

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 Mark Binns

Councillor David Dobbie

Councillor Paul Key

Councillor Glenn Puxty

Councillor Kenneth Woolley

Councillor Michael Devine (sub)

Councillor Stephen Blogg

Councillor Paul Hooton

Councillor Doug Owles

Councillor Richard Thompson

Councillor Richard Doy (sub)

NOTICE IS HEREBY GIVEN and Members are summoned to attend a meeting of the Planning Committee of the Council to be held on **Tuesday 17 February 2026 at 6:30pm** in the meeting room, Richmond House, Richmond Park, Morton Terrace, Gainsborough, DN21 2RJ at which the under mentioned business will be transacted.

Prior to the commencement of the meeting there will be a public forum when members of the public may speak on any item set out in the agenda for the meeting. A maximum of two individuals to address the Committee for a maximum of 3 minutes each. Only one person will be allowed to speak in support of a planning application and only one against, each for a maximum of 3 minutes.

AGENDA

PL26/194 Apologies for Absence

To note apologies for absence.

PL26/195 Declarations of Interest

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

PL26/196 Dispensation Requests

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

PL26/197 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.

PL26/198 Minutes of the Previous Meeting

To receive and resolve to sign as a true and accurate record the minutes of the Planning Committee meeting held on Tuesday 20 January 2026.

Paper A (pages 5 to 9)

PL26/199 Planning Application

To consider planning application received.

Application Ref No: WL/2026/00062 (received 23/01/26) any observations to make on the application, please make them by 13/02/2026

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

Location: Evans Halshaw Ford Centre, Lea Road, Gainsborough

PL26/200 Planning Application

To consider planning application received.

Application Ref No: WL/2024/00030 (received 04/02/26) any observations to make on the application, please make them by 25/02/2026

Proposal: Planning application for 6 new access points associated with Phase 2.

Location: Land at Foxby Lane, Gainsborough

Application has been amended as follows:

To extend the red line and add 5 additional accesses of Foxby Lane

PL26/201 Planning Application

To consider planning application received.

Application Ref No: WL/2026/00149 (received 11/02/26) any observations to make on the application, please make them by 16/03/2026

Proposal: Planning application for demolition of existing building and redevelopment of site for residential development of 64no. apartments being variation of conditions 2, 4, 5 & 6 of planning permission 145244 granted 6 April 2023 - agree method of demolition and to amend the wording of conditions.

Location: Gleadells Wharf, Bridge Street, Gainsborough

PL26/202 Decision Notice

To note decision notice received.

Application Ref No: WL/2025/01252 GRANTED (Delegated)

Proposal: T1 Oak - Reduce height to ~18.0m and crown radius to ~6.0m leaving balanced crown. T2 Oak - Reduce height to ~18.0m and crown radius to ~6.0m leaving balanced crown. T3 Oak - Reduce height to ~16.0m and crown radius to ~7.0m leaving balanced crown. TPO T19, T18 and T17 respectively, of Tree Preservation Order Gainsborough 1955.

Location: 6 Mayflower Close, Gainsborough

Paper B (pages 10 to 19)

PL26/203 Decision Notice

To note decision notice received.

Application Ref No: WL/2025/01216 GRANTED (Delegated)

Proposal: 2843 Sycamore - Fell. 659 Sycamore - Fell. 2844 Sycamore - Fell. Within A1 of Tree Preservation Order Gainsborough 1961.

Location: Tighe Bruadair, Summer Hill, Gainsborough

Paper C (pages 20 to 28)

PL26/204 Decision Notice

To note decision notice received.

Application Ref No: WL/2025/01155 GRANTED (Delegated)

Proposal: T1040 beech - fell. T1042 beech - fell. T1043 sycamore - fell. T859 horse chestnut - lift crown to give shed roof 4m clearance. A1 of Tree Preservation Order Gainsborough 1961.

Location: Highfield House, Summer Hill, Gainsborough

Paper D (pages 29 to 37)

PL26/205 Decision Notice

To note decision notice received.

Application Ref No: WL/2025/01128 GRANTED (Delegated)

Proposal: Sycamore T871 - reduce to 10m height. T18 of Tree Preservation Order Gainsborough 1961.

Location: Summer Hill House, Summer Hill, Gainsborough

Paper E (pages 38 to 45)

PL26/206 Decision Notice

To note decision notice received.

Application Ref No: WL/2025/01059 GRANTED (Delegated)

Proposal: Listed building consent for façade renovation works including 2no. replacement windows and shop front.

Location: 33 Market Street, Gainsborough

Paper F (pages 46 to 49)

PL26/207 Decision Notice

To note decision notice received.

Application Ref No: WL/2025/01058 GRANTED (Delegated)

Proposal: Planning application for façade renovation works including 2no. replacement windows and shop front.

Location: 33 Market Street, Gainsborough

Paper G (pages 50 to 63)

PL26/208 Decision Notice

To note decision notice received.

Application Ref No: WL/2025/00972 GRANTED (Delegated)

Proposal: Planning application for erection of 4no. dwellings with associated works and infrastructure

Location: Land at Foxby Lane, Gainsborough

Paper H (pages 64 to 90)

PL26/209 Decision Notice

To note decision notice received.

Application Ref No: WL/2025/00348 GRANTED (Delegated)

Proposal: Planning application for 9no. flats, secure bin storage and cycle storage, and off road parking

Location: Land at North Street (Rear of Friendship Hotel), Gainsborough

Paper I (pages 91 to 125)

PL26/210 Decision Notice

To note decision notice received.

Application Ref No: WL/2025/00965 GRANTED (Delegated)

Proposal: Planning application for the demolition of existing structures, and erection of an A1 foodstore, with access, car parking, servicing, sub-station, hard and soft landscaping, and other associated works, including remodelling of the elevations of the adjoining property The Lindsey Centre being variation of condition 19 of planning permission 133654 granted 27 April 2016 - extend the delivery hours.

Location: Lidl UK GMBH, Beaumont Street, Gainsborough

Paper J (pages 126 to 147)

PL26/211 Street Naming Requests

To consider street naming requests received (if any).

PL26/212 Tree Preservation Orders

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

PL26/213 Changes to Hedge Height Legislation

To note the below response from WLDC regarding hedge height legislation.

The legislation has not changed nor is there any planned changes. The high hedges legislation is within Part 8 of the Anti- Social Behaviour Act 2003.

Hedges can be grown to any height; there is no maximum hedge height. It is only if the hedge is having an adverse impact on a neighbours enjoyment of their property because of its height that a high hedge complaint could be made to the Council as a last resort, and if the case is taken on, the Council would assess the situation to see if the hedge needs reducing in height and if so, to what height.

PL26/214 Items for Notification

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

PL26/215 Time and Date of Next Meeting

To note the date and time of the next Planning Committee meeting is scheduled for Tuesday 17 March 2026 at 6:30pm.

Rachel Allbones
Town Clerk
Richmond House
Gainsborough

Thursday, 12 February 2026

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 20 January 2026** at **6:30pm** in the reading room, Richmond House, Richmond Park, Morton Terrace, Gainsborough, DN21 2RJ.

Councillors Present: Councillor Paul Hooton (Chair)

Councillor Mark Binns
Councillor David Dobbie
Councillor Doug Owles
Councillor Richard Thompson

Councillor Stephen Blogg
Councillor Paul Key
Councillor Glenn Puxty

In Attendance:

Natasha Gardener

Assistant Clerk

PL26/172 Apologies for Absence

Apologies for absence were received from Councillor K Woolley.

PL26/173 Vice Chair

RESOLVED: To appoint Councillor Puxty as Vice Chair for the Planning Committee.

PL26/174 Declarations of Interest

Councillor Dobbie declared an interest in items PL26/178 and PL26/179 due to being a West Lindsey District Councillor and it being West Lindsey District Council owned land.

Councillor Key declared a personal interest in item PL26/185 as he had been in communication with a neighbouring resident to the property.

PL26/175 Dispensation Requests

No dispensation requests were received.

PL26/176 Items for Exclusion of Public and Press

No items for exclusion of public and press.

PL26/177 Minutes of the Previous Meeting

RESOLVED: that the minutes of the Planning Committee meeting held on Wednesday 17 December 2025 be approved as a true and accurate record and signed by the Chair.

Note: Councillors Hooton and Owles abstained on voting on the above resolution.

PL26/178 Planning Application

Application Ref No: WL/2026/00025 (received 09/01/26) any observations to make on the application, please make them by 09/02/2026

Proposal: Planning application for stabilisation and repair works to a curtilage listed boundary wall.

Location: Trinity Arts Centre, Trinity Street, Gainsborough

RESOLVED: to support the application.

Note: Councillor Key and Councillor Dobbie abstained on voting on the above resolution.

PL26/179 Planning Application

Application Ref No: WL/2025/00026 (received 09/01/26) any observations to make on the application, please make them by 09/02/2026

Proposal: Listed building consent for stabilisation and repair works to a curtilage listed boundary wall.

Location: Trinity Arts Centre, Trinity Street, Gainsborough

RESOLVED: to support the application.

Note: Councillor Key and Councillor Dobbie abstained on voting on the above resolution.

PL26/180 Planning Application

Application Ref No: WL/2026/00033 (received 13/01/26) any observations to make on the application, please make them by 16/02/2026

Proposal: Advertisement consent to display 1no. freestanding sign.

Location: Land Adjacent Old Filling Station, Heapham Road, Gainsborough

RESOLVED: to support the application.

PL26/181 Decision Notice (Paper B)

Application Ref No: WL/2025/01139 REFUSED (Delegated)

Proposal: Planning application to erect boundary fence, brick built pillars and gate to the front of property.

Location: 15 Spring Gardens, Gainsborough

RESOLVED: to NOTE the decision notice.

PL26/182 Decision Notice (Paper C)

Application Ref No: WL/2025/01118 GRANTED (Delegated)

Proposal: Planning application for proposed garden room and removal of old shed/outbuilding.

Location: 276 Lea Road, Gainsborough

RESOLVED: to NOTE the decision notice.

PL26/183 Decision Notice (Paper D)

Application Ref No: WL/2025/01084 GRANTED (Delegated)

Proposal: Application for advertisement consent for 3no. identical, non-illuminated signs.

Location: A156 Lea Road / Foxby Hill Roundabout, Gainsborough

RESOLVED: to NOTE the decision notice.

PL26/184 Decision Notice (Paper E)

Application Ref No: WL/2025/01070 GRANTED (Delegated)

Proposal: Planning application for proposed rear and side extension for a café.

Location: 3-15 Lea Road, Gainsborough

RESOLVED: to NOTE the decision notice.

PL26/185 Decision Notice (Paper F)

Application Ref No: WL/2025/01091 GRANTED (Delegated)

Proposal: Planning application for the replacement of boundary wall with fencing.

Location: 22 Oak Tree Avenue, Gainsborough

RESOLVED: to NOTE the decision notice.

PL26/186 Decision Notice (Paper G)

Application Ref No: WL/2025/01126 GRANTED (Delegated)

Proposal: Listed building consent for the installation of an electric vehicle (EV) charger unit and replacement of highway boundary wall.

Location: 12 Morton Terrace, Gainsborough

RESOLVED: to NOTE the decision notice.

