 Bathroom 2419- B04.
All received 7th August 2023
And;
Email from agent received 11 September 2023 (including internal shutter details).

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.

3. Where any repair/replacement is required on the pantile roof, the roof tiles to be used shall match the existing pantiles exactly in terms of size, shape and colour unless otherwise approved in writing by the Local Planning Authority.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

4. The floor tiles hereby approved shall be “Mandarin Stone di Scacchi tumbled marble” as detailed in the specification in email from Chris Bowen received 2nd

October 2023. The development shall proceed in accordance with the agreed details and be retained as such thereafter.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

5. The awning hereby approved, to be installed to the front façade/shop front on Silver Street shall be “Deans Shop Blind- The Original Victorian Awning” as detailed in the specification in email from Chris Bowen received 2nd October and as depicted on drawing reference 2419- BC07 Rev A. The development shall proceed in accordance with the agreed details and be retained as such thereafter.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

6. The glazed brick hereby approved to be used on the shop frontages shall be Royal Blue glazed brick by Ibstock, as detailed in email from Chris Bowen received 11th September 2023, unless otherwise approved in writing by the Local Planning Authority.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

7. The zinc roof covering hereby approved to be used in the development shall be “RheinZink- Double Standing Seam” as detailed in the specification in email received 2nd October 2023 from Chris Bowen. The development shall only proceed in accordance with the agreed details and be retained as such thereafter.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

8. The render to be used in the development hereby approved shall be “Cork Sol breathable render” in an off-white finish as detailed in email from Chris Bowen dated 11th September 2023. The development shall only proceed in accordance with the agreed details and be retained as such thereafter.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

9. Prior to the installation of any new coping stones, provision shall be made on site for the Local Planning Authority to inspect the existing and proposed coping stones to be used in the development hereby approved. The development shall only proceed in accordance with the agreed details and be retained as such thereafter.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

10. All new external and internal works and finishes and works of making good to the retained fabric, shall match the existing original work adjacent in respect of methods, detailed execution and finished appearance unless otherwise approved in writing by the Local Planning Authority.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

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

None.

Notes to the Applicant

Hidden Historic Features During the works, if any hidden historic features are revealed they must be retained in-situ. Works must cease within the relevant area of the building and the Local Planning Authority notified immediately.

Shopfront Colour- A suitable heritage colour should be used in the painting of the shop front/façade.

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 proposal is considered as preserving 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. The consent is therefore recommended for approval, subject to conditions.

Date: 5th October 2023

Signed:



Head of Paid Service

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

Note

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

Attention is drawn to section 8(2) of the Act, the effect of which is that demolition may not be undertaken (despite the terms of any consent granted by the local planning authority) until notice of the proposal has been given to the Royal

Commission of Historical Monuments, Fortress House, 23 Savile Row, London W1X 1AB and the Commission subsequently have either been given reasonable access to the building for at least one month following the grant of consent, or have stated that they have completed their record of the building or that they do not wish to record it. A form on notice is available from the Royal Commission of Historical Monuments.

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

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

Officers Report
Planning Application No: 146926
Listed Building Consent: 146927

PROPOSAL: Planning application to replace shopfront and facade, introduction of 3no. new shopfronts, renovation and refurbishment of interior spaces to create new shop floor and 3no. flats above.

AND

Listed building consent to replace shopfront and facade, introduction of 3no. new shopfronts, renovation and refurbishment of interior spaces to create new shop floor and 3no. flats above.

LOCATION: 1 Silver Street Gainsborough Lincolnshire DN21 2DT
WARD: Gainsborough South West
WARD MEMBER(S): Cllr T V Young and Cllr J S McGhee
APPLICANT NAME: Mr Adair

TARGET DECISION DATE: 04/09/2023
DEVELOPMENT TYPE: Minor all others and Listed Building Alter/Extend
CASE OFFICER: Danielle Peck

RECOMMENDED DECISION: Grant planning permission and listed building consent with conditions

The application is referred to the planning committee for determination in line with the constitution as the proposal is considered to be a departure from Policy S49: Parking Standards of the Central Lincolnshire Local Plan 2023.

Site Description: The application site comprises of a Grade II Listed Building within the Gainsborough Town Centre. The property is a three storey terraced building that fronts on to the southern side of Silver Street, one of the main routes through Gainsborough Town Centre. The site is within the Gainsborough Town Conservation Area, within close proximity to a number of Grade II Listed Buildings and is also within the Gainsborough Primary Shopping Area.

The Historic England listing describes the property as follows¹

*SILVER STREET 1. 5315 (South-East Side) Nos 1 and 3 SK 8189
1/120 II GV*

¹ <https://historicengland.org.uk/listing/the-list/list-entry/1359762?section=official-list-entry>

2. C18. 3 storeys in red and painted brick with coped parapet. 4 windows, painted brick voussoirs, hung sashes without glazing bars, 2 modern shop fronts. Centre passage entry.

Nos 1 to 7 (odd) form a group together with No 10 Silver Street and Nos 21 to 27 (odd) Market Place. Nos 25 and 27 Market Place being of local interest.

The Proposal: The application seeks planning permission and listed building consent for the replacement of the shop front and facade (Silver Street), the introduction of 3no. new shop units and frontages along the east elevation (Curtis Walk). The proposals also include external and internal alterations to facilitate the new shop units and 3no. flats above, consisting of two one-bedroom flats and one three bedroom flat. The proposed development would benefit from the Townscape Heritage funding scheme.

Departure Procedure: The application has been advertised as a departure from the local plan in line with Section 15 (2) of the TCPA Development Management Procedure Order 2015² a site notice was displayed on 31/08/2023 and a notice has been placed in the local newspaper on 07/09/2023. The advertisement of the departure therefore meets the provisions of Section 15 of the DMPO.

Relevant history:

W33/LB/40/91- Listed Building consent to display 2 signs. Granted 11/12/91.

W33/A/16/91- Consent to display non-illuminated fascia sign and non-illuminated projecting sign. Consent granted 11/12/91.

Representations:

Full versions of the following representations can be found on the council's website using the following links:

146926- <https://www.west-lindsey.gov.uk/planning-building-control/planning/view-search-planning-applications/search-planning-application-database?docid=146926>

146927- <https://www.west-lindsey.gov.uk/planning-building-control/planning/view-search-planning-applications/search-planning-application-database?docid=146927>

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

² <https://www.legislation.gov.uk/uksi/2015/595/article/15>

Gainsborough Town Council: The committee resolved to support the application subject to consideration of sufficient fire escape routes at the rear of residential properties/flats.

Historic England: Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application. We suggest that you seek the views of your specialist conservation and archaeological advisers.

WLDC Growth Team: In principle and subject to normal planning considerations, the Growth Team are supportive of the proposal for the following reasons:

- The proposal strongly aligns to the wider regeneration and investment objectives for Gainsborough's town centre, such as heritage led regeneration with reinstatement of traditional shop fronts and creation of upper floor residential space to support the integration of multiple uses across the town centre space.
- Enhanced retail offer – whilst the town centre currently has several vacant retail units, a high proportion of the vacant retail units in the immediate vicinity are of a much larger size. The smaller scale units proposed would bring a new offer and strengthen the variety of options available to traders within the historic heart of Gainsborough.
- A busier street scene encourages greater use of the existing linkage between Heaton Street and the Market Place.
- Complements the existing primary retail use of space on Curtis Walk.
- Improves the street scape in the immediate vicinity of Curtis Walk and onto Silver Street.

WLDC Conservation Officer: No objections. Email (dated 08/09/2023) sent to case officer with queries re proposed materials. Points in the email have been responded to by the agent (dated 11/09/2023). No further comments have been received.

Local residents: No representations received to date.

LCC Highways/Lead Local Flood Authority: No objections. This site is in a highly sustainable location within the town for the siting of flats. There will be no impact on the public highway as a result of external changes to the shopfront.

Environment Agency: No representations received to date.

Archaeology: The building affected by this planning application is of local significance. It is a Grade II listed building within the Gainsborough Conservation Area. As such I recommend that an Historic Building Recording is carried out. The report produced should be sent to and approved by LCC Archaeology Section prior to any alterations being carried out at 1 Silver Street.

ECM Checked: 18/09/2023

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 2021); and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016).

Development Plan

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

Relevant policies of the CLLP include:

Policy S1: The Spatial Strategy and Settlement Hierarchy

Policy S2: Growth Levels and Distribution

Policy S3: Housing in the Lincoln Urban Area, Main Towns and Market Towns

Policy S6: Design Principles for Efficient Buildings

Policy S13: Reducing Energy Consumption in Existing Buildings

Policy S20: Resilient and Adaptable Design

Policy S21: Flood Risk and Water Resources

Policy S23: Meeting Accommodation Needs

Policy S35: Network and Hierarchy of Centres

Policy S37: Gainsborough Town Centre and Primary Shopping Area

Policy NS41: City and Town Centre Frontages

Policy S47: Accessibility and Transport

Policy S49: Parking Provision

Policy S53: Design and Amenity

Policy S57: The Historic Environment

<https://www.n-kesteven.gov.uk/central-lincolnshire>

- ***Gainsborough Neighbourhood Plan MADE 2021 (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 8 A Mix of Housing Types

NPP 18 Protecting and Enhancing Heritage Assets

NPP 19 Improving the Vitality of the Town Centre

<https://www.west-lindsey.gov.uk/planning-building-control/planning/neighbourhood-planning/all-neighbourhood-plans-west-lindsey/gainsborough-town-neighbourhood-plan>

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

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

<https://www.lincolnshire.gov.uk/planning/minerals-waste>

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 latest iteration of the NPPF was published in September 2023.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf

- ***National Planning Practice Guidance***
<https://www.gov.uk/government/collections/planning-practice-guidance>
- ***National Design Guide (2019)***
<https://www.gov.uk/government/publications/national-design-guide>
- ***National Design Code (2021)***
<https://www.gov.uk/government/publications/national-model-design-code>

Other

Statutory Duties under Sections 16, 66 and 72 of the Town and Country Planning (Listed Buildings & Conservations Area) Act 1990.

Gainsborough Town Centre Conservation Area Appraisal

Main issues

- Principle of Development;
- Impact on designated heritage assets, including the host listed buildings;
- Design and Visual Impact;
- Impact upon Residential Amenity;
- Highways and Parking;
- Drainage;
- Other Matters.

Assessment:

Principle of Development

The application seeks planning permission for a new hardwood timber shopfront, the conversion of the upper floors to 3no. flats as well as the installation of 3no. shop units, along with other internal and external works and repairs. The Central Lincolnshire Local Plan contains a suite of policies to guide development within the Town Centre.

Gainsborough is designated as a Main Town within Policy S1 of the CLLP. Policy S1 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 relates to new housing in the Main Towns of Central Lincolnshire and 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.*

Paragraph 86 of the NPPF is supportive of residential development within Town Centre locations as it helps to ensure their vitality by increasing the total population living in close proximity to local amenities. Significant weight is also attached to securing the future use of a designated heritage asset.

The Gainsborough Town Centre section of Policy S37 of the CLLP states that; *'Development proposals within Gainsborough Town Centre, not in E Use Class will be considered on their merits subject to satisfying the criteria in a)-e) where relevant and providing that they will:*

f) not result in large gaps between town centre uses in frontages;
g) not detract from or otherwise harm or conflict with town centre uses; and
h) be compatible with maintaining or enhancing Gainsborough Town Centre as a sub-regional shopping destination.

Proposals for residential or commercial development above town centre uses will be supported providing that the proposed use would not be likely to introduce conflict with existing uses.'

Point 4 of Policy NPP19 of the GNP states that; *Development proposals for the use of upper floors of commercial premises within the town centre for residential use will be supported where it can be demonstrated.*

With regard to the shop units, the site is within the Gainsborough Primary Shopping Area where such retail units on ground floors are supported in

principle given that they will contribute towards the vitality and viability of the town centre. The proposals will also help to assist in wider regeneration of the town centre by offering an improved retail offer given the smaller units proposed.

Overall, the site is located within the developed footprint of Gainsborough, being within the town centre. The proposal will maintain a retail use on its ground floor level and would therefore meet within criteria f-h of Policy S37.

The residential development element of the proposals is supported by the development plan and the NPPF as this would complement the existing uses ensuring the continued vitality of the town centre. In principle it is considered that the proposal accords to policies S1, S3, S35, S37 and NS41 of the CLLP.

Impact on designated heritage assets including the host listed building

The application site comprises of a Grade II Listed building and lies within the setting of other Grade II Listed buildings as well as being within the Gainsborough Town Centre Conservation Area.

The applications propose several alterations to the building externally and internally, comprising of:

- The installation of new timber shop front with awning and façade to Silver Street frontage (north elevation);
- Installation of 3no. shop units and frontages to Curtis Walk (east) along with internal works to divide the units;
- Internal alterations to form 3no. flats;
- External repairs and alterations to the existing building, including new window and door openings;
- Installation of new zinc pitched roof to rear part of building along Curtis Walk above new shop units.

Section 16 (2) of the Planning (Listed Building & Conservation Areas) act 1990 places a legislative requirement that in considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 of the Planning (Listed Building & Conservation Areas) Act 1990 places a legislative requirement that when considering whether to grant planning permission for development which affects a conservation area, the local planning authority shall have special regard to the desirability of preserving or enhancing the character or appearance of that area.

