

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 Caz 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 30 January 2024** 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

PL24/157 Apologies for Absence

To note apologies for absence.

PL24/158 Public Participation Period

Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda. A period of up to 15 minutes is permitted for public participation. Participants are restricted to 3 minutes each. Please see the [Council's Public Participation at Meetings Policy](#) and [Standing Orders](#) 3 f-i for details.

PL24/159 Declarations of Interest

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

PL24/160 Dispensation Requests

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

PL24/161 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.

PL24/162 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 28 November 2023 (pages 6 to 10)

PL24/163 Planning Application

To consider planning application received.

[Application Ref No: 147664 \(14/12/23, 28 days\)](#)

[Proposal: Planning application for change of use of building to head office use class E\(g\)\(i\).](#)

[Location: Unit 2 Somerby Way, Somerby Park, Gainsborough](#)

PL24/164 Planning Application

To consider planning application received.

[Application Ref No: 147719 \(20/12/23, 28 days\)](#)

[Proposal: Planning application for single storey rear extension.](#)

[Location: 194 Ropery Road, Gainsborough](#)

PL24/165 Planning Application

To consider planning application received.

[Application Ref No: 147737 \(03/01/24, 28 days\)](#)

[Proposal: Advertisement consent to display 1no. replacement illuminated projecting sign, 1no. replacement illuminated fascia sign & 1no. illuminated ATM surround.](#)

[Location: Nationwide Building Society, 24 Market Place, Gainsborough](#)

PL24/166 Planning Application

To consider planning application received.

[Application Ref No: 147787 \(15/01/24, 28 days\)](#)

[Proposal: Application for prior notification of proposed development by telecommunications code systems operators for 1no. 12m pole, 1no. GPS antenna at 12.4m, 1no. 3G OMIN antenna at 3.8m 7 smart metering equipment enclosure.](#)

[Location: Land at Gainsborough Treatment Works, The Avenue, Gainsborough](#)

PL24/167 Planning Application

To consider planning application received.

[Application Ref No: 147783 \(19/01/24, 28 days\)](#)

[Proposal: Planning application for loft conversion to create an additional bedroom including front dormer window.](#)

[Location: 46 Campbell Street, Gainsborough](#)

PL24/168 Planning Application

To consider planning application received.

[Application Ref No: 147798 \(23/01/24, 28 days\)](#)

[Proposal: Planning application for the the change of use and redevelopment to form 3no. dwellings.](#)

[Location: Former Melrose Sports and Social Club, 51 Melrose Road, Gainsborough](#)

PL24/169 Planning Application

To consider planning application received.

Application Ref No: 147827 (24/01/24, 28 days)

[Proposal: Planning application for single storey extension and other alterations being variation of conditions 2 and 3 of planning permission 146492 granted 18 May 2023 - changes to window frame colour from white to grey.](#)

[Location: 22 Riverside Dental Practice, Gladstone Street, Gainsborough](#)

PL24/170 Decision Notice

To note decision notice received.

Application Ref No: 147368 GRANTED (delegated)

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

Paper B (pages 11 to 18)

PL24/171 Decision Notice

To note decision notice received.

Application Ref No: 147416 GRANTED (delegated)

Proposal: Planning application to erect second storey side extension.

Location: 38 Hill Crescent, Gainsborough

Paper C (pages 19 to 26)

PL24/172 Decision Notice

To note decision notice received.

Application Ref No: 147437 REFUSED (delegated)

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

Paper D (pages 27 to 41)

PL24/173 Decision Notice

To note decision notice received.

Application Ref No: 147438 REFUSED (delegated)

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

Paper E (pages 42 to 51)

PL24/174 Decision Notice

To note decision notice received.

Application Ref No: 147177 GRANTED (Committee)

Proposal: Planning application to install a traditional Victorian awning.

Location: 5-7 Market Place, Gainsborough

Paper F (pages 52 to 66)

PL24/175 Decision Notice

To note decision notice received.

Application Ref No: 147178 GRANTED (Committee)

Proposal: Listed building consent to install a traditional Victorian awning.

Location: 5-7 Market Place, Gainsborough

Paper G (pages 67 to 72)

PL24/176 Decision Notice

To note decision notice received.

Application Ref No: 147202 GRANTED (delegated)

Proposal: Planning application to change the use from 1no. shop, 3no. dwelling houses and 1no. flat to 1no. shop, 3no. dwellings and 2no. flats.

Location: 80-82, Church Street, Gainsborough

Paper H (pages 73 to 93)

PL24/177 Decision Notice

To note decision notice received.

Application Ref No: 147359 GRANTED (delegated)

Proposal: Listed building consent to change the use from 1no. shop, 3no.dwellingshouses and 1no. flat to 1no. shop, 3no. dwellings and 2no. Flats.

Location: 80-82, Church Street, Gainsborough

Paper I (pages 94 to 100)

PL24/178 Decision Notice

To note decision notice received.

Application Ref No: 147610 GRANTED (delegated)

Proposal: Advertisement consent to display 2no. fascia signs.

Location: Shoezone, Unit 2a, Marshall's Yard, Beaumont Street, Gainsborough

Paper J (pages 101 to 110)

PL24/179 Decision Notice

To note decision notice received.

Application Ref No: 136937 GRANTED

Proposal: Outline planning application for residential development of up to 750no. dwellings with access to be considered and not reserved for subsequent applications

Location: Land north east of Highfields roundabout, Corringham Road, Gainsborough

Paper K (pages 111 to 121)

PL24/180 Decision Notice

To note decision notice received.

Application Ref No: 146003 GRANTED (delegated)

Proposal: Advertisement consent to display 1no. non-illuminated fascia sign.

Location: Emporium 2 Granary Wharf, Bridge Street, Gainsborough

Paper L (pages 122 to 125)

PL24/181 Decision Notice

To note decision notice received.

Application Ref No: 146120 GRANTED (delegated)

Proposal: Planning application for removal of existing store-front and construct replacement.

Location: Digitech Business Equipment, 63 Heaton Street, Gainsborough

Paper M (pages 126 to 140)

PL24/182 Street Naming Requests

To consider street naming requests received.

Paper N new development accessed off Horsley Road (pages 141 to 142)

Paper O Thonock Green (pages 143 to 149)

PL24/183 Tree Preservation Orders

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

PL24/184 Mobile Infrastructure Upgrade

To note consultation on proposed base station installation upgrade at Cornerstone 10681128, Whites Wood Lane, Gainsborough

Paper O (pages 150 to 158)

PL24/185 Items for Notification

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

PL24/186 Time and Date of Next Meeting

To note the date and time of the next Planning Committee meeting is scheduled for Tuesday 27 February 2024 at 7:00pm.

Rachel Allbones
Interim Town Clerk
Richmond House
Gainsborough

Thursday, 25 January 2024

PAPER A

Gainsborough Town Council

Richmond House, Richmond Park, Morton Terrace

Gainsborough, Lincolnshire, DN21 2RJ

Tel: 01427 811573

Website: gainsborough-tc.gov.uk



DRAFT PLANNING COMMITTEE MINUTES

Minutes of the Planning Committee meeting held on **Tuesday 28 November 2023** at **7:00pm** in the meeting room, Richmond House, Richmond Park, Morton Terrace, Gainsborough, DN21 2RJ.

Councillors Present: Councillor James Plastow (Chairman)
Councillor Michael Devine Councillor David Dobbie
Councillor Liam Muggridge

In Attendance:
Rachel Allbones Interim Town Clerk

Prior to the meeting commencing a minute's silence was observed in memory of the Mayor, Councillor Tim Davies.

PL24/136 Apologies for Absence

Apologies for absence were received from Councillors R Craig, S Morley, K Panter and J Ward.

PL24/137 Public Participation Period

No members of the public were present.

PL24/138 Declarations of Interest

No declarations of interest were made.

PL24/139 Dispensation Requests

No dispensation requests were received.

PL24/140 Items for Exclusion of Public and Press

No items for exclusion of public and press.

PL24/141 Minutes of the Previous Meeting (Paper A)

RESOLVED: that the minutes of the Planning Committee meeting held on Tuesday 24 October 2023 be approved as a as a true and accurate record and signed by the Chairman.

PL24/142 Planning Application

[Application Ref No: 147416 \(25/10/23, 28 days\)](#)

[Proposal: Planning application to erect second storey side extension.](#)

[Location: 38 Hill Crescent, Gainsborough](#)

RESOLVED: to support the application.

PL24/143 Planning Application

[Application Ref No: 146967 \(27/10/23, 28 days\)](#)

[Proposal: Planning application for solar PV installation on existing school roof](#)

[Location: Gainsborough Educational Village, Sweyn Lane, Gainsborough](#)

RESOLVED: to support the application.

PL24/144 Planning Application

[Application Ref No: 147511 \(01/11/23, 28 days\)](#)

[Proposal: Planning application for change of use from an a public convenience block to a Café \(Use Class E\) with external alterations and creation of a bin storage area.](#)

[Location: Whittons Gardens, Caskgate Street, Gainsborough](#)

RESOLVED: to **OBJECT** to the application as Members feel the public conveniences should be reinstated and refurbished and to include a changing places facility.

PL24/145 Planning Application

[Application Ref No: 147177 \(01/11/23, 28 days\)](#)

[Proposal: Planning application to install a traditional Victorian awning.](#)

[Location: 5-7 Market Place, Gainsborough](#)

RESOLVED: to support the application.

PL24/146 Planning Application

[Application Ref No: 147178 \(01/11/23, 28 days\)](#)

[Proposal: Listed building consent to install a traditional Victorian awning.](#)

[Location: 5-7 Market Place, Gainsborough](#)

RESOLVED: to support the application.

PL24/147 Planning Application

[Application Ref No: 147536 \(10/11/23, 28 days\)](#)

[Proposal: Planning application for change of use of vacant Baltic Mill site into a landscaped area.](#)

[Location: Land off Bridge Street, Baltic Mill Lane, Gainsborough](#)

RESOLVED: to support the observations from LCC Archaeology section to ensure no loss of archaeological heritage with the development.

PL24/148 Decision Notice (Paper B)

Application Ref No: 147230 GRANTED (delegated)

Proposal: Planning application for alterations and single storey extension with

attached car port.

Location: 41 Heaton Street, Gainsborough

RESOLVED: to **NOTE** the decision notice received.

PL24/149 Decision Notice (Paper C)

Application Ref No: 147316 GRANTED (delegated)

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

RESOLVED: to **NOTE** the decision notice received.

PL24/150 Street Naming Requests (Paper D)

RESOLVED: to propose the following street names for the new development off Horsely Road street names: -

- 1) Barnes Wallis Drive - Invented the bouncing bomb used by the Royal Air Force in Operation Chastise (the "Dambusters" raid) to attack the dams of the Ruhr Valley during World War II.
- 2) Eliot Drive (suggested by developer) – George Eliot, Author of Mill on the Floss. Floss Mill Lane is also located just north of the development site.
- 3) Ingham Close – Roy Ingham, the first Mayor of Gainsborough

PL24/151 Tree Preservation Orders

No tree preservation orders were received.

PL24/152 Community Infrastructure Levy (CIL) (Paper E)

RESOLVED: to **NOTE** the report.

PL24/153 Dropped Kerbs (Paper F)

Members considered the complaint received regarding the lack of dropped kerbs to enable mobility scooter users access throughout the town.

RESOLVED: to contact the County Councillors requesting consideration be made to extend the network of cycleways and Toucan crossings within the town.

PL24/154 White's Wood Lane Traffic Calming

RESOLVED: to **NOTE** the installation of Check Speed 30mph safety signs on White's Wood Lane.

PL24/155 Items for Notification

There were no items for notification.

PL24/156 Time and Date of Next Meeting

RESOLVED: to **NOTE** the date and time of the next Planning Committee meeting is scheduled for Wednesday 20 December 2023 at 7:00pm at Richmond House, Morton Terrace.

The meeting closed at 8:14pm

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

DRAFT

PAPER B

Consent to Display Advertisements

Name and address of applicant	Name and address of agent (if any)
Mr Matthew Wilkinson Lincolnshire Co-operative Limited Stanley Bett House 15-23 Tentercroft Street Lincoln LN5 7DB	Mr Sam Winton Framework Architects 3 Marine Studios Burton Lane End Burton Waters, Lincoln LN1 2UA

Part I – Particulars of application

Date of application	Application no
26/09/2023	147368

Particulars and location of advertisements:

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

Lincolnshire Cooperative Ltd
Corringham Road
Gainsborough
Lincolnshire
DN21 1EQ

Part II – Particulars of decision

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Totem Signage Plan and Elevation Drawing no. J2022 SK250
Proposed Signage Elevation Drawing no. J2022 SK251
Sloan LED Lighting Specification

Reason: In the interests of proper planning

Date: 7.12.2023

Signed:



Ian
Knowles
Head of Paid Service

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

Notes:

- (a) The regulations provide that every grant of express consent shall be for a fixed period which shall not be longer than five years from the date of grant of consent without the approval of the Secretary of State and **if no period is specified the consent shall have effect as consent for five years.**
- (b) It is a condition of this consent that before any advertisement is displayed on land in pursuance of the consent granted, the permission of the owner of that land or other person entitled to grant permission in relation thereto shall be obtained.
- (c) A person who displays an advertisement in contravention of the regulations will be liable on summary conviction to a fine of £1000 and in the case of a continuing offence to a fine of £100 for each day during which the offence continues after conviction.
- (d) Where the local planning authority grant consent subject to conditions, the applicant may by notice given in writing within eight weeks of receipt of this notice, or such longer period as the First Secretary of State may allow, appeal to the First Secretary of State, in accordance with Regulation 15 of the Town and Country Planning (Control of Advertisements) Regulations 1989. The First Secretary of State is not required to entertain such an appeal if it appears to him having regard to the provisions of the regulations, that consent for the display of advertisements in respect of which application was made could not have been granted by the local planning authority otherwise than subject to the conditions imposed by them.

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

Officers Report

Planning Application No: 147368

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 Lincolnshire DN21 1EQ

WARD: Gainsborough North

WARD MEMBER(S):

APPLICANT NAME:

TARGET DECISION DATE: 21/11/2023

DEVELOPMENT TYPE: Advertisement

CASE OFFICER: George Backovic

RECOMMENDED DECISION: Grant

Description: The site consists of a recently completed convenience store which is elevated above Corringham Road to the south. To the west beyond the access (which also serves the Tennis Club to the north) and a narrow strip of land are a row of 3 dwellings (Woodhill Avenue). The access runs along the eastern boundary of the site. There are also dwellings on the opposite side of Corringham Road beyond the existing grass verges and footpaths fronting the store.

Three signs are proposed:

One internally illuminated totem sign running north to south, west of the entrance, 4m high and 1.2m wide.

An internally illuminated fascia sign above the main entrance to the store, 4.7m wide and 650mm in height.

An internally illuminated sign described as a "lozenge" in the gable above the main entrance. 1.96m by 1.4m

They are already present on site.

Relevant history:

143583: Erection of a single storey convenience store, including associated hard and soft landscaping. GC 05.01.2022

146372: confirmation of compliance with condition 2 (landscaping) of planning permission 143583. Approved 05.01.2023.

147477: Confirmation of compliance with conditions 6 (access) and 8 (noise management plan) of planning permission 143583 granted 5 January 2022 (awaiting determination)

147653: Confirmation of compliance with condition 7 (installation of sound absorbing materials) of planning permission 143583 granted 5 January 2022. (awaiting determination)

Representations:

Chairman/Ward member(s): No comments received

Gainsborough Town Council: “No comments”

Local residents: No comments received.

LCC Highways: The advertisement proposals will not present a danger or distraction for road users. No objection.

ECM Checked: 07/12/2023

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 April 2023), the Gainsborough Neighbourhood Plan (Adopted June 2021) and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016).

Development Plan:

The following policies are particularly relevant:

Central Lincolnshire Local Plan

Policy S1: The Spatial Strategy and Settlement Hierarchy

Policy NS55: Advertisements

Policy S53: Design and Amenity

Gainsborough Neighbourhood Plan (made 28th June 2021) – GNP:

NPP 1 Sustainable Development

NPP 6 Ensuring High Quality Design

NPP 7 Ensuring High Quality Design in each Character Area

- **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)**

- **National Design Code (2021)**

Other:

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)

Main issues

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

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

- Amenity
- Public Safety

The NPPF states (paragraph 136) that: “The quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.”

Assessment:

Visual amenity -The signs and their location are described at the start of the report and they are considered visually acceptable given their context, and are not excessive in number or scale. The signage is typical of convenience stores and is not an uncommon feature within urban and other areas. No unacceptable impacts on amenity will arise.

Public Safety – The Highways authority has confirmed that they will not present a danger or distraction to road users.

Conclusion and planning balance

No adverse impacts on amenity or safety arise are considered to arise and it would be in accordance with policies NS55 and S53 of the Central Lincolnshire Local Plan and NPP6 of the Gainsborough Neighbourhood Plan and a grant of consent is recommended.

Human Rights Implications:

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

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

Legal Implications:

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

Prepared by : George Backovic

Date : 7th December 2023

Signed: 

Authorising Officer Danielle Peck **Date: 07/12/2023**

Decision Level (tick as appropriate)

Delegated

PAPER C

Planning Permission

Name and address of applicant

Name and address of agent (if any)

Mr Jamie Woolsgrove
38 Hill Crescent
Gainsborough
DN21 1RT

Part One – Particulars of application

Date of application:
20/10/2023

Application number:
147416

Particulars and location of development:

Planning application to erect second storey side extension.

38 Hill Crescent Gainsborough Lincolnshire DN21 1RT

Part Two – Particulars of decision

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

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

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

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

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

None

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

2. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings: 'Proposed North Elevation', 'Proposed South Elevation', 'Proposed East Elevation' and 'Proposed First Floor Plan' received 20/10/23. 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: 7th December 2023

Signed:

A handwritten signature in black ink, appearing to be 'J. M. ...', written over a horizontal line.

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.

Officer's Report

Planning Application No: 147416

PROPOSAL: Planning application to erect second storey side extension.

LOCATION: 38 Hill Crescent Gainsborough Lincolnshire DN21 1RT
WARD: Gainsborough East

TARGET DECISION DATE: 15/12/2023
DEVELOPMENT TYPE: Householder Development
CASE OFFICER: Vicky Maplethorpe

RECOMMENDED DECISION: Grant permission

Description:

The application site comprises a semi-detached house located within Gainsborough. The site is surrounded by other residential dwellings. The application seeks permission for a first floor extension to the side.

Relevant history:

None

Representations:

Chairman/Ward member(s):	None received
Parish/Town Council/Meeting:	No objections
Local residents:	None received
LCC Highways/Lead Local Flood Authority:	None received
Archaeology:	None received
ECM:	Checked 6/12/23

Relevant Planning Policies:

National guidance	National Planning Policy Framework National Planning Practice Guidance
Local Guidance	Central Lincolnshire Local Plan: S13: Reducing Energy Consumption in Existing Buildings S53: Design and Amenity S61: Biodiversity Opportunity and Delivering Measurable Net Gains
Neighbourhood Plan:	Gainsborough Town Neighbourhood Plan MADE June 2021: NPP5: Protecting the Landscape Character NPP 6: Ensuring High Quality Design NPP7: Ensuring High Quality Design in each Character Area

POLICY S53 – Design and Amenity
Is the proposal well designed in relation to its siting, height, scale, massing and form?
Yes.
Does the proposal respect the existing topography, landscape character, street scene and local distinctiveness of the surrounding area?
Yes.
Does the proposal harm any important local views into, out of or through the site?
No.
Does the proposal use appropriate materials which reinforce or enhance local distinctiveness?
Yes.
Does the proposal adversely affect the residential amenity of neighbouring properties by virtue of overlooking, overshadowing, loss of light or over dominance?
No.
Does the proposal adversely impact any existing natural or historic features?
No.