PL26/187 Decision Notice (Paper H)

Application Ref No: WL/2025/01125 GRANTED (Delegated)

Proposal: Planning application for the installation of an electric vehicle (EV) charger unit and replacement of the highway boundary wall.

Location: 12 Morton Terrace, Gainsborough

RESOLVED: to NOTE the decision notice.

PL26/188 Decision Notice (Paper I)

Application Ref No: WL/2025/01106 REFUSED (Delegated)

Proposal: Planning application for extension over existing garage.

Location: Rowen House, Summer Hill, Gainsborough

RESOLVED: to NOTE the decision notice.

PL26/189 Street Naming Requests

No street naming requests were received.

PL26/190 Tree Preservation Orders

No tree preservation orders were received.

PL26/191 Definitive Map Modification Order (DMMO) Application

Members considered whether to proceed with DMMO application for the footpath from Mayfield to Margaret Close.

RESOLVED: to add into 'Items for Notification' for future reference.

PL26/192 Items for Notification

- i. Change of hedge height legislation/regulations
- ii. DMMO Application for footpath from Mayfield to Margaret Close

PL26/193 Time and Date of Next Meeting

RESOLVED: to NOTE the next Planning Committee meeting is scheduled for Tuesday 17 February 2026 at 6:30pm.

The meeting closed at 7:06pm.

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

PAPER B

WEST LINDSEY DISTRICT COUNCIL
Town and Country Planning Act 1990
Town and Country Planning (Tree Preservation)(England) Regulations 2012
Tree Preservation Order Gainsborough 1955

CONSENT TO CARRY OUT WORK

Applicant:

360GlobalNet
REGUS HOUSE
PEGASUS BUSINESS PARK
HERALD WAY
CASTLE DONINGTON
DE74 2TZ

Agent:

Date of Application

16/12/2025

Application Number

WL/2025/01252

Particulars of Application:

T1 Oak - Reduce height to ~18.0m and crown radius to ~6.0m leaving balanced crown.
T2 Oak - Reduce height to ~18.0m and crown radius to ~6.0m leaving balanced crown.
T3 Oak - Reduce height to ~16.0m and crown radius to ~7.0m leaving balanced crown.
TPO T19, T18 and T17 respectively, of Tree Preservation Order Gainsborough 1955.

Site Location:

4 & 6 MAYFLOWER CLOSE, GAINSBOROUGH, LINCS, DN21 1AX.

In pursuance of its powers under the above mentioned Act and Regulations and the Tree Preservation Order made by the District Council of West Lindsey as the Local Planning Authority (hereinafter called "the Council") and subsequently confirmed by the Council.

The Council **Hereby Consents** to the carrying out of the following operations in accordance with the submitted application namely:-

T1 Oak - Reduce height to ~18.0m and crown radius to ~6.0m leaving balanced crown. T2 Oak - Reduce height to ~18.0m and crown radius to ~6.0m leaving balanced crown. T3 Oak - Reduce height to ~16.0m and crown radius to ~7.0m leaving balanced crown. TPO T19, T18 and T17 respectively, of the above order.

Subject to the following conditions, namely:-

1. The works hereby approved shall be carried out once and within a period of 24 months from the date of consent. If repeated works are required or works are not carried out within 24 months from the date of this consent then a new application will be required.

Reason:

To ensure adequate control of the Tree Preservation Order, and in accordance with The Town and Country Planning (Tree Preservation) (England) Regulations 2012.

2. The works hereby granted consent shall be carried out in accordance with current British Standards, BS3998 Recommendations for Tree Work.

Reason:

To ensure works are carried out in a way which is not detrimental to the health and amenity of the trees, in accordance with the Central Lincolnshire Local Plan 2023 Policy S53.

3. The work shall be carried out in accordance with the Arboricultural Appraisal Report of MWA Arboriculture Ltd dated 23/09/2024 which accompanied the application.

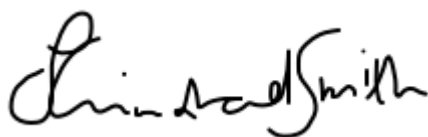
Reason:

For the avoidance of doubt and to ensure all parties are aware of the approved operations. To ensure that the works carried out are not excessive in the interest of the health and amenity of the trees in accordance with the Central Lincolnshire Local Plan 2023 Policy S53.

Dated this 10/02/2026

West Lindsey District Council

Guildhall
Marshall's Yard
GAINSBOROUGH
Lincolnshire
DN21 2NA



Signed:

Sally Grindrod-Smith
Director Planning, Regeneration and Communities

IT IS IMPORTANT THAT YOU SHOULD READ THE ACCOMPANYING NOTES

NOTES

1. Subject to the provisions of the Tree Preservation Order, any person who has suffered loss or damage in consequence of any refusal (including revocation or modification) of consent under the Order, or of any grant of any such consent subject to conditions shall, if he makes a claim within the time and in the manner prescribed by the Order, be entitled to recover from the authority compensation in respect of such loss or damage.
2. In assessing compensation so payable, account shall be taken of:-
 - (a) any compensation or contribution which has been paid whether to the claimant or any other person in respect of the same trees under the terms of the said or any other Tree Preservation Order under Section 29 of the Town and Country Planning 1962, or under section 60 of the Town and Country Planning Act 1971, or under the terms of any Interim Preservation Order made under Section 8 of the Town and Country Planning (Interim Development) Act 1943, or any compensation which has been paid or could have been claimed under any provision relating to the preservation of trees or protection of woodlands contained in an operative scheme under the Town and Country Planning Act 1932, and
 - (b) any injurious affection to any land of the owner which would result from the felling of the trees the subject of the claim.
3. A claim for compensation under the Order shall be in writing and shall be made by serving it on the authority, such service to be effected by delivering the claim at the offices of the authority addressed to the proper officer thereof or by sending it by prepaid post so addressed, within twelve months from the date of the decision of the authority, or of the Secretary of State, as the case may be, or where an appeal has been made to the Secretary of State against the decision of the authority, from the date of the decision of the Secretary of State on the appeal.
4. Any question of dispute compensation will be determined in accordance with the provisions of Section 179 of the Act.
5. **RIGHT OF APPEAL:** If you are not satisfied with this decision or any of the attached conditions, you have the right to appeal **within 28 days** from the date of this decision notice, or such longer period as the Secretary of State may allow in exceptional circumstances. To appeal you would need to contact The Environment Team at The Planning Inspectorate, Tel: 0117 372 8192. Further information and an appeal form can also be found at the following web site; <http://www.planningportal.gov.uk/planning/appeals/treepreservation>
6. When an appeal is brought under this provision from a decision, certificate or direction of the authority, the Secretary of State, subject to the following provisions, may allow or dismiss the appeal or may reverse or vary any part of the decision of the authority, whether or not the appeal relates to that part, or may cancel any certificate, or cancel or vary any direction, and may deal with the application as if it had been made to him in the first instance. The decision of the Secretary of State on any such appeal shall be final.

7. “Applicants are also reminded that work to trees and shrubs must not contravene the provisions of the **Wildlife and Countryside Act 1981**, as amended, which protect wild birds and their nests. Under the legislation, amongst other things, it is an offence, with certain exceptions, to:
- (a) intentionally kill, injure or take any wild bird;
 - (b) intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built;
 - (c) intentionally take or destroy the egg of any wild bird;
 - (d) intentionally or recklessly disturb any wild bird listed on Schedule 1 of the Act while it is building, or at or near a nest containing eggs or young, or disturb the dependent young of such a bird.”
8. **Common Law advice:** Council consent to carry out work to a protected tree does not give the applicant, agent, or any person employed by them, consent to enter land in the ownership of others. If access to land owned by others is necessary in order to implement a TPO consent notice then additional permission is also required from that land owner. No pruning work, equipment or persons should cross a property boundary line into another persons land without their permission as this would be trespass.
- For trees growing on neighbouring land, there is no obligation to ask for the owner’s permission to do work to branches overhanging your own land, but it is advisable to discuss the work for good neighbourly relations. Any arisings (pruning waste, pieces cut off) still belong to the tree owner and you should ask if they want them back before suitably disposing of them yourself, or you could return the arising to the tree owner providing you do not cause damage by doing so.

Delegated Decision – Tree Preservation Order Application

Application Number: WL/2025/01252

Location:

4 & 6 MAYFLOWER CLOSE
GAINSBOROUGH
DN21 1AX

Valid Date: 16/12/2025

Decision Due Date: 10/02/2026

Name and address of applicant

360GlobalNet
REGUS HOUSE
PEGASUS BUSINESS PARK
HERALD WAY
CASTLE DONINGTON
DE74 2TZ

Name and address of agent (if any)

Description of Application

T1 Oak - Reduce height to ~18.0m and crown radius to ~6.0m leaving balanced crown.
T2 Oak - Reduce height to ~18.0m and crown radius to ~6.0m leaving balanced crown.
T3 Oak - Reduce height to ~16.0m and crown radius to ~7.0m leaving balanced crown.
TPO T19, T18 and T17 respectively, of Tree Preservation Order Gainsborough 1955.

Consultation responses received

Assessment

The three oak trees are large, mature trees of prominence and high amenity value. T1 oak is TPO T19, T2 oak is TPO T18, and T3 oak is TPO T17. This report will refer to the trees by the numbering in the application.

T1 oak is within the rear garden of No.4 Mayflower Close, T3 is within the front garden of No.6 Mayflower Close, and T2 is on the boundary between the two properties just in front of their garages. At the time of officer site visit all residents were absent from both properties so no access was possible into No.4 to see the internal property damage.

Following officer site visit, the resident at No.6 telephoned to say they had not been made aware of the application for work to their trees and that the property subsidence was at No.4 not No.6. They also enquired about access onto their land to do work to their tree if they did not want the work doing. Access onto land in the ownership of others is not part of the TPO legislation, and any permissions for access onto their land or doing work to T3 within their property boundary would also require the tree owner's consent before any tree work could be done, regardless of the decision issued by WLDC.

T1 oak is situated within a small, raised, circular, planting area off the rear wall of the garage. The retaining wall of the raised area will force the shallower roots to be constrained within the retaining wall unless they have been deflected down into deeper soil. Deeper roots will have spread out into surrounding ground below the foundation of the retaining wall.

T1 has a stem girth of 2.98m which converts to a stem diameter of 0.95m (950mm) and is approx. 23.9m high when measured using a Trupulse laser height measuring device. This tree is on slightly lower ground than T2 and T3 but when standing westwards along Mayflower Close the tree is clearly taller than T2 and T1. Its radial crown spread was measured as being 8.5m to the west and spreads over the roof of No4, and 11.0m to the south across the rear garden. Its east and north crown spreads were not measured due to being over the garage and neighbouring garden. The distance between bungalow and tree stem is 3.035m.

Tree T2 oak has a stem girth of 2.52m which converts to 0.80m (800mm) diameter and was measured as being 19.6m high. Its radial crown spread was measured as being 9.0m to the west and 7.0m to the north. East and south were not measured due to the garages. The tree has been pollarded many years ago and has since regrown a large crown. The past pruning points are visible within the crown structure.