Policy S57 states that development proposals should protect, conserve and seek opportunities to enhance the historic environment of Central Lincolnshire. This aim is echoed within policy NPP18 of the NP.

Policy NS41 of the CLLP states that:

'Proposals for new frontages or alterations to existing frontages within an identified centre will be permitted provided the proposal: a. is of a high quality design and is sympathetic in scale, proportion and appearance to the building of which it forms part, and to the character of the surrounding street scene; and
b. protects, and where possible enhances, traditional or original frontage or features that are of architectural or historic interest, particularly if the building is listed or within a conservation area; and
c. is designed to allow equal access for all users.'

Point 8 of Policy NPP18 of the NP states that; *Development proposals for the renovation of buildings and shopfronts in the Town Centre that reinforce its historic character and comply with West Lindsey District Council's shopfront improvement scheme will be supported.*

The existing site comprises of a Grade II Listed building with a frontage located on the south side of Silver Street and a more modern red brick extension to the south, along Curtis Walk. The application has been accompanied with a large number of plans with annotations, materials info including window and door details.

The proposed new timber shopfront and façade onto Silver Street is of a design that is appropriate, reflecting its historic appearance whilst also helping to improve the frontage along this main route through Gainsborough Town Centre. The applicant and agent have been involved with the councils Townscape Heritage team to design an appropriate shop front, with reference to the historic design. The new shop frontages along Curtis Walk will have timber cladded folding shutters, with royal blue glazed bricks on the surrounds these are considered to be of a design that would enhance this part of the conservation area. Other external alterations along the Curtis Walk elevation include the insertion of new window openings to serve the flats. Pantile roof repairs on the building will be like for like and copings will be replaced with stone. Full proposed replacement window detail drawings have been provided and are considered to be acceptable. The internal works to form the 3no. flats, include the repair of existing staircases and retention of features such as fireplaces. New internal divides are also proposed in the ground floor south section of the building to form the 3no. new shop units. The full scope of the works shown on the proposed plans have also been reviewed by the councils Conservation Officer and have been found to be acceptable in terms of the impact on historic fabric and that they would preserve the special historic interest of the host building.

The comments from Lincolnshire County Council archaeology department requiring the submission of a historic building record are noted. This has been discussed between the case officer and conservation officer. Many photographs and existing plans have been submitted with the application and it is not considered necessary or reasonable to request any further information to be conditioned.

Overall, the works would preserve the special historic interest of the host listed building and the conservation area. In addition to this, the proposal would enhance the street scenes within the Town Centre with improved and new shop fronts that reflects the history of the building in a sympathetic way. The proposals would accord to Statutory Duties, the policies within the Development Plan and Section 16 of the NPPF.

Impact upon Residential Amenity

Policy S53 of the CLLP requires that development proposals do not have an unacceptable impact on residential amenity. This includes considerations such as compatibility with neighbouring land uses, noise, vibration, odour, and the creation of safe environments amongst other things.

There are no concerns in relation to overlooking, over dominance or loss of light over adjoining properties. All three of the units meet with the nationally described space standards. The main living areas of the flats and bedrooms would all be served by windows, allowing adequate light to enter the rooms. In terms of noise, a level of noise is to be expected in a town centre location. One of the adjoining units is a fast food takeaway, however it is not considered that there would be any unacceptable noise, odour or extraction impacts for the occupiers of the flats and is considered to be acceptable.

The lack of outside amenity space is noted; however this is not an unusual situation for town centre flats, other grassed amenity areas are available within the town centre area, notably along the Riverside Walk.

The development would therefore not have an unacceptable harmful impact on the living conditions of the future occupiers and is acceptable with regard to the impact on existing neighbouring uses and would accord with policy S53 and the provisions of the NPPF, particularly paragraph 130(f).

Highways and Parking

No objection has been received from the Local Highway Authority relating to the proposed development. Appendix 2 of the CLLP which is referred to in Policy S49 states that 1 bed dwellings in market towns should provide 1 parking space per dwelling plus visitor spaces. The proposal does not include any dedicated parking provision for the flats. It is noted that no parking provision has been requested by the highway's authority, stating that the development is in a highly sustainable location. The Gainsborough NP does not contain any specific figures with regard to parking provision for new dwellings within the town.

With consideration to the town centre location with close walking proximity to numerous facilities/services and siting close to public transport links, including the bus station, it is considered that the non-inclusion of parking provision is acceptable in this case. It is also considered that the benefits of restoring and bringing the upper floors of this Grade II listed building back into use greatly

outweighs the harm caused by the lack of parking provision and the departure from local policy S49 of the CLLP. Taking this into account it is not considered reasonable to withhold permission on this ground alone and on balance the lack of parking is justified in this instance.

Drainage

The site benefits from existing foul and surface water drainage connections which the proposed flats and shop units will link into. The proposals will not increase the external floor space of the existing building. Given the existing drainage connections at the site it is not considered necessary to request any further details to be submitted in this respect.

Other Matters-

Flood Risk- The majority of the site is located within Flood Zone 2 with a small area to the rear being located within Flood Zone 3, the application has been accompanied with an FRA. With regard to the ground floor use of the building, as existing it is a retail use, therefore there is no change in the vulnerability category as defined in the flood risk vulnerability table in the NPPF. The external façade and new shop frontage works would not increase the risk of flooding to others, given that there would be no increase in the floor space. In addition to this none of the 3no. flats are located at ground floor level, whilst their ground floor access is located in Flood Zone 2, this is the same as the existing situation at the site. There is to be no increase in external floor space and therefore it is not considered that the proposal would increase the risk of flooding for others and future occupiers would be safe in a flood event. Overall, matters of flood risk are considered to be acceptable.

Minerals Safeguarding Area- Changes of use to existing buildings and listed building consent applications are considered to be exempt from safeguarding considerations. In any case, due to the development being within the continuous developed footprint of Gainsborough it is not considered that safeguarding considerations are engaged in this case.

Energy Policies- It is noted that Policy S13 of the CLLP encourages applicants to consider all opportunities to improve energy efficiency and where such efforts achieve an improved EPC rating would be supported in principle. Notwithstanding that the wording of Policy S13 only encourages applicants to take into account improving energy efficiency, in this instance, it is not considered necessary to request that any amendments are made to the proposals given that the site comprises of a listed building, in a conservation area and within the setting of other listed buildings where such new internal materials, solar panels and air source heat pumps, for example would likely not be supported.

Community Infrastructure Levy- West Lindsey District Council adopted a Community Infrastructure Levy (CIL) which will be charged from 22nd January 2018. The development would be located within Zone 4 West Gainsborough therefore would not be liable to a CIL payment.

Planning Application Conclusion:

The application has been considered against policies Policy S1: The Spatial Strategy and Settlement Hierarchy, Policy S2: Growth Levels and Distribution, Policy S3: Housing in the Lincoln Urban Area, Main Towns and Market Towns, Policy S6: Design Principles for Efficient Buildings, Policy S13: Reducing Energy Consumption in Existing Buildings, Policy S20: Resilient and Adaptable Design, Policy S21: Flood Risk and Water Resources, Policy S23: Meeting Accommodation Needs, Policy S37: Gainsborough Town Centre and Primary Shopping Area, Policy NS41: City and Town Centre Frontages, Policy S47: Accessibility and Transport, Policy S49: Parking Provision, Policy S53: Design and Amenity, Policy S57: The Historic Environment of the Central Lincolnshire Local Plan and the policies contained within the Gainsborough Neighbourhood Plan and the statutory duties contained within the 'Act' in the first instance as well as the provisions of the NPPF and guidance contained within the NPPG.

In light of this assessment it is considered that the principle of development in this location can be supported. The proposed external alterations would enhance the character and appearance of the conservation area and the street scene in this town centre location. The proposals would enhance the host listed building and the impacts on this historic fabric have been found to be acceptable. Matters of highway safety, residential amenity, flood risk and drainage are also considered to be acceptable. The proposal does represent a departure from the provisions of Policy S49, however as detailed in the above report, the heritage benefits that the scheme would bring is considered to outweigh the lack of proposed parking provision in this case. The application is therefore recommended for approval, subject to conditions.

Listed Building Consent Conclusion:

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 preserving 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. The consent is therefore recommended for approval, subject to conditions.

RECOMMENDATION- Grant planning permission and listed building consent with the following conditions.

Recommended Conditions- Planning Permission 146926

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:

Site Location plan inc. block plan 2419-OS01;
Proposed Roof plan 2419-BC05 Rev A;
Proposed Ground Floor Plan 2419- BC01 Rev A;
Proposed East elevation 2419- BC01 Rev A;
Proposed North Elevation 2419- BC06 Rev A;
Proposed First Floor Plan 2419- BC02 Rev A;
Proposed Second Floor Plan 2419- BC03- Rev A;
Proposed Third Floor Plan 2419- BC04 Rev A;
Proposed Section Elevation AA 2419-BC10 Rev A;
Proposed Ridge and Eaves Detail 2419 BC12;
Proposed Silver Street Shopfront Details 2419- BC07 Rev A;
Proposed Curtis Walk Shopfront Details 2419- BC09;
Proposed South Elevation and Section BB 2419-BC11- Rev A;
Proposed W.01, W.03, W.06 and W15 Window details 2419- W01;
Proposed W.05 window details 2419- W02;
Proposed M& E Third Floor 2419-ME04;
Proposed W.16 Window Details;
Proposed M&E Ground Floor 2419- ME01;
Proposed M&E Second Floor 2419- ME03;
Proposed W.17, W.24 Window Details 2419- W04;
Proposed W.23 Window Details 2419- W06;
Proposed W.20, W.21 Windows Details 2419- W08;
Proposed W.18, W.19 Window Details 2419- W07;
Proposed Interior Door Details 2419- D02;
Proposed M & E First Floor Plan 2419- ME02;
Proposed Exterior Door Details 2419-D01;
Proposed Flat 1 Kitchen 2419- K01;
Proposed Flat 2 en- suite 2419- B03;
Proposed Flat 2 Kitchen 2419- K02;
Proposed Flat 1 Bathroom 2419-B01;
Proposed No.8 Kitchen 2419- K03;
Proposed Flat 2 Bathroom 2419- B02;
Proposed No.8 Bathroom 2419- B04.
All received 7th August 2023
And;

Email from agent received 11 September 2023 (including internal shutter details).

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.

3. Prior to any internal insulation being installed a specification of the insulation to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the agreed details and be retained as such thereafter.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

4. Where any repair/replacement is required on the pantile roof, the roof tiles to be used shall match the existing pantiles exactly in terms of size, shape and colour unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and the character and appearance of the site and the Gainsborough Conservation Area. To preserve the fabric and appearance of the host listed building and setting of the nearby listed buildings to accord with the National Planning Policy Framework and local policies S53 and S57 of the Central Lincolnshire Local Plan and NPP6, NPP7 and NPP18 of the Gainsborough Neighbourhood Plan and Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

5. Prior to the installation of the stone floor tiles, a specification shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the agreed details and be 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 site and the Gainsborough Conservation Area. To preserve the fabric and appearance of the host listed building and setting of the nearby listed buildings to accord with the National Planning Policy Framework and local policies S53 and S57 of the Central Lincolnshire Local Plan and NPP6, NPP7 and NPP18 of the Gainsborough Neighbourhood Plan and Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

6. Prior to the installation of the awning hereby approved and to be installed to the front façade/shop front on Silver Street an exact specification shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the agreed details and be 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 site and the Gainsborough Conservation Area. To preserve the fabric and appearance of the host listed building and setting of the nearby listed buildings to accord with the National Planning Policy Framework and local policies S53 and S57 of the Central Lincolnshire Local Plan and NPP6, NPP7 and NPP18 of the Gainsborough Neighbourhood Plan and Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

7. The glazed brick hereby approved to be used on the shop frontages shall be Royal Blue glazed brick by Ibstock, as detailed in email received 11th September 2023 from Scorer Hawkins Architects unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and the character and appearance of the site and the Gainsborough Conservation Area. To preserve the fabric and appearance of the host listed building and setting of the nearby listed buildings to accord with the National Planning Policy Framework and local policies S53 and S57 of the Central Lincolnshire Local Plan and NPP6, NPP7 and NPP18 of the Gainsborough Neighbourhood Plan and Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

8. Prior to the installation of the zinc roof covering hereby approved an exact specification and drawings detailing the style, widths, rolls, fascia's and finishes shall be submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the agreed details and be 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 site and the Gainsborough Conservation Area. To preserve the fabric and appearance of the host listed building and setting of the nearby listed buildings to accord with the National Planning Policy Framework and local policies S53 and S57 of the Central Lincolnshire Local Plan and NPP6, NPP7 and NPP18 of the Gainsborough Neighbourhood Plan and Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

9. Prior to any works commencing in respect of the render, a specification of the proposed render to be used/replaced shall be submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the agreed details and be 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 site and the Gainsborough Conservation Area. To preserve the fabric and appearance of the host listed

building and setting of the nearby listed buildings to accord with the National Planning Policy Framework and local policies S53 and S57 of the Central Lincolnshire Local Plan and NPP6, NPP7 and NPP18 of the Gainsborough Neighbourhood Plan and Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

10. Prior to the installation of any new coping stones, provision shall be made on site for the Local Planning Authority to inspect the existing and proposed coping stones to be used in the development hereby approved. The development shall only proceed in accordance with the agreed details and be retained as such thereafter.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

11. Prior to any repair works to the brick wall forming the eastern elevation, a plan showing the extent of any repairs along with specification details of the proposed mortar to be used in any repair/repointing works shall be submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the agreed details and be 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 site and the Gainsborough Conservation Area. To preserve the fabric and appearance of the host listed building and setting of the nearby listed buildings to accord with the National Planning Policy Framework and local policies S53 and S57 of the Central Lincolnshire Local Plan and NPP6, NPP7 and NPP18 of the Gainsborough Neighbourhood Plan and Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

12. All new external and internal works and finishes and works of making good to the retained fabric, shall match the existing original work adjacent in respect of methods, detailed execution and finished appearance unless otherwise approved in writing by the Local Planning Authority.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

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

None.