Other considerations:
Does the proposal enable an adequate amount of private garden space to remain?
Yes.
Does the proposal enable an adequate level of off street parking to remain?
Yes.
<u>Comments on energy efficiency and biodiversity net gain policies:</u>
<p>Policy S13 states applicants are ‘encouraged to consider all opportunities to improve energy efficiency.’ The applicant was emailed details of this policy and encouraged to consider the opportunities to improve energy efficiency.</p> <p>It is therefore considered that this application meets the requirements of policy S13.</p> <p>Householder development is not qualifying development under policy S61: Biodiversity Opportunity and Delivering Measurable Net Gains.</p>

Conclusion and reasons for decision:
<p>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.</p> <p>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.</p>

Human Rights Implications:

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

Legal Implications:

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

Prepared by : VJM

Date : 6/12/23

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

Authorising Officer: *D. Galpin* Date: 6th December 2023

Decision Level (tick as appropriate)					
Delegated	<input checked="" type="checkbox"/>	Delegated via Members	<input type="checkbox"/>	Committee	<input type="checkbox"/>

PAPER D

Refusal of Planning Permission

Name and address of applicant	Name and address of agent (if any)
FMJ Properties	Zaavia Design Ltd
39 St George's Road London	15 Yoxley Drive Ilford
E10 5RH	IG2 6PZ

Part One – Particulars of application

Date of application: 11/10/2023	Application number: 147437
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Particulars and location of development:

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

4 Silver Street Gainsborough Lincolnshire DN21 2DP

Part Two – Particulars of decision

The West Lindsey District Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that **planning permission has been refused** for the carrying out of the development referred to in Part One hereof for the following reasons:

The decision 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 S47: Accessibility and Transport, Policy S49: Parking Provision, Policy S53: Design and Amenity and Policy S57: The Historic Environment of the Central Lincolnshire Local Plan and the policies contained within the Gainsborough Neighbourhood Plan (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 and NPP 19 Improving the Vitality of the Town Centre) and the guidance contained in National Planning Policy Framework and National Planning Practice Guidance and against Section 66 & 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

In light of the above assessment it is considered that the principle of the proposal is not acceptable and is refused for the following reason:

The proposal with the loss of historic fabric would be detrimental to the special architectural and historic qualities of this Grade II listed building. There is a lack of clear and convincing justification to demonstrate that any benefit outweighs the great weight to be given to conservation of this heritage asset. The proposal is therefore contrary to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy S57 of the Central Lincolnshire Local Plan, Policy NPP 18 of the Gainsborough Neighbourhood Plan and Chapter 16 of the National Planning Policy Framework.

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. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

Date: 04/12/2023

Signed:



Ian Knowles
Head of Paid Service

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

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within **6 Months** of the date of this notice (or within **12 weeks** on a minor commercial or householder application).

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

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at [www.planninginspectorate.gov.uk](#). The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by the Secretary of State.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#)

Purchase Notices

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that the owner can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase the owners interest in the land in accordance with the provisions of Chapter I of Part 6 of the Town and Country Planning Act 1990.

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

Officers Report

Planning Application No: 147437

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 Lincolnshire DN21 2DP
WARD: Gainsborough South West
APPLICANT NAME: FMJ Properties

TARGET DECISION DATE: 06/12/2023
DEVELOPMENT TYPE: Change of Use
CASE OFFICER: Richard Green

RECOMMENDED DECISION: Refuse.

Description:

The site is a Grade II listed building within Gainsborough Town Centre and Gainsborough Primary Shopping Area. The property is a four storey building that fronts Silver Street, one of the main pedestrian thoroughfares in Gainsborough town centre. The site is within the Gainsborough Town Centre Conservation Area and the site is surrounded by other commercial properties some of which have accommodation on the upper floors. Many of these neighbouring buildings are also listed. The site is located in flood zone 3 but it is in an area benefiting from flood defences.

The application proposes to create two self-contained flats on the first floor (a one bed and a two bed flat), two one bed self-contained flats on the second floor and a one bed self-contained flat on the third floor (5 self-contained flats in total). The flats will be accessed off Silver Street through a door way which leads through a passageway to a door way and a stairway up to the upper floors of the building. It is also proposed to install 4no. new first floor windows on the rear (north) elevation of the building. The ground floor vacant shop unit (last occupied by Cooplands) is not part of this application.

A previous planning permission (139718) and Listed building Consent (139719) has now lapsed and the applicant was advised to submit new applications (147437 & 147438) which should also seek to rectify unlawful work carried out to this listed building as detailed in the planning history below.

Relevant history:

147438 - 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. To be determined in tandem with this application.

146536 - Request for confirmation of compliance with conditions 1 (expiration), 2 (refuse), & 3 (repairs/materials) of planning permission 139718 granted 7 November 2019. Refused 16/06/2023 *'Each of the above permissions had several pre-commencement conditions (i.e. that required matters to be agreed before the development commenced) and other conditions that must be adhered to attached to the decision notices.*

After the grant of these permissions [139718 & 139719] it was brought to the attention of the Local Planning Authority that work had started without these conditions being discharged. The applicant was told to stop work.

*On the 02/05/2023 the current application (146536) was validated with planning permission 139718 **having expired after 3 years on the 07/11/2022.** The permission has lapsed and the conditions cannot therefore be discharged.*

I also went on site with the Conservation Officer on the 13/06/2023 and some of the work carried out after the grant of the above permissions was not permitted and is considered to have detrimentally affected the Grade II Listed Building. The most notable example of this is the following. If you look at figure 1 below and the top three set of sash windows you will notice the gutter directly above the sash windows and figure 2 shows the 'lean-to' pantile roof above this gutter/windows. If you then look at Figure 3 the work carried out before work stopped has heightened the roof with several courses of breeze blocks and put a flat roof on this element of the building. All the internal original beams to the lean-to roof will also have been lost. The conditions cannot be discharged as unlawful work has been carried out on this Grade II Listed Building.

*Therefore, conditions 1, 2 and 3 of planning permission 139718 **cannot be discharged** as the planning permission has expired/lapsed and unlawful work has been carried out to this Grade II Listed Building.'*

146540 - Request for confirmation of compliance with conditions 1 (expiration), 2 (repairs and specification of repairs and 3 (fire safety work) of listed building consent 139719 granted 7 November 2019. Refused 16/06/2023 *'Each of the above permissions [139718 & 139719] had several pre-commencement conditions (i.e. that required matters to be agreed before the development commenced) and other conditions that must be adhered to attached to the decision notices.*

After the grant of these permissions it was brought to the attention of the Local Planning Authority that work had started without these conditions being discharged. The applicant was told to stop work.

*On the 02/05/2023 the current application (146540) was validated with listed building consent 139719 **having expired after 3 years on the 07/11/2022.***

The Listed Building Consent has now expired/lapsed and the conditions cannot therefore be discharged.

I also went on site with the Conservation Officer on the 13/06/2023 and some of the work carried out after the grant of the above permissions was not permitted and is considered to have detrimentally affected the Grade II Listed Building. The most notable example of this is the following. If you look at figure 1 below and the top three set of sash windows you will notice the gutter directly above the sash windows and figure 2 shows the 'lean-to' pantile roof above this gutter/windows. If you then look at Figure 3 the work carried out before work stopped has heightened the roof with several courses of breeze blocks and put a flat roof on this element of the building. All the internal original beams to the lean-to roof will also have been lost. The conditions cannot be discharged as unlawful work has been carried out on this Grade II Listed Building.

*Therefore, conditions 1, 2 and 3 of listed building consent 139719 **cannot be discharged** as the planning permission has expired/lapsed and unlawful work has been carried out to this Grade II Listed Building.'*

139718 - Planning application for a change of use of vacant spaces on the 1st, 2nd & 3rd floors from (A1) retail to (C3) residential accommodation, internal alterations to form 5no. residential units including installation of 4no. windows to rear elevation. Granted 07/11/2019.

139719 – Listed Building Consent for a change of use of vacant spaces on the 1st, 2nd & 3rd floors from (A1) retail to (C3) residential accommodation, internal alterations to form 5no. residential units including installation of 4no. windows to rear elevation. Granted 07/11/2019.

122321 - Planning application for a new shop front (Cooplads) – Granted 12/08/2008.

122369 - Listed building consent to install a new shop front (Cooplads). Granted 12/08/2008.

M00/P/0045 - Planning application to change the use of ground floor and part of first floor from Class A1 (Retail) to A3 (Food and Drink). Granted 14/03/2000.

Representations:

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

Town Council: The Council supports the application and Town Centre Living.

Local residents/Occupiers: No representations received to date.

LCC Highways and Lead Local Flood Authority: The proposal is 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 and it does not have an unacceptable impact on the Public Highway or Surface Water Flood Risk. The site is located in a central urban area where services and facilities are within a reasonable distance to be accessed via sustainable travel options such as walking, cycling and public transport. Future residents of the development will not be reliant on the private car and therefore parking is not essential for this proposal.

LCC Archaeology: No representations received to date.

Conservation Officer: Object to the application. The applicant has not addressed the unlawful work that has been carried out to the listed building that was brought to their attention through the refusal of applications 146536 and 146540.

The planning and listed building consent applications (139718 and 139719) have now lapsed and new applications needed to have been made to rectify the unlawful work carried out to the listed building. The current applications (147437 & 147438) fail to do this.

Strategic Housing Manager: No representations received to date.

Historic England: 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.

ECM: Checked 04/12/2023.

Relevant Planning Policies:

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

Development Plan:

The following policies are particularly relevant:

Central Lincolnshire Local Plan adopted 2023 (CLLP):

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 S47: Accessibility and Transport
Policy S49: Parking Provision
Policy S53: Design and Amenity
Policy S57: The Historic Environment

Gainsborough Neighbourhood Plan

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

Lincolnshire Minerals and Waste Plan

The Core Strategy & Development Management policies (CSDMP) were adopted in June 2016 and form part of the Development Plan. The application site is within a Mineral Safeguarding Area (MSA). Policy M11 applies.

National policy & guidance (Material Consideration)

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

The NPPF sets out the Government's planning policies for England and how these should be applied. It is a material consideration in planning decisions. The most recent iteration of the NPPF was published in September 2023.

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

Listed Building Legal Duty

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

CA Legal Duty

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

Main issues

- Principle of Development
- Conservation Area and Listed Buildings
- Residential Amenity
- Visual Impact
- Foul and Surface Water Drainage
- Flood Risk
- Highways and Carparking

- Other Matters

Assessment:

Principle of Development

It is proposed to create five flats on the upper storey's of this four storey building located within the town centre of Gainsborough. 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.*

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 as the proposal does not include the ground floor vacant shop unit (last occupied by Cooplands).

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 and S37 1 of the CLLP and Policy NPP 19 of the Gainsborough Neighbourhood Plan.

Conservation Area and Listed Buildings

The site is a Grade II listed four storey building which is surrounded by other commercial properties some of which have accommodation on the upper floors. Many of these neighbouring buildings are also listed. The building is early 18th century and is located in the Gainsborough Town Centre Conservation Area.

S.66 of the Planning (Listed Buildings and 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. Section 72 of the Act contains similar requirements with respect to buildings or land in a conservation area. In this context, "preserving", means doing no harm.

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 Gainsborough Neighbourhood Plan (NP).

Paragraph 199 of the NPPF states that *'great weight should be given to the [designated] asset's conservation'*. Paragraph 200 goes on to state that *'Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting'*.

Paragraph 201 provides guidance that *'Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent'*.

A previous planning permission (139718) and Listed building Consent (139719) has now lapsed. Applications 146536 and 146540 which were refused on the 16/06/2023 clearly state and show in the decision letters to the applicant the unlawful work that has been carried out to this listed building. The applicant was advised to submit new planning and listed building consents following the lapse of the previous permissions which should also seek to rectify the unlawful work carried out to this listed building.

The current applications (147437 & 147438) contain details of the unlawful works carried out to this listed building.

It is considered that the level of harm is substantial. The NPPF and case law make it clear that the finding of harm should be given considerable importance and weight and provides a strong presumption against granting permission. The balancing exercise of the public benefits required by paragraph 201 is therefore strongly tilted in favour of preservation and must be carried out against the statutory duty for preservation. The wish of the applicant to convert the majority of this building to a residential dwelling are not sufficient to constitute a clear and convincing public benefit.

The proposal with the loss of historic fabric would be detrimental to the special architectural and historic qualities of this Grade II listed building. There is a lack of clear and convincing justification to demonstrate that any benefit outweighs the great weight to be given to conservation of this heritage asset.

The proposal is therefore contrary to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy S57 of the Central Lincolnshire Local Plan, Policy NPP 18 of the Gainsborough Neighbourhood Plan and Chapter 16 of the National Planning Policy Framework.

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.

Four new windows are proposed on the rear elevation of the building (two of which will be obscure glazed) at second floor level which do not overlook residential properties. No new openings are proposed on the front elevation facing onto Silver Street. Any subsequent building regulations application would work within the constraints of the Listed Building to upgrade the sound proofing if necessary between the ground floor shop unit and between the proposed self-contained flats.

The proposal will bring back into use a vacant Grade II Listed Historic building. National and Local Planning Policy seeks to bring back to use vacant upper floors in town centres for residential uses in order to contribute to the vitality and viability of the town centre. In this context it is considered that the proposal could not be withheld on residential amenity grounds.

Visual Impact

Local Plan Policy S53 states that all development *'must achieve high quality sustainable design that contributes positively to local character, landscape and townscape, and supports diversity, equality and access for all.'*

Development must *'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'*. It further states that development should *'contribute positively to the sense of place, reflecting and enhancing existing character and distinctiveness'*, and should *'be appropriate for its*

context and its future use in terms of its building types, street layout, development block type and size, siting, height, scale, massing, form, rhythm, plot widths, gaps between buildings, and the ratio of developed to undeveloped space both within a plot and within a scheme.’ In addition, development must ‘achieve a density not only appropriate for its context but also taking into account its accessibility.’

Four new windows are proposed on the rear elevation of the building at first floor level. No new openings are proposed on the front elevation facing onto Silver Street. The harm identified above to the listed building is externally located to the rear of the building and will not be seen from the street scene or the wider Conservation Area.

However, these matters do not overcome the harm to the Grade II Listed Building highlighted above.

Foul and Surface Water Drainage

The site benefits from existing foul and surface water drainage connections which the proposed flats 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.

Flood Risk

A Flood Risk Assessment (FRA) has been submitted as part of this application. This FRA demonstrates that although the site is located in flood zone 3, it is in an area benefiting from flood defences and is not affected by any modelled flood events including when the flood defences are breached.

The ground floor space is to remain as ‘less vulnerable’ retail use and the ‘more vulnerable’ residential accommodation will be on the upper floors. The site is not within a dry island and in a nearby flood event a safe egress route can be found by travelling east on Silver Street away from the River Trent. It is therefore concluded that the proposed development can proceed without causing a risk to users and it will not result in any increased flood risk downstream of the development.

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 and 2 bed dwellings 2 parking spaces 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.

Other matters:

Household waste

Bins for the proposed flats will be kept in the rear courtyard which is surrounded by high walls to the north of the building. If it is minded to grant permission household waste arrangements for the five flats will be conditioned.

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.

Conclusions and reasons for decision

The decision 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 S47: Accessibility and Transport, Policy S49: Parking Provision, Policy S53: Design and Amenity and Policy S57: The Historic Environment of the Central Lincolnshire Local Plan and the policies contained within the Gainsborough Neighbourhood Plan (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 and NPP 19 Improving the Vitality of the Town Centre) and the guidance contained in National Planning Policy Framework and National Planning Practice Guidance and against Section 66 & 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

In light of the above assessment it is considered that the principle of the proposal is not acceptable and is refused for the following reason:

1. The proposal with the loss of historic fabric would be detrimental to the special architectural and historic qualities of this Grade II listed building. There is a lack of clear and convincing justification to demonstrate that any benefit outweighs the great weight to be given to conservation of this heritage asset. The proposal is therefore contrary to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy S57 of the Central Lincolnshire Local Plan, Policy NPP 18 of the Gainsborough Neighbourhood Plan and Chapter 16 of the National Planning Policy Framework.

Human Rights Implications:

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

Legal Implications:

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

Prepared by : Richard Green

Date : 04/12/2023

Signed: *R. J. Green*

Authorising Officer



Date: 4th December 2023

Delegated x

PAPER E

Refusal of Listed Building Consent

Name and address of applicant

FMJ Properties
39 St George's Road
London
E10 5RH

Name and address of agent (if any)

Zaavia Design Ltd
15 Yoxley Drive
Ilford
IG2 6PZ

Part I – Particulars of application

Date of application
11/10/2023

Application no
147438

Particulars and location of development

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

4 Silver Street Gainsborough Lincolnshire DN21 2DP

Part II – Particulars of decision

The West Lindsey District Council hereby give notice that **Listed Building Consent has been refused** for the execution of the works referred to in Part 1 hereof for the following reasons:

1. It is considered that the works fail to preserve the Listed Building, and are considered to be harmful to its character. The proposal with the loss of historic fabric would be detrimental to the special architectural and historic qualities of this Grade II listed building. The proposal is therefore contrary to Section 16 of the Planning (Listed Building and Conservation Area) Act 1990 and the NPPF.

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. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

Date: 04/12/2023

Signed:



Ian Knowles
Head of Paid Service

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

- 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 six 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. *You must use a Listed Building Consent Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the appeal form you require.*
- 2 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.
- 3 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.
- 4 In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the 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.
- 5 If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)
- 6 **Only the applicant possesses the right to appeal this 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: 147438

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 Lincolnshire DN21 2DP
WARD: Gainsborough South West
APPLICANT NAME: FMJ Properties

TARGET DECISION DATE: 06/12/2023
DEVELOPMENT TYPE: Listed Building - Alter/Extend
CASE OFFICER: Richard Green

RECOMMENDED DECISION: Refuse.

The site is a Grade II listed building within Gainsborough Town Centre and Gainsborough Primary Shopping Area. The property is a four storey building that fronts Silver Street, one of the main pedestrian thoroughfares in Gainsborough town centre. The site is within the Gainsborough Town Centre Conservation Area and the site is surrounded by other commercial properties some of which have accommodation on the upper floors. Many of these neighbouring buildings are also listed. The site is located in flood zone 3 but it is in an area benefiting from flood defences.

The application proposes to create two self-contained flats on the first floor (a one bed and a two bed flat), two one bed self-contained flats on the second floor and a one bed self-contained flat on the third floor (5 self-contained flats in total). The flats will be accessed off Silver Street through a door way which leads through a passageway to a door way and a stairway up to the upper floors of the building. It is also proposed to install 4no. new first floor windows on the rear (north) elevation of the building. The ground floor vacant shop unit (last occupied by Cooplands) is not part of this application.

A previous planning permission (139718) and Listed building Consent (139719) has now lapsed and the applicant was advised to submit new applications (147437 & 147438) which should also seek to rectify unlawful work carried out to this listed building as detailed in the planning history below.

Relevant history:

147437 - 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. To be determined in tandem with this application.

146536 - Request for confirmation of compliance with conditions 1 (expiration), 2 (refuse), & 3 (repairs/materials) of planning permission 139718 granted 7 November 2019. Refused 16/06/2023 *'Each of the above permissions had several pre-commencement conditions (i.e. that required matters to be agreed before the development commenced) and other conditions that must be adhered to attached to the decision notices.*

After the grant of these permissions [139718 & 139719] it was brought to the attention of the Local Planning Authority that work had started without these conditions being discharged. The applicant was told to stop work.

*On the 02/05/2023 the current application (146536) was validated with planning permission 139718 **having expired after 3 years on the 07/11/2022**. The permission has lapsed and the conditions cannot therefore be discharged.*

I also went on site with the Conservation Officer on the 13/06/2023 and some of the work carried out after the grant of the above permissions was not permitted and is considered to have detrimentally affected the Grade II Listed Building. The most notable example of this is the following. If you look at figure 1 below and the top three set of sash windows you will notice the gutter directly above the sash windows and figure 2 shows the 'lean-to' pantile roof above this gutter/windows. If you then look at Figure 3 the work carried out before work stopped has heightened the roof with several courses of breeze blocks and put a flat roof on this element of the building. All the internal original beams to the lean-to roof will also have been lost. The conditions cannot be discharged as unlawful work has been carried out on this Grade II Listed Building.