Stem flare at ground level of T2 is only 22cm from the front wall of the garage. The tree is located 4.2m from the nearest westerly end wall of bungalow No.6, and 4.65m from the nearest easterly side wall of bungalow No.4.

Tree T3 oak is the shortest of the three trees and was measured as being 18.6m high. Its radial crown spread measures 7.5m to the north, 6.0m to the south, and 9.5m to the west. Spread to the east was not measured due to the bungalow at No.6. T3 is located 5.5m from the nearest wall of No.6. It has also been pollarded many years ago and has since regrown a large crown with the past pruning points visible within the crown structure.

Engineer Report & Property damage

The rear wall of No.4 bungalow near the SE corner has a narrow, stepped crack approx. 1.14m from the building corner below the right side of the windowsill which continues downwards through six courses of brickwork, and a stepped crack up from the top right corner of the same window. Down the easterly side of the bungalow there are various stepped cracks following the mortar courses above and below the side bathroom window, around the various windows and door, and around the top and bottom of the side garage door.

Access into the bungalow to see the extent and severity of the internal property damage was not available. The 360Globalnet Addendum Engineering Report dated 19/11/2025 provides detailed descriptions of the internal property damage to each room and provides several photographs showing cracks along ceilings, walls and floor. It also describes the external property damage. The description describes most of the cracks as being ~1mm wide, with one across the width of the kitchen ceiling at ~2mm wide, cracking to floor tiles across the front bay window abutment at ~11mm wide, and a crack across bedroom 2 ceiling as being ~2mm wide. External cracks

are described as generally being ~2mm wide, with cracks above and below the front lounge windows being ~6mm wide below the window and 10mm wide above the window. No internal layout plan has been supplied so it is not known where these rooms are located in relation to proximity to trees or in relation to the level monitoring data. Other fine external cracks seen during officer site visit are not included in the engineering report.

Near T2 there are some fine stepped cracks at the top left and right corners of both garage doors, though the widest crack was at the top left corner of No.6's front garage door at the end of the lintel.

Technical Data

The level monitoring data shows that the greatest movement over the monitoring period between January 2024 to December 2025 was a movement of -16.8mm in September 2025 which occurred at monitoring point 1 at the front eastern corner of the building closest to tree T2. Other significant movement across the front of the property and at its rear easterly corner closest to tree T1 also occurred during September 2025. Readings throughout 2024 to May 2025 were generally small movements of less than +/-2mm with the exception of greater movement during the months of July, September and November 2024 at all monitoring points except for points 5 (front westerly corner) and 10 (~mid-way along easterly side). No readings were taken during June, August or October. A period of exceptionally hot dry weather was experienced across Britain during July 2024.

Following May 2025, further readings were taken during July, September and December 2025. These readings show significant increases in level differences and property movement compared with earlier readings, with the greatest movement experienced during September (no readings were taken during August or October). Monitoring points 1, 2, 3, 4, and 5 across the front of the property experienced the greatest movement during September 2025, with downward movement of -16.8, -13.6, -12.3, -9.8, and -11.6mm respectively. These points are closest to tree T2 to the east of the building and other vegetation and non-protected conifer and a small deciduous tree off the front west corner of the building. Points 8 and 9 also experienced movement to a slightly lesser extent, and these are located at the rear easterly corner of the building closest to tree T1. Points 6 and 7 experienced the least movement and are located at the opposite side of the property to trees T1 and T2.

Boreholes and trial pits were excavated close to the rear east corner close to tree T1, and the front west corner of the bungalow. Live oak roots were found within TP1 at depths of 1.0m and 2.0m, and TP2 at a depth of 2.5m. Oak tree roots were also identified within BH1 at a depth of 2m, and within BH2 at a depth of 2.5m, which are depths greater than the property foundations. Tree roots will have been utilising available soil moisture to the side of and beneath the foundations.

The soil was tested and found to contain clay and be of medium plasticity.

Spring and summer of 2025 were record breaking with 2025 being the hottest and sunniest on record with exceptional dry conditions resulting in the ground being baked dry and hard, low reservoirs, and some areas having a hosepipe ban in place.

The prolonged hot dry weather caused stress to many trees, inducing an early false autumn with leaves turning brown and falling due to drought conditions.

Oak trees are a high water demand species, and these are large, mature trees with significant transpiration occurring when in leaf. The deep roots of oak trees affect soil moisture levels to a deeper level than many other tree species, and because of their deep impact on soil moisture content potential for soil shrinkage, they are the tree species most implicated in property subsidence cases.

Conclusion

1st issue amenity value - the impact of the proposed works on the tree and on the appearance & character of the local area; (would the proposed work improve or enhance the appearance of the tree, &/or the character of the CA [if in a CA], or be detrimental to the tree/area);

The proposed work would have a reduction in size and prominence of the three trees. A reduction is preferable to their removal and will at least retain the trees which even after the proposed work would still be prominent and continue providing amenity and character to the area. If at a later date it is found that the crown reductions have not resulted in a sufficient reduction in or prevention of future property movement, then tree removal may be an option at a later date.

2nd issue – sufficient reason and justification for the works;

Having studied the evidence submitted with the application, I confirm that I agree the reasons and evidence justify the reduction of the oak trees.

Recommendation

To issue Tree Consent to Carry out Work - subject to the following conditions/for the following reasons:

1. Condition:

The works hereby approved shall be carried out once and within a period of 24 months from the date of consent. If repeated works are required or works are not carried out within 24 months from the date of this consent then a new application will be required.

Reason:

To ensure adequate control of the Tree Preservation Order, and in accordance with The Town and Country Planning (Tree Preservation) (England) Regulations 2012.

2. Condition:

The works hereby granted consent shall be carried out in accordance with current British Standards, BS3998 Recommendations for Tree Work.

Reason:

To ensure works are carried out in a way which is not detrimental to the health and amenity of the trees, in accordance with the Central Lincolnshire Local Plan 2023 Policy S53.

3. Condition:

The work shall be carried out in accordance with the Arboricultural Appraisal Report of MWA Arboriculture Ltd dated 23/09/2024 which accompanied the application.

Reason:

For the avoidance of doubt and to ensure all parties are aware of the approved operations. To ensure that the works carried out are not excessive in the interest of the health and amenity of the trees in accordance with the Central Lincolnshire Local Plan 2023 Policy S53.

Report prepared by: Carol Slingsby
Tree and Landscape Officer

Date: 09/02/2026

Delegated Decision

Signed: Ian Elliott
Authorising Officer
For Director of Planning and Regeneration

Date: 10th February 2026

PAPER C

WEST LINDSEY DISTRICT COUNCIL
Town and Country Planning Act 1990
Town and Country Planning (Tree Preservation)(England) Regulations 2012
Tree Preservation Order Gainsborough 1961

CONSENT TO CARRY OUT WORK

Applicant:

Mr R Washbrook
TIGHE BRUADAIR
SUMMER HILL
GAINSBOROUGH
DN21 1HQ

Agent:

Mr A Belson
Arboricultural Consultant
1A FIRST END
STATION ROAD
OAKHAM
UNITED KINGDOM
LE15 9TX

Date of Application

08/12/2025

Application Number

WL/2025/01216

Particulars of Application:

2843 Sycamore - Fell. 659 Sycamore - Fell. 2844 Sycamore - Fell.
Within A1 of Tree Preservation Order Gainsborough 1961.

Site Location:

TIGHE BRUADAIR, SUMMER HILL, GAINSBOROUGH, DN21 1HQ.

In pursuance of its powers under the above mentioned Act and Regulations and the Tree Preservation Order made by the District Council of West Lindsey as the Local Planning Authority (hereinafter called "the Council") and subsequently confirmed by the Council.

The Council **Hereby Consents** to the carrying out of the following operations in accordance with the submitted application namely:-

2843 Sycamore - Fell. 659 Sycamore - Fell. 2844 Sycamore - Fell. Within A1 of
the above order.

Subject to the following conditions, namely:-

1. The works hereby approved shall be carried out once and within a period of 24 months from the date of consent. If repeated works are required or works are not carried out within 24 months from the date of this consent then a new application will be required.

Reason:

To ensure adequate control of the Tree Preservation Order, and in accordance with The Town and Country Planning (Tree Preservation) (England) Regulations 2012.

2. The works hereby granted consent shall be carried out in accordance with current British Standards, BS3998 Recommendations for Tree Work.

Reason:

To ensure works are carried out in a way which is not detrimental to the health and amenity of the trees in accordance with the Central Lincolnshire Local Plan 2023 Policy S53.

3. Three (3) replacement trees of **common beech *Fagus sylvatica*, Scots pine *Pinus sylvestris* and/or small or large-leaved lime *Tilia cordata* or *Tilia platyphyllos*** shall be planted within suitable clear areas within the site. The agreed replacement trees shall be of feathered or standard form and be 1.75metres or greater in height (4cm girth or greater). The approved replacement trees shall be planted within twelve months from the date of the removal of the original trees, with suitable support during their establishment

Reason:

To ensure compensation in amenity terms for the loss of the original trees in accordance with the Central Lincolnshire Local Plan 2023 Policy S53.

4. If within a period of four years from the date of planting, any replacement tree is removed, uprooted, destroyed, dies, becomes diseased or is structurally damaged, a further tree of the same size and species shall be planted at the same place within the first planting season following the removal, uprooting, destruction, death, disease or damage.

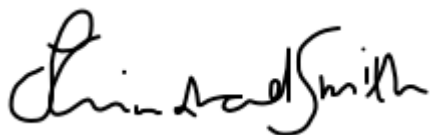
Reason:

To safeguard local amenity in accordance with the Central Lincolnshire Local Plan 2023 Policy S53.

Dated this 29/01/2026

West Lindsey District Council

Guildhall
Marshall's Yard
GAINSBOROUGH
Lincolnshire
DN21 2NA



Signed:

Sally Grindrod-Smith
Director Planning, Regeneration and Communities

IT IS IMPORTANT THAT YOU SHOULD READ THE ACCOMPANYING NOTES

NOTES

1. Subject to the provisions of the Tree Preservation Order, any person who has suffered loss or damage in consequence of any refusal (including revocation or modification) of consent under the Order, or of any grant of any such consent subject to conditions shall, if he makes a claim within the time and in the manner prescribed by the Order, be entitled to recover from the authority compensation in respect of such loss or damage.
2. In assessing compensation so payable, account shall be taken of:-
 - (a) any compensation or contribution which has been paid whether to the claimant or any other person in respect of the same trees under the terms of the said or any other Tree Preservation Order under Section 29 of the Town and Country Planning 1962, or under section 60 of the Town and Country Planning Act 1971, or under the terms of any Interim Preservation Order made under Section 8 of the Town and Country Planning (Interim Development) Act 1943, or any compensation which has been paid or could have been claimed under any provision relating to the preservation of trees or protection of woodlands contained in an operative scheme under the Town and Country Planning Act 1932, and
 - (b) any injurious affection to any land of the owner which would result from the felling of the trees the subject of the claim.
3. A claim for compensation under the Order shall be in writing and shall be made by serving it on the authority, such service to be effected by delivering the claim at the offices of the authority addressed to the proper officer thereof or by sending it by prepaid post so addressed, within twelve months from the date of the decision of the authority, or of the Secretary of State, as the case may be, or where an appeal has been made to the Secretary of State against the decision of the authority, from the date of the decision of the Secretary of State on the appeal.
4. Any question of dispute compensation will be determined in accordance with the provisions of Section 179 of the Act.
5. **RIGHT OF APPEAL:** If you are not satisfied with this decision or any of the attached conditions, you have the right to appeal **within 28 days** from the date of this decision notice, or such longer period as the Secretary of State may allow in exceptional circumstances. To appeal you would need to contact The Environment Team at The Planning Inspectorate, Tel: 0117 372 8192. Further information and an appeal form can also be found at the following web site; <http://www.planningportal.gov.uk/planning/appeals/treepreservation>
6. When an appeal is brought under this provision from a decision, certificate or direction of the authority, the Secretary of State, subject to the following provisions, may allow or dismiss the appeal or may reverse or vary any part of the decision of the authority, whether or not the appeal relates to that part, or may cancel any certificate, or cancel or vary any direction, and may deal with the application as if it had been made to him in the first instance. The decision of the Secretary of State on any such appeal shall be final.

