

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
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 23 April 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

PL24/241 Apologies for Absence

To note apologies for absence.

PL24/242 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.

PL24/243 Declarations of Interest

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

PL24/244 Dispensation Requests

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

PL24/245 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.

PL24/246 Minutes of the Previous Meeting

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

Paper A Tuesday 26 March 2024 (pages 5 to 10)

PL24/247 Planning Application

To consider planning application received.

[Application Ref No: 148059 \(19/03/24, 28 days\)](#)

[Proposal: Planning application for the creation of 3no. flats to the upper three storeys with internal modifications including the erection of timber stud partitions the addition of 2no. internal stair cases, 9no. skylights & the widening & replacement of the South West elevation access door.](#)

[Location: 16 Silver Street, Gainsborough](#)

PL24/248 Planning Application

To consider planning application received.

[Application Ref No: 148060 \(19/03/24, 28 days\)](#)

[Proposal: Listed building consent for the creation of 3no. flats to the upper three storeys with internal modifications including the erection of timber stud partitions the addition of 2no. internal stair cases, 9no. skylights & the widening & replacement of the South West elevation access door.](#)

[Location: 16 Silver Street, Gainsborough](#)

PL24/249 Planning Application

To consider planning application received.

[Application Ref No: 148139 \(09/04/24, 28 days\)](#)

[Proposal: Advertisement consent for 2no. internally illuminated fascia signs, 3no. non illuminated informational entrance graphics and 1no. deliveries sign to front, side and rear elevations.](#)

[Location: Unit 11/12 Marshall's Yard, Beaumont Street, Gainsborough](#)

PL24/250 Planning Application

To consider planning application received.

[Application Ref No: 148121 \(15/04/24, 28 days\)](#)

[Proposal: Planning application to erect a steel frame building.](#)

[Location: Unit 31 Long Wood Road, Corringham Road Industrial Estate, Gainsborough](#)

PL24/251 Planning Application

To consider planning application received.

[Application Ref No: 148070 \(16/04/24, 28 days\)](#)

[Proposal: Planning application to create a pond.](#)

[Location: Allotments Love Lane, Gainsborough](#)

PL24/252 Planning Application

To consider planning application received.

[Application Ref No: 148155 \(18/04/24, 28 days\)](#)

[Proposal: Planning application for single storey side extension, double garage to replace 2no. single garages and replacement electric sliding gate.](#)
[Location: 2 Eastern Avenue, Gainsborough](#)

PL24/253 Decision Notice

To note decision notice received.

Application Ref No: 147609 GRANTED (delegated)

Proposal: Planning application for alterations to existing apartment to form 2no. self contained flats.

Location: 2 James Court, Gainsborough

Paper B (pages 11 to 24)

PL24/254 Decision Notice

To note decision notice received.

Application Ref No: 147850 GRANTED (delegated)

Proposal: Prior approval application for proposed change of use of commercial, business and service to 1no. dwelling.

Location: 131/131A, Morton Terrace, Gainsborough

Paper C (pages 25 to 27)

PL24/255 Decision Notice

To note decision notice received.

Application Ref No: 147942 REFUSED (delegated)

Proposal: Planning application to erect double garage with gym above to front of dwelling.

Location: 165 Sandsfield Lane, Gainsborough

Paper D (pages 28 to 35)

PL24/256 Decision Notice

To note decision notice received.

Application Ref No: 147445 GRANTED (delegated)

Proposal: Planning application for installation of awning.

Location: Walters Opticians 34-36 Market Place, Gainsborough

Paper E (pages 36 to 46)

PL24/257 Decision Notice

To note decision notice received.

Application Ref No: 147446 GRANTED (delegated)

Proposal: Listed building consent for installation of awning.

Location: Walters Opticians 34-36 Market Place, Gainsborough

Paper F (pages 47 to 54)

PL24/258 Street Naming Requests

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

Paper G Thonock Green (pages 55 to 57)

PL24/259 Tree Preservation Orders

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

PL24/260 Lord Street

To receive update on vehicular movement issues on Lord Street, Gainsborough.
Paper H (pages 58 to 62)

PL24/261 Traffic Regulation Orders

To consider requests for additional road signage

- Request for additional school crossing signage and markings on North Street.
- Request for signage and markings at the Church Street + Gladstone Street intersection.

PL24/262 Neighbourhood Plan Working Group

Item requested on the agenda from the previous meeting.

PL24/263 Items for Notification

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

PL24/264 Time and Date of Next Meeting

To note the date and time of the next Planning Committee meeting is scheduled for Tuesday **23** May 2024 at **7:00pm**.

Rachel Allbones
Interim Town Clerk
Richmond House
Gainsborough

Thursday, 18 April 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 26 March 2024** at **7:01pm** 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 Stuart Morley

In Attendance:
Natasha Gardener Admin Support Officer

Also Present: 2 members of the public

PL24/215 Apologies for Absence

Apologies for absence were received from Councillors R Craig, L Muggridge and K Panter.

PL24/216 Public Participation Period

2 members of the public spoke on their positive experiences with the 20's plenty for us campaign. They raised concerns about the lack of ramp outside a school and were informed that it was blocked paving and it had collapsed under one side.

PL24/217 Declarations of Interest

No declarations of interest were made.

PL24/218 Dispensation Requests

No dispensation requests were received.

PL24/219 Items for Exclusion of Public and Press

No items for exclusion of public and press.

PL24/220 Minutes of the Previous Meeting (Paper A)

RESOLVED: that the minutes of the Planning Committee meeting held on Tuesday 27 February 2024 be approved as a as a true and accurate record and signed by the Chairman.

Note: Cllr Dobbie abstained from voting on the above resolution.