Notes to the Applicant

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>

Shopfront Colour

A suitable heritage colour should be used in the painting of the shop front/façade.

Recommended Conditions- Listed Building Consent 146927

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:

- Site Location plan inc. block plan 2419-OS01;
- Proposed Roof plan 2419-BC05 Rev A;
- Proposed Ground Floor Plan 2419- BC01 Rev A;
- Proposed East elevation 2419- BC01 Rev A;
- Proposed North Elevation 2419- BC06 Rev A;
- Proposed First Floor Plan 2419- BC02 Rev A;
- Proposed Second Floor Plan 2419- BC03- Rev A;
- Proposed Third Floor Plan 2419- BC04 Rev A;
- Proposed Section Elevation AA 2419-BC10 Rev A;
- Proposed Ridge and Eaves Detail 2419 BC12;
- Proposed Silver Street Shopfront Details 2419- BC07 Rev A;
- Proposed Curtis Walk Shopfront Details 2419- BC09;
- Proposed South Elevation and Section BB 2419-BC11- Rev A;
- Proposed W.01, W.03, W.06 and W15 Window details 2419- W01;
- Proposed W.05 window details 2419- W02;
- Proposed M& E Third Floor 2419-ME04;

Proposed W.16 Window Details;
Proposed M&E Ground Floor 2419- ME01;
Proposed M&E Second Floor 2419- ME03;
Proposed W.17, W.24 Window Details 2419- W04;
Proposed W.23 Window Details 2419- W06;
Proposed W.20, W.21 Windows Details 2419- W08;
Proposed W.18, W.19 Window Details 2419- W07;
Proposed Interior Door Details 2419- D02;
Proposed M & E First Floor Plan 2419- ME02;
Proposed Exterior Door Details 2419-D01;
Proposed Flat 1 Kitchen 2419- K01;
Proposed Flat 2 en- suite 2419- B03;
Proposed Flat 2 Kitchen 2419- K02;
Proposed Flat 1 Bathroom 2419-B01;
Proposed No.8 Kitchen 2419- K03;
Proposed Flat 2 Bathroom 2419- B02;
Proposed No.8 Bathroom 2419- B04.

All received 7th August 2023

And;

Email from agent received 11 September 2023 (including internal shutter details).

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.

3. Prior to any internal insulation being installed a specification of the insulation to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the agreed details and be retained as such thereafter.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

4. Where any repair/replacement is required on the pantile roof, the roof tiles to be used shall match the existing pantiles exactly in terms of size, shape and colour unless otherwise approved in writing by the Local Planning Authority.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

5. Prior to the installation of the stone floor tiles, a specification shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the agreed details and be retained as such thereafter.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

6. Prior to the installation of the awning hereby approved and to be installed to the front façade/shop front on Silver Street an exact specification shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the agreed details and be retained as such thereafter.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

7. The glazed brick hereby approved to be used on the shop frontages shall be Royal Blue glazed brick by Ibstock, as detailed in email received 11th September 2023, unless otherwise approved in writing by the Local Planning Authority.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

8. Prior to the installation of the zinc roof covering hereby approved an exact specification and drawings detailing the style, widths, rolls, fascia's and finishes shall be submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the agreed details and be retained as such thereafter.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

9. Prior to any works commencing in respect of the render, a specification of the proposed render to be used/replaced shall be submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the agreed details and be retained as such thereafter.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

10. Prior to the installation of any new coping stones, provision shall be made on site for the Local Planning Authority to inspect the existing and proposed coping stones to be used in the development hereby approved. The development shall only proceed in accordance with the agreed details and be retained as such thereafter.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

11. Prior to any repair works to the brick wall forming the eastern elevation, a plan showing the extent of any repairs along with specification details of the proposed mortar to be used in any repair/repointing works shall be submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the agreed details and be retained as such thereafter.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

12. All new external and internal works and finishes and works of making good to the retained fabric, shall match the existing original work adjacent in respect of methods, detailed execution and finished appearance unless otherwise approved in writing by the Local Planning Authority.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

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

None.

Notes to the Applicant

Hidden Historic Features During the works, if any hidden historic features are revealed they must be retained in-situ. Works must cease within the relevant area of the building and the Local Planning Authority notified immediately.

Shopfront Colour- A suitable heritage colour should be used in the painting of the shop front/façade.

Human Rights Implications:

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

Legal Implications:

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

Representors to be notified -
(highlight requirements):

Standard Letter

Special Letter

Draft enclosed

Prepared by : Danielle Peck

Date : 18/09/2023

Signed: *D Peck*

Authorising Officer:



... Date: 18th September 2023

Decision Level (tick as appropriate)

Committee X

PAPER H

Planning Permission

Name and address of applicant

Mr S. Bejugam
HDS Properties LTD.
C/O Agent, Scorer Hawkins Architects
Lodge Farm Barns
Skendleby, Spilsby, Lincolnshi
PE23 4QF

Name and address of agent (if any)

Mr Jonathan Capek
Scorer Hawkins Architects Ltd
Lodge Farm Barns
Skendleby
Spilsby, Lincolnshire
PE23 4QF

Part One – Particulars of application

Date of application:
30/05/2023

Application number:
146815

Particulars and location of development:

Planning application for the refurbishment of the front façade, replacement roof covering and conversion of upper floor into 1no. residential unit.

1-5 Lord Street Gainsborough Lincolnshire DN21 2DD

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. Prior to their installation, details of the colour of the new windows, doors and awnings shall be submitted to and approved in writing by the Local Planning Authority. The approved colour shall be used on the new windows doors and awnings and retained thereafter.

Reason: To ensure the use of an appropriate colour within the Conservation Area and in the interests of visual amenity and the character and appearance of the site to accord with the National Planning Policy Framework and policies S53 and S57 of the Central Lincolnshire Local Plan.

3. Prior to re-roofing, a sample of the natural Welsh slate shall be provided on site or full details submitted to and approved in writing by the Local Planning Authority. The approved slate shall then be used.

Reason: To ensure the use of appropriate materials within the Conservation Area and in the interests of visual amenity and the character and appearance of the site to accord with the National Planning Policy Framework and policies S53 and S57 of the Central Lincolnshire Local Plan.

4. Prior to the removal of the 2 chimneys, photographs of the existing chimneys, shall be submitted to the local planning authority. The replacement chimneys shall be re-built to match the detailing of the original.

Reason: In the interests of visual amenity within the Conservation Area and to accord with the National Planning Policy Framework and policies S53 and S57 of the Central Lincolnshire Local Plan.

5. Prior to installation, details of the mortar mixes for the rebuilt chimneys and the brick pointing shall be submitted to and approved in writing by the local planning authority. The approved details shall then be used.

Reason: To ensure the use of appropriate materials within the Conservation Area and in the interests of visual amenity and the character and appearance of the site to accord with the National Planning Policy Framework and policies S53 and S57 of the Central Lincolnshire Local Plan.

6. All new external works and finishes and works of making good to the retained fabric, shall match the existing original work adjacent in respect of methods, detailed execution and finished appearance unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure the use of appropriate materials within the Conservation Area and in the interests of visual amenity and the character and appearance of the site to accord with the National Planning Policy Framework and policies S53 and S57 of the Central Lincolnshire Local Plan.

7. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the details shown on the approved plans: 2440-PP01 dated 14/9/2023, 2440-PP02 dated 15/9/2023, 2440-PP03 and 2440-OS dated 12/05/23 and 122022-03 B dated 24/1/23 and in any other approved documents forming part of the application.

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

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

None

Notes to the Applicant

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. Highway

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 our website via the following link: Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>

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 in light of relevant development plan policies namely S1: The Spatial Strategy and Settlement Hierarchy, S2: Level and Distribution of Growth, S13: Reducing Energy Consumption in Existing, S21: Flood Risk and Water Resources, S47: Accessibility and Transport, S48: Walking and Cycling Infrastructure, S49: Parking Provision, S53: Design and Amenity, S57: The Historic Environment of the CLLP NPP1: Sustainable Development and policies NPP6: Ensuring High Quality Design, NPP7: Ensuring High Quality Design in each Character Area, NPP18: Protecting and Enhancing Heritage Assets and NPP19: Improving the Vitality of the Town Centre of the Gainsborough Town Neighbourhood Plan

The proposals would not have a harmful visual impact and would not detract from the visual amenity of the site, the street scene, historic environment or the surrounding area not have an adverse impact on highway safety nor the residential amenity of neighbouring properties.

Working Practice Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations,

including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Date: 5th October 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 or by asking any of the Customer Services staff.

Officers Report

Planning Application No: 146815

PROPOSAL: Planning application for the refurbishment of the front façade, replacement roof covering and conversion of upper floor into 1no. residential unit.

LOCATION: 1-5 Lord Street Gainsborough Lincolnshire DN21 2DD
WARD MEMBER: Cllr Miss J S McGhee and Cllr T V Young
WARD: Gainsborough South West

TARGET DECISION DATE: 25/07/2023
DEVELOPMENT TYPE: Change of Use
CASE OFFICER: Vicky Maplethorpe

RECOMMENDED DECISION: Grant permission

The application is referred to the planning committee for determination, in line with the constitution as the proposal is considered to be a departure from Policy S49 - Parking Standards of the Central Lincolnshire Local Plan 2023.

Description:

The application site comprises of a commercial building located on the corner of Lord Street and Ropery Road in Gainsborough Town Centre. The ground floor is occupied by an ice-cream shop, café/restaurant and beauty salon. The site is located within Gainsborough Town Conservation Area with No.7 Lord Street to the east, Grade II listed and No.'s 1-7 Cobden Street, Grade II listed to the rear.

The application seeks permission to change the use of the first floor from offices/storage to 1 flat along with external alterations to the front façade of the building comprising:

- Remove existing concrete tiles and replace with slate tiles to match adjacent
- Re-build chimney and replace lead flashings
- Reinststate 2 clay chimney pots
- Replace rainwater goods with cast-iron
- Remove entrance porch
- Rationalise and remove redundant wiring boxes to frontage
- New hand-painted traditional signage board with 9kw LED strip lighting
- New canvas awning
- Replace all windows with double-glazed timber sash windows
- New Painted timber door

Relevant history:

145310 - Planning application for part change of use of residential flat to takeaway ice cream shop and the installation of a servery hatch, GC, 16/9/22.

Representations:

Chairman/Ward member(s): None received.

Parish/Town Council/Meeting: No objections.

Local residents: None received.

LCC Highways: No objections, requested informatives.

Archaeology: No objections

Conservation: 'No1-5 Lord Street and 2 Ropery Road is a terrace of properties located to the west of the Gainsborough Town Centre Conservation Area. The existing properties follow the footprints in the early 20th century maps. Evidence of earlier built form may be found but this has not been investigated as there is no heritage statement present. The frontage appears to be originally Victorian with English garden wall brickwork, dentilated brick eaves and chimney stacks, and arched brick headers. There is evidence of 20th century alterations with modern blue engineering bricks and uPVC windows.

Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Local Planning Authority shall have special regard to the desirability of preserving or enhancing the character or appearance of the conservation area.

The property is within the setting of multiple listed buildings. To the immediate east is the grade II listed 7 Lord Street and to the immediate north is the grade II listed 2a Ropery Road and 1-7 Cobden Street. Additionally, the property is within the setting of the grade I listed The Old Hall.

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

The proposal offers positive alterations for the setting of the listed buildings and conservation area with the general repairs, reinstatement of the slate roof, and the improvement to the window designs and materials. The removal of the entrance porch with closed pediment is supported; the current style has a closed pediment which is traditional in shape but is a modern mirrored addition which is out of place with the remaining block. The alterations shall make a positive impact upon the conservation area and setting of the listed buildings.' Conditions requested.