7. “Applicants are also reminded that work to trees and shrubs must not contravene the provisions of the **Wildlife and Countryside Act 1981**, as amended, which protect wild birds and their nests. Under the legislation, amongst other things, it is an offence, with certain exceptions, to:
 - (a) intentionally kill, injure or take any wild bird;
 - (b) intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built;
 - (c) intentionally take or destroy the egg of any wild bird;
 - (d) intentionally or recklessly disturb any wild bird listed on Schedule 1 of the Act while it is building, or at or near a nest containing eggs or young, or disturb the dependent young of such a bird.”

8. **Common Law advice:** Council consent to carry out work to a protected tree does not give the applicant, agent, or any person employed by them, consent to enter land in the ownership of others. If access to land owned by others is necessary in order to implement a TPO consent notice then additional permission is also required from that land owner. No pruning work, equipment or persons should cross a property boundary line into another persons land without their permission as this would be trespass.
For trees growing on neighbouring land, there is no obligation to ask for the owner’s permission to do work to branches overhanging your own land, but it is advisable to discuss the work for good neighbourly relations. Any arisings (pruning waste, pieces cut off) still belong to the tree owner and you should ask if they want them back before suitably disposing of them yourself, or you could return the arising to the tree owner providing you do not cause damage by doing so.

Delegated Decision – Tree Preservation Order Application

Application Number: WL/2025/01216

Location:

TIGHE BRUADAIR
SUMMER HILL
GAINSBOROUGH
DN21 1HQ

Valid Date: 08/12/2025

Decision Due Date: 02/02/2026

Name and address of applicant

Mr R Washbrook
TIGHE BRUADAIR
SUMMER HILL
GAINSBOROUGH
DN21 1HQ

Name and address of agent (if any)

Mr A Belson
Arboricultural Consultant
1A FIRST END
STATION ROAD
OAKHAM
UNITED KINGDOM
LE15 9TX

Description of Application

2843 Sycamore - Fell.

659 Sycamore - Fell.

2844 Sycamore - Fell.

Within A1 of Tree Preservation Order Gainsborough 1961

Consultation responses received

No comments received.

Assessment

The property is covered by an area designation, A1 of TPO Gainsborough 1961, which also covers trees within the adjacent extensive grounds of Highfield House to the north, Fielding Way and Rosefields to the east, and over parts of Woodland Chase to the south. Being an 'area' designation, the TPO only protects the species listed in the legal document that existed at the time the TPO was made, which are beech, horse chestnut, elm, pine, cedar, lime, and sycamore. It also protects any replacement trees required following the removal of any dead or dangerous trees listed under the exceptions from needing LPA consent.

Sycamore tree 659 – This large tree is obviously affected by sooty bark disease. There are large areas of missing bark with the characteristic patches of black fungal spores, and dead wood throughout the crown. A small cluster of young Velvet shank *Flammulina velutipes* fruiting bodies are emerging from behind an area of loose stem bark close to the tree tag. There is another cluster of much larger fungal fruiting bodies near the stem top, but it is unclear what fungus they are from ground level.

Sycamore tree 2843 – This tree is located close to the northerly side boundary of the property and is comprised of three stems from ground level which have grown with a

lean northward in the direction of the neighbouring property, Highfield Lodge. It is a slender tree with a small, narrow crown. On the lower stem area where the tree tag has been attached, the bark has a vertical split through the tag nail holes, and the split has been exuding a dark liquid staining the surrounding bark. Exposed wood within a small diameter broken branch stub at approx. 1.8m above ground level is stained almost black. The tree crown contains dead wood with several patches of missing bark on stems and branches. From the size of the largest patches of missing bark along the stems and the woundwood developed around them, these have had the bark missing for several years. There are various smaller areas and strips of missing or flaking/peeling bark along the branches. None of the areas of peeling or missing bark display the characteristic main symptom of sooty bark disease, which is the black soot-like mats of fungal spores that develop under the bark.

Sycamore tree 2844 – is along the southerly side of the front garden. This tree leans towards the south and most of its branch structure has developed towards the south due to phototropic growth and other nearby trees. Its crown is weighted to the south and extends over the neighbouring garden.

Tree 2844 is in a similar condition to tree 2843, as its crown contains many branches of dead wood, with some live branches also having peeling or missing bark, but there is virtually no indication of the black areas of fungal spores characteristic of sooty bark disease. Near the base of the tree the outer bark has some growth cracks, but areas of black fungal spores are visible clustering along the inner edges of the bark, and the bark has more recent cracks and is becoming loose. In the crown various branches have long strips of missing bark with thick woundwood ribs around them, which indicates the bark was possibly stripped off several years ago by squirrels.

Sooty bark disease, *Cryptostroma corticale*

The main symptoms of sooty bark disease are crown wilting and dieback due to the vascular damage it causes, leaves fall, and bark becomes loose and peeling to reveal areas of the characteristic black soot-like mats of fungal spores under the bark. The peeling bark and areas of black fungal spores are the main diagnostic symptoms indicative of sooty bark disease. Infected trees generally die within a few years. The fungal spores can be dangerous to human health as they can cause severe respiratory issues, particularly if inhaled in high concentration, and infected trees should be carefully removed and burnt to limit the spread of fungal spores.

During officer site visit, no black soot-like areas of fungal spores were seen on tree 2843, with just a very small amount near the base of tree 2844 to indicate their crown decline has been caused by sooty bark disease, including in the areas of exposed wood where bark has been missing for several years. Sooty bark disease has infected various trees within this site and is likely to be more prevalent following the prolonged hot, dry spring and summer of 2025.

Sycamores are a favourite tree of male squirrels for stripping bark, and although the areas of missing bark that have already developed woodwood around the edges throughout the crowns of 2843 and 2844 could have been caused by squirrels, the extent of dieback and the peeling/flaking bark are more likely to be early signs of sooty bark disease.

Conclusion

1st issue amenity value - the impact of the proposed works on the tree and on the appearance & character of the local area; (*would the proposed work improve or enhance the appearance of the tree, &/or the character of the CA [if in a CA], or be detrimental to the tree/area*);

This and neighbouring properties provide an important woodland character to this area of town. Tree removal would reduce the density of canopy cover that contributes to the amenity and overall appearance of the area, and replacement trees should be required to prevent the woodland character diminishing.

2nd issue – sufficient reason and justification for the works;

The trees are in poor condition and regardless of whether trees 2843 and 2844 are or aren't infected with sooty bark disease, the declining condition of all three trees supports the proposed work.

Recommendation

To issue Consent to Carry out Work - subject to the following conditions for the following reasons:

1. Condition:

The works hereby approved shall be carried out once and within a period of 24 months from the date of consent. If repeated works are required or works are not carried out within 24 months from the date of this consent then a new application will be required.

Reason:

To ensure adequate control of the Tree Preservation Order, and in accordance with The Town and Country Planning (Tree Preservation) (England) Regulations 2012.

2. Condition:

The works hereby granted consent shall be carried out in accordance with current British Standards, BS3998 Recommendations for Tree Work.

Reason:

To ensure works are carried out in a way which is not detrimental to the health and amenity of the trees in accordance with the Central Lincolnshire Local Plan 2023 Policy S53.

3. Condition:

Three (3) replacement trees of **common beech *Fagus sylvatica*, Scots pine *Pinus sylvestris* and/or small or large-leaved lime *Tilia cordata* or *Tilia platyphyllos*** shall be planted within suitable clear areas within the site. The

agreed replacement trees shall be of feathered or standard form and be 1.75metres or greater in height (4cm girth or greater). The approved replacement trees shall be planted within twelve months from the date of the removal of the original trees, with suitable support during their establishment.

Reason:

To ensure compensation in amenity terms for the loss of the original trees in accordance with the Central Lincolnshire Local Plan 2023 Policy S53.

4. Condition:

If within a period of four years from the date of planting, any replacement tree is removed, uprooted, destroyed, dies, becomes diseased or is structurally damaged, a further tree of the same size and species shall be planted at the same place within the first planting season following the removal, uprooting, destruction, death, disease or damage.

Reason:

To safeguard local amenity in accordance with the Central Lincolnshire Local Plan 2023 Policy S53.

Report prepared by: *Carol Slingsby*

Date: 29/01/2026

Tree and Landscape Officer

Delegated Decision



Signed:

Date: 29/01/2026

Authorising Officer
For Director of Planning and Regeneration

PAPER D

WEST LINDSEY DISTRICT COUNCIL
Town and Country Planning Act 1990
Town and Country Planning (Tree Preservation)(England) Regulations 2012
Tree Preservation Order Gainsborough 1961

CONSENT TO CARRY OUT WORK

Applicant:

Mr J Clayton
DARBY LIMITED
7 SPRING GARDENS
GAINSBOROUGH
DN21 2AY

Agent:

Mr N Sardeson
HONEYSUCKLE COTTAGE
1 BARFF ROAD
POTTERHANWORTH, LINCOLN
LN42DU

Date of Application

19/11/2025

Application Number

WL/2025/01155

Particulars of Application:

T1040 beech - fell. T1042 beech - fell. T1043 sycamore - fell. T859 horse chestnut - lift crown to give shed roof 4m clearance.
Within A1 of Tree Preservation Order Gainsborough 1961.

Site Location:

HIGHFIELD HOUSE, SUMMER HILL, GAINSBOROUGH, DN21 1HQ.

In pursuance of its powers under the above mentioned Act and Regulations and the Tree Preservation Order made by the District Council of West Lindsey as the Local Planning Authority (hereinafter called "the Council") and subsequently confirmed by the Council.

The Council **Hereby Consents** to the carrying out of the following operations in accordance with the submitted application namely:-

T1040 beech - fell. T1042 beech - fell. T1043 sycamore - fell.
T859 horse chestnut - lift crown to give shed roof 4m clearance.
Within A1 of the above order.

Subject to the following conditions, namely:-

1. The works hereby approved shall be carried out once and within a period of 24 months from the date of consent. If works are not carried out within 24 months from the date of this consent then a new application will be required.

Reason:

To ensure adequate control of the Tree Preservation Order, and in accordance with The Town and Country Planning (Tree Preservation) (England) Regulations 2012.