Cllr Dobbie would like it to be noted that though he abstained, he was happy with the rest but as he was not present during a speaking part and passed the minutes, noted that he was happy to speak at Full Council.

PL24/221 Planning Application

[Application Ref No: 147870 \(26/02/24, 28 days\)](#)

[Proposal: Planning application to remove and replace portal frame building.](#)

[Location: Wilco Motosave Ltd, 2 Southolme, Gainsborough](#)

RESOLVED: to support the application.

PL24/222 Planning Application

[Application Ref No: 147942 \(26/02/24, 28 days\)](#)

[Proposal: Planning application to erect double garage with gym above to front of dwelling.](#)

[Location: 165 Sandsfield Lane, Gainsborough](#)

RESOLVED: to oppose the application due to the height of the structure on the top of the garages.

PL24/223 Planning Application

[Application Ref No: 147958 \(07/03/24, 28 days\)](#)

[Proposal: Planning application for the conversion of first floor to 3no. flats including replacement sash windows, addition of rear access door and awnings to shop front.](#)

[Location: 11-15 Silver Street, Gainsborough](#)

RESOLVED: to support the application.

PL24/224 Planning Application

[Application Ref No: 147959 \(07/03/24, 28 days\)](#)

[Proposal: Listed building consent for the conversion of first floor to 3no. flats including replacement sash windows, addition of rear access door and awnings to shop front.](#)

[Location: 11-15 Silver Street, Gainsborough](#)

RESOLVED: to support the application as the Council supports town centre living and putting a disused shop back into use.

Member of the public queried about the leaser fabric shop and wanting to buy the flat above. Cllr Dobbie advised the shop leaser to contact the owner of the shop. Cllr Dobbie said this would likely be similar with the Silver Street project.

PL24/225 Planning Application

[Application Ref No: 148038 \(07/03/24, 28 days\)](#)

[Proposal: Planning application for roof mounted solar panels.](#)

[Location: 22 Market Place, Gainsborough](#)

RESOLVED: to support the application.

PL24/226 Planning Application

[Application Ref No: 148039 \(13/02/24, 28 days\)](#)

[Proposal: Listed building consent for roof mounted solar panels](#)

[Location: 22 Market Place, Gainsborough](#)

RESOLVED: to support the application.

PL24/227 Planning Application

[Application Ref No: 148042 \(14/03/24, 28 days\)](#)

[Proposal: Planning application for change the use of former ground floor shop \(Use Class F2\) to residential \(Use Class C3\), with associated alterations to ground floor front elevation.](#)

[Location: 9 Hotspur Road, Gainsborough](#)

RESOLVED: to support the application.

PL24/228 Planning Application

[Application Ref No: 148053 \(18/03/24, 28 days\)](#)

[Proposal: Planning application for single storey side extension & front porch.](#)

[Location: 5 Kingerby Close, Gainsborough](#)

RESOLVED: to support the application.

PL24/229 Decision Notice (Paper B)

Application Ref No: 147664 GRANTED (delegated)

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

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

PL24/230 Decision Notice (Paper C)

Application Ref No: 147104 GRANTED (delegated)

Proposal: Hybrid planning application comprising: (1) full planning application to erect drive thru Starbucks Coffee Shop with associated car parking and landscaping, and (2) outline planning application for additional drive-thru restaurant - access to be considered and not reserved for subsequent applications.

Location: Land off Somerby Way Somerby Park Gainsborough

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

PL24/231 Decision Notice (Paper D)

Application Ref No: 147511 GRANTED (Committee)

Proposal: Planning application for change of use from 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 **NOTE** the decision notice received.

Note: Cllr Dobbie would like it noted that the Council objected and thought changing the use into a café was not sensible there.

PL24/232 Decision Notice (Paper E)

Application Ref No: 147783 REFUSED (delegated)

Proposal: Planning application for loft conversion to create an additional bedroom including front dormer window.

Location: 46 Campbell Street, Gainsborough

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

PL24/233 Decision Notice

Application Ref No: 147835 GRANTED (delegated)

Proposal: Planning application for proposed replacement windows to original building.

Location: 22 Riverside Dental Practice, Gladstone Street, Gainsborough

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

PL24/234 Decision Notice (Paper F)

Application Ref No: 147827 GRANTED (delegated)

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

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

PL24/235 Street Naming Requests (Paper E)

No street naming requests were received.

PL24/236 Tree Preservation Orders

No tree preservation orders were received.

PL24/237 Lord Street

To consider vehicular movement issues on Lord Street, Gainsborough.

RESOLVED: to write to LCC and County Councillor to look at loading and unloading times (i.e. 7am to 9am or 4pm to 6pm), a time limit and no vehicular access on market days.

PL24/238 20's Plenty for Us

To consider 20's plenty for us campaign, campaigning for the speed limit of 20mph to be normal in residential areas and in town and village centres.

<https://www.20splenty.org/>

RESOLVED: to **RECOMMEND TO FULL COUNCIL** to support the 20's Plenty Campaign, more school zones and encourage people to drive slower.

PL24/239 Items for Notification

- Neighbourhood Plan Working Group
- Response about Lord Street

PL24/240 Time and Date of Next Meeting

RESOLVED: to **NOTE** the date and time of the next Planning Committee meeting is scheduled for Tuesday 23 April 2024 at 7:00pm at Richmond House, Morton Terrace.

The meeting closed at 8:20pm

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

DRAFT

PAPER B

Planning Permission

Name and address of applicant

Mr J Jenkinson
The Old Farmhouse
Sutton
Retford

DN22 8SD

Name and address of agent (if any)

Mr Dave Smith
MDA
Local Inn
Armstrong Road
Mansfield
NG19 6JR

Part One – Particulars of application

Date of application:
30/01/2024

Application number:
147609

Particulars and location of development:

Planning application for alterations to existing apartment to form 2no. self contained flats.