*Therefore, conditions 1, 2 and 3 of planning permission 139718 **cannot be discharged** as the planning permission has expired/lapsed and unlawful work has been carried out to this Grade II Listed Building.'*

146540 - Request for confirmation of compliance with conditions 1 (expiration), 2 (repairs and specification of repairs and 3 (fire safety work) of listed building consent 139719 granted 7 November 2019. Refused 16/06/2023 *'Each of the above permissions [139718 & 139719] had several pre-commencement conditions (i.e. that required matters to be agreed before the development commenced) and other conditions that must be adhered to attached to the decision notices.*

After the grant of these permissions it was brought to the attention of the Local Planning Authority that work had started without these conditions being discharged. The applicant was told to stop work.

*On the 02/05/2023 the current application (146540) was validated with listed building consent 139719 **having expired after 3 years on the 07/11/2022**. The Listed Building Consent has now expired/lapsed and the conditions cannot therefore be discharged.*

I also went on site with the Conservation Officer on the 13/06/2023 and some of the work carried out after the grant of the above permissions was not permitted and is considered to have detrimentally affected the Grade II Listed Building. The most notable example of this is the following. If you look at figure 1 below and the top three set of sash windows you will notice the gutter directly above the sash windows and figure 2 shows the 'lean-to' pantile roof above this gutter/windows. If you then look at Figure 3 the work carried out before work stopped has heightened the roof with several courses of breeze blocks and put a flat roof on this element of the building. All the internal original beams to the lean-to roof will also have been lost. The conditions cannot be discharged as unlawful work has been carried out on this Grade II Listed Building.

*Therefore, conditions 1, 2 and 3 of listed building consent 139719 **cannot be discharged** as the planning permission has expired/lapsed and unlawful work has been carried out to this Grade II Listed Building.'*

139718 - Planning application for a change of use of vacant spaces on the 1st, 2nd & 3rd floors from (A1) retail to (C3) residential accommodation, internal alterations to form 5no. residential units including installation of 4no. windows to rear elevation. Granted 07/11/2019.

139719 – Listed Building Consent for a change of use of vacant spaces on the 1st, 2nd & 3rd floors from (A1) retail to (C3) residential accommodation, internal alterations to form 5no. residential units including installation of 4no. windows to rear elevation. Granted 07/11/2019.

122321 - Planning application for a new shop front (Cooplands) – Granted 12/08/2008.

122369 - Listed building consent to install a new shop front (Cooplands). Granted 12/08/2008.

M00/P/0045 - Planning application to change the use of ground floor and part of first floor from Class A1 (Retail) to A3 (Food and Drink). Granted 14/03/2000.

Representations:

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

Town Council: The Council supports the application and Town Centre Living.

Local residents/Occupiers: No representations received to date.

LCC Highways and Lead Local Flood Authority: The proposal is 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 and it does not have an unacceptable impact on the Public Highway or Surface Water Flood

Risk. The site is located in a central urban area where services and facilities are within a reasonable distance to be accessed via sustainable travel options such as walking, cycling and public transport. Future residents of the development will not be reliant on the private car and therefore parking is not essential for this proposal.

LCC Archaeology: No representations received to date.

Conservation Officer: Object to the application. The applicant has not addressed the unlawful work that has been carried out to the listed building that was brought to their attention through the refusal of applications 146536 and 146540.

The planning and listed building consent applications (139718 and 139719) have now lapsed and new applications needed to have been made to rectify the unlawful work carried out to the listed building. The current applications (147437 & 147438) fail to do this.

Strategic Housing Manager: No representations received to date.

Historic England: 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.

ECM: Checked 04/12/2023.

Relevant Planning Policies:

National guidance

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

Lb Legal Duty

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990

Main issues

- Principle and impact on a Listed Building

Assessment:

Principle and Impact on a Listed Building

Section 16 of the Planning (Listed Building and Conservation Area) Act 1990 requires Local Planning Authorities to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. The National Planning Policy Framework requires Local Planning Authorities to assess the significance of the heritage assets involved and the likely impact of the development on them.

A previous planning permission (139718) and Listed building Consent (139719) has now lapsed. Applications 146536 and 146540 which were refused on the 16/06/2023 clearly state and show in the decision letters to the applicant the unlawful work that has been carried out to this listed building. The applicant was advised to submit new planning and listed building consents following the lapse of the previous permissions which should also seek to rectify the unlawful work carried out to this listed building.

The current applications (147437 & 147438) include details of the works that have been carried out unlawfully. It is considered that the level of harm is substantial. The NPPF and case law make it clear that the finding of harm should be given considerable importance and weight and provides a strong presumption against granting permission. The balancing exercise of the public benefits required by paragraph 201 is therefore strongly tilted in favour of preservation and must be carried out against the statutory duty for preservation. The wish of the applicant to convert the majority of this building to a residential dwelling are not sufficient to constitute a clear and convincing public benefit.

The proposal with the loss of historic fabric would be detrimental to the special architectural and historic qualities of this Grade II listed building. There is a lack of clear and convincing justification to demonstrate that any benefit outweighs the great weight to be given to conservation of this heritage asset.

It is considered that the proposal fails to preserve the Listed Building, and will be harmful to its character contrary to Section 16 of the Planning (Listed Building and Conservation Area) Act 1990 and the NPPF.

Other matters
None

Conclusions and reasons for decision

It is considered that the works fail to preserve the Listed Building, and are considered to be harmful to its character. The proposal with the loss of historic fabric would be detrimental to the special architectural and historic qualities of this Grade II listed building. The proposal is therefore contrary to Section 16 of the Planning (Listed Building and Conservation Area) Act 1990 and the NPPF.

Human Rights Implications:

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

Legal Implications:

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

Prepared by: Richard Green

Date: 04/12/2023

Signed: *R. J. Green*

Authorising Officer:

A rectangular box containing a handwritten signature in blue ink that reads "C. B. Jones".

Date: 4th December 2023

Delegated X

PAPER F

Planning Permission

Name and address of applicant

Name and address of agent (if any)

Ms Claire Hill
WLDC
Guildhall
Marshalls Yard
Gainsborough
DN21 2NA

Part One – Particulars of application

Date of application:
31/10/2023

Application number:
147177

Particulars and location of development:

Planning application to install a traditional Victorian awning.

5-7 Market Place Gainsborough Lincolnshire DN21 2BP

Part Two – Particulars of decision

The West Lindsey District Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that **planning permission has been 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 31/10/2023;

- Project Specification drawing 02 Rev B received 08/12/2023;
- Side Elevation and Cross Section Drawing 04 Rev B received 08/12/2023;
- Proposed Front Elevation Drawing 03 Rev B received 08/12/2023;
- Product Specifications- Box Details Drawing 05 Rev B received 08/12/2023;
- Fixing Specification Drawing no. 06 Rev B received 08/12/2023.

The works shall be carried out in accordance with the details and material information 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.

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

None.

Notes to the Applicant

Highways

Oversailing License Section 177- Please contact Lincolnshire County Council Local Highways Team on 01522 782070 to obtain an oversailing license for the proposed awning over the footway, under Section 177 of Highways Act 1980.

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

<https://www.lincolnshire.gov.uk/traffic-management>

Reasons for granting 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 awning would respect the host Grade II Listed building as well as the wider Market Place. The proposals would preserve the setting of the nearby listed buildings and conservation area. No unacceptable 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: 4th January 2024

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: 147177
And
Listed Building Consent No: 147178

PROPOSAL: Planning application to install a traditional Victorian awning.
And
Listed Building Consent to install a traditional Victorian awning.

LOCATION: 5-7 Market Place Gainsborough Lincolnshire DN21 2BP
WARD: Gainsborough South West
WARD MEMBER(S): Cllr T V Young and Cllr J S McGhee
APPLICANT NAME: Ms Claire Hill- West Lindsey District Council

TARGET DECISION DATE: 26/12/2023 (Extension of time agreed until 5 January 2024)
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 applications are referred to the planning committee for determination in line with the Council's constitution as West Lindsey District Council is the applicant.

Site Description: The application site is a grade II listed building within the Town Centre Market Place (Primary shopping Area) of Gainsborough. The building has retail on the ground floor and flats above. It is adjacent the pedestrian areas of the Market Place with other retail and business uses in all directions. The site is within the Gainsborough Town Conservation Area and in the setting of several listed buildings.

The Proposal: The applications seek full planning permission and listed building consent for the installation of a traditional Victorian retractable awning to the front elevation of the ground floor shop unit. The fabric part of the awning will be an Admiral Blue colour (RKS170) and will retract into a box affixed to the front elevation. It will measure 5.4m in width and will project out 2m. Following initial comments from the Highways Authority an amended plan was received on 08/12/23. This now shows the head clearance of the awning to be 2.2m above ground level.

Relevant history:

146998- Listed building consent for temporary propping to rear section of roof, replacement or repair of rotten structural timbers and inclusion of new supporting precast

concrete pad stone and joist hanger, installation of reinforcement bars at north-east corner, installation of new restraint straps to brick wall and header plate for rafters, temporary removal of existing roof tiles and re-laying following repair, and removal of existing render to north elevation (high level) and re-rendering following strapping and stabilising of gable wall. GC 29/08/2023.

143879 - Request for confirmation of compliance with conditions 3-12 inclusive of Listed Building Consent 142759 granted 17th June 2021 – 13/12/22 - Condition discharged

143856 - Request for confirmation of compliance with conditions 3-12 inclusive of planning permission 142758 granted 17 June 2021 – 13/12/22 - Condition discharged

142759 - Listed building consent for change of use of first - third floor from offices to 3no. residential apartments, removal of existing and installation of timber shop front, installation of gate, removal of pantiles and installation of slate roof, removal of escape door, facade repair including brick replacement, mortar repair and stone cill replacement, structural works tying in west facade with floor, sash window repair and refurbishment and associated internal and external repairs and refurbishment – 17/06/21 – Granted time limit plus conditions

142758 - Planning application for change of use of first - third floor from offices to 3no. residential apartments, removal of existing and installation of timber shop front, installation of gate, removal of pantiles and installation of slate roof, removal of escape door, facade repair including brick replacement, mortar repair and stone cill replacement, structural works tying in west facade with floor, sash window repair and refurbishment and associated internal and external repairs and refurbishment – 17/06/21 – Granted time limit plus conditions

97/P/0229 Consent to internally alter existing building - 14/05/97 - Approved

W33/1146/89 Change the use of shop to office (Class A2 of the Town and Country Planning (Use Classes Order) 1987) - 7/12/89 - Approved

Representations- In Summary. Full versions of the comments received can be viewed on the Councils website, using the following links:

147177- <https://www.west-lindsey.gov.uk/planning-building-control/planning/view-search-planning-applications/search-planning-application-database?id=147177&nb=1>

147178- <https://www.west-lindsey.gov.uk/planning-building-control/planning/view-search-planning-applications/search-planning-application-database?docid=147178>

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

Gainsborough Town Council: No comments to make.

Local residents: No representations received to date.

LCC Highways/Lead Local Flood Authority:

11/12/2023- No objections. Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application. Recommends two informatives.

27/11/2023- Additional information required. Head clearance for the awning will need to be a minimum of 2.2m from ground level. Can the applicant update the design accordingly.

Historic England: In our view you do not need to notify us of this application under the relevant statutory provisions.

WLDC Conservation Officer: Verbal- No objections to the proposed awning.

Archaeology: No representations received to date.

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 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

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

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

Relevant policies of the NP include:

NPP 1 Sustainable Development

NPP 6 Ensuring High Quality Design

NPP 7 Ensuring High Quality Design in each Character Area

NPP 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 within a Minerals Safeguarding Area, Minerals or Waste site / area and Policy M11 applies.

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

National policy & guidance (Material Consideration)

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

https://assets.publishing.service.gov.uk/media/65829e99fc07f3000d8d4529/NPPF_December_2023.pdf

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 December 2023.

- ***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 Relevant Legislation

- Statutory Duties contained within Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990- The 'Act'.

<https://www.legislation.gov.uk/ukpga/1990/9/contents>

Main issues

- Principle of Development;
- Impact on host Listed Building and Gainsborough Conservation Area;
- Other Matters.

Assessment:

Principle of Development

The application site is located within Gainsborough Town Centre. Gainsborough is defined as a 'Main Town' within Policy S1 of the CLLP. The works comprise of external alterations to the existing building, the main considerations in this case are the impacts on the host building, a Grade II Listed Building, as well as the nearby designated heritage assets comprising of other nearby listed buildings and the Gainsborough Town Centre Conservation Area.

Section 16 (2) of the Planning (Listed Building and Conservation Area) Act 1990 requires Local Planning Authorities to 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.

Impact on host Listed Building and Gainsborough Conservation Area

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 NS41 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.*

With regard to Listed Buildings Policy S57 of the CLLP states that; *Permission to change the use of a Listed Building or to alter or extend such a building will be granted where the local planning authority is satisfied that the proposal is in the interest of the building's*

conservation and does not involve activities or alterations prejudicial to the special architectural or historic interest of the Listed Building or its setting.

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 statutory duties contained within Sections 66 and 72 the 'Act' place a legislative requirement on the Local Planning Authority to pay 'special regard' to the desirability of preserving the setting of listed buildings. With regard to conservation areas, Section 72 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The applications seek full planning permission and listed building consent for the installation of a traditional Victorian retractable awning to the front elevation of the ground floor shop unit. The fabric part of the awning will in an Admiral Blue colour (RKS170) and will retract into a box affixed to the front elevation. It will measure 5.4 metres in width and will project out 2 metres. The awning would be of a traditional appearance, design and colour that will match the existing shop frontage. The Councils Conservation Officer has verbally confirmed that they have no objections to the proposals.

Overall, it is considered that the special historic interest of the host Listed building would be preserved and would therefore accord to the statutory duty contained within Section 16 of the 'Act'. The proposals would also help to enhance the Gainsborough Town Centre Conservation Area and street scene of the Market Place in accordance with the policies contained within the Development Plan and the Statutory duties within Sections 66 and 72 of the 'Act'.

Other Matters

Highways- The highways authority have been consulted on the proposals. Their initial comments requested that the head clearance for the awning need to be at least 2.2 metres above ground level. Amended plans were received on 08/12/23, which now shows a clearance of 2.2 metres. The Highways Authority at Lincolnshire County Council have subsequently confirmed that they now have no objections to the proposals subject to two informatives to be added to the decision in the event that permission is granted. Overall, the proposals would not have a harmful impact upon on highway safety.

Drainage- Drainage from the awning will utilise the existing drainage systems at the site.

Residential Amenity- The proposals, given that they comprise of minor external works to an existing building, would not impact upon the amenity of any neighbouring residential occupiers.

Minerals Safeguarding Area- The proposals comprise of external works to an existing building and its frontage, it is not considered that safeguarding considerations within policy M11 of the Lincolnshire Minerals and Waste Local Plan are engaged in this case.

Planning application conclusion

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 awning would respect the host Grade II Listed building as well as the wider Market Place. The proposals would preserve the setting of the nearby listed buildings and conservation area. No unacceptable 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. The application is 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 conditions

Recommended Conditions- Planning Permission 147177

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 31/10/2023;
- Project Specification drawing 02 Rev B received 08/12/2023;
- Side Elevation and Cross Section Drawing 04 Rev B received 08/12/2023;
- Proposed Front Elevation Drawing 03 Rev B received 08/12/2023;
- Product Specifications- Box Details Drawing 05 Rev B received 08/12/2023;
- Fixing Specification Drawing no. 06 Rev B received 08/12/2023.

The works shall be carried out in accordance with the details and material information 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.

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

None.

Notes to the Applicant

None.

Recommended Conditions- Listed Building Consent 147178

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 31/10/2023;
- Project Specification drawing 02 Rev B received 08/12/2023;
- Side Elevation and Cross Section Drawing 04 Rev B received 08/12/2023;
- Proposed Front Elevation Drawing 03 Rev B received 08/12/2023;
- Product Specifications- Box Details Drawing 05 Rev B received 08/12/2023;
- Fixing Specification Drawing no. 06 Rev B received 08/12/2023.

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

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

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

None.

Notes to the Applicant

Highways

Oversailing License Section 177- Please contact Lincolnshire County Council Local Highways Team on 01522 782070 to obtain an oversailing license for the proposed awning over the footway, under Section 177 of Highways Act 1980.

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>

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

PAPER G

Listed Building Consent

Name and address of applicant

Name and address of agent (if any)

Ms Claire Hill
WLDC
Guildhall
Marshalls Yard
Gainsborough
DN21 2NA

Part I – Particulars of application

Date of application
31/10/2023

Application no
147178

Particulars and location of development

Listed building consent to install a traditional Victorian awning.

5-7 Market Place Gainsborough Lincolnshire DN21 2BP

Part II – Particulars of decision

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

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

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 31/10/2023;
- Project Specification drawing 02 Rev B received 08/12/2023;

- Side Elevation and Cross Section Drawing 04 Rev B received 08/12/2023;
- Proposed Front Elevation Drawing 03 Rev B received 08/12/2023;
- Product Specifications- Box Details Drawing 05 Rev B received 08/12/2023;
- Fixing Specification Drawing no. 06 Rev B received 08/12/2023.

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

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

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

None.

Notes to the Applicant

Highways

Oversailing License Section 177- Please contact Lincolnshire County Council Local Highways Team on 01522 782070 to obtain an oversailing license for the proposed awning over the footway, under Section 177 of Highways Act 1980.

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

<https://www.lincolnshire.gov.uk/traffic-management>

Reasons for granting consent

The proposal has been considered against the duty contained within section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended. In light of this assessment, the 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.

Date: 4th January 2024

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 H

Planning Permission

Name and address of applicant

Mr M Gregory
Watson Homes Ltd
Worksop Turbine
Coach Close
Shireoaks, Worksop
S81 8AP

Name and address of agent (if any)

Mr Lee Marsh
Fusion 13 (Design & Energy) Ltd
Hanover House
Market Place
Easingwold
YO61 3AD

Part One – Particulars of application

Date of application:
18/09/2023

Application number:
147202

Particulars and location of development:

Planning application to change the use from 1no. shop, 3no. dwelling houses and 1no. flat to 1no. shop, 3no. dwellings and 2no. flats

80-82 Church Street Gainsborough Lincolnshire DN21 2JR

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: 002 (Proposed Floor Plans and Elevations) dated 21/11/2023. The works shall be carried out in accordance with the details shown on

the approved plans, and in any other approved documents forming part of the application.

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

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. 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

Listed Building Consent 147359

See conditions on the decision notice for Listed Building Consent 147359 also.

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>

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 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 S47: Accessibility and Transport, Policy S49: Parking Provision, Policy S53: Design and Amenity and Policy S57: The Historic Environment of the Central Lincolnshire Local Plan and the policies contained within the Gainsborough Neighbourhood Plan (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 and NPP 19 Improving the Vitality of the Town Centre) and the guidance contained in National Planning Policy Framework and National Planning Practice Guidance and against Section 66 & 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

In light of the above assessment it is considered that the principle of development in this Town Centre location can be supported. The proposal would not have a detrimental impact of the residential amenity of neighbouring properties or a detrimental impact on the street scene. Furthermore, the proposal would not harm the special architectural or historic interest of the Listed Building or its setting. The proposal will also preserve the character and appearance of the Conservation Area.

Matters of highway safety, flood risk and drainage are also considered to be acceptable. The proposal does represent a departure from the provisions of Policy S49, however 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: 05/01/2024

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: 147202

PROPOSAL: Planning application to change the use from 1no. shop, 3no. dwelling houses and 1no. flat to 1no. shop, 3no. dwellings and 2no. flats

LOCATION: 80-82 Church Street Gainsborough Lincolnshire DN21 2JR
WARD: Gainsborough South West
WARD MEMBER(S): Cllr T V Young & Cllr J S McGhee
APPLICANT NAME: Mr M Gregory 'Watson Homes Ltd'

TARGET DECISION DATE: 05/01/2024
DEVELOPMENT TYPE: Change of Use
CASE OFFICER: Richard Green

RECOMMENDED DECISION: Grant with conditions attached.

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 site is a Grade II listed building within Gainsborough Town Centre. The property is a 3-storey building that fronts Church Street to the west, with an extensive range of buildings to the rear which extends to north street. The attached neighbouring buildings to the north and south are also listed.