ECM: Checked 20/9/23

Relevant Planning Policies:

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

Development Plan

- **Central Lincolnshire Local Plan**

The most relevant draft policies are as follows:

Policy S1: The Spatial Strategy and Settlement Hierarchy

Policy S2: Growth Levels and Distribution

Policy S3: Housing in the Lincoln Urban Area, Main Towns and Market Towns

Policy S13: Reducing Energy Consumption in Existing Buildings

Policy S21: Flood Risk and Water Resources

Policy S47: Accessibility and Transport

Policy S48: Walking and Cycling Infrastructure

Policy S49: Parking Provision

Policy S53: Design and Amenity

Policy S57: The Historic Environment

<https://www.n-kesteven.gov.uk/central-lincolnshire/adopted-local-plan-2023>

- **Gainsborough Neighbourhood Plan**

The most relevant draft policies are as follows:

- NPP1: Sustainable Development
- NPP6: Ensuring High Quality Design
- NPP7: Ensuring High Quality Design in each Character Area
- NPP18: Protecting and Enhancing Heritage Assets
- NPP19: Improving the Vitality of the Town Centre

<https://www.west-lindsey.gov.uk/planning-building-control/planning/neighbourhood-planning/all-neighbourhood-plans-west-lindsey/gainsborough-town-neighbourhood-plan>

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

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

<https://www.lincolnshire.gov.uk/directory-record/61697/minerals-and-waste-local-plan-core-strategy-and-development-management-policies>

National policy & guidance (Material Consideration)

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

National Planning Practice Guidance -

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

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Other Guidance:

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

Section 72 of the Planning (Listed Building & Conservation Areas) act 1990.

Main issues

- Principle of Development
- Impact on Conservation Area and Setting of Listed Buildings
- Visual impact
- Highway safety
- Residential Amenity
- Other Matters

Assessment:

Principle of Development

Gainsborough is situated within Tier 2 of the settlement hierarchy outlined in Policy S1 which outlines the development strategy as follows:

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 S2 outlines that 12% of the housing growth within Central Lincolnshire should be developed within Gainsborough subject to the principles in Policy S3 of the CLLP. The proposed development is located within close proximity to Gainsborough Town Centre and is considered to qualify as an 'appropriate location' that is within the 'developed footprint' of Gainsborough. It is also considered that the proposed change of use would comply with the overarching provisions of Policy S3. The proposal would not unacceptably harm the character and appearance of the area or any designated heritage assets. It is also acceptable in the sense that it would be subservient to existing development and is in a sustainable location where it is close to essential amenities with the location also promoting active travel. There are no affordable housing implications associated with this application.

Furthermore, paragraph 86 f) of the NPPF is supportive in principle of residential development within Town Centre locations. It states that planning

decisions should recognise the important role that residential development plays in ensuring the vitality of centres and development should be encouraged in appropriate locations.

Therefore, based on the above assessment, it is considered that the proposed flat is acceptable in principle.

Impact on Conservation Area and Setting of Listed Buildings

Section 66 of the Planning (Listed Building & Conservation Areas) Act 1990 places a legislative requirement that when considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Setting is more than views, it is how the building is experienced. In addition to this, the site is located within Gainsborough Town Conservation area and therefore Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

Policy S57 states that development proposals should protect, conserve and seek opportunities to enhance the historic environment of Central Lincolnshire. It goes on to advise that unless it is explicitly demonstrated that the proposal meets the tests set out in the NPPF, permission will only be granted for development affecting designated or non-designated heritage assets where the impact of the proposals do not harm the significance of the asset and or its setting.

Policy NPP18 of the GNP seeks to retain and enhance the heritage values of Gainsborough.

The NPPF similarly sets out policies for conserving and enhancing the Historic Environment. NPPF paragraph 197 a) requires LPA's, in determining applications, 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. Paragraph 199 requires, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 200 requires any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

The application seeks permission for alterations which comprise:

- Remove existing concrete tiles and replace with slate tiles to match adjacent
- Re-build chimney and replace lead flashings
- Reinstate 2 clay chimney pots

- Replace rainwater goods with cast-iron
- Remove entrance porch
- Rationalise and remove redundant wiring boxes to frontage
- New hand-painted traditional signage board with 9kw LED strip lighting
- New canvas awning
- Replace all windows with double-glazed timber sash windows
- New Painted timber door

The proposed alterations are an improvement on the current materials and will give the building, and separate businesses ran from the building, a uniform appearance and enhance the conservation area.

The Conservation Officer has stated that *'The proposal offers positive alterations for the setting of the listed buildings and conservation area with the general repairs, reinstatement of the slate roof, and the improvement to the window designs and materials. The removal of the entrance porch with closed pediment is supported; the current style has a closed pediment which is traditional in shape but is a modern mirrored addition which is out of place with the remaining block. The alterations shall make a positive impact upon the conservation area and setting of the listed buildings.'* And recommends a number of conditions to ensure appropriate materials and finishes are used.

It is considered that due to the minimal nature of the works proposed along with the use of sympathetic materials they would not harm the setting of the conservation area or that of the nearby listed buildings. The overall appearance of the existing building will be altered using traditional materials and therefore it is considered that the proposed alterations are appropriate to the setting and will preserve the conservation area.

Overall, the proposed alterations preserve the setting of the nearby listed buildings and the Gainsborough Town Conservation Area. Consequently, it is considered that the proposed works are in accordance with policy S57 of the CLLP policy NPP18 of the GNP, the guidance contained within the National Planning Policy Framework and the statutory duties set out in Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Visual impact

Policy S53 of the CLLP requires 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 which demonstrates a sound understanding on their context. 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. Important views into, out of and through a site should also be safeguarded.

Policy NPP6 and NPP7 of the GNP seek to achieve high quality design.

The proposed alterations are set out in the section above of this report. The alterations to the building are minimal and will contribute towards the Shop

Front Improvement Scheme and will respect the wider townscape and the ambition of West Lindsey District Council to transform the heart of its town centres through heritage-led regeneration. Overall the appearance and scale of the proposed works are appropriate and the proposal will not cause a detrimental visual impact subject to conditions. The proposal therefore complies with policy S53 of the CLLP and policies NPP6 and NPP7 of the GNP.

Highway Safety

Policy S49 states that for flatted development with Gainsborough Town Centre should have 1 space plus visitor allowance. The proposal does not provide any parking which would be contrary to policy S49.

However, given the flat's sustainable location within the town centre and with the absence of concerns from LCC highways it is considered that this would be acceptable. The overall level of departure from Policy S49 is therefore considered to be minimal and would be outweighed by the site specific material considerations outlined in this section and the benefits of securing further residential development in a spatially optimal location that is close to Gainsborough Town Centre.

Residential Amenity

Policy S53 of the CLLP requires that development proposals do not have an unacceptable impact on residential amenity. This includes considerations such as compatibility with neighbouring land uses, noise, vibration, odour, and the creation of safe environments amongst other things. Furthermore, paragraph 130 f) of the NPPF requires that development proposals provide a high standard of residential amenity for both existing and future users.

Due to the nature of the proposed external works there will be no adverse impacts on nearby residents and the conversion of the upper floor to 1 flat is considered acceptable given its town centre location and would not be detrimental to neighbouring uses.

Other Matters

Energy Efficiency

It is noted that Policy S13 of the CLLP encourages applicants to consider all opportunities to improve energy efficiency and where such efforts achieve an improved EPC rating would be supported in principle. Notwithstanding that the wording of Policy S13 only encourages applicants to take into account improving energy efficiency. In this case the agent has considered the above and stated:

- *A water butt is not practical in this situation given the location and space.*
- *PV's could be an option and details could be conditioned to give the owner the option.*
- *Windows and doors are already being upgraded*
- *Heat pumps could be an option and details could be conditioned to give the owner the option.*

- Insulation will be added to the internal walls.

The above is considered acceptable under complies with policy S13.

Mineral Safeguarding

Policy M11 of the LMWLP requires that development proposals do not result in the unnecessary sterilisation of the potential minerals reserves. Paragraph 211 of the NPPF requires that planning decisions should give great weight to the benefits of mineral extraction, including to the economy. Paragraph 212 states that development should not normally be permitted in Minerals Safeguarding Area if it might constrain future minerals development. Policy M11 of the LWMLP is consistent with the requirements of Section 17 of the NPPF and is therefore afforded full weight.

Changes of use to existing buildings are considered to be exempt from safeguarding considerations. It is not considered that the safeguarding considerations are engaged in this instance as it is not considered that there would be an intensification of activity on site.

Conclusion

The proposal has been considered in light of relevant development plan policies namely S1: The Spatial Strategy and Settlement Hierarchy, S2: Level and Distribution of Growth, S3: Housing in the Lincoln Urban Area, Main Towns and Market Towns S13: Reducing Energy Consumption in Existing, S21: Flood Risk and Water Resources, S47: Accessibility and Transport, S48: Walking and Cycling Infrastructure, S49: Parking Provision, S53: Design and Amenity, S57: The Historic Environment of the CLLP NPP1: Sustainable Development and policies NPP6: Ensuring High Quality Design, NPP7: Ensuring High Quality Design in each Character Area, NPP18: Protecting and Enhancing Heritage Assets and NPP19: Improving the Vitality of the Town Centre of the Gainsborough Town Neighbourhood Plan.

The proposal is considered to not have a harmful visual impact and to not detract from the visual amenity of the site, the street scene, historic environment or the surrounding area. Whilst no parking is provided, the proposal is within a sustainable location in the town centre. The proposal is not considered to have an adverse impact on the residential amenity of neighbouring properties. The proposal is recommended for approval 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. Prior to their installation, details of the colour of the new windows, doors and awnings shall be submitted to and approved in writing by the Local Planning Authority. The approved colour shall be used on the new windows doors and awnings and retained thereafter.

Reason: To ensure the use of an appropriate colour within the Conservation Area and in the interests of visual amenity and the character and appearance of the site to accord with the National Planning Policy Framework and policies S53 and S57 of the Central Lincolnshire Local Plan.

3. Prior to re-roofing, a sample of the natural Welsh slate shall be provided on site or full details submitted to and approved in writing by the Local Planning Authority. The approved slate shall then be used.

Reason: To ensure the use of appropriate materials within the Conservation Area and in the interests of visual amenity and the character and appearance of the site to accord with the National Planning Policy Framework and policies S53 and S57 of the Central Lincolnshire Local Plan.

4. Prior to the removal of the 2 chimneys, photographs of the existing chimneys, shall be submitted to the local planning authority. The replacement chimneys shall be re-built to match the detailing of the original.

Reason: In the interests of visual amenity within the Conservation Area and to accord with the National Planning Policy Framework and policies S53 and S57 of the Central Lincolnshire Local Plan.

5. Prior to installation, details of the mortar mixes for the rebuilt chimneys and the brick pointing shall be submitted to and approved in writing by the local planning authority. The approved details shall then be used.

Reason: To ensure the use of appropriate materials within the Conservation Area and in the interests of visual amenity and the character and appearance of the site to accord with the National Planning Policy Framework and policies S53 and S57 of the Central Lincolnshire Local Plan.

6. All new external works and finishes and works of making good to the retained fabric, shall match the existing original work adjacent in respect of methods, detailed execution and finished appearance unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure the use of appropriate materials within the Conservation Area and in the interests of visual amenity and the character and appearance of the site to accord with the National Planning Policy Framework and policies S53 and S57 of the Central Lincolnshire Local Plan.

7. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the details shown on the approved plans: 2440-PP01 dated 14/9/2023, 2440-PP02 dated 15/9/2023, 2440-PP03 and 2440-OS dated 12/05/23 and 122022-03 B dated 24/1/23 and in any other approved documents forming part of the application.

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

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

None

Human Rights Implications:

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

Legal Implications:

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

Representors to be notified -

(highlight requirements):

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

Prepared by : Vicky Maplethorpe

Date : 18 July 2023

Signed: ... *V. Maplethorpe*

Authorising Officer *D. Galpin* **Date:** 20th September 2023

Decision Level (tick as appropriate)

Delegated

Delegated via Members

✓ Committee

PAPER I

Planning Permission

Name and address of applicant

Mr S Johnson

19 Ravendale Road
Gainsborough
Lincolnshire
DN21 1XD

Name and address of agent (if any)

Mr John Loom

Taylor Loom Consultants Ltd, The
Consulting Rooms
29 Grove Coach Road
Retford
Nottinghamshire
DN22 7HG

Part One – Particulars of application

Date of application:
01/08/2023

Application number:
147129

Particulars and location of development:

Planning application to retain extensions to the side and front

19 Ravendale Road Gainsborough Lincolnshire DN21 1XD

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:

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 shall be retained in accordance with the following drawings: TLC/23/157/01 dated May 2023, 'Block Plan' received 1st August 2023 and Site Location Plan received 1st August 2023. The works shall be retained 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 is retained in accordance with the approved plans and to accord with the National Planning Policy Framework and Policy S53 of the Central Lincolnshire Local Plan and Policy NPP6 of the Gainsborough Neighbourhood Plan.

2. The development shall be retained in strict accordance with the external materials listed on the application form and on drawing TLC/23/157/01 dated May 2023.

Reason: To ensure the retention of appropriate materials to accord with the National Planning Policy Framework and Policy S53 of the Central Lincolnshire Local Plan and Policy NPP6 of the Gainsborough Neighbourhood 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 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 decision has been considered against Policies S6: Design Principles for Efficient Buildings, S13: Reducing Energy Consumption in Existing Buildings, S47: Accessibility and Transport, S53: Design and Amenity, S57: The Historic Environment and S61: Biodiversity Opportunity and Delivering Measurable Net Gains of the Central Lincolnshire Local Plan in the first instance, as well as NPP 1, NPP 6 and NPP 7 of the Gainsborough Neighbourhood Plan. Guidance contained in the National Planning Policy Framework, National Planning Practice Guidance, National Design Guide and National Model Design Code 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 would not unacceptably 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.

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: 4th October 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 or by asking any of the Customer Services staff.