2 James Court Gainsborough Lincolnshire DN21 2FB

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 Floor Plans & Front (west) Elevation amended 08/02/2024, Proposed Block Plan, Rear (east) Elevation and Car Parking Plan amended 25/03/2024 and Site Location Plan received 31/01/2024. 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. The materials used in the development shall match those stated on the application form and the following drawings: Proposed Floor Plans & Front (west) Elevation amended 08/02/2024 and Proposed Block Plan and Rear (east) Elevation dated January 2024.

Reason: To ensure the use of appropriate materials to accord with the National Planning Policy Framework, Policy S53 of the Central Lincolnshire Local Plan and Policy NPP 6 Ensuring High Quality Design of the Gainsborough Neighbourhood Plan.

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

None.

Notes to the Applicant

Reducing Energy Consumption in Existing Buildings

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

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

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

<https://knowledge.bsigroup.com/products/retrofitting-dwellings-for-improved-energy-efficiency-specification-and-guidance-1/standard>

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 S47: Accessibility and Transport, Policy S49: Parking Provision and Policy S53: Design and Amenity 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 and NPP 8 A Mix of Housing Types) and the guidance contained in National Planning Policy Framework and National Planning Practice Guidance.

In light of the above assessment it is considered that the principle of development for residential development can be supported on this site within the developed footprint of Gainsborough. The proposal would not have a detrimental impact on the residential amenity of neighbouring properties or have a detrimental impact on the street scene. Furthermore, the proposal will not have a detrimental impact on the highway network.

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: 02/04/2024

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: 147609

PROPOSAL: Planning application for alterations to existing apartment to form 2no. self contained flats.

LOCATION: 2 James Court Gainsborough Lincolnshire DN21 2FB
WARD: Gainsborough North
APPLICANT NAME: Mr J Jenkinson

TARGET DECISION DATE: 05/04/2024
DEVELOPMENT TYPE: Minor - Dwellings
CASE OFFICER: Richard Green

RECOMMENDED DECISION: Grant with conditions attached.

Description:

The site is located within the developed footprint of Gainsborough and comprises an apartment spread over two floors (ground and first floor). The apartment is located in a 2-storey building which comprises of 12 flats/apartments. The building is located to the east of Northholme from which it is accessed and to the north is a vacant area of land, to the south is Northholme with dwellings beyond. To the west are 2 storey semi-detached and terraced properties and to the east are trees with a railway line beyond.

The application proposes to make alterations to the existing apartment (No.2 James Court) to form 2no. self-contained flats. The existing apartment is spread over two floors (ground and first floor) and has 4 bedrooms and a first floor balcony off its front (west) elevation. It is proposed to create a ground floor flat with two bedrooms (a single and a double), a bathroom and a living/kitchen area. The flat is accessed off a door on the east (front) elevation. It is also proposed to create a first floor flat with two bedrooms (a single and a double), a bathroom and a living/kitchen area. The flat is accessed via a set of stairs in the corner of the building on the front (west) elevation which will be partially hidden by the balcony structure. The entrance door at first floor level is located on the east (front) elevation off the balcony.

The proposed front (east) elevation will be altered by bricking up an existing ground floor window behind the balcony and by bricking up an existing first floor window and creating a new first floor door. The proposed rear (west) elevation will have 2 ground floor windows and 2 first floor windows (an existing first floor door above a flat roofed storage building will be removed.

It is also proposed to update the existing wooden balcony off the front (west) elevation with brick pillars and a glass and metal balustrade. A single storey flat roofed storage building to the rear (east) will be removed to facilitate the development.

Relevant history:

142524 - Planning application for change of use of ground floor from storage to 2no. apartments, to include the installation of 2no. doors and 2no. windows to front elevation. Also, installation of 4no. windows to the rear, together with alteration of 2no. doors. Granted 21/06/2021.

M06/P/1281 - Planning Application for proposed extension to provide two additional bedrooms to existing apartment, creation of domestic garage with 1no. flat over, creation of 2no. further flats, demolish boundary wall and erect railings, relocation of existing secondary access. Granted 30/01/2007.

M06/P/0898 - Planning Application for a proposed extension to provide two additional bedrooms to existing apartment. Erection of garage with 2no. one bedroom apartments over and the erection of 2no. storage units. Granted 05/12/2006.

W33/238/95 - Planning application to change the use, alter and extend building to form showroom stores and 4 residential units in accordance with amended drawing No. 27.760.02/01a received 26 May 1995. Granted 23/06/95.

Land to the north:

127131 - Outline planning application for the erection of 2no. detached dwellings - all matters reserved. 23/05/2014.

Representations:

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

Town Council: No comments to make.

Local residents/Occupiers: No representations received to date.

LCC Highways and Lead Local Flood Authority: Planning application does not have an unacceptable impact on the public highway. 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.

LCC Archaeology: No archaeological input required.

Network Rail: No representations received to date.

ECM: Checked 02/04/2024

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) and the Gainsborough Neighbourhood Plan (adopted in June 2021).

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 S47: Accessibility and Transport

Policy S49: Parking Provision

Policy S53: Design and Amenity

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

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 Code (2021)**

Main issues

- Principle of Development
- Residential Amenity
- Visual Impact
- Foul and Surface Water Drainage
- Highways and Car Parking

- Other Matters

Assessment:

Principle of Development

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

The proposal is located within the developed footprint of Gainsborough which is identified as a Main Town under Policy S1 of the Central Lincolnshire Local Plan and will 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.

This site is located within the developed footprint of Gainsborough in an appropriate location. Therefore, the principle of residential development on this site is accepted.