The site is within the Gainsborough Town Centre Conservation Area and the site is attached to other commercial properties some of which have accommodation on the upper floors. To the west of the site on the other side of Church Street is the Grade I Listed Church of All Saints and to the east on the other side of North Street are residential and commercial properties. The majority of site is located within Flood Zone 2 & 3 but is in an area benefiting from flood defences.

The application proposes to change the use of the building from 1no. shop, 3no. dwelling houses and 1no. flat to 1no. shop, 3no. dwellings and 2no. flats. The existing ground floor shop unit fronting Church Street will be retained and above on the first floor a one bed flat (Unit 4) is proposed. Above this flat on the second floor another one bed flat (Unit 5) is proposed. To the north in the attached range a one bed dwelling over two floors (Unit 3) is proposed and further to the north in this range a 2-bed dwelling (Unit 2) is proposed. Finally, in the detached two storey building that fronts onto North Street a 2 bed dwelling over two floors is proposed (Unit 1). In the rear courtyard a limited amount of outside amenity space is provided, a bin storage area and a cycle storage area.

Work has started on a previous planning permission (M06/P/1192) and Listed building Consent (M06/P/1202). Therefore, this permission is extant.

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 2015¹ a site notice was displayed on 06/11/2023 and a notice has been placed in the local newspaper on 13/12/2023. The advertisement of the departure therefore meets the provisions of Section 15 of the DMPO.

Relevant history:

147359 - Listed building consent to change the use from 1no. shop, 2no. flats and a dance hall to 1no. shop, 3no. dwellings and 2no. Flats. To be determined in tandem with this application.

M06/P/1192 - Planning Application to change the use from 1no. shop, 2no. flats and a dance hall to 1no. shop, 3no. dwelling houses and 1no. flat. Granted 24/01/2007.

M06/P/1202 - Listed Building Consent to change the use from 1no. shop, 2no. flats and a dancehall to 1no. shop, 3no. dwelling houses and 1no. flat. Granted 24/01/2007.

97/P/0171 - Planning application to alter existing shop front. Granted 10/04/97.

97/P/0172 – Listed Building Consent to alter existing shop front. Granted 10/04/97.

Representations:

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

Town Council: No comments or objections to make.

Local residents/Occupiers: 25-27 Lord Street, Gainsborough: Excellent proposal for this disused building. The building in question is currently having a negative impact on Church Street, these proposals will smarten the building up and give it a new lease of life and enable the building to contribute positively to the area. Good work.

LCC Highways and Lead Local Flood Authority: The site is located in a central urban area where services and facilities are within a reasonable distance to be accessed via sustainable travel options such as walking, cycling and public transport and the applicant is providing cycle parking to facilitate sustainable options. Future residents of the development will not be

¹ <https://www.legislation.gov.uk/uksi/2015/595/article/15>

reliant on the private car and therefore parking is not essential for this proposal. The site already has an existing use including residential, there is no change to the structure of the building which abuts the highway and therefore it would not have an unacceptable impact on highway safety. One informative is suggested.

LCC Archaeology: No representations received to date.

Conservation Officer: 80-82 Church Street is a grade II listed building built in the 18th or early 19th century. The building is built with brick walls and pantile roof. The front elevation is three storey and a two-bay front.

The building is listed as part of a group with 62-90 church street which compile a collection of seven grade II listed buildings all in a row. All these buildings are from the 18th century built in different shapes and sizes with brick walls and slate or pantile roofs.

The grouping of this row is focused on the grade I listed Parish Church of All Saints. The church has a 11th century tower with the remainder being 18th century. Built in limestone ashlar walls, and with its size and scale, this building illustrates its hierarchical dominance over the street scene has a strong significance for the setting within the historic environment.

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 property is to the north of the Gainsborough Town Centre Conservation Area. The conservation area appraisal also highlights the group value of the Church and the row of listed buildings on Church Street.

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 proposal to convert the building seeks to retain the whole historic form including vernacular openings intact. Due to the group value of buildings on Church Street, the principle elevation offers a strong significance, with the brick walls, vertical sash windows, and shop front. The proposal does not seek to alter the vernacular details of this.

The only alteration to an opening consists of the door opening to a window on the ground floor of the Living/Dining Room in unit 3. With this alteration I would like to request the opening is retained in its size or is made readable as partly infilled. A fully glazed unit or a timber cladding infill to the bottom half would retain the opening whilst allowing for the readable adaptation for modern living.

Outside of this individual alteration, the proposal will not alter the historic fabric to the listed building. The alterations are either to the modern partition walls or additional walls within the existing fabric. This will protect and conserve the listed building with its original form and use.

Within the buildings there are many items of historic or architectural interest. There are original doors, windows, architraves, skirting boards, beams, roof trusses, fireplaces that need to be considered for retention for the internal works. There is no detail for the internal works in terms of materials or finishes so this will be required within a condition.

Some of the historic timbers and trusses are vulnerable due to the weathering and some of the modern structural supports are loosely positioned and not secure. This will need to be fully assessed prior to any work to ensure the best outcome for the historic fabric.

The windows to the front are vertical sashes but appear to be 20th century replacements due to the horns and thick glazing bars. These have little historic interest but the vertical sashes offer architectural interest to the front elevation.

The retention of the shop front is a positive approach, although in need of some repair, this is a positive feature of the principle elevation and is a strong feature in the grouping and setting with Church Street and the church located directly opposite. The repairs and improvements will need more detail which can be conditioned.

The retention of the historic stairs is also a positive approach, although these have been harmed with the loss of the banisters and other decorative details, this approach will conserve the historic form and layout with the steps remaining.

The dancehall converted area appears to be a rebuilt section or has extreme loss that there was no historic or architectural interest visible here. The significance of this building comes in its historic layout that highlights the evolution of this listed building.

67 North Street is mentioned in the Heritage Statement as not part of the listed building but is sited within the courtyard of 80-82 Church Street.

When reviewing the three key factors of determining curtilage listed structures, this meets all three points.

Therefore, I disagree with the Heritage Statement that suggests this property is not part of this group of buildings and I consider that the dwelling known as 67 North Street is curtilage listed as part of the historic group.

The historic mapping indicates that North Street was previously known as Back Street and these buildings that face North Street were historically

associated as ancillary buildings to the main dwellings facing onto Church Street.

67 North Street must take the same approach and consider the internal and external alterations within this building through the Listed Building Consent. In this case the floor plans show a similar approach with no alterations to the existing vernacular openings or floor plans with only additional partition walls being added. Any works internally must be submitted along with the listed building.

There is one exception to this with one new window being added to the ground floor at the rear (west elevation).

This is a minimal alteration to the building and the size and scale of the opening is in keeping with the character of the building.

The proposal protects the significance of the listed building through its historic character, townscape feature, design, layout and views. This will conserve the listed buildings special architectural and historic interest and setting. This proposal is supported by Policy S57 of the CLLP.

I have no objections to this proposal subject to the following conditions:

Environment Agency: 06/10/2023: In the absence of a flood risk assessment (FRA), we object to this application and recommend that planning permission is refused.

The application site lies within Flood Zone 2 and 3, which is land defined by the planning practice guidance as having a medium and high probability of flooding. The National Planning Policy Framework (paragraph 167, footnote 55) states that an FRA must be submitted when development is proposed in such locations. An FRA is vital to making informed planning decisions. In its absence, the flood risks posed by the development are unknown. This is sufficient reason for refusing planning permission.

To overcome our objection, the applicant should submit an FRA which demonstrates that the development is safe without increasing risk elsewhere. Where possible, it should reduce flood risk overall.

Further comments received 21/12/2023: We have received the amended drawing 'Location Plan, Existing Floor Plans and Elevations', dated December 2023 and are consider that it satisfactorily addresses our earlier concerns regarding flood risk. As there will be no increase in residential accommodation on the ground floor, we withdraw our previous objection, dated 06 October 2023,

Joint Committee of National Amenity Societies: No representations received to date.

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.

Building Control: Confirmation that work started but then came to a halt in 2011 with the last site inspection on the 22 June 2011 (071797) in relation to planning permission M06/P/1192 & listed building consent M06/P/1202 (see relevant planning history above).

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

Development Plan:

The following policies are particularly relevant:

Central Lincolnshire Local Plan adopted 2023 (CLLP):

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 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

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 Plan

The Core Strategy & Development Management policies (CSDMP) were adopted in June 2016 and form part of the Development Plan. The application site is within a Mineral Safeguarding Area (MSA). Policy M11 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 most recent iteration of the NPPF was published in December 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>

Listed Building Legal Duty

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

<https://www.legislation.gov.uk/ukpga/1990/9/section/66>

CA Legal Duty

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

<https://www.legislation.gov.uk/ukpga/1990/9/section/72>

Main issues

- Principle of Development
- Conservation Area and Listed Buildings
- Residential Amenity
- Visual Impact
- Foul and Surface Water Drainage
- Flood Risk
- Highways and Carparking
- Other Matters

Assessment:

Principle of Development

It is proposed to create five flats/dwellings on the upper storey's of this three storey building located within the town centre of Gainsborough and within the extensive range of buildings attached/located to the rear (east) of the building fronting Church Street. 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 90 of the NPPF is supportive of residential development within Town Centre locations as it is recognised that such development often plays an important role in ensuring the vitality of such centres. 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.*

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 fronting Church Street.

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 and S37 of the CLLP and Policy NPP 19 of the Gainsborough Neighbourhood Plan.

Conservation Area and Listed Buildings

The site is a Grade II listed 3 storey building which is surrounded by other commercial properties some of which have accommodation on the upper floors. Many of these neighbouring buildings are also listed, including the attached buildings to the north and south. To the west of the site on the other side of Church Street is the Grade I Listed Church of All Saints. The building was built in the early 18th or early 19th century and is located in the Gainsborough Town Centre Conservation Area.

S.66 of the Planning (Listed Buildings and 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. Section 72 of the Act contains similar requirements with respect to buildings or land in a conservation area. In this context, "preserving", means doing no harm.

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 Gainsborough Neighbourhood Plan (NP).

Paragraph 205 of the NPPF states that *'great weight should be given to the [designated] asset's conservation'*. Paragraph 206 goes on to state that *'Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting'*.

Paragraph 207 provides guidance that *'Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent'*.

Existing openings will be utilised (including the retention of the Church Street shopfront) apart from one new small ground floor window on the rear (east) elevation of the detached building which fronts onto North Street and one ground floor window is proposed where a door currently exists on the north elevation of the rear range. In terms of floor plans no alterations to the existing vernacular floor plans are proposed with only additional partition walls being proposed.

Any subsequent building regulations application would work within the constraints of the Listed Building to upgrade the sound proofing if necessary between the ground floor shop unit and between the proposed self-contained residential units.

The full scope of the works shown on the proposed plans have been reviewed by the councils Conservation Officer and have been found to be acceptable subject to suggested conditions in terms of the impact on historic fabric and that they would preserve the special historic interest of the host building.

It is considered that the proposed approach to development (subject to conditions) would achieve the key heritage aims of the NPPF in that it would put an existing deteriorating Heritage Asset into a viable use to enable its ongoing conservation. It is considered that the proposal would not harm the special architectural or historic interest of the Listed Building or its setting. The proposal will also preserve the character and appearance of the Conservation Area. The proposal would accord to Statutory Duties, the policies within the Development Plan and Section 16 of the NPPF.

Residential Amenity

The proposal will bring back into use a vacant Grade II Listed Historic building. National and Local Planning Policy seeks to bring back to use vacant upper floors in town centres for residential uses in order to contribute to the vitality and viability of the town centre.

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.

Existing openings will be utilised apart from one new small ground floor window on the rear (east) elevation of the detached building which fronts onto North Street and one ground floor window is proposed where a door currently exists on the north elevation of the rear range. Any subsequent building regulations application would work within the constraints of the Listed Building to upgrade the sound proofing if necessary between the ground floor shop unit and between the proposed self-contained residential units.

There are no concerns in relation to overlooking, over dominance or loss of light over adjoining properties. All five 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.

The lack of outside amenity space is noted; however this is not an unusual situation for town centre flats/dwellings, other grassed amenity areas are available within the town centre area, notably to the west around All Saints Church and Gainsborough Old Hall and 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).

Visual Impact

Local Plan Policy S53 states that all development *'must achieve high quality sustainable design that contributes positively to local character, landscape and townscape, and supports diversity, equality and access for all.'* Development must *'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'*. It further states that development should *'contribute positively to the sense of place, reflecting and enhancing existing character and distinctiveness'*, and should *'be appropriate for its context and its future use in terms of its building types, street layout, development block type and size, siting, height, scale, massing, form, rhythm, plot widths, gaps between buildings, and the ratio of developed to undeveloped space both within a plot and within a scheme.'* In addition, development must *'achieve a density not only appropriate for its context but also taking into account its accessibility.'*

Existing openings will be utilised apart from one new small ground floor window on the rear (east) elevation of the detached building which fronts onto North Street and one ground floor window is proposed where a door currently exists on the north elevation of the rear range.

It is therefore considered that the proposal will not harm the character and appearance of the street-scene in accordance with the NPPF and Policy S53 of the Central Lincolnshire Local Plan.

Foul and Surface Water Drainage

The site benefits from existing foul and surface water drainage connections which the proposed flats 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.

The proposal therefore accords with the NPPF and Policy S21 of the Central Lincolnshire Local Plan.

Flood Risk

The case officer has contacted the Environment Agency setting out the following:

"In regards to your attached comments, the site is within Flood Zone 2 & 3, apart from No.67 North Street at the eastern end of the site (see figures 1 & 2 below). However, the site is within an area benefiting from flood defences. The site also benefits from the following planning consent which has been enacted (please see attached approved proposed floor plans). M06/P/1192 - Planning Application to change the use from 1no. shop, 2no. flats and a dance hall to 1no. shop, 3no. dwelling houses and 1no. flat. The current application(s) if you look at the attached proposed plans does not propose any more accommodation on the ground floor level and each of the five units proposed has accommodation on the first or second floors in addition to the

ground floor accommodation which provides a safe place of refuge in the event of flooding. The site is not within a dry island and in a nearby flood event a safe egress route can be found by travelling east through the external passageway proposed to Unit 1 away from the River Trent onto North Street.'

The Environment Agency have now confirmed that the further information provided to them satisfactorily addresses their concerns in regards to flood risk and as there will be no increase in residential accommodation on the ground floor they withdraw their objection.

Overall, matters of flood risk are considered to be acceptable in accordance with the NPPF and Policy S21 of the Central Lincolnshire Local Plan.

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 and 2 bed dwellings 2 parking spaces plus visitor spaces. The proposal does not include any dedicated parking provision for the flats/dwellings proposed. 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 Neighbourhood Plan 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 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. If it is minded to grant permission the informative suggested by LCC Highways will be attached to the decision notice.

Other matters:

Household waste

Bins for the proposed flats will be kept in the rear courtyard which is surrounded by high walls to the east of the building which fronts Church Street.

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 consider 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.

Conclusions and reasons for decision

The decision 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 S47: Accessibility and Transport, Policy S49: Parking Provision, Policy S53: Design and Amenity and Policy S57: The Historic Environment of the Central Lincolnshire Local Plan and the policies contained within the Gainsborough Neighbourhood Plan (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 and NPP 19 Improving the Vitality of the Town Centre) and the guidance contained in National Planning Policy Framework and National Planning Practice Guidance and against Section 66 & 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

In light of the above assessment it is considered that the principle of development in this Town Centre location can be supported. The proposal would not have a detrimental impact on the residential amenity of neighbouring properties or a detrimental impact on the street scene. Furthermore, the proposal would not harm the special architectural or historic interest of the Listed Building or its setting. The proposal will also preserve the character and appearance of the Conservation Area.

Matters of highway safety, 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.

RECOMMENDATION- Grant planning permission with 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: 002 (Proposed Floor Plans and Elevations) dated 21/11/2023. The works shall be carried out in accordance with the details shown on the approved plans, and in any other approved documents forming part of the application.

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

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. 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

Listed Building Consent 147359

See conditions on the decision notice for Listed Building Consent 147359 also.

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>

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

PAPER I

Listed Building Consent

Name and address of applicant

Mr M Gregory
Watson Homes Ltd
Worksop Turbine
Coach Close
Shireoaks, Worksop
S81 8AP

Name and address of agent (if any)

Mr Lee Marsh
Fusion 13 (Design & Energy) Ltd
Hanover House
Market Place
Easingwold
YO61 3AD

Part I – Particulars of application

Date of application
25/09/2023

Application no
147359

Particulars and location of development

Listed building consent to change the use from 1no. shop, 3no. dwelling houses and 1no. flat to 1no. shop, 3no. dwellings and 2no. flats

80-82 Church Street Gainsborough Lincolnshire DN21 2JR

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:

2.No works shall take place until a level 2 Historic Building Record is submitted to and approved in writing by the Local Planning Authority (see notes to the applicant below).

Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation and in accordance with the National Planning Policy Framework.

3.No works shall take place until a structural engineers report for all the buildings shall be undertaken by a CARE accredited structural engineer and submitted to and 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. Prior to installation or alterations, drawings to a scale of 1:20 fully detailing the following new or adaptation of windows, doors and surrounds must be approved in writing by the Local Planning Authority and installed completely in accordance with the approval.

- materials;
- decorative/ protective finish;
- cross sections for glazing bars, sills, and headers;
- method of opening;
- method of glazing.
- colour scheme.

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 their installation full details of all new internal joinery and internal insulation, including materials shall be submitted to and approved in writing by the Local Planning Authority. The development must be completed in strict accordance with the approved details. The details shall include all: new and existing doors, frames, architrave, infills, surrounds, walls, insulation, wall finishes, and other means of enclosure.

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.Before work begins, a schedule of works shall be submitted to and approved in writing by the Local Planning Authority. As part of the schedule of works the following interior features must be protected from damage or theft and shall remain in place for the duration of the construction/ alteration work hereby permitted:

Fireplaces/chimney-pieces;
staircases;
architraves;
skirting boards;
doors;

windows, shutters and surrounds;
vulnerable surfaces and finishes;
roof trusses.

These items identified for protection above shall be identified and illustrated on floor plans indicating their full extents. The development must be completed in strict accordance with the approved details.

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.

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

7. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings: 002 (Proposed Floor Plans and Elevations) dated 21/11/2023. The works shall be carried out in accordance with the details shown on the approved plans, and in any other approved documents forming part of the application.

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

8. The works shall be carried out in accordance with the structural engineer's report (see condition No.3).

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

9. 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.

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

Planning Permission 147202

See conditions on the decision notice for Planning Permission 147202 also.

Condition No.2

This shall be produced in accordance with the Historic England's Understanding Historic Buildings: A Guide to Good Recording Practice.

Reasons for granting consent

The proposed works have been considered against Section 16 of the Planning (Listed Building and Conservation Area) Act 1990 and advice given in Chapter 16 of the National Planning Policy Framework. In light of this assessment, the works are acceptable as the changes (subject to conditions) will have no adverse impact on the character, appearance and fabric of the Listed Building.

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: 05/01/2024

Signed:



Ian Knowles
Head of Paid Service

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

Note

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

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

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

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

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

PAPER J

Consent to Display Advertisements

Name and address of applicant

Name and address of agent (if any)

Mr Steven Chater
Shoezone Retail Ltd
Humberstone Road
Leicester
Leicestershire
LE1 2LH

Part I – Particulars of application

Date of application	Application no
24/11/2023	147610

Particulars and location of advertisements:

Advertisement consent to display 2no. fascia signs.

Shoezone Unit 2a Marshall's Yard Beaumont Street Gainsborough DN21 2NA

Part II – Particulars of decision

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

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

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

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

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

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

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

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

7. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings: Site Location Plan, Proposed Elevation 23/1195/004 and Proposed Sign drawing all received 24/11/2023.

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

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

Date: 2nd January 2024

Signed:



Ian Knowles
Head of Paid Service

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

Notes:

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

land or other person entitled to grant permission in relation thereto shall be obtained.

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

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

Officers Report

Planning Application No: 147610

PROPOSAL: Advertisement consent to display 2no. fascia signs.