2. The works hereby granted consent shall be carried out in accordance with current British Standards, BS3998 Recommendations for Tree Work.

Reason:

To ensure works are carried out in a way which is not detrimental to the health and amenity of T859 or other nearby trees, in accordance with the Central Lincolnshire Local Plan 2023 Policy S53.

3. **Two (2) replacement beech *Fagus sylvatica* trees and one (1) replacement lime of *Tilia cordata* or *Tilia platyphyllos*** tree shall be planted within suitable clear spaces to allow for future growth. The agreed replacement trees shall be of feathered or standard form and be 1.75metres or greater in height (4cm girth or greater). The replacement trees shall be planted within twelve months of the date of the removal of the original trees with suitable support during their establishment.

Reason:

To ensure compensation in amenity terms for the loss of the original trees in accordance with the Central Lincolnshire Local Plan 2023 Policy S53.

4. If within a period of four years from the date of planting, any replacement tree is removed, uprooted, destroyed, dies, becomes diseased or is structurally damaged, a further tree of the same size and species shall be planted at the same place within the first planting season following the removal, uprooting, destruction, death, disease or damage.

Reason:

To safeguard local amenity in accordance with the Central Lincolnshire Local Plan 2023 Policy S53.

5. No work shall be carried out to a replacement tree without prior consent of the District Planning Authority.

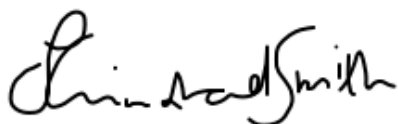
Reason:

To ensure works carried out are in a way is not detrimental to the health and amenity of the tree in accordance with the Central Lincolnshire Local Plan 2023 Policy S53.

Dated this 13/01/2026

West Lindsey District Council

Guildhall
Marshall's Yard
GAINSBOROUGH
Lincolnshire
DN21 2NA



Signed:

Sally Grindrod-Smith
Director Planning, Regeneration and Communities

IT IS IMPORTANT THAT YOU SHOULD READ THE ACCOMPANYING NOTES

NOTES

1. Subject to the provisions of the Tree Preservation Order, any person who has suffered loss or damage in consequence of any refusal (including revocation or modification) of consent under the Order, or of any grant of any such consent subject to conditions shall, if he makes a claim within the time and in the manner prescribed by the Order, be entitled to recover from the authority compensation in respect of such loss or damage.
2. In assessing compensation so payable, account shall be taken of:-
 - (a) any compensation or contribution which has been paid whether to the claimant or any other person in respect of the same trees under the terms of the said or any other Tree Preservation Order under Section 29 of the Town and Country Planning 1962, or under section 60 of the Town and Country Planning Act 1971, or under the terms of any Interim Preservation Order made under Section 8 of the Town and Country Planning (Interim Development) Act 1943, or any compensation which has been paid or could have been claimed under any provision relating to the preservation of trees or protection of woodlands contained in an operative scheme under the Town and Country Planning Act 1932, and
 - (b) any injurious affection to any land of the owner which would result from the felling of the trees the subject of the claim.
3. A claim for compensation under the Order shall be in writing and shall be made by serving it on the authority, such service to be effected by delivering the claim at the offices of the authority addressed to the proper officer thereof or by sending it by prepaid post so addressed, within twelve months from the date of the decision of the authority, or of the Secretary of State, as the case may be, or where an appeal has been made to the Secretary of State against the decision of the authority, from the date of the decision of the Secretary of State on the appeal.
4. Any question of dispute compensation will be determined in accordance with the provisions of Section 179 of the Act.
5. **RIGHT OF APPEAL:** If you are not satisfied with this decision or any of the attached conditions, you have the right to appeal **within 28 days** from the date of this decision notice, or such longer period as the Secretary of State may allow in exceptional circumstances. To appeal you would need to contact The Environment Team at The Planning Inspectorate, Tel: 0117 372 8192. Further information and an appeal form can also be found at the following web site; <http://www.planningportal.gov.uk/planning/appeals/treepreservation>
6. When an appeal is brought under this provision from a decision, certificate or direction of the authority, the Secretary of State, subject to the following provisions, may allow or dismiss the appeal or may reverse or vary any part of the decision of the authority, whether or not the appeal relates to that part, or may cancel any certificate, or cancel or vary any direction, and may deal with the application as if it had been made to him in the first instance. The decision of the Secretary of State on any such appeal shall be final.

7. “Applicants are also reminded that work to trees and shrubs must not contravene the provisions of the **Wildlife and Countryside Act 1981**, as amended, which protect wild birds and their nests. Under the legislation, amongst other things, it is an offence, with certain exceptions, to:
- (a) intentionally kill, injure or take any wild bird;
 - (b) intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built;
 - (c) intentionally take or destroy the egg of any wild bird;
 - (d) intentionally or recklessly disturb any wild bird listed on Schedule 1 of the Act while it is building, or at or near a nest containing eggs or young, or disturb the dependent young of such a bird.”
8. **Common Law advice:** Council consent to carry out work to a protected tree does not give the applicant, agent, or any person employed by them, consent to enter land in the ownership of others. If access to land owned by others is necessary in order to implement a TPO consent notice then additional permission is also required from that land owner. No pruning work, equipment or persons should cross a property boundary line into another persons land without their permission as this would be trespass.
- For trees growing on neighbouring land, there is no obligation to ask for the owner’s permission to do work to branches overhanging your own land, but it is advisable to discuss the work for good neighbourly relations. Any arisings (pruning waste, pieces cut off) still belong to the tree owner and you should ask if they want them back before suitably disposing of them yourself, or you could return the arising to the tree owner providing you do not cause damage by doing so.

Delegated Decision – Tree Preservation Order Application

Application Number: WL/2025/01155

Location:

HIGHFIELD HOUSE
SUMMER HILL
GAINSBOROUGH
DN21 1HQ

Valid Date: 19/11/2025

Decision Due Date: 14/01/2026

Name and address of applicant

Mr J Clayton
DARBY LIMITED
7 SPRING GARDENS
GAINSBOROUGH
DN21 2AY

Name and address of agent (if any)

Mr N Sardeson
HONEYSUCKLE COTTAGE
1 BARFF ROAD
POTTERHANWORTH
LINCOLN
LN42DU

Description of Application

T1040 beech - fell.
T1042 beech - fell.
T1043 sycamore - fell.
T859 horse chestnut - lift crown to give shed roof 4m clearance.
Within A1 of Tree Preservation Order Gainsborough 1961.

Consultation responses received

No comments received.

Assessment

The trees are within an 'area' designation under the 1961 TPO. Being an 'area', it only protects the trees species specified in the TPO legal document that existed at the time the TPO was made. It also protects any replacement trees planted following a 5 day notice under the dead, dying or dangerous exceptions applicable prior to 6th April 2012, or the current dead or dangerous exceptions applicable since that date. The tree species listed in the TPO document are beech, horse chestnut, elm, pine, cedar, lime, and sycamore.

The tree identified in the application as T1043 is a sycamore close to the southerly site boundary. There is significant dieback throughout its crown, particularly within its central area. Its southerly crown spread substantially overhangs the neighbouring property. Although dead wood may be removed from a live tree without needing planning consent, the extent and location of dead wood and the trees declining condition means it would not be appropriate to reduce or pollard the tree.

Beech tree 1042 is also situated near the southerly site boundary. It has a lean to the south towards the neighbours, and its crown is weighted towards the neighbours due to phototropic growth towards the south and away from other trees within the

grounds of Highfield. Its overhanging branches are long, and two limbs have already failed with one long limb still lying on the ground. Its stem has a longitudinal crack in the upper part of its northerly side with a significant decay cavity within the stem visible through the crack.

Beech tree 1040 is in severe decline with a large portion of its crown already failed, leaving just one large limb remaining which extends out from the stem at an angle towards the north.

Both trees have fungal fruiting bodies of *Kretschmaria deusta* present at their stem bases between buttresses, with beech 1042 having the mature teleomorph stage of fruiting bodies present, and beech 1040 having both the juvenile anamorph and the mature teleomorph stages present. This type of fungus may appear insignificant due to the small patches of fruiting bodies often found hidden between buttresses, but it causes a cone of decay within the heartwood of the stem base, and breaches reaction zones quickly causing significant weakening of affected wood, leaving the decaying wood in a hard but brittle condition fracture. This can be deceptive if probing for soft decayed wood, and can cause tree failure with little or no warning.

Horse chestnut tree 859 is close to the northerly boundary with its canopy extending across the neighbours outbuilding with some low branches touching and rubbing on the roof. Some crown lifting work is necessary to provide adequate clearance between branches and building. The lower branches have been pruning in the past to clear the building.

Conclusion

1st issue amenity value - the impact of the proposed works on the tree and on the appearance & character of the local area; (would the proposed work improve or enhance the appearance of the tree, &/or the character of the CA [if in a CA], or be detrimental to the tree/area);

The trees are part of a larger wooded area within the property and the town centre and are an important natural green area providing amenity and wildlife value to the surrounding area of the town. Although the site's very large garden area has been neglected for many years, leaving the grounds to become overgrown and decline in quality, the trees are still an important feature to the vicinity and for the setting of the host listed building. Many self-set trees have been left to grow across the grounds over the more recent decades, and substantial clearance of many trees not protected by the TPO across the site has been undertaken by new owners over recent months. The clearance work has had a dramatic impact on the appearance and character of the site with the loss of many good quality trees as well as poor quality trees. There are some areas cleared of trees where last summer it was densely wooded. These three trees identified for felling due to their poor conditions should be replaced by large species trees to replace the original three trees. It will be many years before they can replace the amenity lost by the removal of large, mature trees, but over time they should potentially grow into mature trees to provide good amenity to the area.

2nd issue – sufficient reason and justification for the works;

The evidence and reasons are considered sufficient to justify the work.

Recommendation

To issue to Carry out Work - subject to the following conditions for the following reasons:

1. Condition:

The works hereby approved shall be carried out once and within a period of 24 months from the date of consent. If repeated works are required or works are not carried out within 24 months from the date of this consent then a new application will be required.

Reason:

To ensure adequate control of the Tree Preservation Order, and in accordance with The Town and Country Planning (Tree Preservation) (England) Regulations 2012.

2. Condition:

The works hereby granted consent shall be carried out in accordance with current British Standards, BS3998 Recommendations for Tree Work.

Reason:

To ensure works are carried out in a way which is not detrimental to the health and amenity of T859 or other nearby trees, in accordance with the Central Lincolnshire Local Plan 2023 Policy S53.

3. Condition:

Two (2) replacement beech *Fagus sylvatica* trees and one (1) replacement lime of *Tilia cordata* or *Tilia platyphyllos* tree shall be planted within suitable clear spaces to allow for future growth. The agreed replacement trees shall be of feathered or standard form and be 1.75metres or greater in height (4cm girth or greater). The replacement trees shall be planted within twelve months of the date of the removal of the original trees with suitable support during their establishment.

Reason:

To ensure compensation in amenity terms for the loss of the original trees in accordance with the Central Lincolnshire Local Plan 2023 Policy S53.

4. Condition:

If within a period of four years from the date of planting, any replacement tree is removed, uprooted, destroyed, dies, becomes diseased or is

structurally damaged, a further tree of the same size and species shall be planted at the same place within the first planting season following the removal, uprooting, destruction, death, disease or damage.