Residential Amenity

It is proposed to make alterations to the existing 4 bed apartment (No.2 James Court) to form 2no. self-contained 2 bed flats. The existing apartment is spread over two floors (ground and first floor) and the one of the proposed flats will be at ground floor level and the other will be at first floor level. The proposal is located within an existing 2 storey building containing 11 apartments/flats.

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 the proposed front (east) elevation will be altered by bricking up an existing ground floor window behind a balcony and by bricking up an existing first floor window and creating a new first floor door. The proposed rear (west) elevation will have 2 ground floor windows and 2 first floor windows (an existing first floor door above a flat roofed storage building will be removed).

It is also proposed to update the existing wooden balcony off the front (west) elevation with brick pillars and a glass and metal balustrade. A single storey flat roofed storage building to the rear (east) will be removed to facilitate the development.

The altered front elevation will overlook the car parking for the apartment block and the rear elevation will overlook a small area of outside amenity space with trees and a railway line beyond. There are no concerns in relation to overlooking, over dominance or loss of light over adjoining properties

The two flats will 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. Kitchenettes will be provided in the living rooms to each of the flats.

The lack of outside amenity space is noted; however, this is not an unusual situation for flats/dwellings located close to the town centre of Gainsborough. The majority of the existing apartments/flats within this development have no outside amenity spaces and there are other amenity areas such as those around All Saints Church, Gainsborough Old Hall and along Riverside Walk within close proximity of the proposed flats.

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 135(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 the proposed front (east) elevation will be altered by bricking up an existing ground floor window behind a balcony and by bricking up an existing first floor window and creating a new first floor door. The proposed rear (west) elevation will have 2 ground floor windows and 2 first floor windows (an existing first floor door above a flat roofed storage building will be removed).

It is also proposed to update the existing wooden balcony off the front (west) elevation with brick pillars and a glass and metal balustrade. A set of external stairs located in the corner of the building on the front (west) elevation will be partially hidden by the balcony structure.

The altered front elevation will overlook the car parking for the apartment block with the proposed openings complementing the host building and the upgraded balcony also having a positive impact on the front (west) elevation.

The proposed openings on the rear (east) elevation will also complement the host building and will overlook a small area of outside amenity space with trees and a railway line beyond.

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.

Highway Safety and Car Parking

The application proposes to make alterations to the existing apartment (No.2 James Court) to form 2no. self-contained flats. The existing apartment is spread over two floors (ground and first floor) and has 4 bedrooms. The proposed ground and first floor flats will each have 2 bedrooms and will be accessed off the existing access from Northholme to the car parking areas afforded the development.

Local Plan Policy S47 and S49 requires well designed, safe and convenient access for all, and that appropriate vehicle parking provision is made for development users. Appendix 2 of the CLLP which is referred to in Policy S49 states that flatted development in market towns should provide 1 parking space per dwelling plus a visitor space allowance. The applicant has confirmed that the flats will utilise two car parking spaces immediately to the west of the proposed flats. All other flats will have one car parking space and there will be one visitor space and one spare car parking space.

Lincolnshire County Council Highways have been consulted on the application and raise no objections to the proposal.

Paragraph 114 of the NPPF states that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users; and
- c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

Overall, the proposed access, parking and turning arrangements are acceptable and the proposal is considered to accord with Policy S47 and S49 of the Central Lincolnshire Local Plan.

Other matters:

Energy Efficiency:

Policy S13 encourages the improvement of energy efficiency as stated below:

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

Therefore, if it is minded to grant permission an informative will be added to the decision notice encouraging the applicant to use PAS 2035:2019 Specifications and Guidance (or any superseding guidance) for this proposal.

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 S47: Accessibility and Transport, Policy S49: Parking Provision and Policy S53: Design and Amenity 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 and NPP 8 A Mix of Housing Types) and the guidance contained in National Planning Policy Framework and National Planning Practice Guidance.

In light of the above assessment it is considered that the principle of development for residential development can be supported on this site within the developed footprint of Gainsborough. The proposal would not have a detrimental impact on the residential amenity of neighbouring properties or have a detrimental impact on the street scene. Furthermore, the proposal will not have a detrimental impact on the highway network.

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 : 02/04/2024

Signed: *R. J. Green*

Authorising Officer: *D Peck*- Danielle Peck

Date: 02/04/2024

Delegated X

PAPER C

**PRIOR APPROVAL APPLICATION
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED
DEVELOPMENT) (ENGLAND) ORDER 2015 (AS AMENDED)**

Name and address of applicant
Mr Tony Barrett
131A Morton Terrace
Gainsborough
Lincolnshire
DN21 2RL

Name and address of agent (if any)

Part I – Particulars of application

Date of application

Application no.

09/02/2024

147850

Particulars and location of proposed works:

Prior approval application for proposed change of use of commercial, business and service to 1no. dwelling

131/131A Morton Terrace Gainsborough Lincolnshire DN21 2RL

Part II – Particulars of decision

Further to your application received on 09/02/2024, under Part 3 Class MA of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (As Amended), for prior approval with respect to the above proposal.

It is hereby confirmed that prior approval is required and is granted subject to the following conditions:

1. Development under Class MA is permitted subject to the condition that development under Class MA must be completed within a period of 3 years starting with the prior approval date.

Reason: To comply with condition MA.2.(5) of Schedule 2, Part 3 Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

2. The development shall be carried out in accordance with the following approved drawing(s):
 - Proposed Ground Floor Plan received 09/02/2024.

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: In the interest of clarity and proper planning.

3. Any building permitted to be used as a dwellinghouse by virtue of Class MA is to remain in use as a dwellinghouse within the meaning of Class C3 of Schedule 1 to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the use as a dwellinghouse.