LOCATION: Shoezone Unit 2a Marshall's Yard Beaumont Street
Gainsborough DN21 2NA
WARD:

TARGET DECISION DATE: 19/01/2024
DEVELOPMENT TYPE: Advertisement
CASE OFFICER: Danielle Peck

RECOMMENDED DECISION: Grant advertisement consent with conditions

Site Description: The application site comprises of an existing retail unit within the Marshalls Yard shopping complex. The unit is located on the northern side of the yard and faces towards the car park. The unit is currently occupied by Shoe zone following the recent vacation of Mountain Warehouse from the premises.

The Proposal: The application seeks advertisement consent for the installation of 2no. fascia signs at the unit, due to the change in tenants.

One of the signs is at high level, is internally illuminated and has the following approximate measurements; 6.1m in width, 1.6m in height, 0.5m in depth. The sign is blue in colour with white acrylic letters which have a width of 4.2m and a height of 0.53m.

The sign over the door has the following approximate measurements; 4.5m in width, 1.3m in height and depth of 0.75m. This sign is also blue in colour with white acrylic letters that measure 3.6m in width and 0.43m in height.

It should be noted that the advertisements have already been installed.

Relevant planning history:

129124- Planning application for new window openings at ground and first floor of front elevation and new double doors at ground floor to allow access for deliveries at rear. Also, internal alterations to sub-divide the existing unit and create an additional unit. GC 31/10/2012.

127499- Planning application to remove existing sections of external wall and install new windows and door. Also, pavement to be raised to give level access. GC 14/09/2011.

124742- Advertisement consent to display 4 x fascia signs and 5 x vinyl graphic boards. GC 07/12/2009.

Representations:

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

Gainsborough Town Council: No representations received to date.

Local residents: No representations received to date.

LCC Highways/Lead Local Flood Authority: No objections. The advertisement proposals will not present a danger or distraction for road users therefore the Highways and Lead Local Flood Authority does not consider that this proposal would result in a severe impact with regard to Highway Safety.

Archaeology: No representations received to date.

WLDC Conservation Officer- Verbal Comments- No objections.

ECM Checked: 02/01/2023

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 S53: Design and Amenity

Policy S57: The Historic Environment

Policy NS55: Advertisements

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

Relevant policies of the NP include:

NPP 1 Sustainable Development,

NPP 6 Ensuring High Quality Design

NPP 7 Ensuring High Quality Design in each Character Area

NPP 18 Protecting and Enhancing Heritage Assets

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

The site is within a Minerals Safeguarding Area and Policy M11 applies.

National policy & guidance (Material Consideration)

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

The NPPF sets out the Government's planning policies for England and how these should be applied. It is a material consideration in planning decisions. The most recent iteration of the NPPF was published in December 2023.

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

Other

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

Main issues

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

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

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

Assessment:

Design and Heritage (Amenity)

Policy NS54 of the Central Lincolnshire Local Plan states that consent will only be granted for advertisements provided that the following criteria is met:

- a) The design (including any associated lighting and illumination), materials, size and location of the advertisement respects the scale and character of the building on which it is situated and the surrounding area, especially in the case of a listed building or within a **conservation area**; and*
- b) The proposal would not result in a cluttered street scene, excessive signage, or a proliferation of signs advertising a single site or enterprise; and*
- c) The proposal would not cause a hazard to pedestrians or road users; and*
- d) The proposal would not impede on any surveillance equipment and would contribute positively to public perceptions of security*

Chapter 12 Paragraph 141 of the National Planning Policy Framework (NPPF) states, *“The quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.”*

The site is located within the Gainsborough Britannia Works Conservation Area and forms part of the wider Grade II Listed Britannia Works (Marshall's Yard) Complex, albeit this unit does not form part of the listed building.

The Statutory Duties contained within Sections 66 and 72 of the 'Act' place a legislative requirement on the Local Planning Authority to have special regard to the desirability of preserving the listed building or its setting and to preserve or enhance the appearance of a conservation area.

There are other retail units (no.s 1 and 2b) located either side of this unit. The application seeks consent for the installation of 2no. fascia signs. The new signage has replaced the previous tenants, in the same positions. The proposed signs are relatively modest in their scale (measurements detailed in the description) and the proposed illumination is to be as existing, they are also similar to the other advertisements within this area of Marshall's Yard.

Overall the proposals would preserve the Conservation Area and the setting of the wider setting of the Grade II Listed Britannia Works, in accordance with the Statutory duties contained within the 'Act' as well as the policies within the Development Plan.

Public/Highway Safety

Local Policy NS54 of the CLLP and Paragraph 141 of the NPPF require Local Planning Authorities to consider the impact on public safety when determining applications for advertisement consent.

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

Residential Amenity

Considering the sites location within an established retail and leisure complex it is not considered that there would be any impact upon neighbouring residential amenity and the proposal accords to NS54 in this regard.

Other Matters-

Minerals- The site is within a minerals safeguarding area. Policy M11 of the core strategy includes a list of proposals that are exempt from the

requirements of meeting this policy, one of which is applications for advertisement consent.

Conclusion and reasons for decision: The decision has been considered against policies Policy S1: The Spatial Strategy and Settlement Hierarchy, Policy S53: Design and Amenity, Policy S57: The Historic Environment, Policy NS55: Advertisements of the Central Lincolnshire Local Plan policies NPP 1 Sustainable Development, NPP 6 Ensuring High Quality Design, NPP 7 Ensuring High Quality Design in each Character Area and NPP 18 Protecting and Enhancing Heritage Assets of the Gainsborough Neighbourhood Plan and Sections 66 and 72 of the Planning (Listed Building & Conservation Areas) act 1990 in the first instance and guidance contained within the National Planning Policy Framework and the National Planning Practice Guidance.

In light of this assessment it is considered that due to the design and scale of the proposed signage they would preserve the character of the Conservation Area and nearby Listed Building and wider area. No harm would arise to Public Safety or residential amenity. The application is recommended for approval.

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 : 02/01/2024

Signed: *D Peck*



Authorising Officer:

Date: 02/01/2024

Decision Level (tick as appropriate)

Delegated

PAPER K

Outline Planning Permission

Name and address of applicant	Name and address of agent (if any)
Thonock and Somerby Estates c/o Savills Ground Floor, City Point 29 King Street Leeds LS1 2HL	Savills Ground Floor, City Point 29 King Street Leeds West Yorks LS1 2HL

Part One – Particulars of application

Date of application:
30/10/2017

Application number:
136937

Particulars and location of development:

Outline planning application for residential development of up to 750no. dwellings with access to be considered and not reserved for subsequent applications

Land north east of Highfields roundabout Corringham Road Gainsborough DN21 1XZ

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 **outline 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. Application for approval of the reserved matters for phase 1 in accordance with phasing plan NPA 10876 313 Rev P01 shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To conform with Section 92 (2) of the Town and Country Planning Act 1990 (as amended).

2. Application for approval of the reserved matters for the remaining phases other than phase 1 in accordance with plan NPA 10876 313 Rev P01 shall be made to the Local Planning Authority before the expiration of five years from the date of this permission.

Reason: To conform with Section 92 (2) of the Town and Country Planning Act 1990 (as amended).

3. No development shall take place until, plans and particulars of the appearance, layout and scale of the buildings to be erected and the landscaping of the site

(hereinafter called “the reserved matters”) have been submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with those details.

Reason: The application is in outline only and the Local Planning Authority wishes to ensure that these details which have not yet been submitted are appropriate for the locality.

4. The development hereby permitted for phase 1, in accordance with phasing plan NPA 10876 313 Rev P01, shall be begun before the expiration of two years from the date of final approval of the reserved matters for phase 1.

Reason: To conform with Section 92 (2) of the Town and Country Planning Act 1990 (as amended).

5. The development hereby permitted for phase 2, in accordance with phasing plan NPA 10876 313 Rev P01, shall be begun before the expiration of two years from the date of final approval of the reserved matters for phase 2.

Reason: To conform with Section 92 (2) of the Town and Country Planning Act 1990 (as amended).

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

6. Unless otherwise agreed in writing with the Local Planning Authority the development shall be carried out in chronological order as per the phasing plan NPA 10876 313 Rev P01. No development shall take place within a phase until a built development phasing plan for that phase has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with each built development phasing plan.

Reason: To ensure that the development is delivered in a structured way.

7. Prior to development a surface water drainage scheme shall be submitted to and approved by the Local Planning Authority. The permitted development shall be undertaken in accordance with a surface water drainage scheme which shall first have been approved in writing by the Local Planning Authority.

The scheme shall:

- be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;
- provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the run-off rate for the undeveloped site;
- provide attenuation details and discharge rates which shall be restricted to greenfield run off rate;
- provide details of the timetable for and any phasing of implementation for the drainage scheme; and
- provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

No dwelling shall be occupied until the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full, in accordance with the approved details.

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development.

8. No development shall take place for each phase, including any works of demolition, until a Construction Method Statement for each phase has been submitted to, and approved in writing by the local planning authority for the relevant phase. The approved statement shall be adhered to throughout the construction period. The statement shall provide:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of noise, dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction
- viii. The means of access and routing for demolition and construction traffic.

Reason: In the interests of amenity and in accordance with policy LP13 of the Central Lincolnshire Local Plan.

9. No development shall take place until a scheme setting out proposed measures for mitigating the ecological impacts of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include –

- Measures for the provision and management of any off site habitats required
- Measures for the long-term management of habitats within the development site.
- Mitigation measures for protected species
- Mitigation measures for the flora and fauna on the site

Thereafter the scheme shall be implemented as approved.

Reason: To ensure that full consideration is given to the conservation of ecological features and natural habitats in accordance with policy LP21 of the Central Lincolnshire Local Plan.

10. No development shall be carried out within 250m of oil well sites 6 or 31 as shown on drawing number GBHO-07A until:

- a) the respective oil site has been restored in accordance with the mineral planning permission; or
- b) the written approval of the local planning authority (in consultation with the mineral planning authority) has been secured for a scheme which demonstrates that the development would not have a detrimental effect on the operation of the respective well site.

Any mitigation measures identified in the approved scheme(s) referred to in b) above shall be implemented and maintained in accordance with the scheme(s).

Reason: To safeguard the existing mineral site in accordance with policy M12 of the Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies (2016) document.

11. No development shall take place on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and/or widening, or any other operations involving the use of motorised vehicles or construction machinery) shall include a detailed Arboricultural Method Statement to be approved by the Local planning Authority. No development or other operations shall take place except in complete accordance with the approved method statement. Such method statement shall include full details of the following –

- Retained trees & hedgerow
- Tree & hedgerow protection measures
- Implementation, supervision and monitoring of the approved tree protection scheme
- Implementation, supervision and monitoring of the approved tree work specification
- Implementation, supervision and monitoring of all approved construction works within any area designated as being fenced off or otherwise protected in the approved tree protection scheme
- Timing and phasing of Arboricultural works in relation to the approved development

Reason: For the avoidance of doubt and to ensure all parties are aware of the approved operations, whilst ensuring the continued wellbeing of the trees in the interest of the amenity of the locality in accordance with LP1 and LP21 of the Central Lincolnshire Local Plan.

12. Tree and hedgerow protection measures shall be installed/erected prior to any commencement of works and shall be retained in the approved positions until completion of the relevant area.

Reason: To ensure that adequate measures are taken to preserve trees and hedges and their root systems whilst construction work is progressing on site in accordance with policy LP21 of the Central Lincolnshire Local Plan.

13. No development shall take place within a phase until a scheme for the provision of affordable housing for that phase of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following –

- Statement justifying tenures proposed linking back to the Strategic Housing Market Assessment and Local Housing Needs Assessment work produced by West Lindsey District Council. The statement should also include how they have liaised with West Lindsey Strategic Housing Team and how this has informed tenure and splits proposed.
- Type of housing, number of bedrooms, sizes of the units and any other features;
- Marked up drawings detailing the plot numbers, housing types and sizes;
- Details of how the units will be secured, nomination agreement, and;

- Full planning viability assessment produced in line with Government guidance in place at the time.

The affordable housing shall be retained in accordance with the scheme.

Reason: In order to meet a specific housing need within the district in accordance with policy LP11 of the Central Lincolnshire Local Plan.

14. No development shall take place within a phase until a written scheme of archaeological investigation to include geophysical surveys has been submitted to and approved in writing by the local planning authority. This scheme shall include the following

1. An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements).
2. A methodology and timetable of site investigation and recording.
3. Provision for site analysis.
4. Provision for publication and dissemination of analysis and records.
5. Provision for archive deposition.
6. Nomination of a competent person/organisation to undertake the work.
7. The scheme to be in accordance with the Lincolnshire Archaeological Handbook.

Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation and in accordance with the National Planning Policy Framework.

15. The local planning authority shall be notified in writing of the intention to commence the archaeological investigations in accordance with the approved written scheme referred to in condition 14 at least 14 days before the said commencement. No variation shall take place without prior written consent of the local planning authority.

Reason: In order to facilitate the appropriate monitoring arrangements and to ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework.

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

16. The archaeological site work shall be undertaken only in full accordance with the written scheme required by condition 14.

Reason: To ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework

17. Following the archaeological site work referred to in condition 16 a written report of the findings of the work shall be submitted to and approved in writing by the local planning authority within 3 months of the said site work being completed. .

Reason: To ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework

18. The report referred to in condition 17 and any artefactual evidence recovered from the site shall be deposited within 6 months of the archaeological site work being completed in accordance with a methodology and in a location to be agreed in writing by the local planning authority.

Reason: To ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework

19. No building works which comprise the erection of a building required to be served by water services shall be undertaken in connection with any phase of the development hereby permitted until full details of a scheme including phasing, for the provision of mains foul sewage infrastructure on and off site has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the works have been carried out in accordance with the approved scheme.

Reason

To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure in accordance with policy LP14 of the Central Lincolnshire Local Plan.

20. During construction across the site, any trenches or holes shall be covered wherever possible to prevent mammals becoming trapped. Should this not be possible, then a means to escape the hole shall be provided in the form of a wooden plank set at an angle of no greater than 45 degrees so that the mammals can escape.

Reason: To safeguard wildlife in the interest of nature conservation in accordance with policy LP21 of the Central Lincolnshire Local Plan.

21. No part of the development hereby permitted shall be occupied before the works to improve the public highway by means of signalling the Thorndike Way/Corringham Road Junction have been certified complete by the Local Planning Authority.

Reason: In the interests of highway safety and to ensure the provision of safe and adequate means of access to the permitted development.

22. The development hereby permitted shall not be occupied before a cycleway/footway, to connect the development to the existing network as shown on drawing number P17-005-WFD-012 Rev C, has been provided.

Reason: To ensure the provision of safe and adequate pedestrian access to the permitted development.

23. The development shall not be occupied until those parts of the approved Travel Plan that are identified therein as being capable of implementation before

occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented for as long as any part of the development is occupied. Those parts of the travel plan to be implemented following occupation shall be implemented as per the approved Travel Plan and retained thereafter.

Reason: In order that the permitted development conforms to the requirements of the National Planning Policy Framework, by ensuring that access to the site is sustainable and that there is a reduced dependency on the private car for journeys to and from the development.

24. Building and construction works shall only be carried out between the hours of 07:00 and 19:00 on Mondays to Fridays; and between 08:00 and 13:00 on Saturdays, with no building or construction works on Sundays and Bank Holidays unless specifically agreed in writing by the local planning authority beforehand.

Reason: To ensure appropriate mitigation for the impact on residential amenity caused by the construction phases of the development and to accord with policy LP26 of the Central Lincolnshire Local Plan.

25. A landscaping management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas, other than small, privately owned, domestic gardens, ground/pit preparation, planting, support, and protection means, and a detailed aftercare and maintenance plan to show what actions will be carried out and when, e.g. weeding, watering, checking tree stakes and ties, eventual removal of stakes and ties, hedge planting layouts, shrub densities, preplacement of dead, dying, diseased stock and pond maintenance shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the first dwelling of any phase of the development. The landscape management plan shall be implemented in its entirety in accordance with the approved schedule and retained in accordance with the management submitted thereafter.

Reason: To ensure the continued wellbeing of the trees and in the interest of the amenity of the locality in accordance with policy LP1 and LP17 of the Central Lincolnshire Local Plan.

26. Reserved matters application shall be submitted with details of the public open space to be provided and details of its management. The open space shall be provided prior to occupation or at timetable to be agreed in writing by the local planning authority and shall be retained in accordance with the management submitted thereafter.

Reason: In the interests of amenity in accordance with policy LP17 and LP26 of the Central Lincolnshire Local Plan.

27. There shall be no changes in ground levels within tree root protection areas.

Reason: To ensure that adequate measures are taken to preserve trees and hedges and their root systems in accordance with policy LP21 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

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

The highway improvement works referred to are required to be carried out by means of a legal agreement between the landowner and the County Council, as the Local Highway Authority.

There is a need to have regard to the route of the oil pipeline in the reserved matters.

Reasons for granting permission

The proposal would be acceptable and would not have a detrimental impact on the character of the area, highway safety/capacity, residential amenity, ecology, flood risk and drainage in accordance with policies LP1, LP2, LP3, LP9, LP10, LP11, LP12, LP13, LP14, LP17, LP21, LP24, LP25, LP28, LP39, LP48, Policy M11 of the Minerals and Waste Local Plan: Core Strategy and Development Management Policies (2016), including the advice given in the National Planning Policy Framework and the National Planning Practice Guidance.

Date:15/09/2020

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).

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 six 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 the appropriate 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 676676, by email customer.relations@west-lindsey.gov.uk or by asking any of the Customer Services staff.

PAPER L

Consent to Display Advertisements

Name and address of applicant

Name and address of agent (if any)

Mr I Behagg
IJB Property Developing Ltd
375 High Street
Lincoln
LN57RY

Mrs Kylie Skipworth-Cooke
John Roberts Architects Limited
1 James Street
Lincoln
LN2 1QD

Part I – Particulars of application

Date of application	Application no
09/12/2022	146003

Particulars and location of advertisements:

Advertisement consent to display 1 no. non-illuminated fascia sign.

Emporium 2 Granary Wharf Bridge Street Gainsborough DN21 2AE

Part II – Particulars of decision

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

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

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

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

3. No advertisement shall be sited or displayed so as to—

(a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);

(b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or

(c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

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

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

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

7. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings: 8387B - PP01 dated December 2022 **for a non-illuminated sign only**. 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.

Notes to the applicant

None.

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: 18/01/2024

Signed:



Ian Knowles
Head of Paid Service

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

Notes:

- (a) The regulations provide that every grant of express consent shall be for a fixed period which shall not be longer than five years from the date of grant of consent without the approval of the Secretary of State and **if no period is specified the consent shall have effect as consent for five years.**
- (b) It is a condition of this consent that before any advertisement is displayed on land in pursuance of the consent granted, the permission of the owner of that land or other person entitled to grant permission in relation thereto shall be obtained.
- (c) A person who displays an advertisement in contravention of the regulations will be liable on summary conviction to a fine of £1000 and in the case of a continuing offence to a fine of £100 for each day during which the offence continues after conviction.
- (d) Where the local planning authority grant consent subject to conditions, the applicant may by notice given in writing within eight weeks of receipt of this notice, or such longer period as the First Secretary of State may allow, appeal to the First Secretary of State, in accordance with Regulation 15 of the Town and Country Planning (Control of Advertisements) Regulations 1989. The First Secretary of State is not required to entertain such an appeal if it appears to him having regard to the provisions of the regulations, that consent for the display of advertisements in respect of which application was made could not have been granted by the local planning authority otherwise than subject to the conditions imposed by them.

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

PAPER M

Planning Permission

Name and address of applicant

Mr L Goodall
L&J Fitters Ltd
63 Heaton Street
Gainsborough
Lincolnshire
DN21 2EF

Name and address of agent (if any)

Mr Peter Benson
Benson Design
Office 4
The Plough
37 Church Street
Gainsborough
DN21 2JR

Part One – Particulars of application

Date of application:
10/01/2023

Application number:
146120

Particulars and location of development:

Planning application for removal of existing store-front and construct replacement.