PAPER J

Planning Permission

Name and address of applicant

M Redmond
46 Spital Hill
Gainsborough
Lincolnshire
DN21 1EG

Name and address of agent (if any)

Mr Joe Smith
Keystone Architecture Ltd
Britannia House
High Street
Scunthorpe
DN15 6EA

Part One – Particulars of application

Date of application:
04/08/2023

Application number:
147152

Particulars and location of development:

Planning application for proposed single storey rear extension and internal alterations

46 Spital Hill Gainsborough Lincolnshire DN21 1EG

Part Two – Particulars of decision

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

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

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

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

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

None

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

2. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawing: 1553.01 Rev B dated July 23. 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 S53 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 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 decision has been considered against Policies S6: Design Principles for Efficient Buildings, S13: Reducing Energy Consumption in Existing Buildings, S53: Design and Amenity and S61: Biodiversity Opportunity and Delivering Measurable Net Gains of the Central Lincolnshire Local Plan and policies NPP5: Protecting the Landscape Character, NPP 6: Ensuring High Quality Design, NPP7: Ensuring High Quality Design in each Character Area of the Gainsborough Town Neighbourhood Plan in the first instance as well as guidance contained in the National Planning Policy Framework and National Planning Practice Guidance.

In light of this assessment it is considered that the proposal will not harm the character and appearance of the street-scene, surrounding area or the dwelling, nor the living conditions of neighbouring occupiers.

Working Practice Statement

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

Date: 4th October 2023

Signed:



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).

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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.

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- 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.**

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- 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.

PAPER K



WHP Telecoms Ltd, 1a Station Court, Station Road, Guiseley, Leeds LS20 8EY

Our Ref: ANW_DN148

13th October 2023

The Town Clerk
Gainsborough Town Council
Richmond House
Richmond Park
Morton Terrace
Gainsborough
Lincolnshire
DN21 2RJ

Dear Sir/Madam,

PROPOSED COMMUNICATIONS INSTALLATION FOR ARQIVA'S SMART METER NETWORK FOR ANGLIAN WATER AT GAINSBOROUGH WTW, THE AVENUE, HAYFIELD, GAINSBOROUGH, LINCOLNSHIRE, DN21 1GY. NGR: E: 481959, N: 391229.

WHP act as agents for Arqiva.

This letter is to draw your attention to a planning application to be submitted by WHP on behalf Arqiva and to provide contact details should you wish to enquire about it.

Arqiva owns, hosts and operates shared radio telecommunications infrastructure. It owns and operates the UK's TV and radio broadcasting transmitter network and it hosts a large number of other radio communications services on its sites.

The Anglian Water Smart Water Metering Network

The development proposed forms part of Arqiva's planned smart water metering network for Anglian Water. Anglian Water is the UK's largest water and wastewater services provider by geographic area with more than six million domestic and business customers in the east of England and Hartlepool. Anglian Water's 'Our Plan 2020-2025' includes the rollout of Smart Meters as a central component of its Water Management Plan. Table 6 on page 64 of the document includes the following statement.

"..We are installing smart meters across our region to enable a step change in our customer communications, supporting our water efficiency initiatives. The Smart metering programme also has significant benefits for optimising our networks and supporting the delivery of our leakage strategy."



As part of this initiative, Arqiva will build and operate the smart water metering network for Anglian Water drawing upon our experience in delivering smart metering networks for gas and electricity operators in the North of England and Scotland, and for Thames Water in London.

In summary, the major benefits of smart metering will be:

- More efficient operation: with faster leak detection and repair; better fault finding; greater network visibility; enhanced supply/demand planning; and better capital investment/maintenance targeting.
- Better customer service: providing customers with clear, detailed information on their water usage and consumption patterns, enabling them to adjust their behaviour to save water, energy and money.
- Environmental protection: lower consumption and reduced leakage enable reduced abstraction; this in turn cuts carbon emissions from water treatment and distribution processes.
- Improved water resilience: reduced danger of demand outstripping supply.
- A platform for more frequent and better-quality engagement with Anglian Water customers on water efficiency offers, bespoke advice and tools for reducing consumption and bills – both water and energy - benefiting Water and fuel poverty agendas.

Anglian Water's Smart Water Metering Network, like all electronic communications networks, is to be supported by an infrastructure of operational sites with the required antennas and other apparatus needed to provide radio coverage to the local area. In that sense, they have similarities with cellular networks, with the Smart Meters, being the devices that must connect and communicate with the network antennas, rather than mobile devices.

The base stations must therefore be located in proximity to the premises that will be served and must be able to communicate with meters that are typically found in a boundary box buried in the ground at a property, or in the footpath.

Consistent with planning policy, the main sites that form the Smart Water Metering Network have been largely planned around sharing or using existing communication sites, buildings and structures and where this has not been possible, new ground-based masts. These main installations provide the main



WHP Telecoms Ltd, 1a Station Court, Station Road, Guiseley, Leeds LS20 8EY

umbrella of coverage to larger geographical areas and premises within those areas.

However, there are still smaller settlements, peripheral areas and more remote locations that cannot be covered by these sites due to coverage constraints, often related to distance, topography or other environmental related factors. Hence, in order to provide more localised coverage to these areas, a secondary layer of sites are required and these are generally physically smaller. The application is in relation to a site that will require the introduction of a new installation to enable localised network provision.

As these sites are required to provide localised indoor coverage over very specific areas then the siting parameters for coverage reasons are narrow. The sites must also satisfy a range of operational criteria, such as good fibre connectivity, an existing power supply suitably high and resilient for an electronic communications network, a reasonable level of security, vehicular or pedestrian access for ongoing maintenance and security of tenure for the life of the smart water metering network contract. In addition, the site must be capable of being constructed without undue constraints and avoiding undue environmental disturbance, that for example, might be associated with creating new access tracks and supplying new power runs above or below ground.

We are preparing to make an application to the local planning authority and it is possible that in due course the authority may notify you about it.

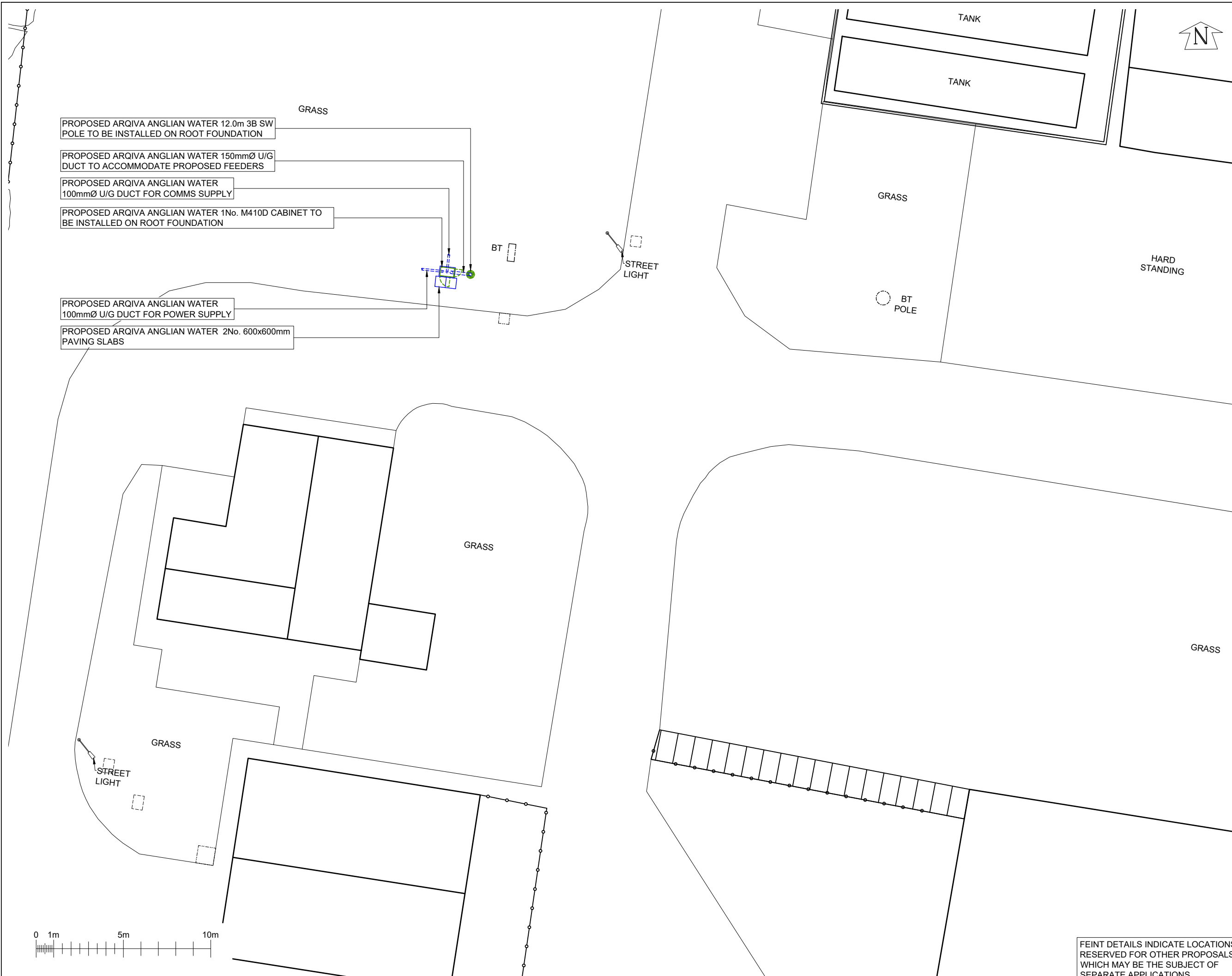
If you have any comments about the proposal, please contact us within the next ten days so that your views can, if practicable, be taken into account before we make the application.

My contact details are given below.

Yours faithfully,

Julia Marshall
j.marshall@whptelecoms.com

Enc: Drawing Numbers: ANW_DN148



PROPOSED ARQIVA ANGLIAN WATER 12.0m 3B SW POLE TO BE INSTALLED ON ROOT FOUNDATION

PROPOSED ARQIVA ANGLIAN WATER 150mmØ U/G DUCT TO ACCOMMODATE PROPOSED FEEDERS

PROPOSED ARQIVA ANGLIAN WATER 100mmØ U/G DUCT FOR COMMS SUPPLY

PROPOSED ARQIVA ANGLIAN WATER 1No. M410D CABINET TO BE INSTALLED ON ROOT FOUNDATION

PROPOSED ARQIVA ANGLIAN WATER 100mmØ U/G DUCT FOR POWER SUPPLY

PROPOSED ARQIVA ANGLIAN WATER 2No. 600x600mm PAVING SLABS

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NOTES

Siterra No.	12093674			
CELL No.	ANW_DN148			
PROJ No				
PROJ No				
PROJ No				
1.A	PROJ No 12093674 PLANNING			
1	PROJ No 12093674 SITE RECORD			
ISS	REVISION	DATE	DRN	APP



Crawley Court, Winchester, Hampshire, SO21 2QA
Tel. 01962 823434, Fax. 01962 822378

SITE No 322510
GAINSBOROUGH WTW
THE AVENUE
HAYFIELD
GAINSBOROUGH
LINCOLNSHIRE
DN21 1GY

NGR SK 81959 91229
OS GRID 481959 391229

TITLE
SITE PLAN
PROPOSED
ANGLIAN WATER

SCALE 1:200

DRAWN	DH	18/09/23
APPROVED	JHF	20/09/23

DRG No.	Sheet 1 of 1	Rev
322510-01-100-MD001		1.A

FEINT DETAILS INDICATE LOCATIONS RESERVED FOR OTHER PROPOSALS WHICH MAY BE THE SUBJECT OF SEPARATE APPLICATIONS

NOTES

Siterra No.	12093674			
CELL No.	ANW_DN148			
PROJ No				
PROJ No				
PROJ No				
PROJ No	12093674			
1.A	PLANNING	WHP		
1	PROJ No 12093674 SITE RECORD	20/09/23	DH	JHF
ISS	REVISION	DATE	DRN	APP



Crawley Court, Winchester, Hampshire, SO21 2QA
 Tel. 01962 823434, Fax. 01962 822378