Reason: To comply with condition MA.2.(6) of Schedule 2, Part 3 Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Notes to the Applicant

Flood Risk

The applicant is asked to comply with the recommendations of the Improving Flood Performance of New Buildings document (published by Communities and Local Government) and should connect to the Flood Line warning Direct Service.

Building Control

In these circumstances, you will also need to apply for separate Building Regulations consent. This may also include the instance where risks associated with Radon gas are identified. Advice can be obtained on our web site http://www.west-lindsey.gov.uk/residents/planning-and-building/building_control/, on 01427 676672 or by contacting us at building.control@west-lindsey.gov.uk.

Date: 02/04/2024

Signed:



Ian Knowles
Head of Paid Service

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

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

PAPER D

Refusal of Planning Permission

Name and address of applicant

Mr Jason Alcock
165 Sandsfield Lane
Gainsborough
Lincolnshire
DN21 1DB

Name and address of agent (if any)

Sean Madden
Hubble Architecture Ltd
91 Sunningdale Way
Gainsborough
Lincolnshire
DN21 1FZ

Part One – Particulars of application

Date of application:

12/02/2024

Application number:

147942

Particulars and location of development:

Planning application to erect double garage with gym above to front of dwelling.

165 Sandsfield Lane Gainsborough Lincolnshire DN21 1DB

Part Two – Particulars of decision

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

1. The proposal, by virtue of its siting, height, scale, massing and form would form an incongruous feature in the context of the street scene and would have an unacceptably harmful impact on the character and appearance of the surrounding area. It will not contribute or relate well to the site and the character of the host dwelling and does not create a sense of identity in terms of contributing to local distinctiveness. The development will therefore be contrary to Policy S53 of the Central Lincolnshire Local Plan, Policy NPP1 of the Gainsborough Neighbourhood Plan, the National Design Guide and the National Planning Policy Framework, most notably chapter 12.
2. The proposed garage, by virtue of its siting, height, scale, massing and form would have an unacceptable impact on the residential amenities of the neighbouring property in terms of outlook and overdominance. The development will therefore be contrary to Policy S53 of the Central Lincolnshire Local Plan, Policy NPP1 of the Gainsborough Neighbourhood Plan, the National Design Guide and 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 reasons for the refusal, approval has not been possible.

Date: 5th April 2024

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 <https://www.planninginspectorate.gov.uk/submitting-an-appeal/>. The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

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

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

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

Purchase Notices

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

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

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

Officer's Report
Planning Application No: 147942

PROPOSAL: Planning application to erect double garage with gym above to front of dwelling.

LOCATION: 165 Sandsfield Lane Gainsborough Lincolnshire DN21 1DB
WARD: Gainsborough South West

TARGET DECISION DATE: 08/04/2024
DEVELOPMENT TYPE: Householder Development
CASE OFFICER: Vicky Maplethorpe

RECOMMENDED DECISION: Refuse permission

Description:
The application site comprises a detached house located within Gainsborough. The site is surrounded by other residential dwellings. The site slopes upwards from south west to north east. The application seeks permission to erect a double garage with gym over and a terrace to access the host dwelling.

Relevant history:
None

Representations:	
Chairman/Ward member(s):	None received
Parish/Town Council/Meeting:	'RESOLVED: to oppose the application due to the height of the structure on the top of the garages.'
Local residents:	4 letters of objection received from No's 161, 163, 186 and 192 Sandsfield Lane, summarised below: <ul style="list-style-type: none"> • Looks out of place • Out of character with street • Affect light and views of neighbouring properties • Could be used for business purposes • Impact visible security of street • Increased traffic • Overlooking • House sits on a bed of sand, concerns over foundations
LCC Highways/Lead Local Flood Authority:	'The proposed access to the garage is made of unbound material, please request the applicant demonstrate access improvements in line with current LCC specifications.'
Archaeology:	No archaeology input
ECM:	Checked 4/4/24

Relevant Planning Policies:

National guidance	National Planning Policy Framework National Planning Practice Guidance
Local Guidance	Central Lincolnshire Local Plan: S53: Design and Amenity S61: Biodiversity Opportunity and Delivering Measurable Net Gains
Neighbourhood Plan:	Gainsborough Neighbourhood Plan MADE 28 th June 2021 NPP1 – Sustainable Development

POLICY S53 – Design and Amenity

Is the proposal well designed in relation to its siting, height, scale, massing and form?

No. Policy S53 of the Central Lincolnshire Local Plan seeks to ensure that all development contributes positively to local character, landscape and townscape.

Along Sandsfield Lane there are other garages located to the front of dwellings. However, these are all single bay and single storey garages with flat roofs. The proposal is for a double garage with a gym above measuring 7m by 7.6m and will be 3m to eaves with a pitched roof at a height of 5.6m to ridge. It is to be sited immediately in front of the host dwelling.

The proposed garage will completely obscure views of the front of the host dwelling, a pleasant post-war bay fronted dwelling. It is therefore considered that the proposal in terms of its siting, height, scale, massing and form will have an unacceptable harmful impact on the host dwelling by detrimentally altering the character and appearance of the existing dwelling.

Furthermore, rather than making a positive contribution to the surrounding townscape as per policy S53, the double garage is of a contrasting scale and appearance and would form an incongruous and discordant feature in the context of the street scene and would detract from the character of the area. The proposed garage does not respect the existing character and form of the surrounding area.

The National Planning Policy Framework in Chapter 12 – Achieving well-designed and beautiful places states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. In paragraph 135 it states that developments should:

- (be) sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

Paragraph 139 goes on to state ‘Development that is not well designed should be refused.’