Reason:

To safeguard local amenity in accordance with the Central Lincolnshire Local Plan 2023 Policy S53.

5. Condition:

No work shall be carried out to a replacement tree without prior consent of the District Planning Authority.

Reason:

To ensure works carried out are in a way is not detrimental to the health and amenity of the tree in accordance with the Central Lincolnshire Local Plan 2023 Policy S53.

Report prepared by: Carol Slingsby
Tree and Landscape Officer

Date: 12/01/2026

Delegated Decision



Signed:

Authorising Officer
For Director of Planning and Regeneration

Date: 13/01/2026

PAPER E

WEST LINDSEY DISTRICT COUNCIL
Town and Country Planning Act 1990
Town and Country Planning (Tree Preservation)(England) Regulations 2012
Tree Preservation Order Gainsborough 1961

CONSENT TO CARRY OUT WORK

Applicant:

Ms K Horner-Glister
ESTATE OFFICE
94 MORTON TERRACE
GAINSBOROUGH
ENGLAND
DN21 2SS

Agent:

Mr N Sardeson
HONEYSUCKLE COTTAGE
1 BARFF ROAD
POTTERHANWORTH
LINCOLN
LN42DU

Date of Application

11/11/2025

Application Number

WL/2025/01128

Particulars of Application:

Sycamore T871 - reduce to 10m height.
T18 of Tree Preservation Order Gainsborough 1961.

Site Location:

SUMMER HILL HOUSE
SUMMER HILL
GAINSBOROUGH
DN21 1HQ

In pursuance of its powers under the above mentioned Act and Regulations and the Tree Preservation Order made by the District Council of West Lindsey as the Local Planning Authority (hereinafter called "the Council") and subsequently confirmed by the Council.

The Council **Hereby Consents** to the carrying out of the following operations in accordance with the submitted application namely:-

Sycamore T871 - reduce to 10m height. T18 of the above order.

Subject to the following conditions, namely:-

1. The works hereby approved shall be carried out once and within a period of 24 months from the date of consent. If repeated works are required or works are not carried out within 24 months from the date of this consent then a new application will be required.

Reason:

To ensure adequate control of the Tree Preservation Order, and in accordance with The Town and Country Planning (Tree Preservation) (England) Regulations 2012.

2. The works hereby granted consent shall be carried out in accordance with current British Standards, BS3998 Recommendations for Tree Work.

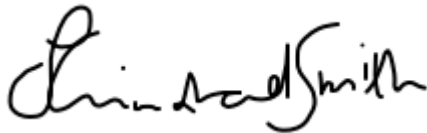
Reason:

To ensure works are carried out in a way which is not detrimental to the health and amenity of the tree in accordance with the Central Lincolnshire Local Plan 2023 Policy S53.

Dated this 06/01/2026

West Lindsey District Council

Guildhall
Marshall's Yard
GAINSBOROUGH
Lincolnshire
DN21 2NA



Signed:

Sally Grindrod-Smith
Director Planning, Regeneration and Communities

IT IS IMPORTANT THAT YOU SHOULD READ THE ACCOMPANYING NOTES

NOTES

1. Subject to the provisions of the Tree Preservation Order, any person who has suffered loss or damage in consequence of any refusal (including revocation or modification) of consent under the Order, or of any grant of any such consent subject to conditions shall, if he makes a claim within the time and in the manner prescribed by the Order, be entitled to recover from the authority compensation in respect of such loss or damage.
2. In assessing compensation so payable, account shall be taken of:-
 - (a) any compensation or contribution which has been paid whether to the claimant or any other person in respect of the same trees under the terms of the said or any other Tree Preservation Order under Section 29 of the Town and Country Planning 1962, or under section 60 of the Town and Country Planning Act 1971, or under the terms of any Interim Preservation Order made under Section 8 of the Town and Country Planning (Interim Development) Act 1943, or any compensation which has been paid or could have been claimed under any provision relating to the preservation of trees or protection of woodlands contained in an operative scheme under the Town and Country Planning Act 1932, and
 - (b) any injurious affection to any land of the owner which would result from the felling of the trees the subject of the claim.
3. A claim for compensation under the Order shall be in writing and shall be made by serving it on the authority, such service to be effected by delivering the claim at the offices of the authority addressed to the proper officer thereof or by sending it by prepaid post so addressed, within twelve months from the date of the decision of the authority, or of the Secretary of State, as the case may be, or where an appeal has been made to the Secretary of State against the decision of the authority, from the date of the decision of the Secretary of State on the appeal.
4. Any question of dispute compensation will be determined in accordance with the provisions of Section 179 of the Act.
5. **RIGHT OF APPEAL:** If you are not satisfied with this decision or any of the attached conditions, you have the right to appeal **within 28 days** from the date of this decision notice, or such longer period as the Secretary of State may allow in exceptional circumstances. To appeal you would need to contact The Environment Team at The Planning Inspectorate, Tel: 0117 372 8192. Further information and an appeal form can also be found at the following web site; <http://www.planningportal.gov.uk/planning/appeals/treepreservation>
6. When an appeal is brought under this provision from a decision, certificate or direction of the authority, the Secretary of State, subject to the following provisions, may allow or dismiss the appeal or may reverse or vary any part of the decision of the authority, whether or not the appeal relates to that part, or may cancel any certificate, or cancel or vary any direction, and may deal with the application as if it had been made to him in the first instance. The decision of the Secretary of State on any such appeal shall be final.

7. “Applicants are also reminded that work to trees and shrubs must not contravene the provisions of the **Wildlife and Countryside Act 1981**, as amended, which protect wild birds and their nests. Under the legislation, amongst other things, it is an offence, with certain exceptions, to:
- (a) intentionally kill, injure or take any wild bird;
 - (b) intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built;
 - (c) intentionally take or destroy the egg of any wild bird;
 - (d) intentionally or recklessly disturb any wild bird listed on Schedule 1 of the Act while it is building, or at or near a nest containing eggs or young, or disturb the dependent young of such a bird.”
8. **Common Law advice:** Council consent to carry out work to a protected tree does not give the applicant, agent, or any person employed by them, consent to enter land in the ownership of others. If access to land owned by others is necessary in order to implement a TPO consent notice then additional permission is also required from that land owner. No pruning work, equipment or persons should cross a property boundary line into another persons land without their permission as this would be trespass.
- For trees growing on neighbouring land, there is no obligation to ask for the owner’s permission to do work to branches overhanging your own land, but it is advisable to discuss the work for good neighbourly relations. Any arisings (pruning waste, pieces cut off) still belong to the tree owner and you should ask if they want them back before suitably disposing of them yourself, or you could return the arising to the tree owner providing you do not cause damage by doing so.

Delegated Decision – Tree Preservation Order Application

Application Number: WL/2025/01128

Location:

SUMMER HILL HOUSE
SUMMER HILL
GAINSBOROUGH
DN21 1HQ

Valid Date: 11/11/2025

Decision Due Date: 06/01/2026

Name and address of applicant

Ms K Horner-Glister
ESTATE OFFICE
94 MORTON TERRACE
GAINSBOROUGH
ENGLAND
DN21 2SS

Name and address of agent (if any)

Mr N Sardeson
HONEYSUCKLE COTTAGE
1 BARFF ROAD
POTTERHANWORTH, LINCOLN
UNITED KINGDOM
LN42DU

Description of Application

Sycamore T871 - reduce to 10m height.
T18 of Tree Preservation Order Gainsborough 1961.

Consultation responses received

No comments received.

Assessment

The tree is a large mature sycamore situated within a field/paddock near its fields NE corner. The tree is close to estate fencing which runs along the field boundary adjacent the long driveway leading to Summer Hill House. According to the agent's assessment of the tree it is currently 16m tall, and the proposal is to reduce it to 10m tall.

The northerly side of the sycamore's crown overhangs the driveway and a couple of lateral limbs extend above the overhead cables running along the northerly side of the driveway. Dead wood is present in the crown and poses a risk of falling onto the driveway or the overhead cable.

There is a Ganoderma species fungal fruiting body (fungal bracket) present between buttresses to the west side of the stem base, with significant hollow sound above and to the right of the fungal bracket when using a sounding hammer around the lower stem, which indicates advanced internal decay.

To the easterly side of the stem there is another, larger fungal fruiting body and a large opening where decayed bark has already fallen away and reveals a larger cavity within the lower stem. Above the opening more bark is loose where there is no wood behind it to hold it in place. The lower stem is significantly decayed within.

Conclusion

1st issue amenity value - the impact of the proposed works on the tree and on the appearance & character of the local area; (*would the proposed work improve or enhance the appearance of the tree, &/or the character of the CA [if in a CA], or be detrimental to the tree/area*);

The tree is one of various individual TPO trees dotted about the fields to the south and north sides of the driveway. The tree is not noticeable from most other surrounding areas other than along the driveway leading to Summer Hill House and the neighbouring properties. There is a large tree clearly visible in the distance over the roof of St Georges Vicarage on Heapham Road which could be TPO T18. Due to limited surrounding views of the tree, the proposed work would have a minor impact on the level of amenity the tree provides to the area.

2nd issue – sufficient reason and justification for the works;

The reasons for the work are based on health and safety due to the condition of the tree, and are considered suitable and sufficient to justify the work.

Recommendation

To issue Consent to Carry out Work - subject to the following conditions for the following reasons:

1. Condition:

The works hereby approved shall be carried out once and within a period of 24 months from the date of consent. If repeated works are required or works are not carried out within 24 months from the date of this consent then a new application will be required.

Reason:

To ensure adequate control of the Tree Preservation Order, and in accordance with The Town and Country Planning (Tree Preservation) (England) Regulations 2012.

2. Condition:

The works hereby granted consent shall be carried out in accordance with current British Standards, BS3998 Recommendations for Tree Work.

Reason:

To ensure works are carried out in a way which is not detrimental to the health and amenity of the tree in accordance with the Central Lincolnshire Local Plan 2023 Policy S53.

Report prepared by: *Carol Slingsby* Date: 05/01/2026
Tree and Landscape Officer

Delegated Decision

A handwritten signature in black ink, appearing to read 'R. Clarkson', with a horizontal line underneath.

Signed:

Date: 06/01/2026

Authorising Officer
For Director of Planning and Regeneration

PAPER F

Listed Building Consent

Name and address of applicant

Mr Uppal
33 MARKET STREET
GAINSBOROUGH
DN21 2BE

Name and address of agent (if any)

Phase Architecture
James Hartley
67 ST JOHNS DRIVE
CLARBOROUGH
RETFORD
DN22 9NN

Part I – Particulars of application

Date of application

27/10/2025

Application no

WL/2025/01059

Particulars and location of development

Proposal: Listed building consent for façade renovation works including 2no. replacement windows and shop front.

Location:

33 MARKET STREET
GAINSBOROUGH
DN21 2BE

Part II – Particulars of decision

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

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

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

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

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

None

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

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:

PA - 201- A – C – GA - PE Rev C dated 28/08/25

PA - 600 - A – C - GA - W.D Rev dated 27/10/25

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

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

3. Before any work commences details of all external materials including render, bricks, mortar, rainwater goods, steps, ironmongery to windows and doors shall be submitted to and approved in writing by the Local Planning Authority. The works must be completed in strict accordance with the approved details.