SITE No 322510
 GAINSBOROUGH WTW
 THE AVENUE
 HAYFIELD
 GAINSBOROUGH
 LINCOLNSHIRE
 DN21 1GY

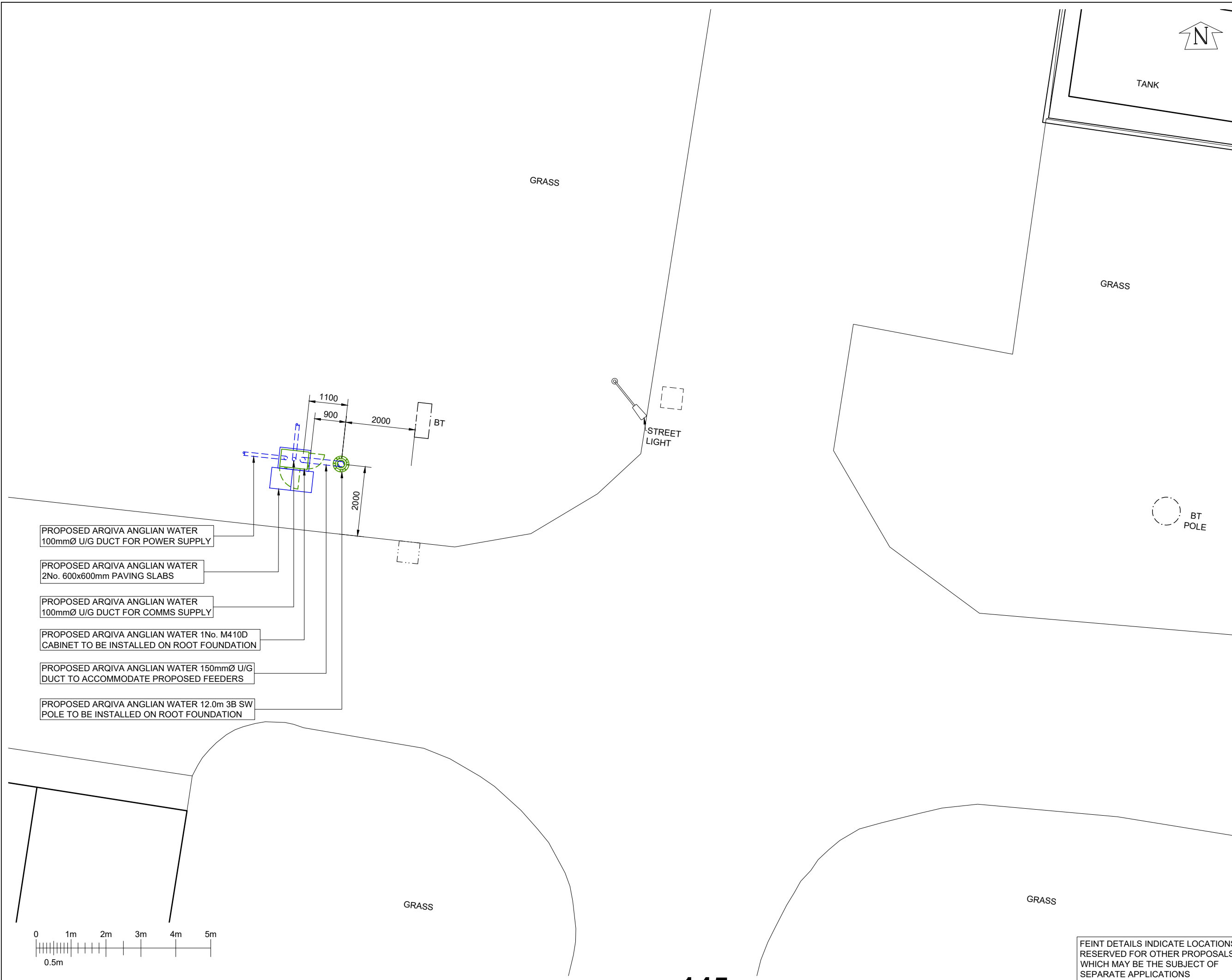
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TITLE
 EQUIPMENT PLAN
 PROPOSED
 ANGLIAN WATER

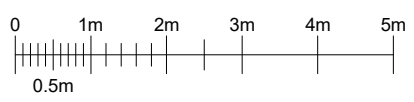
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DRAWN	DH	18/09/23
APPROVED	JHF	20/09/23

DRG No.	Sheet 1 of 1	Rev
322510-01-101-MD001		1.A



- PROPOSED ARQIVA ANGLIAN WATER 100mmØ U/G DUCT FOR POWER SUPPLY
- PROPOSED ARQIVA ANGLIAN WATER 2No. 600x600mm PAVING SLABS
- PROPOSED ARQIVA ANGLIAN WATER 100mmØ U/G DUCT FOR COMMS SUPPLY
- PROPOSED ARQIVA ANGLIAN WATER 1No. M410D CABINET TO BE INSTALLED ON ROOT FOUNDATION
- PROPOSED ARQIVA ANGLIAN WATER 150mmØ U/G DUCT TO ACCOMMODATE PROPOSED FEEDERS
- PROPOSED ARQIVA ANGLIAN WATER 12.0m 3B SW POLE TO BE INSTALLED ON ROOT FOUNDATION



FEINT DETAILS INDICATE LOCATIONS RESERVED FOR OTHER PROPOSALS WHICH MAY BE THE SUBJECT OF SEPARATE APPLICATIONS

PROPOSED ANTENNA DETAILS

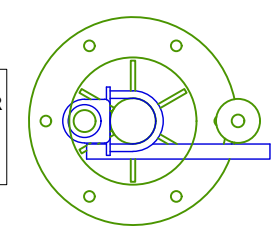
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1037257	A2	TRIMBLE BULLET III GPS	0° E.T.N.	12.4m	0°	Tx/Rx	15.0m	CNT400	0	1	NO
1037258	A3	SIRIO SO-918-2	0° E.T.N.	3.8m	0°	Tx/Rx	7.0m	CNT400	0	1	NO



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NOTES

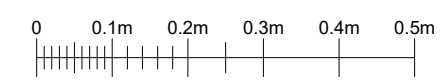
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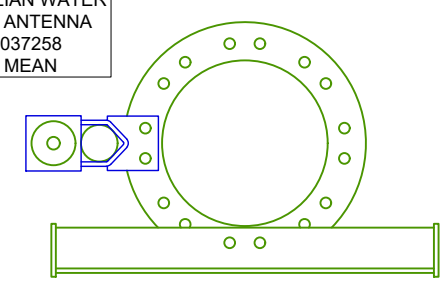
PROPOSED ARQIVA ANGLIAN WATER A2 GPS MODULE I.D. No. 1037257 AT 12.4m MEAN

TOWER PLAN AT 13.83m

SCALE 1:10

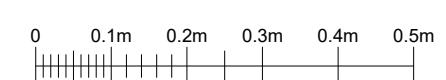


PROPOSED ARQIVA ANGLIAN WATER A3 3G OMNI ANTENNA I.D. No. 1037258 AT 3.8m MEAN



TOWER PLAN AT 3.8m

SCALE 1:10



PROPOSED ARQIVA ANGLIAN WATER 1No. OMNI ANTENNA I.D. No. 1037256 AT 13.83m AGL TO BE INSTALLED ON PROPOSED ADAPTOR BRACKET

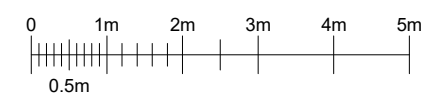
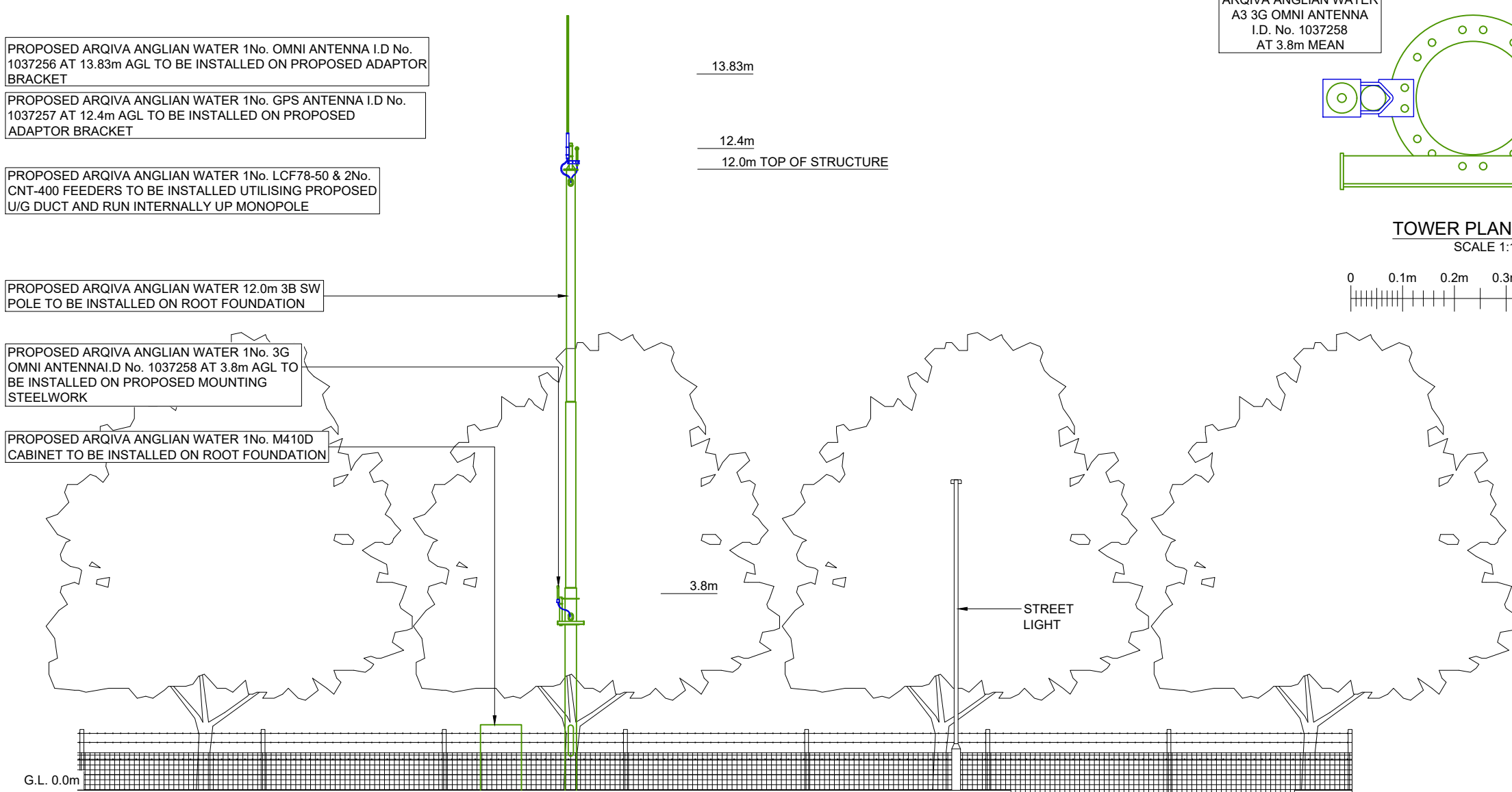
PROPOSED ARQIVA ANGLIAN WATER 1No. GPS ANTENNA I.D. No. 1037257 AT 12.4m AGL TO BE INSTALLED ON PROPOSED ADAPTOR BRACKET

PROPOSED ARQIVA ANGLIAN WATER 1No. LCF78-50 & 2No. CNT-400 FEEDERS TO BE INSTALLED UTILISING PROPOSED U/G DUCT AND RUN INTERNALLY UP MONOPOLE

PROPOSED ARQIVA ANGLIAN WATER 12.0m 3B SW POLE TO BE INSTALLED ON ROOT FOUNDATION

PROPOSED ARQIVA ANGLIAN WATER 1No. 3G OMNI ANTENNA I.D. No. 1037258 AT 3.8m AGL TO BE INSTALLED ON PROPOSED MOUNTING STEELWORK

PROPOSED ARQIVA ANGLIAN WATER 1No. M410D CABINET TO BE INSTALLED ON ROOT FOUNDATION



SOUTH-WEST ELEVATION

Siterra No.	12093674			
CELL No.	ANW_DN148			
PROJ No				
PROJ No				
PROJ No				
PROJ No	12093674			
1.A	PLANNING	WHP		
1	PROJ No 12093674 SITE RECORD	20/09/23	DH	JHF
ISS	REVISION	DATE	DRN	APP



Crawley Court, Winchester, Hampshire, SO21 2QA
Tel. 01962 823434, Fax. 01962 822378

SITE No 322510
GAINSBOROUGH WTW
THE AVENUE
HAYFIELD
GAINSBOROUGH
LINCOLNSHIRE
DN21 1GY

NGR SK 81959 91229
OS GRID 481959 391229

TITLE
ELEVATION
PROPOSED
ANGLIAN WATER

SCALE 1:100

DRAWN	DH	18/09/23
APPROVED	JHF	20/09/23

FEINT DETAILS INDICATE LOCATIONS RESERVED FOR OTHER PROPOSALS WHICH MAY BE THE SUBJECT OF SEPARATE APPLICATIONS

DRG No.	Sheet 1 of 1	Rev
322510-01-150-MD001		1.A

PAPER L

Community Infrastructure Levy

fact sheet for
applicants



On 22nd January 2018, West Lindsey District Council introduced CIL. This leaflet provides a summary of key information for applicants relating to the CIL process.

Charging Zones in West Lindsey

See page 2

How is CIL calculated

See page 3

Collection of CIL

See page 3

Enforcement

See page 3

EXEMPTIONS AND RELIEF

See page 3

Seven steps to CIL success

See page 4

What is CIL?

Community Infrastructure Levy is a levy that local authorities can charge on new developments in their area. The money raised from CIL is used to support development by funding infrastructure. The principle of CIL is that all development should contribute a little to infrastructure. West Lindsey District Council charge CIL on developments which create new residential dwellings and convenience retail units. The monies collected are then split between the local community in which the development has occurred and infrastructure items. Infrastructure Funding Statements (IFS) which report on all CIL and s106 contributions collected by the Local Authority will be published on the Website on or before 31st December for the preceding year.