Digitech Business Equipment 63 Heaton Street Gainsborough Lincolnshire DN21 2EF

Part Two – Particulars of decision

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

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

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

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

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

NONE

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

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

- A-110 Revision P3 dated 18th December 2023 – Site and Elevation Plan

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

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework, local policy S53 and S57 of the Central Lincolnshire Local Plan 2023 and NPP6, NPP7 and NPP18 of the Gainsborough Town Neighbourhood Plan.

3. The development hereby approved must be completed in strict accordance with the following detail and retained as such thereafter:

- The new render must match exactly the colour, form, and finish of the neighbouring properties.
- The rebuild of the brick window headers must match exactly in form, design and material to the existing brick window headers on the property.
- The new cast-stone window cill must match exactly in form, design and material to the existing window cills on the property.

Reason: To safeguard the character and appearance of the building and its surroundings including preserving the setting of Listed Buildings to accord with the National Planning Policy Framework, local policy S53 and S57 of the Central Lincolnshire Local Plan 2023 and NPP6, NPP7 and NPP18 of the Gainsborough Town 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 S1 The Spatial Strategy and Settlement Hierarchy, S21 Flood Risk and Water Resources, S53 Design and Amenity and S57 The Historic Environment of the adopted Central Lincolnshire Local Plan 2023 and policies NPP1 Sustainable Development, NPP6 Ensuring High Quality Design, NPP7 Ensuring High Quality Design in each Character Area

and NPP18 Protecting and Enhancing Heritage Assets of the Gainsborough Town Neighbourhood Plan in the first instance. Consideration is given to the statutory duty set out in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and guidance contained within the National Planning Policy Framework, National Planning Practice Guidance, the National Design Guide and the National Design Model Code. In light of this it is considered that the principle of the development is acceptable. The development would improve the visual appearance of the site and the street scene and would preserve the setting of the nearby listed buildings. The proposal would not unacceptably harm the living conditions of neighbouring residential units or have an unacceptable harmful impact on highway safety.

Working Practice Statement - Revisions

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: 15th January 2024

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: 146120

PROPOSAL: Planning application for removal of existing store-front and construct replacement.

LOCATION: Digitech Business Equipment 63 Heaton Street
Gainsborough Lincolnshire DN21 2EF

WARD: Gainsborough South West

WARD MEMBER(S):

APPLICANT NAME:

TARGET DECISION DATE: 07/03/2023 (Extension agreed until 31st January 2024)

DEVELOPMENT TYPE: Minor - all others

CASE OFFICER: Ian Elliott

RECOMMENDED DECISION: Grant permission subject to conditions

Description:

The application site is a terraced commercial/business unit to the north of Heaton Street. The unit is adjacent the public highway to the front with street parking only. The principal elevation includes two shop front style windows. To the north is the remainder of 63 Heaton Street with a business unit to the east. Residential flats/apartments are to the west with Wilco Motosave and an accountant to the south. The site is in FZ 2 and 3. Grade II listed buildings (70 Beaumont Street and 1-3 Southolme) are nearby to the west. The site is within the Trinity Street boundary.

The application seeks permission for the removal of an existing store-front and construct replacement.

Relevant history:

None Relevant

Representations

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

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

Local residents: No representations received to date

LCC Highways/Lead Local Flood Authority: No objections with comment Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative

impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

Comments:

As the shop front is adjacent to the public highway please contact Lincolnshire County Council regarding carrying out the refurbishment works.

WLDC Conservation Officer: No objection subject to conditions

Representation received 15th January 2024:

I now have no objections to this application subject to the following conditions:

- 1) The new render shall match exactly the colour, form, and finish, or the neighbouring properties.
- 2) The rebuild of the brick window headers shall match exactly in form, design and material to the existing brick window headers on the property.
- 3) The new cast-stone window cill shall match exactly in form, design and material to the existing window cills on the property.

Representation received 2nd March 2023:

The proposed property retains some traditional features and design with the sash windows, timber six-panelled door, and corbelled canopy above shop front windows. It offers a positive impact upon the setting of the listed building.

Policy LP25 of the Central Lincolnshire Local Plan (CLLP, 2017) seeks to preserve or enhance the historic setting of listed buildings.

The proposal replaces the UPVC windows in the same design. Retaining the same traditional design in the shop front will ensure the setting is preserved but the windows losing the material continuation will have a negative impact upon the setting of the listed building.

Retention of the style of windows will help to mitigate the harm and preserve the setting.

The replacement of the timber panelled door will not retain the style and will be modern in appearance, the second door will also be in a modern style. This will have a harm upon the setting.

The corbelled canopy is a traditional feature which appears to be possibly late 19th or early 20th century. This detail has remained in situ as other alterations have occurred when modernising the property. The loss of this feature would be a harm to the setting of the listed building as it would remove one of the last traditional features from the whole block.

I would like to see this retained and reused in the finished proposal rather than being replaced with new brick headers.

The brick shopfront being replaced with blockwork will retain the same openings. The addition of render will alter the setting but this impact will be minimal as the rest of the row is already rendered, this will allow the property to harmonise better with the row.

Paragraph 199 of the National Planning Policy Framework (NPPF, 2021) seeks to consider the impacts of a proposal upon the significance of a designated heritage asset.

The proposed property has some features that will help to retain the setting of the listed building whilst not preventing the proposal to improve the building. The retention of the corbelled canopy and improving the design and material for the doors would preserve the setting of the listed building.

IDOX Checked: 15th January 2024

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 28th June 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:

S1 The Spatial Strategy and Settlement Hierarchy
S21 Flood Risk and Water Resources
S53 Design and Amenity
S57 The Historic Environment

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

Relevant policies of the NP include:

NPP1 Sustainable Development
NPP6 Ensuring High Quality Design
NPP7 Ensuring High Quality Design in each Character Area
NPP18 Protecting and Enhancing Heritage Assets

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

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

National policy & guidance (Material Consideration)

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

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

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

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

Other:

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

Main issues:

- Principle of the Development
- Heritage
- Flood Risk
- Visual Amenity
- Highway Safety
- Residential Amenity

Assessment:

Principle of the Development

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.



The proposed development would remove the existing shop front and install a replacement. The proposed development is within the setting of Listed Buildings to the west. The principle of the development is acceptable subject to satisfying all other material considerations.

Heritage

The site is located in the setting of Grade II Listed Buildings to the west (70 Beaumont Street and 1-3 Southolme).

Local policy S57 of the CLLP states that *“Development proposals should protect, conserve and seek opportunities to enhance the historic environment of Central Lincolnshire”* and provides a breakdown of the required information to be submitted as part of an application in a heritage statement.

In the Listed Building section of S57 it states that *“change the use of a Listed Building or to alter or extend such a building will be granted where the local planning authority is satisfied that the proposal is in the interest of the building’s preservation and does not involve activities or alterations prejudicial to the special architectural or historic interest of the Listed Building or its setting.”*

It further states that *“Development proposals that affect the setting of a Listed Building will be supported where they preserve or better reveal the significance of the Listed Building.”*

Policy NPP18 of the GTNP protects heritage assets and the historic environment within the Town.

Guidance contained within Paragraph 195 of the NPPF states that *‘In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation’.*

Paragraph 199 states that *‘When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (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’.*

The impact of a development of the setting of a listed building is more than just its visual presence and annex 2 of the NPPF defines the setting of a heritage asset as:

‘The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral’.

Paragraph 13 (Conserving and Enhancing the Historic Environment) of the NPPG (Reference ID: 18a-013-20140306) further supports this definition declaring that *‘Setting is the surroundings in which an asset is experienced, and may therefore be more extensive than its curtilage’* and *‘although views of or from an asset will play an important part, the way in which we experience’.*

The application has included the submission of a Heritage Impact Statement by Benson Design concluding that *“the finished renovation of the frontage of the building would seek to enhance the asset rather diminish it. Subject to a few minor changes we are confident that the proposals will ultimately reflect a positive rather than negative impact on the asset and the overall setting”.*

The Local Authority’s Conservation Area Officer (CAO) has not objected to the development subject to conditions.

The existing shop front is in poor visual condition with some cracking and damage. A steel prop is in place in the doorway for safety purposes.



The main amendments to the shop front would be to:

- Replace the corbelled canopies with brick headers
- Reconstructed in blockwork with cream render finish (to match neighbouring buildings)
- Replace modern doors with a more traditional counterpart

All openings would be removed but re-installed as part of the construction.

It is considered that proposed development would retain the shop front appearance of the building within Heaton Street and improve its appearance within its setting. The use of blockwork instead of brick would be hidden by the use of cream render to match the buildings to the west. The installation of the render would be an integral part of retaining the appearance of the shop front within its setting so would be needed to be conditioned to be installed once the blockwork has been fully completed and retained thereafter.

The conditions recommended by the Conservation Officer are considered relevant and necessary.

The proposed development would be considered to enhance the appearance of the site and subsequently at least preserve the setting of the nearby listed buildings and accord to Local Policy S57 of the CLLP, policy NPP18 of the Gainsborough Town Neighbourhood Plan, the statutory duty set out in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the provisions of the NPPF.

Flood Risk

The application has included the submission of a Flood Risk Assessment by Benson Design stating that the use of the building will remain as commercial and the works proposed will have a zero effect on flooding on site and beyond.

The proposed works would only make amendments to the shop front and would not increase the size of the building or alter its floor height. Therefore, the development would not have an unacceptable harmful impact on flood risk and accords to local policy S21 of the CLLP and the provisions of the National Planning Policy Framework.

Visual Amenity

Local 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 NPP6 and NPP7 of the GTNP provides criteria ensuring that development within the town is of acceptably and high-quality design.

As assessed in the heritage section above the proposed replacement shop front would improve the tired appearance of the current shop front. Therefore, the proposed development would not have a harmful visual impact on the site, the surrounding area including the street scene and would accord to local policies S53 of the CLLP, NPP6 and NPP7 of the Gainsborough Town Neighbourhood Plan and the provisions of the NPPF subject to a materials condition.

Highway Safety

The proposed development would not alter the existing street parking provision to the front of the site. The Highways Authority have no objections

to the development and their requested advisory note will be attached to the permission.

Therefore, the development would not have an unacceptable harmful impact on highway safety and accords to local policy S47 of the CLLP and the provisions of the National Planning Policy Framework.

Residential Amenity

The proposed development would not change the use therefore or alter the scale of the building or the position of openings. Therefore, the development would not have a harmful impact on the living conditions of neighbouring residents and accords to local policy S53 of the CLLP and the provisions of the National Planning Policy Framework.

Conclusion and reasons for decision:

The decision has been considered against policies S1 The Spatial Strategy and Settlement Hierarchy, S21 Flood Risk and Water Resources, S53 Design and Amenity and S57 The Historic Environment of the adopted Central Lincolnshire Local Plan 2023 and policies NPP1 Sustainable Development, NPP6 Ensuring High Quality Design, NPP7 Ensuring High Quality Design in each Character Area and NPP18 Protecting and Enhancing Heritage Assets of the Gainsborough Town Neighbourhood Plan in the first instance.

Consideration is given to the statutory duty set out in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and guidance contained within the National Planning Policy Framework, National Planning Practice Guidance, the National Design Guide and the National Design Model Code. In light of this it is considered that the principle of the development is acceptable. The development would improve the visual appearance of the site and the street scene and would preserve the setting of the nearby listed buildings. The proposal would not unacceptably harm the living conditions of neighbouring residential units or have an unacceptable harmful impact on highway safety.

Human Rights Implications:

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

Legal Implications:

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

Representors to be notified -

(highlight requirements):


Standard Letter

Special Letter

Draft enclosed

Prepared by: Ian Elliott

Date: 15th January 2024

Signed: 

Authorising Officer:  Date: 15th January 2024

Decision Level (tick as appropriate)

Delegated

PAPER N

Rachel Allbones

From: Vicki Stevens [REDACTED]
Sent: 18 January 2024 15:17
To: Town Clerk
Cc: Tom Hamilton
Subject: FW: SNN/2023/0114

Hi Rachel

I hope you are well.

I am writing with regard to the below proposed street name for the new development accessed off Horsley Road. As you will be aware, the developer suggested 3 road names and Gainsborough Town Council also suggested 3 road names (as shown below).

I can confirm that only one street name is required and although I acknowledge that Barnes Wallis Drive was the preference of Gainsborough Town Council, I have made the decision to proceed with Eliot Drive.

The reason this decision has been made is because obviously it is a common denominator between both parties and also because it would make sense due to its historical connection and close proximity to the existing Floss Mill Lane. I hope that you understand the reasons for this decision and find them acceptable.

Obviously there are other developments being undertaken continuously and you will have opportunities in the future to suggest Barnes Wallis Drive and Ingham Close.

I would also like to take the opportunity to let you know that there is an existing street within West Lindsey called Barnes Wallis Court at Welton. This doesn't stop you from suggesting this a road name in our area for future development but just thought it would be something that may be of interest to you.

Thank you for your assistance on this occasion and if I can be of any further help in this regard please do not hesitate to contact me.

Kind regards

Vicki Stevens
Street Naming and Numbering and LLPG Officer

01427 [REDACTED]
Guildhall | Marshall's Yard | Gainsborough | Lincolnshire | DN21 2NA



[Sign up](#) to our digital newsletter

My normal working days are Monday, Tuesday, Thursday and Friday 7.30 am – 3.30 pm



PAPER O

**Officer Report to the
Planning Committee**

Report Author: Rachel Allbones
Report Date: 25 January 2024



Gainsborough
TOWN COUNCIL

Street Naming – Thonock Green, Gainsborough

1. Summary

To consider street naming proposals for the Thonock Green development Land northeast of Highfields roundabout Corringham Road Gainsborough DN21 1XZ.

Site plan at Appendix A.

2. Proposals from the Developer

Proposed Street names:

- Settlement Road
- Blyton Road
- Thonock Road
- Domesday Road
- Waites Road
- Parkland Road

Above are because they have a golf course and also Thonock was mentioned in the Domesday book.

- Meadow Croft View
- Grange Crescent
- Belt Rise
- Merican Way
- Thomas Gainsborough Avenue
- Sundown Close

Gemstone names;

- Ruby
- Quartz
- Diamond
- Jade
- Opal
- Emerald
- Topaz
- Amethyst

Or all the owners of the local medieval manor;

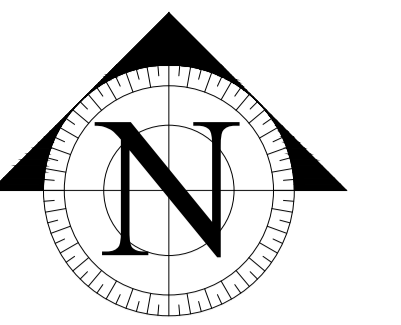
- Thomas
- Burgh
- Edward
- Agnes
- Margaret
- William
- Hickman
- Elizabeth

- Wiloughby
- Henry

WLDC “*would advise having 6 street names for this development, although it might be worth suggesting 7 just to ensure that we have ample to cover the whole site.*”

3. Recommendation

The Committee is recommended to propose 7 street names for the Thonock Green development Land northeast of Highfields roundabout Corringham Road Gainsborough DN21 1XZ.



- KEY:**
- DENOTES 1800 HIGH OPEN BOARDED FENCE SD04 - TYPE 3
 - DENOTES 1800 HIGH SCREEN WALL / FENCE SD04 - TYPE 2 (REFER TO MATERIAL PLAN FOR BRICK COLOUR)
 - DENOTES 450 HIGH TIMBER KNEE RAIL SD04 - TYPE 10
 - DENOTES NOTIONAL BOUNDARY
 - DENOTES 1.8m HIGH TIMBER GATE TO MATCH FENCING
 - DENOTES FIRST HOMES
 - DENOTES FLAGGED AREA TO BE PROVIDED FOR BIN COLLECTION AREAS
 - DENOTES ECOLOGY MITIGATION - BIRD BOX REQUIREMENT REFER TO ECOLOGY MITIGATION PLAN
 - DENOTES ECOLOGY MITIGATION - BAT BOX LOCATION REFER TO ECOLOGY MITIGATION PLAN
 - DENOTES POSITION OF STREET LIGHTING COLUMN REFER TO ST LIGHTING DESIGN FOR DETAILS
 - EXISTING TREE / HEDGE (RETAINED) REFER TO 10720-T-02 TREE RETENTION PLAN
 - EXISTING TREE / HEDGE (REMOVED) REFER TO 10720-T-02 TREE RETENTION PLAN
 - DENOTES SERVICE EASEMENT
 - BLOCK PAVING SPEC REFER TO MATERIALS PLAN FOR COLOUR
 - DENOTES HOGGING PATH
 - DENOTES SWALES AREA
 - DENOTES DWELLINGS WITH CHIMNEY REFER TO MATERIALS/FEATURE PLAN
 - DENOTES PLOTS WITH DENTIL COURSE DETAIL TO GABLE ENDS (PLEASE REFER TO "VILLAGE +" HOUSE TYPE ELEVATIONS)
 - DENOTES PLOTS WITH CYCLE STORE PROVISION
 - DENOTES PLOTS REQUIRING ADDITIONAL ACOUSTIC TREATMENT IN ACCORDANCE WITH THONOCK, GAINSBOROUGH NOISE IMPACT ASSESSMENT
 - DENOTES RIDGE AND FALLOW SIGNAGE BOARD
- FOR FULL LANDSCAPE DETAILS SEE LANDSCAPE ARCHITECTS PLANS
- PARKING SPACES TO BE 5m X 2.5m
- REFER TO GARAGE DRAWING SGD-01 6.5X 3 FOR GARAGE SIZES AND SITE LAYOUT FOR ROOF ARRANGEMENT
- ALL HOUSE TYPES AND GARAGES TO INCLUDE FRONT AND REAR ELEVATION DENTIL COURSE DETAILING AND RISE AND FALL GUTTERS, (20 SINGLE GARAGES, 2 DOUBLES (ACCOMMODATING 4 DWELLINGS) AND 4 DRIVE THROUGHS. TOTAL = 28 GARAGES WITH EAVES DENTIL COURSE.