It is considered that the proposal is of a poor design and furthermore, the proposal fails to meet the guidance contained within the National Design Guide, in particular the design does not create a sense of identity in terms of contributing to local distinctiveness. It is

considered that the proposal would have an awkward design and would not contribute to the character and local distinctiveness of the site or the area contrary to the NPPF, National Design Guide and Policy S53 of the Central Lincolnshire Local Plan.
Does the proposal respect the existing topography, landscape character, street scene and local distinctiveness of the surrounding area?
No. It is considered that the proposal is of a poor design and does not create a sense of identity in terms of contributing to local distinctiveness.
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?
Yes. The proposed garage is located to the front of the existing dwelling. No. 167 is located to the south east of the site and has 2 large windows facing Sandsfield Lane. It is considered that due to the proposed garages siting, height, scale, massing and form it will have an unacceptable harmful impact on the residential amenities of no. 167 in terms of outlook and overdominance.
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> The application being a householder is exempt from biodiversity net gain. Given the size and scale of the proposal it is not considered reasonable to request an energy statement. However, Policy S13 encourages the improvement of energy efficiency as stated below: 'For all development proposals which involve the change of use or redevelopment of a building, or an extension to an existing building, the applicant is encouraged to consider all opportunities to improve the energy efficiency of that building (including the original building, if it is being extended).'
Therefore, if it is minded to grant permission an informative will be added to the decision notice encouraging the applicant to use PAS 2035:2019 Specifications and Guidance (or any superseding guidance) for this proposal.

Conclusion and reasons for decision:
The decision has been considered against Policies S6: Design Principles for Efficient Buildings, S53: Design and Amenity and S61: Biodiversity Opportunity and Delivering Measurable Net Gains of the Central Lincolnshire Local Plan in the first instance as well

as guidance contained in the Lincolnshire Minerals and Waste Plan, National Planning Policy Framework, National Planning Practice Guidance, National Design Guide and National Model Design Code has also been taken into consideration.

1. The proposal, by virtue of its siting, height, scale, massing and form would form an incongruous feature in the context of the street scene and would have an unacceptably harmful impact on the character and appearance of the surrounding area. It will not contribute or relate well to the site and the character of the host dwelling and does not create a sense of identity in terms of contributing to local distinctiveness. The development will therefore be contrary to Policy S53 of the Central Lincolnshire Local Plan, Policy NPP1 of the Gainsborough Neighbourhood Plan, the National Design Guide and the National Planning Policy Framework, most notably chapter 12.
2. The proposed garage, by virtue of its siting, height, scale, massing and form would have an unacceptable impact on the residential amenities of the neighbouring property in terms of outlook and overdominance. The development will therefore be contrary to Policy S53 of the Central Lincolnshire Local Plan, Policy NPP1 of the Gainsborough Neighbourhood Plan, the National Design Guide and 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 : VJM

Date : 4/4/24

Signed: ...*V. Maplethorpe*

Authorising Officer: 

Date: 4th April 2024

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

PAPER E

Planning Permission

Name and address of applicant

Mr R. Walters

34-36 Market Place
Gainsborough
Lincolnshire
DN21 2BY

Name and address of agent (if any)

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

Part One – Particulars of application

Date of application:
13/02/2024

Application number:
147445

Particulars and location of development:

Planning application for installation of awning.

Walters Opticians 34-36 Market Place Gainsborough Lincolnshire DN21 2BY

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 and documents: Site Location and Block Plan Rev B dated 13/02/202 and Existing and Proposed Elevations and Proposed Awning Section dated 13/02/2204. 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.

3. The awning will be a muted shade of blue and the awning box will be integrated and concealed behind the shop front fascia as stated on an email received on the 04/04/2024.

Reason: To ensure the use of appropriate materials 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

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.

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 application has been considered against policies Policy S1: The Spatial Strategy and Settlement Hierarchy, Policy S37: Gainsborough Town Centre and Primary Shopping Area, Policy NS41: City and Town Centre Frontages, Policy S47: Accessibility and Transport, Policy S53: Design and Amenity, Policy S57: The Historic Environment of the Central Lincolnshire Local Plan, the 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 awnings 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 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: 08/04/2024

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: 147445

PROPOSAL: Planning application for installation of awning.

LOCATION: Walters Opticians 34-36 Market Place Gainsborough
Lincolnshire DN21 2BY

WARD: Gainsborough South West

APPLICANT NAME: Mr R. Walters

TARGET DECISION DATE: 09/04/2024

DEVELOPMENT TYPE: Minor - all others

CASE OFFICER: Richard Green

RECOMMENDED DECISION: Grant with conditions attached.

Description:

The application site is a three storey grade II listed building within the Town Centre Market Place (Primary shopping Area) of Gainsborough. The building has an opticians on the ground floor and the upper floors are believed to be used for storage and offices. It is adjacent to 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 within the setting of several listed buildings including No.38 Market Place to the south which is attached to No.34-36 Market Place.

The application seeks full planning permission for the installation of two traditional canvas retractable awnings to the front elevation of the ground floor shop unit. The awning will be a muted shade of blue and the awning boxes will be integrated and concealed behind the shop front fascia. The two boxes will measure approximately 11.65 metres in width (5.17 metres and 6.48 metres respectively) and will project out from the shop unit by 1.8 metres and will have a ground clearance of 3.12 metres.

Relevant history:

147446 - Listed building consent for installation of awning. To be determined in tandem with this application.

Representations

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

Gainsborough Town Council: No comments to make.

Local residents: No representations received to date.

LCC Highways/Lead Local Flood Authority: 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.

Informatives - 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.

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

Conservation Officer: No objections to the awnings.

ECM: Checked 05/04/2024.

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 (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 adopted 2023 (CLLP):

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

Gainsborough Neighbourhood Plan:

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

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 December 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

Conservation Area Legal Duty

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

Main issues

- Principle of Development, Design and Heritage Impact
- Other Matters.