Key Points

- It is the applicants responsibility to ensure that the CIL process and timeline is complied with in full, this includes the submission of prescribed forms relevant to the development.
- All claims for relief or exemption must be submitted, assessed and agreed by WLDC prior to commencement of development
- Failure to submit all relevant forms prior to the commencement of development will result in the CIL charge being payable in full immediately.
- Where liability for the CIL charge has not been assumed, the CIL charge will revert back to the land owner.
- Where the local authority is required to calculate and apportion the CIL charge surcharges will be applied in line with our Penalties and Surcharges guidance.

For further information on CIL, including frequently asked questions, please refer to our website www.west-lindsey.gov.uk/CIL

Tariffs in West Lindsey

West Lindsey’s Charging Schedule applies a charge to two types of development only, these are residential development and convenience retail.

WEST LINDSEY DISTRICT COUNCIL CIL 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	NE Quadrant Sustainable Urban Extension	£20	£0
Zone 4	Gainsborough West (shown green on charging schedule map)	£0	£0

WEST LINDSEY DISTRICT COUNCIL CIL CHARGING SCHEDULE COMMERCIAL CHARGING ZONES (applicable to whole district)

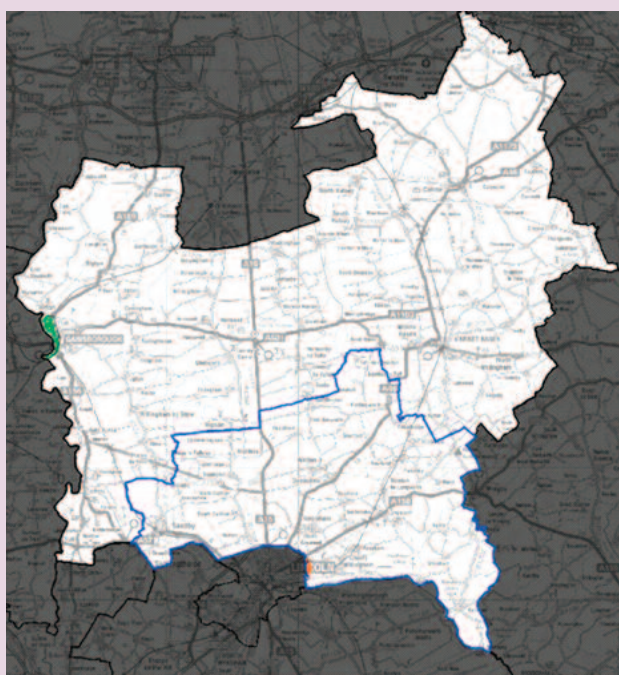
Convenience Retail	£40
All other uses*	£0

* Convenience retail is designed as everyday items including food, drink and non-durable household goods.

* ‘All other uses’ and the £0 rate included comparison retail and retail warehousing.

For more detailed CIL charging zone maps and boundary details please visit our interactive mapping system at www.west-lindsey.gov.uk/CIL

- Zone 1 The Lincoln Strategy
- Zone 2 The Non-Lincoln Strategy
- Zone 3 NE Quadrant Sustainable Urban Extension
- Zone 4 West Gainsborough



How is CIL calculated?

$$\frac{R \times A \times Ip}{Ic}$$

R = Relevant CIL Rate

A = Chargeable Area

IP = Index figure for year of permission

Ic = Index figure for year Charging Schedule took effect (2018)

**If your development is a single use development, your CIL liability will be calculated using the above formula. If you have a mixed-use development the formula will be applied for each use and the results added up to get your total CIL liability.

How is the levy collected?

The CIL charge is due from the date of commencement of chargeable development. It is the applicants responsibility to ensure that the Council is notified of the proposed commencement date by submitting a Commencement Notice. On receipt of the Commencement Notice the Council will issue a Demand Notice on all parties who have assumed liability for the CIL charge. Payment will be required within 60 days of the Commencement Date provided in the Commencement Notice. Amounts over £50,000 may be made in line with our instalments Policy. All Demand Notices will be registered with Local Land Charges.

How will the payment of the levy be enforced?

The levy charges are intended to be easily understood and straightforward to comply with. Most of those liable to pay the levy are expected to pay their liabilities without problem or delay. However, where there are problems in collecting the levy, charging authorities will have the means to penalise late payment. In cases of persistent non-compliance the regulations also enable collecting authorities to consider more direct action such as the issuing of a CIL Stop Notice or applying to the courts for seizure of assets to pay the outstanding monies or for custodial sentences.

Exemptions and relief

Depending on the circumstances of the development, the following types of relief may be available:

- charitable relief
- social housing relief
- self build exemption (for a whole house)
- self build exemption (for a residential annexe or extension)

It is important that if you think you are eligible for relief or exemption from CIL that you submit a formal claim on the appropriate form and ensure that this claim has been accepted before commencing development. Relief cannot be granted after development has commenced.

Seven steps to CIL Success

To help you understand whether your development maybe CIL liable, please see the CIL charging schedule on page 2.

<p>STAGE ONE Submitting your application</p>	<p>All planning applications which include CIL liable development must must complete Form 1: CIL Planning Application Additional Information Form and Form 2: Assumption of liability notice. You must also ensure you include existing and proposed floor plans.If you do not need planning permission for your development (including Permitted Development) you should complete the Form 5: Notice of Chargeable Development before you start work. You will also need to include the CIL PlanningApplicationAdditional Information Form and Form 1:Assumption of Liability Notice, with form 5.</p>
<p>STAGE TWO Determining applications</p>	<p>During the application process WLDC will review the information provided by you and decide whether the development is CIL liable. If your development is CIL liable then once planning permission has been granted, WLDC will issue the landowner(s), or the person who has assumed liability, with a Liability Notice stating the chargeable amount. If planning permission is granted after an appeal, the Liability Notice will be issued as soon as possible after the appeal decision. This will be registered on the Local Land Charges register.</p>
<p>STAGE THREE Applications for exemption</p>	<p>If you think you are eligible to apply for exemption and/or relief from the CIL Charge then you must complete and submit one of the following forms. Exemption and/or relief can be claimed at any point between submission of the application and commencement of development. You cannot claim for relief after commencement of works. Form 7: Self Build Exemption Claim Form Part 1 Form 8: Self Build Residential Annex Exemption Claim Form Form 9: Self Build Residential Extension Exemption Claim Form Form 10: Charitable Social Housing Relief Within six months of the date of the Building Regulations Compliance Certificate relating to the development the Form 7: Self Build Exemption Claim Form Part 2 must be submitted to WLDC.</p>
<p>STAGE FOUR Assuming liability prior to commencement</p>	<p>Prior to commencement, the Form 2: Assumption of Liability Notice must be submitted so that we know who will be paying the CIL. This form can be submitted at any point between submission of the application and commencement of development. If the liability for paying CIL changes after the Assumption of Liability Notice has been submitted, you should complete either a Form 3: Withdrawal of Assumption of Liability or a Form 4: Transfer of Assumed Liability. This should be submitted before commencement or where liability changes during development prior to final payment of CIL being due.</p>
<p>STAGE FIVE Commencing work</p>	<p>After submitting the Assumption of Liability Notice, but before you start work, you must complete and submit the Form 6: Commencement Notice. Failure to submit a Commencement Notice at least 1 day prior to starting work, will: - Forfeit the right to pay CIL in instalments (where applicable) - Forfeit the right to claim exemption/relief - Result in a penalty surcharge Work cannot commence until WLDC has acknowledged receipt of the Commencement Notice.</p>
<p>STAGE SIX Paying CIL</p>	<p>Once the Commencement Notice has been received WLDC will issue a Demand Notice to whoever has assumed liability to pay CIL. It will set out the amount and the date that the CIL will need to be paid. If no-one has assumed liability to pay CIL before the Demand Notice is issued, the liability will default to the landowner(s) and surcharges will be applied. The Demand notice will be registered as a Local Land Charge.</p>
<p>STAGE SEVEN Monitoring</p>	<p>At the end of the clawback period, providing no Disqualifying Event has occurred, the Land Charge will be removed from the property. Claw-back periods are as follows: - For residential annexes and self-build housing is 3 years beginning with the date of the compliance certificate relating to the annex or dwelling. - For Social Housing and residential extensions - 7 years beginning with the date on which the dwelling is first let</p> <p>A Disqualifying Event could be any of the following (this list is not exhaustive): - Use of the main dwelling for any purpose other than as a single dwelling - The Letting of the residential annex - The sale of the main dwelling or the residential annex unless they are sold at the same time to the same person</p> <p>If a disqualifying event occurs the relevant person will be liable to pay the CIL charge in full.</p>

Document WL 001

**West Lindsey Community Infrastructure Levy
Charging Schedule**

Implementation

WEST LINDSEY DISTRICT COUNCIL
Charging Schedule

Name of Charging Authority	West Lindsey District Council
Rates (£m) at which CIL is to be chargeable	CIL will be charged in Pounds Sterling (£) per square metre at differential rates according to the type of development and by location as set out in the Commercial and Residential Tables of this Schedule.
Charging Zones	The Charging Zones to which CIL will be applied are those as identified on the tables and maps as set out within this Schedule.
How the Chargeable amount will be Calculated	<p>The charging authority will calculate the amount of CIL chargeable to a qualifying development utilising the formula set out in Part 5 of the CIL Regulations. In summary (and subject to any changes that have occurred or may occur as a result of future amendments to the Regulations) the amount of CIL chargeable will be calculated as follows: CIL Rate x Chargeable Floor Area x BCIS Tender Price Index (at Date of Planning Permission) / BCIS Tender Price Index (at Date of Charging Schedule)</p> <p>The Chargeable Floor Area makes allowance for previous development on the site. The net chargeable floor area amounts to the gross internal area of the chargeable development less the gross internal area of any existing buildings that qualify for exemption on the site.</p> <p>This summary does not take account of every aspect of the Regulations.</p>
Further Information	Further information, for example, on exemptions from paying CIL will be available on the charging authority's webpages in due course. In many cases, this will be via links to national guidance.

WEST LINDSEY DISTRICT COUNCIL CIL CHARGING RATES (£ per Sqm)

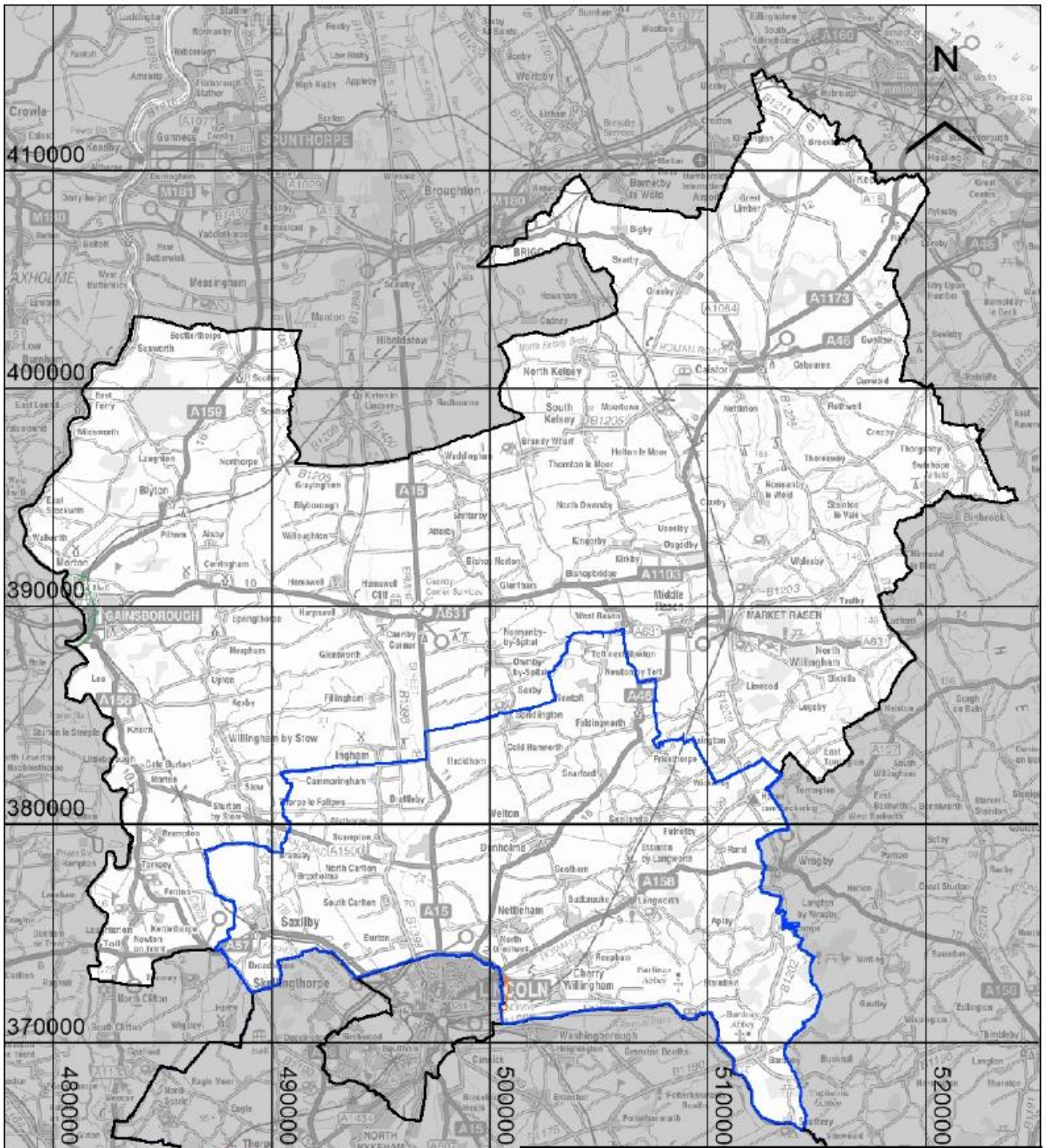
WEST LINDSEY DISTRICT COUNCIL CIL CHARGING SCHEDULE RESIDENTIAL CHARGING ZONES			
		Charge Per Square Metre (houses)	Charge Per Square Metre (apartments)
Zone 1	Lincoln Strategy Area (LSA)	£25	£0
Zone 2	Non Lincoln Strategy Area	£15	£0
Zone 3	North East Quadrant Sustainable Urban Extension.	£20	£0
Zone 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.