Thonock, Gainsborough
Rev G

Schedule of Accommodation

House Type	Abbreviation	SQft.	SQm.	No	No	NSS	NSS	NSS	M42	Garage	Garage	No. Units	Floor Area
				Bed	Storeys	Bed	SQm Area	Comp	Comp	SQm.	Configuration	Total	Site SQm.
Danbury (Mid)	Da	816	75.8	3	2	2	74.4	Y	Y		2 Spaces	10	8,160
Danbury (End)	Da	816	75.8	3	2	2	74.4	Y	Y		2 Spaces	34	27,744
Danbury + (End)	Da	816	75.8	3	2	2	74.4	Y	Y		2 Spaces	3	2,448
Deepdale	Dp	887	82.4	3	2	2	81.1	Y	Y		2 Spaces	6	5,322
Deepdale +	Dp	887	82.4	3	2	2	81.1	Y	Y		2 Spaces	1	887
Glenmore (Semi)	Gl	930	86.4	3	2	3	85.1	Y	Y		Integral 6 x 3 plus 2 spaces	10	9,300
Glenmore + (Semi)	Gl	930	86.4	3	2	3	85.1	Y	Y		Integral 6 x 3 plus 2 spaces	6	5,580
Glenmore (Detached)	Gl	930	86.4	3	2	3	85.1	Y	Y		Integral 6 x 3 plus 2 spaces	5	4,650
Sherwood	Sh	968	90.0	3	2	3	89.1	Y	Y		Garage 6.5 x 3 plus space	6	5,808
Sherwood +	Sh	968	90.0	3	2	3	89.1	Y	Y		Garage 6.5 x 3 plus space	2	1,936
Charnwood	Ch	1,013	94.1	3	2	3	93.1	Y	Y		Garage 6.5 x 3 plus space	2	2,026
Charnwood +	Ch	1,013	94.1	3	2	3	93.1	Y	Y		Garage 6.5 x 3 plus space	1	1,013
Barnwood +	Bw	1,012	94.1	3	2	3	93.1	Y	Y		Garage 6.5 x 3 plus space	5	5,060
Burnham +	Bu	1,114	103.5	3	2	3	99.8	Y	Y		Integral 6 x 3 plus 2 spaces	5	5,570
Greenwood +	Gw	1,227	114.0	4	2.5	4	112	Y	Y		Garage 6.5 x 3 plus 2 spaces	3	3,681
Marston +	Ma	1,226	113.9	4	2	4	112.3	Y	Y		Integral 6 x 3 plus 2 spaces	4	4,904
Brampton +	Bt	1,259	117.0	4	2	4	115.8	Y	Y		Garage 6.5 x 3 plus space	4	5,036
Barnwood DT	Bw DT	1,195	111.1	4	2	4	109.8	Y	Y		2 Spaces	1	1,195
Barnwood DT +	Bw DT	1,195	111.1	4	2	4	109.8	Y	Y		2 Spaces	1	1,195
Knebworth DT +	Kn	1,340	124.5	5	2	5	121.5	Y	Y		2 Spaces	2	2,680
TOTAL												123	111,911

Affordable													
Haldon (Mid)	Ha	771	71.7	2	2	2	70.6	Y	Y		1.5 Spaces	1	771
Haldon (End)	Ha	771	71.7	2	2	2	70.6	Y	Y		1.5 Spaces	2	1,542
Saunton	Sa	1,007	93.6	3	2.5	3	92.2	Y	Y		1.5 Spaces	2	2,014
Braunton	Br	996	92.6	3	2.5	3	91	Y	Y		1.5 Spaces	2	1,992
TOTAL												7	6,319

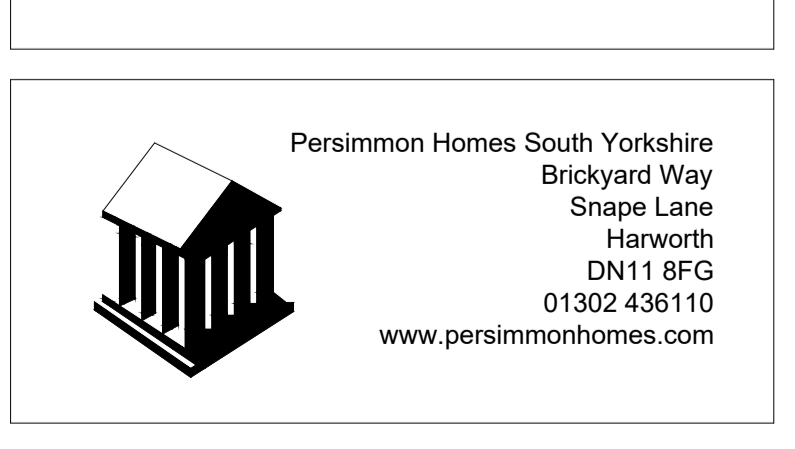
TOTAL Dwellings 130 118,230

E 28-02-22 Acoustic symbol added to denote plots requiring additional treatments
Ridge and Fallow signage board added
Additional cycle store provisions added
Plot 02 swapped from a Brampton to a Burnham
Plot 04 swapped from a Burnham to a Glenmore

D 24-08-22 Cycle store provision added JW
C 22-08-22 Layout amended in accordance with latest Planning and highways comments JW
B 24-05-22 Roads and Paths amended in accordance with "Y21168-M2", provided by RWO
A 18-05-22 This drawing is based on "715_SK01_A01_01" Thonock Gainsborough Draft Layout Rev J

Development
Thonock, Gainsborough

Drawing Title
Site Planning Layout



Scale: 1:500 @ A0 Drawn: JFW Checked: Date: Oct 2021

Drawing No: 715_THO_A01_01 Rev E

Street Naming

Development	Developer Proposals	GTC Proposals	Used
Warren Wood		Fred Spiksley Mary Ann Evans Thomas Miller Thomas Cooper Harold Brace Geoff Lane Maurice French Roy Ingham John Basil Hugh Longmire	Spiksley Close Mary Ann Evan Way Miller Way Thomas Cooper Drive Harold Brace Road Geoff Lane Parkside Way Foxby Mews Great Oaks Avenue
Somerby Croft (The Belt)	Belfry St Andrew's Close Portrush Turnberry Road Carnoustie Sunningdale Avenue Birkdale Avenue Ganton Lane Wentworth Woburn Muirfield Troon Gleneagles Avenue	Karsten Solhiem Thonock Canwick (Park) Millfield Rufford (Park) Bainland Normanby Carholme Serlby (Park) Kenwick (Park)	Karsten Avenue Thonock Avenue Canwick Way Millfield Close
North Parade / Thurlby Road		Guy Gibson	Guy Gibson Court
The Old Beckett School, Whites Wood Lane, Gainsborough		Old School Close	Old School Close
Bowling Green Road/Wilson Street.	Long Row Trentside View	Shore Row	Shore Row
Middlefield Lane		Proposals from St Georges School Burgh Close - After Lord Thomas Burgh who built The Old Hall in 1460 Alfie Williams Way - In memory of Alfie. Having requested further information with regard to this, the 4-year-old boy who put this name forward had a brother who went to the School and died of cancer in 2014. Bradshaw Way – Requested by Gainsborough Town Council	Burgh Close Alfie Williams Way Bradshaw Way Sir Thomas Avenue St Georges Close Austin Drive

Street Naming

		<p>Sir Thomas Avenue - After Cpt Sir Tom Moore</p> <p>St Georges Close - Named because of his love of his school</p> <p>Austin Drive – No explanation given</p>	
<p>New development accessed off Horsley Road</p>	<p>Eliot Drive – George Eliot, Author of Mill on the Floss. Floss Mill Lane is also located just north or the development site.</p> <p>Riverside Way – Locality to the nearby River Trent.</p> <p>King Charles Way – In recognition of the new Monarch.</p>	<p>Barnes Wallis Drive - Invented the bouncing bomb used by the Royal Air Force in Operation Chastise (the "Dambusters" raid) to attack the dams of the Ruhr Valley during World War II.</p> <p>George Eliot, Author of Mill on the Floss. Floss Mill Lane is also located just north or the development site.</p> <p>Ingham Close – Roy Ingham, the first Mayor of Gainsborough</p>	<p>Eliot Drive</p>
<p>Thonock Green, Gainsborough (Sweyn Lane)</p>	<p>Settlement Road Blyton Road Thonock Road Domesday Road Waites Road Parkland Road</p> <p>Above are because they have a golf course and also Thonock was mentioned in the Domesday book</p> <p>Meadow Croft View Grange Crescent Belt Rise Merican way Thomas Gainsborough avenue Sundown Close</p> <p>Gemstone names;</p> <ul style="list-style-type: none"> • Ruby • Quartz • Diamond 		

Street Naming

	<ul style="list-style-type: none">• Jade• Opal• emerald• Topaz• amethyst <p>Or all the owners of the local medieval manor;</p> <ul style="list-style-type: none">• Thomas• Burgh• Edward• Agnes• Margaret• William• Hickman• Elizabeth• Wiloughby• Henry		
--	---	--	--

PAPER P

Our Ref: Cornerstone 10681133

27th November 2023

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

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

Dear Sir / Madam,

PROPOSED BASE STATION INSTALLATION UPGRADE AT CORNERSTONE 10681133, WHITE WOOD LANE, GAINSBOROUGH, WEST LINDSEY, LINCOLNSHIRE, DN21 1TQ. NGR: E: 483315, N: 389995

Cornerstone is the UK's leading mobile infrastructure services company. We acquire, manage, and own over 20,000 sites and are committed to enabling best in class mobile connectivity for over half of all the country's mobile customers. We oversee works on behalf of telecommunications providers and wherever possible aim to:

- promote shared infrastructure
- maximise opportunities to consolidate the number of base stations
- significantly reduce the environmental impact of network development

Cornerstone are in the process of progressing suitable sites in the Gainsborough area to improve service provision and have identified this site as suitable for an equipment upgrade for Cornerstone.

The purpose of this letter is to consult with you and seek your views on our proposal before any planning submission is made. We understand that you are not always able to provide site specific comments, however, Cornerstone are committed to consultation with communities on our mobile telecommunications proposals and as such would encourage you to respond.


As part of Cornerstone's continued network improvement program, there is a specific requirement for a radio base station upgrade at this location to provide improved technical provisions, greater capacity and coverage in the area.

Mobiles can only work with a network of base stations in place where people want to use their mobile phones or other wireless devices. Without base stations, the mobile phones, and other devices we rely on simply won't work.

In the first instance, all correspondence should be directed to the agent.

Cornerstone Planning Consultation Letter to Councillors - Standard V.3 – 15/04/2021

Registered Address:
Cornerstone Telecommunications, Infrastructure Limited,
Hive 2, 1530 Arlington Business Park, Theale, Berkshire, RG7 4SA.
Registered in England & Wales No. 08087551.
VAT No. GB142 8555 06

 Cornerstone, Hive 2,
1530 Arlington Business Park,
Theale, Berkshire, RG7 4SA

Please find below the details of the proposed site.

Our technical network requirement is as follows:

- Cornerstone 10681133 (Cornerstone) at Gainsborough.
- There is a specific requirement for a radio base station upgrade at this location to provide improved technical provisions, greater capacity and coverage in the area.

A number of options have been assessed in respect of the site search process and we consider the best solution is as follows:

- White Wood Lane, Gainsborough, West Lindsey, Lincolnshire, DN21 1TQ. NGR: E: 483315, N: 389995.
- Proposed upgrade to the existing 40.00m High ADC 3000 Lattice Tower. It is proposed to install 6No. Antennas, 1No. 300~~0~~ Dish and existing equipment room to be utilised for proposed upgrade and associated ancillary works. For full details please refer to the enclosed drawings.

The Local Planning Authority must register and our records of other potential sites have already been reviewed, the policies in the Development Plan have been taken into account and the planning history of the site has been examined.

All Cornerstone installations are designed to be fully compliant with the public exposure guidelines established by the International Commission on Non-Ionizing Radiation Protection (ICNIRP). These guidelines have the support of UK Government, the European Union and they also have the formal backing of the World Health Organisation. A certificate of ICNIRP compliance will be included within the planning submission.

In order to give you time to send your comments or request further information, we commit to allow at least 14 days before an application is submitted to the Local Planning Authority. This 14-day period starts from the date at the top of this letter.


We would also be grateful if you could please advise of any local stakeholders or groups that might like to make comments.

We look forward to receiving any comments you may have on the proposal.

In the first instance, all correspondence should be directed to the agent.

Cornerstone Planning Consultation Letter to Councillors - Standard V.3 – 15/04/2021

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Cornerstone Telecommunications, Infrastructure Limited,
Hive 2, 1530 Arlington Business Park, Theale, Berkshire, RG7 4SA.
Registered in England & Wales No. 08087551.
VAT No. GB142 8555 06

 Cornerstone, Hive 2,
1530 Arlington Business Park,
Theale, Berkshire, RG7 4SA

Should you have any queries regarding this matter, please do not hesitate to contact me (quoting cell number Cornerstone 10681133).

Yours faithfully,


Julia Marshall
j.marshall@whptelecoms.com

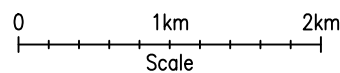
(for and on behalf of Cornerstone)

In the first instance, all correspondence should be directed to the agent.

Cornerstone Planning Consultation Letter to Councillors - Standard V.3 – 15/04/2021

Registered Address:
Cornerstone Telecommunications, Infrastructure Limited,
Hive 2, 1530 Arlington Business Park, Theale, Berkshire, RG7 4SA.
Registered in England & Wales No. 08087551.
VAT No. GB142 8555 06

 Cornerstone, Hive 2,
1530 Arlington Business Park,
Theale, Berkshire, RG7 4SA



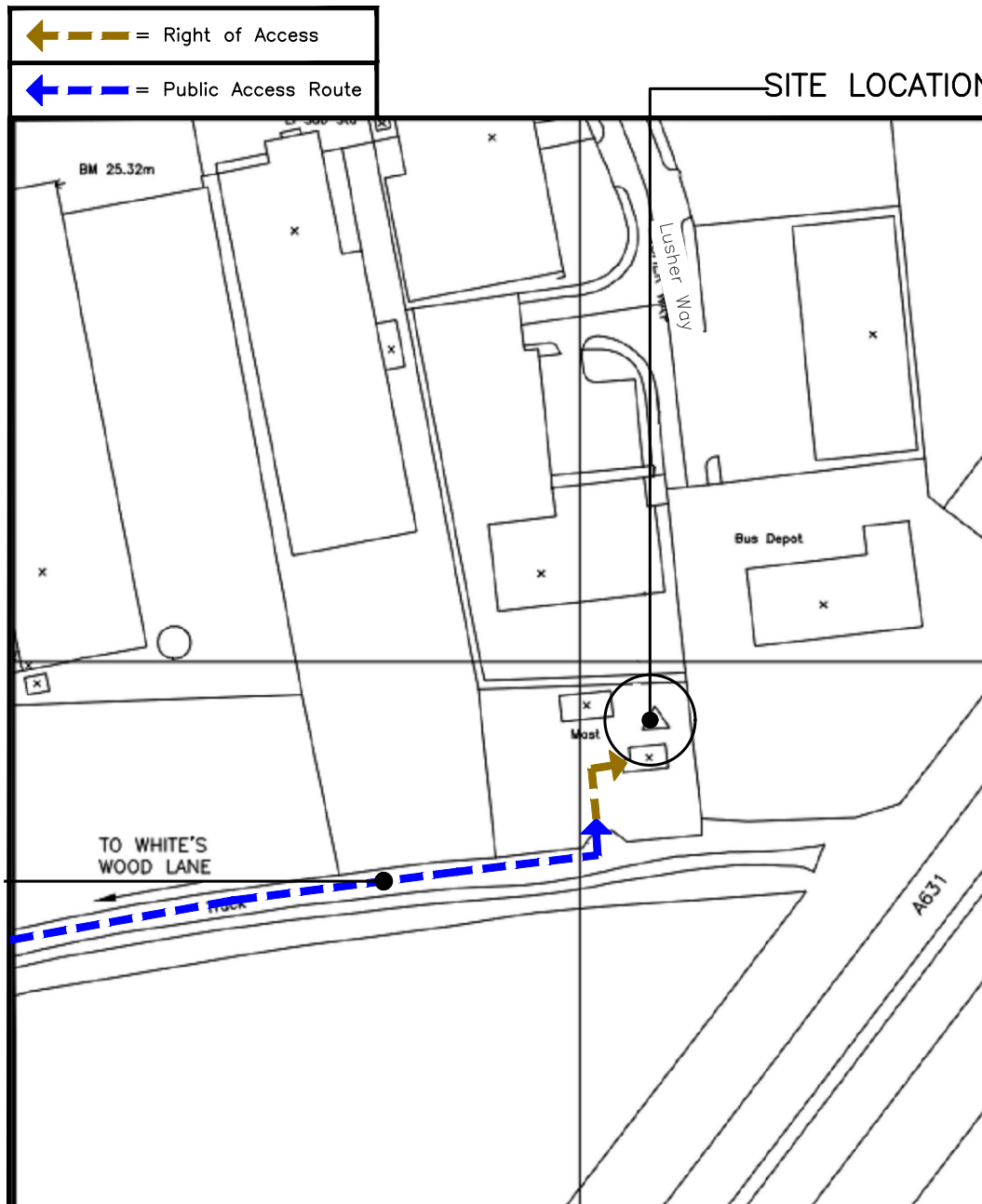
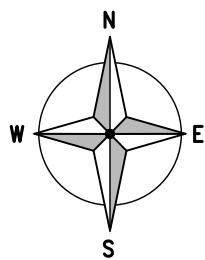
SITE LOCATION
(Scale 1:50000)

Based upon Ordnance Survey map extract with the permission of the Controller of His Majesty's Stationery Office. Crown copyright. Licence No. 100047947



SITE PHOTOGRAPH

These drawings comply with VMO2 Standard ICNIRP guidelines, Designed in accordance with Cornerstone documents: SDN0007 & SDN0008



DETAILED SITE LOCATION

(Scale 1:1250)

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ORIGINAL SCALE AT A3 - 1:1250

ALL DIMENSIONS IN METRES

ALL DIMENSIONS ARE IN mm UNLESS NOTED OTHERWISE

N.G.R | E: 483315 N: 389995

DIRECTIONS TO SITE:
HEAD SOUTHEAST ON A1(M). AT JUNCTION 34, TAKE THE A614 EXIT TO BAWTRY/GAINSBOROUGH/ROBIN HOOD AIRPORT/A631. AT THE ROUNDABOUT, TAKE THE 1ST EXIT ONTO BAWTRY RD/A614. CONTINUE TO FOLLOW A614, CONTINUE ONTO A638. TURN RIGHT ONTO GAINSBOROUGH RD/A631. CONTINUE TO FOLLOW A631. AT THE ROUNDABOUT, TAKE THE 3RD EXIT AND STAY ON A631. GO THROUGH 1 ROUNDABOUT. AT THE ROUNDABOUT, TAKE THE 1ST EXIT ONTO TRINITY ST/A159. CONTINUE TO FOLLOW A159. TURN RIGHT ONTO SPITAL TERRACE/B1433. KEEP RIGHT TO CONTINUE ONTO SPITAL HILL/B1433. TAKE THE 1ST RIGHT ONTO COX'S HILL. CONTINUE ONTO HEAPHAM RD. SLIGHT LEFT ONTO WHITE'S WOOD LANE. CONTINUE UNTIL REACHING TRACK. FOLLOW UNTIL ARRIVING AT SITE LOCATION ON LHS.