Reason: To protect the special architectural and historic significance of this listed building in accordance with Section 16 and 66 of the Planning (Listed Building and Conservation Areas) Act 1990 (as amended).

4. Upon removing the stall riser tiles, a methodology for the brickwork to the stall riser showing, but not limited to, the condition, cleaning, repairs, new brickwork, mortar, profile and finish, and any making good to existing fabric shall be submitted to and approved in writing by the local planning authority. The works must be completed in strict accordance with the approved details.

Reason: To protect the special architectural and historic significance of this listed building in accordance with Section 16 and 66 of the Planning (Listed Building and Conservation Areas) Act 1990 (as amended).

5. Before any work commences full details of the insulation materials including sectional details at a scale of 1:10 shall be submitted to and approved in writing by the Local Planning Authority. The works must be completed in strict accordance with the approved details.

Reason: To protect the special architectural and historic significance of this listed building in accordance with Section 16 and 66 of the Planning (Listed Building and Conservation Areas) Act 1990 (as amended).

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

None

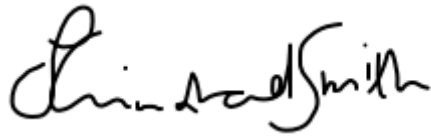
Reasons for Granting Consent:

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

In light of this assessment, the proposed works are considered acceptable as they would have no adverse impact on the character, appearance and fabric of this Listed Building and it's setting.

Date: 30/01/2026

Signed:



Sally Grindrod-Smith
Director Planning, Regeneration and
Communities

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

Appeals to the Secretary of State

- If the applicant is aggrieved by the decision of the local planning authority to refuse listed building consent for the proposed works, or to grant consent subject to conditions, then you can appeal to the Secretary of State in accordance with sections 20 and 21 of the Planning (Listed Building and Conservation Areas) Act 1990.
- **If you want to appeal against your local planning authority's decision 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 or online at: <https://acp.planninginspectorate.gov.uk>.**
- 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.
- In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions. The circumstances in which such compensation is payable are set out in section 27 of the Planning (Listed Building and Conservation Areas) Act 1990.
- **Only the applicant possesses the right to appeal the decision.**

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

PAPER G

Planning Permission

Name and address of applicant

Mr Uppal
33 MARKET STREET
GAINSBOROUGH
DN21 2BE

Name and address of agent (if any)

James Hartley
Phase Architecture
67 ST JOHNS DRIVE
CLARBOROUGH
RETFORD
DN22 9NN

Part One – Particulars of application

Date of application:
27/10/2025

Application number:
WL/2025/01058

Particulars and location of development:

Proposal: Planning application for façade renovation works including 2no. replacement windows and shop front.

Location:

33 MARKET STREET
GAINSBOROUGH
DN21 2BE

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:

PA - 201- A – C – GA - PE Rev C dated 28/08/25

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

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

3. Before any work commences details of all external materials including render, bricks, mortar, rainwater goods, steps, ironmongery to windows and doors shall be submitted to and approved in writing by the Local Planning Authority. The works must be completed in strict accordance with the approved details.

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

4. Upon removing the stall riser tiles, a methodology for the brickwork to the stall riser showing, but not limited to, the condition, cleaning, repairs, new brickwork, mortar, profile and finish, and any making good to existing fabric shall be submitted to and approved in writing by the local planning authority. The works must be completed in strict accordance with the approved details.

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

5. Before any work commences full details of the insulation materials including sectional details at a scale of 1:10 shall be submitted to and approved in writing by the Local Planning Authority. The works must be completed in strict accordance with the approved details.

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

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

None.

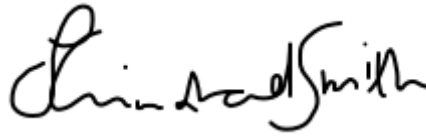
Reasons for granting permission

The application has been considered against policies Policy S1: The Spatial Strategy and Settlement Hierarchy, Policy S6: Design Principles for Efficient Buildings, Policy S13: Reducing Energy Consumption in Existing Buildings, Policy S37: Gainsborough Town Centre and Primary Shopping Area, Policy NS41: City and Town Centre Frontages, Policy S47: Accessibility and Transport, Policy S53: Design and Amenity, Policy S57: The Historic Environment of the Central Lincolnshire Local Plan, the policies within the Gainsborough Town Neighbourhood Plan, Policy M11 of the Core Strategy and the Statutory duties contained within Sections 66 and 72 of the 'Act' in the first instance along with the provisions of the NPPF and guidance contained within the NPPG.

In light of this assessment it is considered that the proposals would respect the host Grade II Listed building as well as the wider Town Centre. The proposals would preserve the setting of the nearby listed buildings and conservation area. No unacceptable harm has been identified with regard to the impacts upon residential amenity, highways or drainage nor would the proposal impact upon the minerals safeguarding area. The application is recommended for approval subject to conditions.

Date: 30/01/2026

Signed:



Sally Grindrod-Smith
Director Planning, Regeneration and
Communities

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

Note: This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation. You are strongly advised not to commence works until you have obtained any other permissions or consents that may be required, for example approval under the Building Regulations, otherwise there may be a risk of significant legal and financial consequences. For further advice on the Building Regulations, contact the Council's Building Control section.

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

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- **If you want to appeal against your local planning authority's decision then you must do so within six months of the date of this notice.**
Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at www.planningportal.gov.uk/pcs. 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 676676, by email customer.services@west-lindsey.gov.uk or by asking any of the Customer Services staff.

Officers Report

Planning Application No: WL/2025/01058

PROPOSAL: Planning application for façade renovation works including 2no. replacement windows and shop front.

LOCATION:

33 MARKET STREET

GAINSBOROUGH

DN21 2BE

WARD: GAINSBOROUGH SOUTH WEST

TARGET DECISION DATE: Extension of Time Agreed to 30/01/2026

CASE OFFICER: Vicky Maplethorpe

Recommended Decision: Grant permission

Site Description and Proposal:

The site is located within Gainsborough Town Centre and the Primary Shopping Area. The site is designated as a Grade II Listed Building with the list description outlining the following:

Official List Entry:

2. Probably C18 origins. 2 storeys. Rendered with pantile roof with 2 dormers and wood eaves cornice. 2 and 1 windows without glazing bars. Moulded wood cases. No 31 has small C19 shop front with grooved pilasters. Modern shop front to No 33.

Nos 25 to 39 (odd) form a group, Nos 27 and 39 being of local interest.

The site is also located within the Gainsborough Britannia Conservation Area and is within close proximity to a number of other designated heritage assets forming part of a row of shops on Market Street.

Planning permission is being sought for replacement timber sash windows on the principal elevation, a new timber shopfront and removal of rendering on the front elevation.

Relevant Planning History

Reference	Proposal	Decision
133663	Planning application for demolition of former Sun Inn Hotel, including 37 Market Street, and construction of a C1 use class hotel with associated ancillary facilities and servicing access-amendment to 131219	Withdrawn by Applicant

Reference	Proposal	Decision
133664	Listed building consent for demolition of former Sun Inn Hotel, including 37 Market Street, and construction of a C1 use class hotel with associated ancillary facilities and servicing access-amendment to 131220	Withdrawn by Applicant
124571	Listed Building Consent for the installation of wall mounted street lighting and architectural uplighting on various buildings in Gainsborough Town Centre	Granted time limit plus conditions 09/09/2009
131219	Planning application for demolition of former Sun Inn Hotel, including 37 Market Street, and construction of a C1 use class hotel with associated ancillary facilities and servicing access	Granted time limit plus conditions 31/10/2014
135750	Planning application for demolition of former Sun Inn hotel and 37 Market Street, construction of hotel (use class C1) and restaurant (use class A3); alterations to and demolition of rear part of 27 Market Street and change of use to allow A1,A2,A3,A4 and A5 uses at ground floor; alterations to and demolition of rear part of 29 Market Street; alterations to 35 Market Street and change of use to allow A1,A2,A3,A4 and A5 uses; alterations to 3,7,11 and 5,9,13 North Street and demolition of outbuilding to rear; works to expand and reconfigure car park; landscaping, access and associated works.	Granted time limit plus conditions 24/07/2017
135751	Listed building consent for demolition of 37 Market Street, alterations to and partial demolition of 29 Market Street and works of alteration to 35 Market Street.	Granted time limit plus conditions 24/07/2017
136592	Request for confirmation of compliance with condition 4 of listed building consent 135751 granted 24 July 2017	Condition discharged 14/09/2017

Reference	Proposal	Decision
136543	Request for confirmation of compliance with conditions 2,3,4,6,8 and 10 of planning permission 135750 granted 24 July 2017	Condition discharged 14/09/2017
136591	Request for confirmation of compliance with condition 5 of planning permission 135750 granted 24 July 2017	Condition discharged 14/09/2017
136792	Application to vary condition 11 of planning permission 135750 granted 24 July 2017-substitute drawings in order to revise site layout	Granted with conditions 08/11/2017
136544	Request for confirmation of compliance with conditions 2,3,5,6 and 7 of listed building consent 135751 granted 24 July 2017	Condition discharged 14/09/2018

Representations

Chairman/Ward member(s): None received

Parish/Town Council/Meeting: Support the application

Local residents: None received

LCC Highways and Lead Local Flood Authority: No objections

LCC Archaeology: No objections

Historic England: No comments

Conservation Officer: I am happy with the amended plans. I have no objections to this subject to conditions:

- 1) All external materials e.g. render, bricks, mortar, rainwater goods, steps, ironmongery to windows and doors.
- 2) Upon removing the stall riser tiles, a methodology for the brickwork to the stall riser shall be submitted showing, but not limited to, the condition, cleaning, repairs, new brickwork, mortar, profile and finish, and any making good to existing fabric.
- 3) Full details of the insulation materials including sectional details at a scale of 1:10

Date Checked: 30/1/26

Relevant Planning Policies and Legislation:

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 Lincolnshire Minerals and Waste Local Plan (adopted June 2016) and Neighbourhood Plan

Development Plan

- ***Central Lincolnshire Local Plan 2023 –***

Relevant policies of the CLLP include:

Policy S1: The Spatial Strategy and Settlement Hierarchy

Policy S37: Gainsborough Town Centre and Primary Shopping Area

Policy NS41: City and Town Centre Frontages

Policy S47: Accessibility and Transport

Policy S53: Design and Amenity

Policy S57: The Historic Environment

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

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

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

Relevant policies of the NP include:

NPP 1 Sustainable Development

NPP 6 Ensuring High Quality Design

NPP 7 Ensuring High Quality Design in each Character Area

NPP 18 Protecting and Enhancing Heritage Assets

NPP 19 Improving the Vitality of the Town Centre

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

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

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

National policy & guidance (Material Consideration)

- National Planning Policy Framework (NPPF)

The NPPF sets out the Government's planning policies for England and how these should be applied. It is a material consideration in planning decisions. The most recent iteration of the NPPF was published in December 2023.. Paragraph 225 states:

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

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

- National Planning Practice Guidance

<https://www.gov.uk/government/collections/planning-practice-guidance>

- National Design Guide (2019)

<https://www.gov.uk/government/publications/national-design-guide>

- National Model Design Code (2021)

<https://www.gov.uk/government/publications/national-model-design-code>

Other:

LB Legal Duty

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

CA Legal Duty

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

Main Considerations:

- Principle of development
- Impact on listed building and conservation area
- Other Matters

Assessment:

Principle of Development

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

of other nearby listed buildings and the Gainsborough Town Centre Conservation Area.