West Lindsey District Council Community Infrastructure Levy Draft Charging Schedule Zones 1, 2, 3 and 4



LEGEND

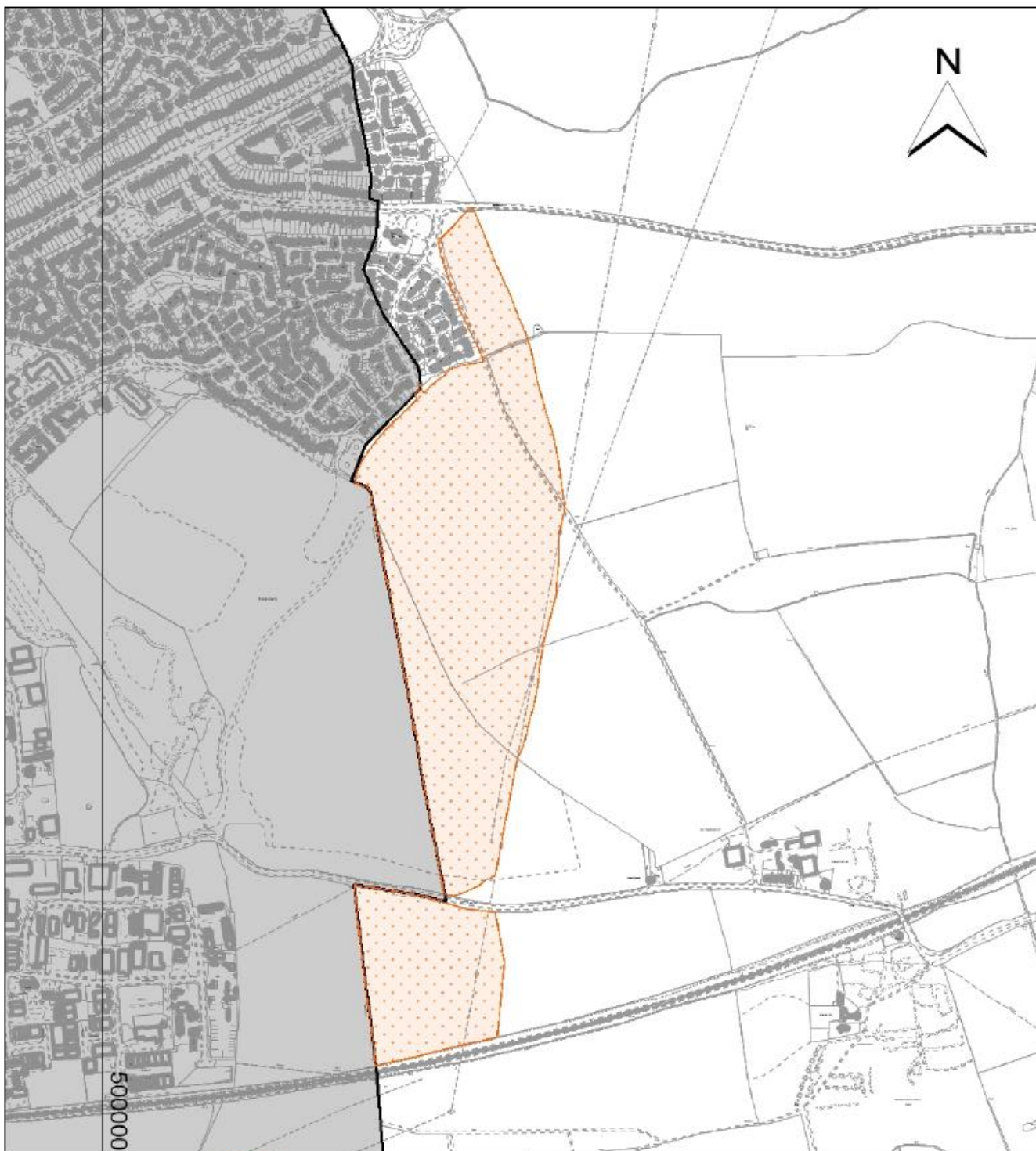
- Zone 1 The Lincoln Strategy Area
- Zone 2 The Non-Lincoln Strategy Area
- Zone 3 Developments of 1000 or more and specified Sustainable Urban Extensions within the Lincoln Strategy Area North East Quadrant (See Inset Map for more detail)
- Zone 4 West Gainsborough (See Inset Map for more detail)



1:250000

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 Date 11 April 2016

West Lindsey District Council Community Infrastructure Levy Draft Charging Schedule
 Zone 3 Inset Map North East Quadrant



LEGEND

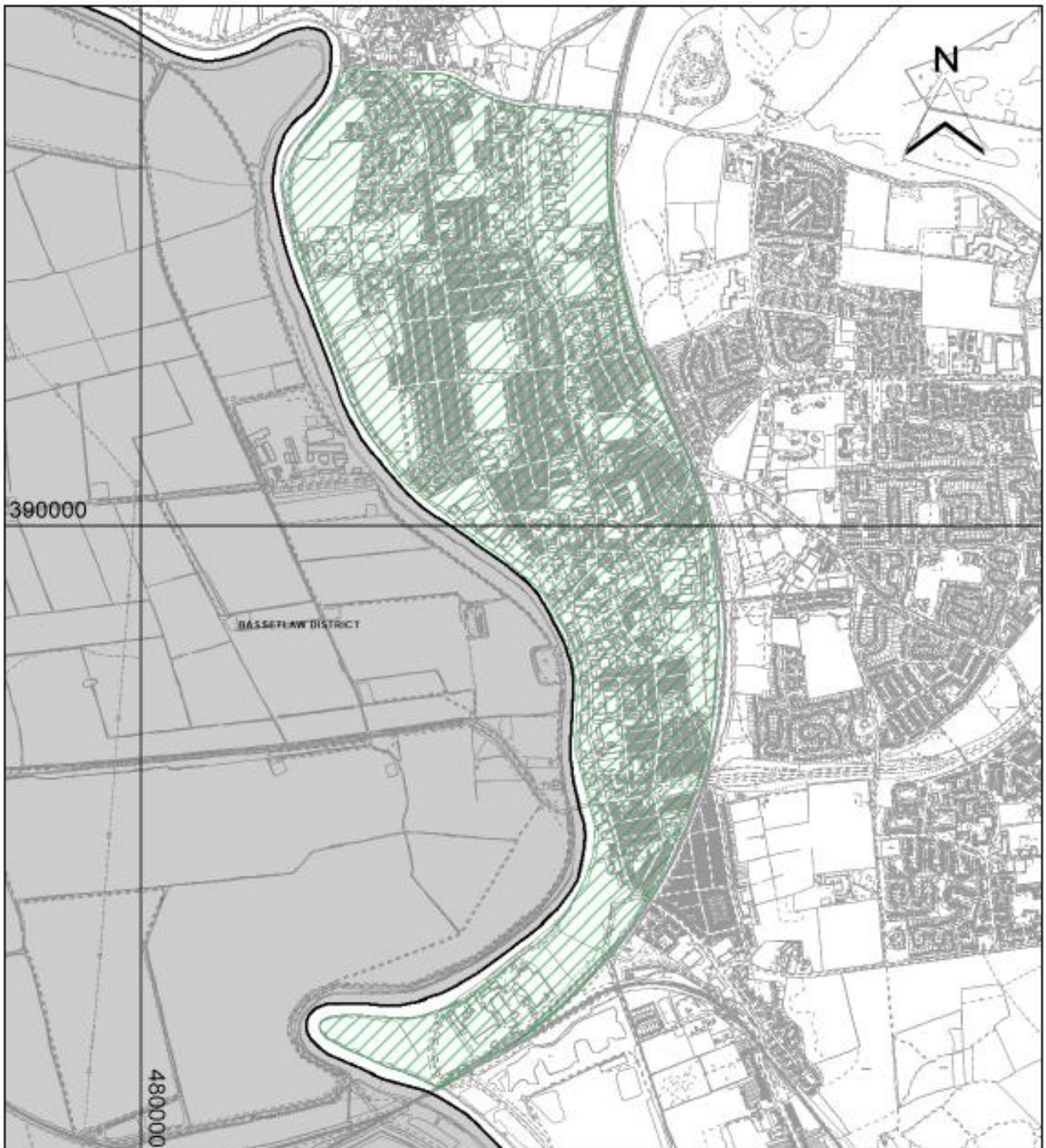
-  West Lindsey District Boundary
-  Zone 3 Developments of 1000 or more and specified Sustainable Urban Extensions within the Lincoln Strategy Area North East Quadrant



1:10000

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 Date 11 April 2016

West Lindsey District Council Community Infrastructure Levy Draft Charging Schedule
 Zone 4 Inset Map West Gainsborough



LEGEND

-  West Lindsey District Boundary
-  Zone 4 West Gainsborough West Lindsey



1:18000

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 Date 11 April 2018

PAPER M

10. Neighbourhood Plan Working Group Terms of Reference

Introduction

- 10.1 A Town Council may delegate decision making to either a committee, sub-committee or an officer of the authority. It cannot delegate any of its functions to a member of the Council or a working group. (LGA 1972 101 (1) (a))

Working Group membership and quorum

- 10.2 Membership will be a minimum of three Members of the Town Council and a maximum of five Members of the Town Council. Two ex-officio positions for the Chairman of the Town Council and the Leader of the Town Council.
- 10.3 The working group shall have express authority to increase its membership to nine but the additional members must be third party community members with an interest in the project or able to act as a subject matter expert.
- 10.4 The quorum of the meeting shall be a minimum of three members present, two of which must be Members of the Town Council or one third of the membership of the working group.
- 10.5 A chairperson will be appointed by the Working Group at its first meeting. At subsequent meetings if the Chair is not in attendance an interim chair will be appointed from the members who are present.

Delegation

- 10.6 The Council cannot delegate any of its functions to individual councillors or working groups. (LGA1972, s. 101).

Report structure

- 10.7 The Neighbourhood Plan Working Group shall report to either the Planning Committee or Full Council – whichever is the sooner so decisions can be obtained without significant delay.
- 10.8 Reports to either committee or Council must be with the principle meeting officer for that meeting at least seven clear days before the meeting so an item can be included in the agenda and papers.

Meeting frequency

- 10.9 The group shall meet as often as is deemed necessary. All members of the group must be invited to all meetings for openness and transparency. Meeting invitations should be delivered either by email or in writing at least 48 hours before the planned meeting.

Principle meeting officer

- 10.10 The working group will have **no** officer support. The group will produce its own agendas and minute notes for each meeting.

Principle objective

- 10.11 The Gainsborough Neighbourhood Plan was adopted by West Lindsey District Council on 28 June 2021.
- 10.12 To monitor and review the adopted Gainsborough Neighbourhood Plan: -

- a) The impact Neighbourhood Plan policies have on influencing the shape and direction of development across the Plan area during the plan period will be monitored by Gainsborough Town Council.
- b) To publish an Annual Monitoring Report to assess the impact of the Neighbourhood Plan policies. The findings of the report will be shared with WLDC.
- c) If it is apparent that any policy in this Plan has unintended consequences or is ineffective it will be reviewed. It is the expectation of the Neighbourhood Plan group and the Town Council that there will be a review of the Plan 5 years after it has been made.
- d) The Town Council will give particular attention to the ongoing review of the Central Lincolnshire Local Plan.
- e) The Town Council will monitor the delivery of the allocated sites in general, and the delivery of housing in particular. Where necessary it will review the policies concerned.
The Town Council will also monitor the effectiveness of the design of new development and, where necessary, review the general approach towards design in the Plan.
- f) Any amendments to the Plan will only be made following consultation with West Lindsey District Council, local residents and other statutory stake holders as required by legislation.

Budgetary matters

- 10.13 The working group do not currently have an allocated budget for the Neighbourhood Plan, if needed they will prepare any detailed budget proposals for recommendation to the Planning Committee and Full Council as necessary. Reports to either committee or Council must be with the principle meeting officer for that meeting at least seven clear days before the meeting so an item can be included in the agenda.

Decisions

- 10.14 Decisions of the working group will in the form of recommendations to the Planning Committee and shall be by majority vote of those working group members present and any third parties who have been formally invited to attend the meeting. Uninvited attendees shall not be entitled to vote. The Chair of the meeting shall have a casting vote.