NOTES:

REV	MODIFICATION	BY	CH	DATE
A	Issued for Approval	RGN	AV	23.11.23

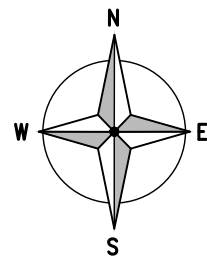
WHP Telecoms Ltd
Faraday Court
401 Faraday Street
Birchwood Park
Warrington WA3 6GA
Tel: 01925 424100 Fax: 01925 424101
e-mail: info@whptelecoms.com

O₂
CORNERSTONE-SOUTH EAST

Cell Name		Opt.
GAINSBOROUGH		-
Cell ID No		
CORNERSTONE	VMO2	VF
10681133	000288	N/A

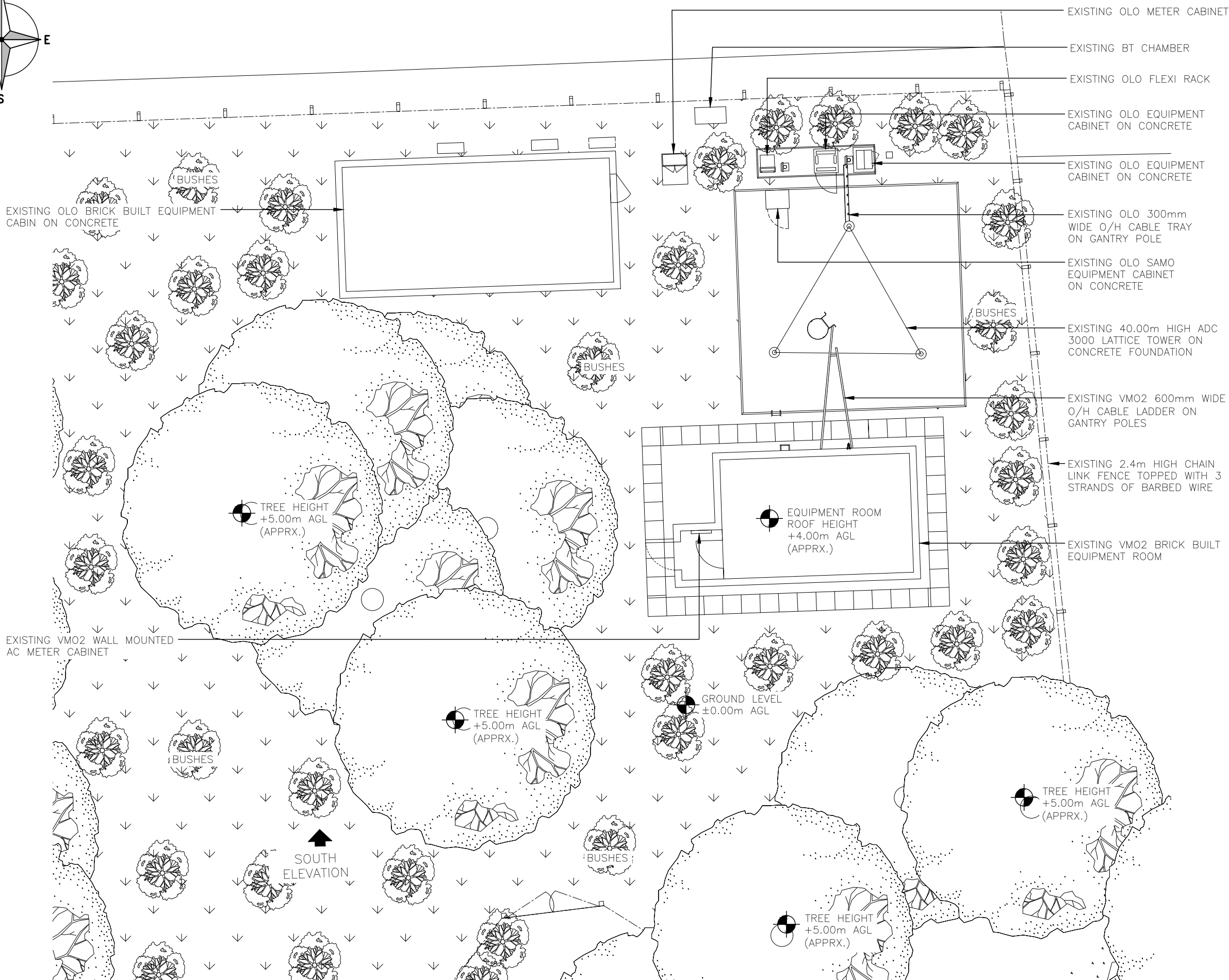
Site Address / Contact Details
WHITE WOOD LANE
GAINSBOROUGH
WEST LINDSEY
LINCOLNSHIRE
DN21 1TQ

Drawing Title: SITE LOCATION MAPS			
Purpose of issue: PLANNING			Dwg Rev: A
Drawing Number: 100			A
Surveyed By: WHP	Original Sheet Size: A3	Pack Issue: A	
Drawn: RGN	Date: 23.11.23	Checked: AV	Date: 23.11.23



ALL DIMENSIONS ARE IN mm UNLESS NOTED OTHERWISE
 N.G.R | E: 483315 N: 389995

NOTES:



A	Issued for Approval	RGN	AV	23.11.23
REV	MODIFICATION	BY	CH	DATE

WHP Telecoms Ltd
 Faraday Court
 401 Faraday Street
 Birchwood Park
 Warrington WA3 6GA
 Tel: 01925 424100 Fax: 01925 424101
 e-mail: info@whptelecoms.com

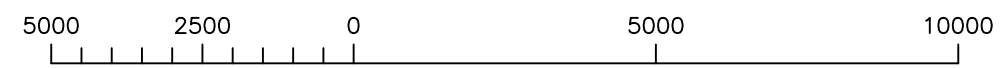
O₂
 CORNERSTONE-SOUTH EAST

Cell Name		Opt.
GAINSBOROUGH		-
Cell ID No		
CORNERSTONE	VM02	VF
10681133	000288	N/A

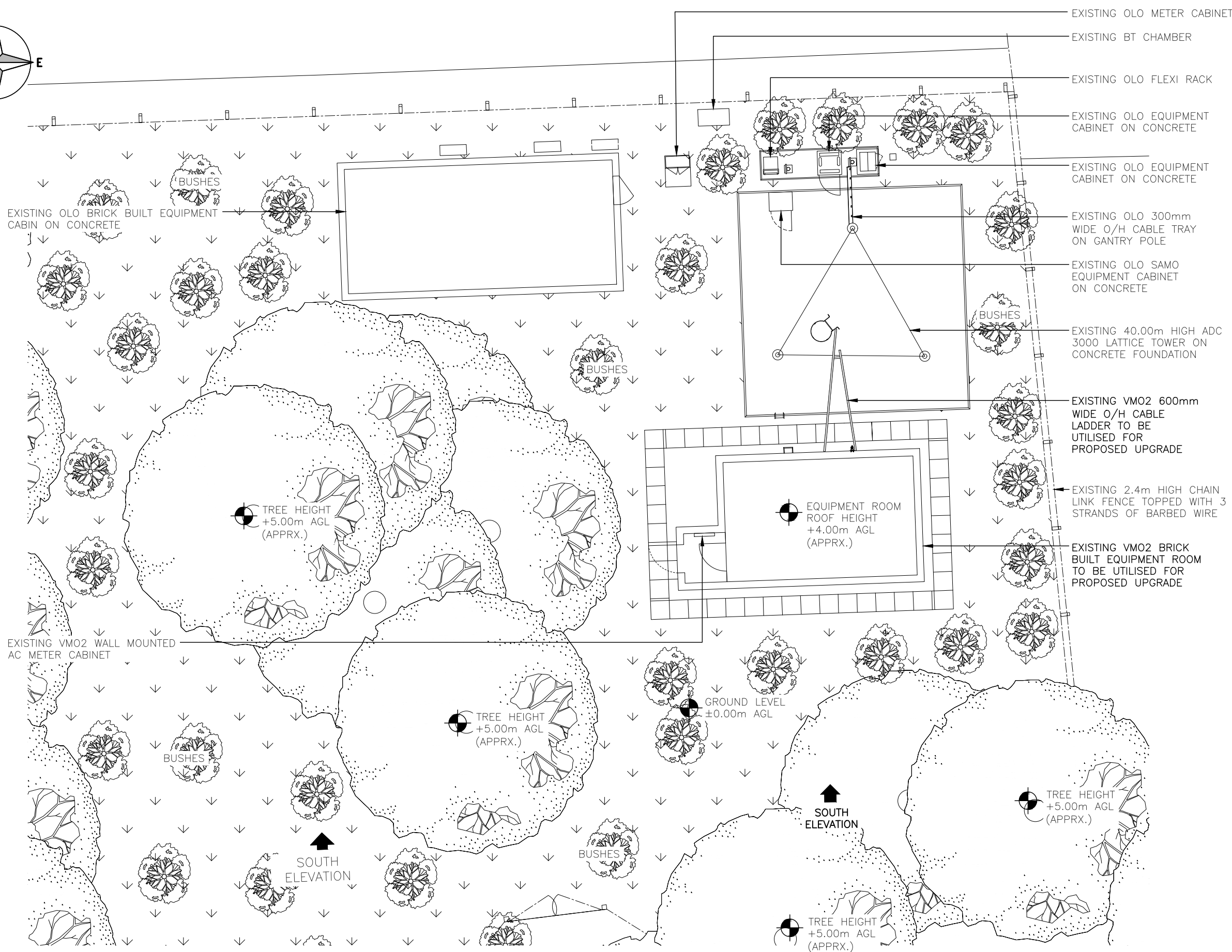
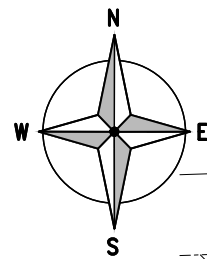
Site Address / Contact Details
 WHITE WOOD LANE
 GAINSBOROUGH
 WEST LINDSEY
 LINCOLNSHIRE
 DN21 1TQ

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Purpose of issue:		PLANNING	
Drawing Number:		200	
Surveyed By:	WHP	Original Sheet Size:	A3
Drawn:	RGN	Checked:	AV
Date:	23.11.23	Date:	23.11.23
Pack Issue:		A	

EXISTING SITE PLAN
 (1:125)



ORIGINAL SCALE AT A3 - 1:125
 ALL DIMENSIONS IN MILLIMETRES



ALL DIMENSIONS ARE IN mm UNLESS NOTED OTHERWISE

N.G.R | E: 483315 | N: 389995

NOTES:

A	Issued for Approval	RGN	AV	23.11.23
REV	MODIFICATION	BY	CH	DATE

WHP Telecoms Ltd
 Faraday Court
 401 Faraday Street
 Birchwood Park
 Warrington WA3 6GA
 Tel: 01925 424100 Fax: 01925 424101
 e-mail: info@whptelecoms.com

O₂
CORNERSTONE-SOUTH EAST

Cell Name | Opt.
GAINSBOROUGH | -

Cell ID No

CORNERSTONE	VMO2	VF
10681133	000288	N/A

Site Address / Contact Details
 WHITE WOOD LANE
 GAINSBOROUGH
 WEST LINSEY
 LINCOLNSHIRE
 DN21 1TQ

Drawing Title: **PROPOSED SITE PLAN**

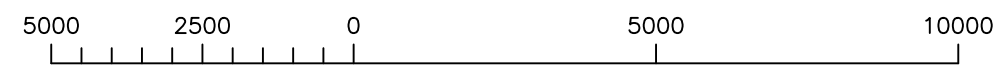
Purpose of issue: **PLANNING** | Dwg Rev: A

Drawing Number: **201** | Pack Issue: A

Surveyed By: **WHP** | Original Sheet Size: **A3**

Drawn: **RGN** | Date: **23.11.23** | Checked: **AV** | Date: **23.11.23** | A

PROPOSED SITE PLAN
(1:125)



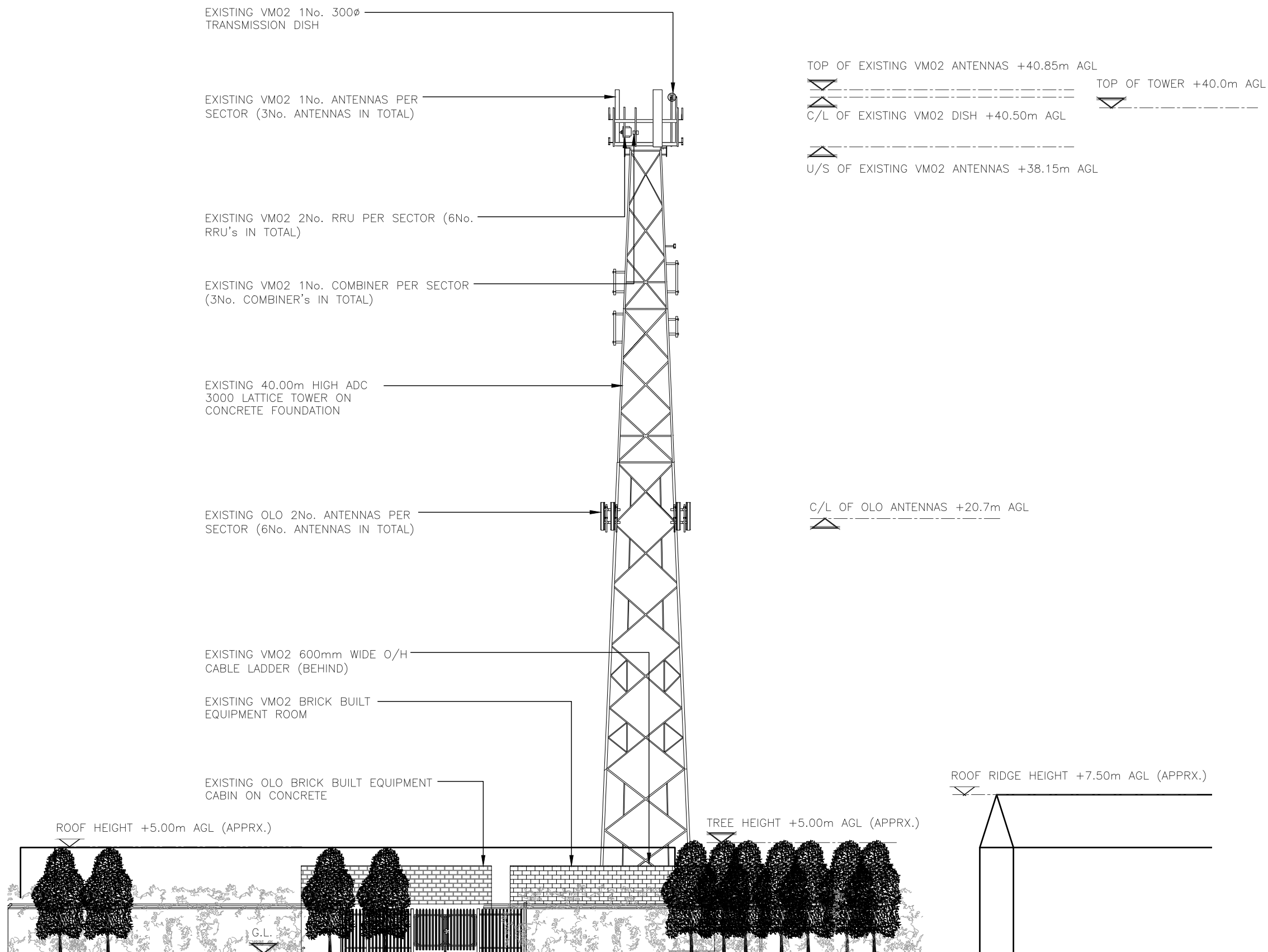
ORIGINAL SCALE AT A3 - 1:125 | ALL DIMENSIONS IN MILLIMETRES

These drawings comply with VMO2 Standard ICNIRP guidelines,
 Designed in accordance with Cornerstone documents: SDN0007 & SDN0008

ALL DIMENSIONS ARE IN mm UNLESS NOTED OTHERWISE

N.G.R | E: 483315 | N: 389995

NOTES:



EXISTING SOUTH ELEVATION
(1:100)



A	Issued for Approval	RGN	AV	23.11.23
REV	MODIFICATION	BY	CH	DATE

WHP Telecoms Ltd
 Faraday Court
 401 Faraday Street
 Birchwood Park
 Warrington WA3 6GA
 Tel: 01925 424100 Fax: 01925 424101
 e-mail: info@whptelecoms.com

O₂
CORNERSTONE-SOUTH EAST

Cell Name		Opt.
GAINSBOROUGH		-
Cell ID No		
CORNERSTONE	VM02	VF
10681133	000288	N/A

Site Address / Contact Details
 WHITE WOOD LANE
 GAINSBOROUGH
 WEST LINDSEY
 LINCOLNSHIRE
 DN21 1TQ

Drawing Title: EXISTING SITE ELEVATION				
Purpose of issue: PLANNING				Dwg Rev: A
Drawing Number: 300				Pack Issue: A
Surveyed By: WHP	Original Sheet Size: A3		Date: 23.11.23	
Drawn: RGN	Date: 23.11.23	Checked: AV	Date: 23.11.23	Pack Issue: A

ALL DIMENSIONS ARE IN mm UNLESS NOTED OTHERWISE

N.G.R E: 483315 N: 389995

NOTES:

REV	MODIFICATION	BY	CH	DATE
A	Issued for Approval	RGN	AV	23.11.23

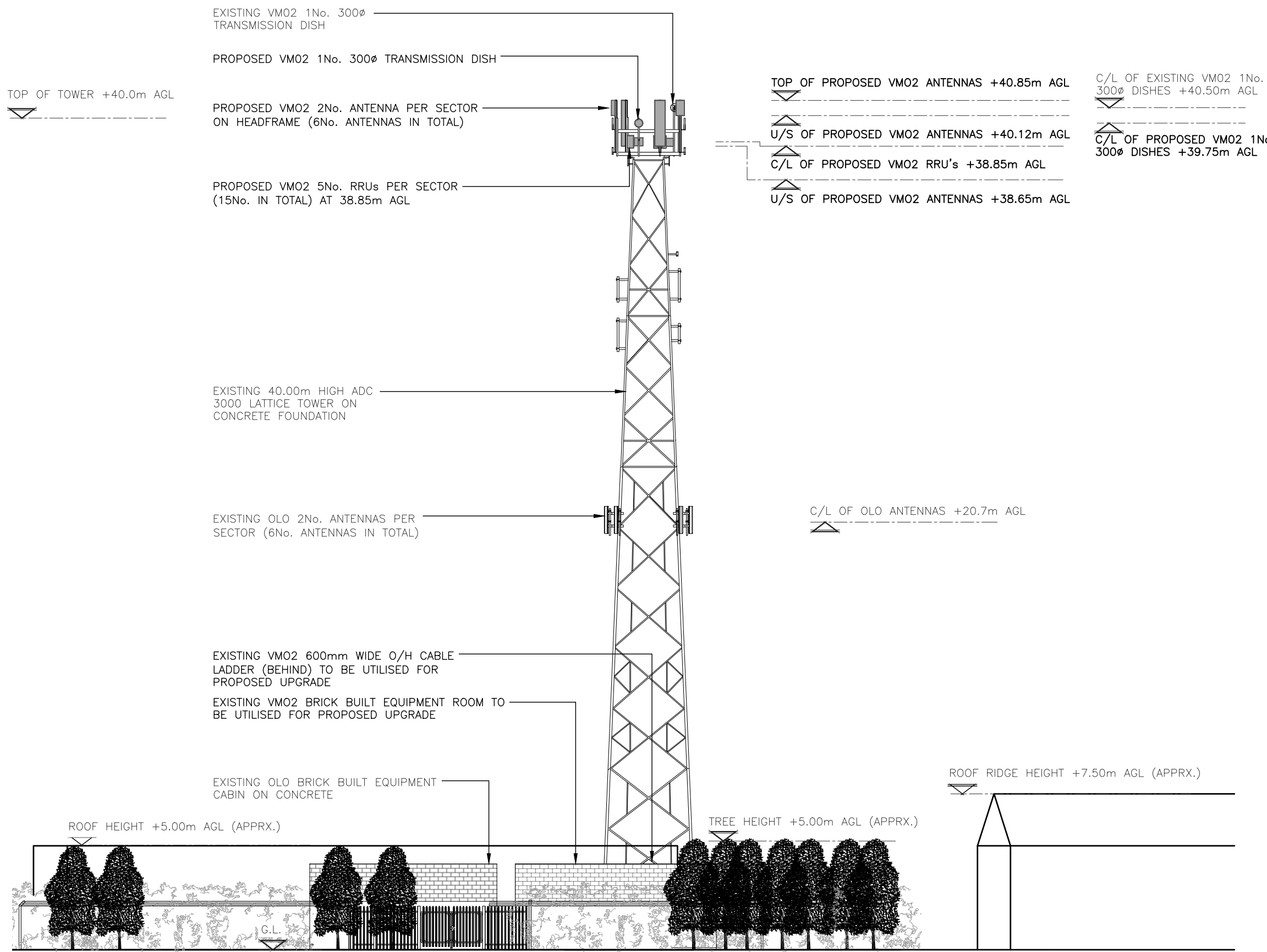
WHP Telecoms Ltd
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 401 Faraday Street
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 Tel: 01925 424100 Fax: 01925 424101
 e-mail: info@whptelecoms.com

O₂
CORNERSTONE-SOUTH EAST

Cell Name		Opt.
GAINSBOROUGH		-
Cell ID No		
CORNERSTONE	VMO2	VF
10681133	000288	N/A

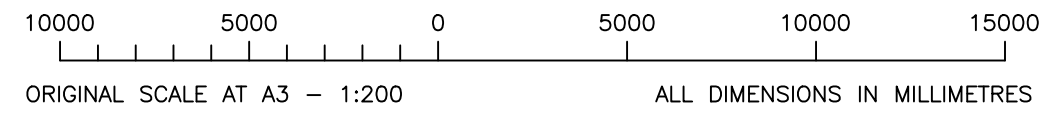
Site Address / Contact Details
 WHITE WOOD LANE
 GAINSBOROUGH
 WEST LINDSEY
 LINCOLNSHIRE
 DN21 1TQ

Drawing Title: PROPOSED SITE ELEVATION				
Purpose of issue: PLANNING				Dwg Rev: A
Drawing Number: 301				Pack Issue: A
Surveyed By: WHP	Original Sheet Size: A3	Pack Issue: A		
Drawn: RGN	Date: 23.11.23	Checked: AV	Date: 23.11.23	A



PROPOSED SOUTH ELEVATION

(1:200)



These drawings comply with VMO2 Standard ICNIRP guidelines, Designed in accordance with Cornerstone documents: SDN0007 & SDN0008