Assessment:

Principle of Development, Design and Heritage Impact

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.

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 advises 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.

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

With regard to Listed Buildings, Policy 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 preservation and does not involve activities or alterations prejudicial to the special architectural or historic interest of the Listed Building or its setting.'*

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.*

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.

Policy NS41 of the CLLP focuses on town centre frontages and 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.'*

Policy NPP18 of the Gainsborough Town 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 application seeks full planning permission for the installation of two traditional canvas retractable awnings to the front elevation of the ground floor

shop unit. The awning will be a muted shade of blue and the awning boxes will be integrated and concealed behind the shop front fascia. The two boxes will measure approximately 11.65 metres in width (5.17 metres and 6.48 metres respectively) and will project out from the shop unit by 1.8 metres and will have a ground clearance of 3.12 metres.

Overall, it is considered that the proposed awnings are of a high-quality design which will preserve the special historic interest of the host Listed building. The proposal 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

No objections to make. The proposed awnings have a ground clearance of approximately 3.12 metres. If it is minded to grant permission the informative suggested by the highways authority will be attached to the decision notice.

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.

Conclusions and reasons for decision

The application has been considered against policies Policy S1: The Spatial Strategy and Settlement Hierarchy, Policy S37: Gainsborough Town Centre and Primary Shopping Area, Policy NS41: City and Town Centre Frontages, Policy S47: Accessibility and Transport, Policy S53: Design and Amenity, Policy S57: The Historic Environment of the Central Lincolnshire Local Plan, the 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 awnings 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.

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: 05/04/2024

Signed: *R. J. Green*

Authorising Officer: *Holly Horton*

Date: 5th April 2024

Delegated X

PAPER F

Listed Building Consent

Name and address of applicant

Mr R. Walters

34-36 Market Place
Gainsborough
Lincolnshire
DN21 2BY

Name and address of agent (if any)

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

Part I – Particulars of application

Date of application
13/02/2024

Application no
147446

Particulars and location of development

Listed building consent for installation of awning.

Walters Opticians 34-36 Market Place Gainsborough Lincolnshire DN21 2BY

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.

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 and Block Plan Rev B dated 13/02/202 and Existing and Proposed Elevations and Proposed Awning Section dated 13/02/2204. 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).

3. The awning will be a muted shade of blue and the awning box will be integrated and concealed behind the shop front fascia as stated on an email received on the 04/04/2024.

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

Reasons for granting permission

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: 08/04/2024

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.

Officers Report

Planning Application No: 147446

PROPOSAL: Listed building consent for installation of awning.

LOCATION: Walters Opticians 34-36 Market Place Gainsborough
Lincolnshire DN21 2BY

WARD: Gainsborough South West

APPLICANT NAME: Mr R. Walters

TARGET DECISION DATE: 09/04/2024

DEVELOPMENT TYPE: Listed Building - Alter/Extend

CASE OFFICER: Richard Green

RECOMMENDED DECISION: Grant with conditions attached.

Description:

The application site is a three storey grade II listed building within the Town Centre Market Place (Primary shopping Area) of Gainsborough. The building has an opticians on the ground floor and the upper floors are believed to be used for storage and offices. 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 within the setting of several listed buildings including No.38 Market Place to the south which is attached to No.34-36 Market Place.

The application seeks listed building consent for the installation of two traditional canvas retractable awnings to the front elevation of the ground floor shop unit. The awning will be a muted shade of blue and the awning boxes will be integrated and concealed behind the shop front fascia. The two boxes will measure approximately 11.65 metres in width (5.17 metres and 6.48 metres respectively) and will project out from the shop unit by 1.8 metres and will have a ground clearance of 3.12 metres.

Relevant history:

147445 - Planning application for installation of awning. To be determined in tandem with this application.

Representations

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

Gainsborough Town Council: No comments to make.

Local residents: No representations received to date.

LCC Highways/Lead Local Flood Authority: 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.

Informatives - 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.

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

Conservation Officer: No objections to the awnings.

ECM: Checked 05/04/2024.

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. Local Plan Policy S57 allows such development if 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.

The proposed awnings are of a high-quality design which will preserve the special historic interest of the host Listed building. It is therefore considered that the proposed works are acceptable as the changes (subject to conditions) will have no adverse impact on the character, appearance and fabric of the Listed Building in accordance with Section 16 of the Planning (Listed Building and Conservation Area) Act 1990 and the NPPF.

Other matters

None.

Conclusions and reasons for decision

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.

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 : 05/04/2024

Signed: *R. J. Green*

Authorising Officer: *Holly Horton*

Date: 5th April 2024

Delegated X

PAPER G

From: Fifoot, Jennifer
Sent: Wednesday, March 27, 2024 12:51 PM
To: Town Clerk
Cc: Vicki Stevens; Baskett, Tom
Subject: RE: Thonock Green, Gainsborough (Sweyn Lane)

Good afternoon Rachel,

Thank you for coming back to us with the proposed street names, we have had a discussion internally about the proposals for street names and following a conversation with Vicky as I wasn't aware we were able to discuss the proposals coming from our side.

This site is the first stage of the Gainsborough sustainable urban extension looking at building around 2,500 homes in the future for this area and we look to create a successful first phase to this to create a sense of pride for Gainsborough town and complete our development to a high standard and create a community within the area. We suggested some potential street names based on the history of the town such as:

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

But I believe these may be existing street names around the area, we have in fact named the sales development Thonock Green after Thonock Park so could it be considered that we maybe follow a golfing theme to the street naming

- Birdie
- Swale
- Driver
- Honour
- Eagle
- Fairway
- Putt
- Hook

I look forward to hearing your thoughts and if you would like to discuss this further please feel free to give me a call

Kind regards,

Jenni Fifoot | Architectural Technician

Persimmon (Nottingham) | Fountain House, Southwell Road West, Mansfield, Nottinghamshire, NG18 4LE

From: Town Clerk
Sent: Wednesday, February 28, 2024 12:50 PM
To: Fifoot, Jennifer
Cc: Vicki Stevens
Subject: RE: Thonock Green, Gainsborough (Sweyn Lane)

Hi Jennifer,

At last night's meeting they proposed the following: -

- 1) Vardo Drive
- 2) Romani Road
- 3) Piebald Close
- 4) Cob Close
- 5) Tinker Way
- 6) Field End
- 7) Common Close
- 8) Green Lane

Kind Regards

Rachel Allbones
Interim Town Clerk & Responsible Finance Officer

01427 811573 | Direct number: 020 4512 0190
Richmond House | Richmond Park | Morton Terrace | Gainsborough | Lincolnshire | DN21 2RJ



Gainsborough
TOWN COUNCIL



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PAPER H

Rachel Allbones

Subject: FW: Lord Street bollards - Gainsborough

From: Ben Attridge
Sent: Wednesday, March 27, 2024 4:53 PM
To: Natasha Gardener
Subject: RE: Lord Street bollards - Gainsborough

Hi Natasha,

Apologies I have not replied sooner.

With regards to this one, I am hopeful we can get this one moving, I have spoken with the County Highways Manager, however I am still just awaiting the ok that I can move forward with this and what budget it is coming from if so. Until I get that I cant give a definite answer, but will update you in due course.

Kind regards

Ben Attridge

Senior Highways Officer (North)

Lincolnshire County Council, Place Directorate, Highways Services
Lancaster House, 36 Orchard House, Lincoln, LN1 1XX

Customer Service Centre contact number: 01522 782070

Email: cschighways@lincolnshire.gov.uk

Website: www.lincolnshire.gov.uk



From: Natasha Gardener
Sent: Monday, March 25, 2024 9:45 AM
To: Ben Attridge
Subject: RE: Lord Street bollards - Gainsborough

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Good morning Ben,

Thank you very much for your response and for letting us know.

Kind Regards

Natasha Gardener
Admin Support Officer

01427 811573 ext 301
Richmond House | Richmond Park | Morton Terrace | Gainsborough | Lincolnshire | DN21 2RJ



From: Ben Attridge
Sent: Tuesday, March 19, 2024 5:46 PM
To: Joe Phillips-Melhuish; Natasha Gardener
Subject: RE: Lord Street bollards - Gainsborough

Hi Natasha,

As Joe says, he has moved recently so I am currently looking at this one.
I need to speak with the County Manager (which I will do shortly) then I can update you further.

As such I will try and get back to you before your meeting with an update.

Kind regards

Ben Attridge

Senior Highways Officer (North)

Lincolnshire County Council, Place Directorate, Highways Services
Lancaster House, 36 Orchard House, Lincoln, LN1 1XX

Customer Service Centre contact number: 01522 782070

Email: cschighways@lincolnshire.gov.uk

Website: www.lincolnshire.gov.uk



From: Joe Phillips-Melhuish
Sent: Tuesday, March 19, 2024 5:17 PM
To: Natasha Gardener; Ben Attridge
Subject: RE: Lord Street bollards - Gainsborough

Hi Natasha,

I've moved into a new position recently so have handed over this project.

[@Ben Attridge](#) may be able to give you more information.

But in short we're getting some quotes to look at getting these repaired properly and what we need to do to keep them maintained in working order. I only had some prices for this when I moved over so don't have any dates in the works yet.

Kind regards,

Joe

From: Natasha Gardener
Sent: Tuesday, March 19, 2024 11:50 AM
To: Joe Phillips-Melhuish
Subject: FW: Lord Street bollards - Gainsborough

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Good morning,

We just wanted to enquire if there was any additional information that you could provide us with regarding the Lord Street bollards.

We have a planning meeting next Tuesday and it's been marked as an agenda item for discussion, so any further insight would be greatly appreciated.

Thank you.

Kind Regards

Natasha Gardener
Admin Support Officer

01427 811573 ext 301
Richmond House | Richmond Park | Morton Terrace | Gainsborough | Lincolnshire | DN21 2RJ



From: Steve Hudson
Sent: Tuesday, March 19, 2024 7:53 AM
To: Natasha Gardener
Cc: Martin Snaith; Joe Phillips-Melhuish
Subject: RE: Lord Street bollards - Gainsborough

Hi Natasha, good to hear from yourself, on this long running issue...

The 'Bollards' don't work & haven't for a long while.
They are the ownership of LCC Highways & were kindly operated by WLDC staff.

As far as I know, LCC were in conversation with WLDC about looking forward & replacing the 'Bollards'

Hope this helps..
Joe Phillips-Melhuish our manager would know more information.
Steve

From: Natasha Gardener
Sent: Monday, March 18, 2024 3:18 PM

To: Steve Hudson

Subject: Lord Street bollards - Gainsborough

You don't often get email from natasha.gardener@gainsborough-tc.gov.uk. [Learn why this is important](#)

Caution external: This email originated from outside of the council. Do not click on links or open attachments unless you are confident the email is legitimate

Good afternoon Steve,

I've been provided with your email as we have a query regarding some bollards on Lord Street in Gainsborough.

We're looking to confirm whether these bollards belong to Lincolnshire County Council and if so, why they're not currently in use.

We've had a query regarding it, and so are asking around for information.

Any response is greatly appreciated – thank you.

Kind Regards

Natasha Gardener
Admin Support Officer

01427 811573 ext 301

Richmond House | Richmond Park | Morton Terrace | Gainsborough | Lincolnshire | DN21 2RJ



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