Section 16 (2) of the Planning (Listed Building and Conservation Area) Act 1990 requires Local Planning Authorities to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Impact on Listed Building and Gainsborough Conservation Area

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

Policy NS41 states that; Proposals for new frontages or alterations to existing frontages within an identified centre will be permitted provided the proposal:

- a. is of a high quality design and is sympathetic in scale, proportion and appearance to the building of which it forms part, and to the character of the surrounding street scene; and
- b. protects, and where possible enhances, traditional or original frontage or features that are of architectural or historic interest, particularly if the building is listed or within a conservation area; and
- c. is designed to allow equal access for all users.

With regard to Listed Buildings Policy S57 of the CLLP states that; Permission to change the use of a Listed Building or to alter or extend such a building will be granted where the local planning authority is satisfied that the proposal is in the interest of the building's conservation and does not involve activities or alterations prejudicial to the special architectural or historic interest of the Listed Building or its setting.

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

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

The application seeks full planning permission for the following works:

- Removal of the existing aluminium shop frontage and replaced with traditional timber shop frontage

- Replacement of existing timber windows including re-instating sash window in the dormer window finished in Chalk white
- Replacement of shop door with timber door
- Removal of existing render and replaced with a lime based render and painted with a breathable natural paint from a heritage colour palette

The Councils Conservation Officer has confirmed that they have no objections to the proposals following amended plans being submitted.

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

Other matters:

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.

Conclusion and reason for decision:

The application has been considered against policies Policy S1: The Spatial Strategy and Settlement Hierarchy, Policy S6: Design Principles for Efficient Buildings, Policy S13: Reducing Energy Consumption in Existing Buildings, Policy S37: Gainsborough Town Centre and Primary Shopping Area, Policy NS41: City and Town Centre Frontages, Policy S47: Accessibility and Transport, Policy S53: Design and Amenity, Policy S57: The Historic Environment of the Central Lincolnshire Local Plan, the policies within the Gainsborough Town Neighbourhood Plan, Policy M11 of the Core Strategy and the Statutory duties contained within Sections 66 and 72 of the 'Act' in the first instance along with the provisions of the NPPF and guidance contained within the NPPG.

In light of this assessment it is considered that the proposals would respect the host Grade II Listed building as well as the wider Town Centre. The proposals would preserve the setting of the nearby listed buildings and conservation area. No unacceptable harm has been identified with regard to the impacts upon residential amenity, highways or drainage nor would the proposal impact upon the minerals safeguarding area. The application is recommended for approval subject to conditions.

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:

PA - 201- A – C – GA - PE Rev C dated 28/08/25

PA - 600 - A – C - GA - W.D Rev dated 27/10/25

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

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

3. Before any work commences details of all external materials including render, bricks, mortar, rainwater goods, steps, ironmongery to windows and doors shall be submitted to and approved in writing by the Local Planning Authority. The works must be completed in strict accordance with the approved details.

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

4. Upon removing the stall riser tiles, a methodology for the brickwork to the stall riser showing, but not limited to, the condition, cleaning, repairs, new brickwork, mortar, profile and finish, and any making good to existing fabric shall be submitted to and approved in writing by the local planning authority. The works must be completed in strict accordance with the approved details.

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

5. Before any work commences full details of the insulation materials including sectional details at a scale of 1:10 shall be submitted to and approved in writing

by the Local Planning Authority. The works must be completed in strict accordance with the approved details.

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

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

None.

Decision Level: Delegated

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 : Vicky Maplethorpe

Date : 30/01/2026

Authorising Officer



Date: 30/01/2026

PAPER H

Planning Permission

Name and address of applicant

Keepmoat Homes Ltd
C/O AGENT
ONE PARK ROW
LEEDS
UNITED KINGDOM
LS1 5HN

Name and address of agent (if any)

Jack Waugh
DPP
ONE PARK ROW
LEEDS
UNITED KINGDOM
LS1 5HN

Part One – Particulars of application

Date of application:
23/09/2025

Application number:
WL/2025/00972

Particulars and location of development:

Proposal: Planning application for erection of 4no. dwellings with associated works and infrastructure

Location:

LAND AT FOXBY LANE
GAINSBOROUGH
LINCOLNSHIRE
DN21 1PP

Part Two – Particulars of decision

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

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

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

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

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

2. No development shall take place until a written Ecological Mitigation & Enhancement Plan (EMEP) is submitted to and approved in writing by the local planning authority. The EMEP shall include: -

- Details of any precautionary method statements for protected species
- Details of a sensitive lighting strategy

- Details of wildlife friendly landscaping within curtilage of private dwellings (must include native tree planting, flowering lawns, should include species rich native hedgerows for boundary treatments, could include garden ponds and urban greening))
- Details of educational leaflets to be provided to all residence as to the enhancements for wildlife within their own cartilage
- Details, specification location of hedgehog highway within all closed panel fence boundaries and 1x hedgehog refugia within the ornamental planting outside of private curtilage
- Details, specification, locations of amphibian friendly curb and drain treatments.
- Details, specification and location of the following species enhancements incorporated into structures across the site:

- *Integrated bird boxes*
- *All suitable elevations (North to east facing of a height of at least 5m) must include swift bricks installed in groups of 3 to 5*
- *4 Integrated bat boxes*
- *2 bee/insect bricks per dwelling*

The C/LEMP shall be implemented in strict accordance with the approved plan. All features shall be installed during construction and retained as such thereafter.

Reason: In the interest of nature conservation and to accord with the National Planning Policy Framework and local policy S60 of the Central Lincolnshire Local Plan 2023.

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

3. The Biodiversity Gain Plan shall be prepared in accordance with the Statutory Biodiversity Metric dated 19/11/25 and prepared by Sam Wardle.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policy S61 of the Central Lincolnshire Local Plan 2023-2043.

4. 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:

- 2534.02A (Site Location Plan) dated 22nd July 2025
- 2534.01B (Proposed Site Layout) dated 22nd July 2025
- 2534.ROU.02B (Roundhill Elevations) dated 22nd July 2025
- 2534.ROU.01A (Roundhill Floor Plans) dated 22nd July 2025
- 2534.ROU.03 (Roundhill Roof Plan) dated 22nd July 2025
- 2534.CON.01B (Coniston Elevations and Floor Plan) dated 22nd July 2025
- 2534CON.02 (Coniston Roof Plan) dated 22nd July 2025

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

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework and local policy S53 of the Central Lincolnshire Local Plan 2023.

5. No development shall take place above foundation level until a scheme for the disposal of foul and surface waters (including the results of soakaway/percolation tests) have been

submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Reason: To ensure adequate drainage facilities are provided to serve the development and to prevent pollution of the water environment in accordance with Policy S21 of the Central Lincolnshire Local Plan 2023.

6. The development hereby permitted shall be carried out in full accordance with the details set out in the submitted Energy Statement by AES Sustainability Consultants Ltd dated December 2025 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development takes place in accordance with the approved details and in accordance with the provisions of policies S6 and S7 of the Central Lincolnshire Local Plan (2023).

7. Prior to the occupation of the dwellings hereby approved a written verification statement shall be submitted to demonstrate that the approved scheme has been implemented in full, in accordance with the submitted Energy Statement by AES Sustainability Consultants Ltd dated December 2025 and approved in writing by the Local Planning Authority.

Reason: To ensure that the development takes place in accordance with the approved details and in accordance with the provisions of policies S6 and S7 of the Central Lincolnshire Local Plan (2023).

8. Prior to occupation of the approved dwellings evidence must be submitted to the local planning authority that a rainwater harvesting butt of a minimum 100 litres has been installed.

Reason: In the interests of sustainable water management in accordance with policy S12 of the Central Lincolnshire Local Plan.

9. All new hardstanding shall be constructed from a porous material or shall be appropriately drained within the site and shall be retained as such thereafter.

Reason: To ensure appropriate drainage to accord with the National Planning Policy Framework and Policy S21 of the Central Lincolnshire Local Plan.

10. If during the course of development, contamination is found to be present on site, then no further development (unless otherwise agreed in writing by the local planning authority) must be carried out until a method statement detailing how and when the contamination is to be dealt with has been submitted to and approved in writing by the local planning authority. The contamination must then be dealt with in accordance with the approved details.

Reason: In order to safeguard human health and the water environment and to accord with the National Planning Policy Framework and local policy S56 of the Central Lincolnshire Local Plan 2023.

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

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and reenacting that Order with or without modification) no domestic oil tanks or domestic gas tanks shall be placed within the

curtilage of the dwelling hereby approved without express planning permission from the local planning authority.

Reason: In the interests of energy efficiency to accord with policies S6 and S7 of the Central Lincolnshire Local Plan 2023.

Notes to the Applicant

The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. The works should be constructed in accordance with the Authority's specification that is current at the time of construction. Relocation of existing apparatus, underground services or street furniture will be the responsibility of the applicant, prior to application. For application guidance, approval and specification details, please visit <https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb> or contact vehiclecrossings@lincolnshire.gov.uk.

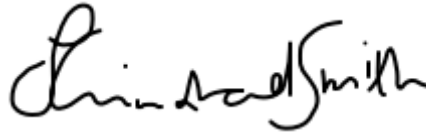
Reasons for granting permission

The proposed development has been assessed against policies S1 The Spatial Strategy and Settlement Hierarchy, S3 Housing in the Lincoln Urban Area, Main Towns and Market Towns, S6 Design Principles for Efficient Buildings, S7 Reducing Energy Consumption –Residential Development, S12 Water Efficiency and Sustainable Water Management, S20 Resilient and Adaptable Design, S21 Flood Risk and Water Resources, S23 Meeting Accommodation Needs, S47 Accessibility and Transport, S49 Parking Provision, S53 Design and Amenity, S60 Protecting Biodiversity and Geodiversity, S61 Biodiversity Opportunity and Delivering Measurable Net Gains, S66 Trees, Woodland and Hedgerows and S70 Gainsborough Sustainable Urban Extensions of the Central Lincolnshire Local Plan 2023 and policies NPP1 – Sustainable Development, NPP2 – Protecting the Natural Environment and Enhancing Biodiversity, NPP6 – Ensuring High Quality Design and NPP7 – Ensuring High Quality Design in each Character Area of the Gainsborough Town Neighbourhood Plan in the first instance.

Furthermore, consideration has been given to guidance contained within the National Planning Policy Framework, National Planning Practice Guidance, National Design Guide and the National Design Code, as well as all other material considerations and representations received. As a result of this assessment the proposals would not cause harm to the character of the area, neighbouring residential amenity or highway safety. The proposals would accord to the climate change policies. The proposals are considered to be acceptable in principle in relation to drainage, landscaping and BNG, subject to conditions. The application is recommended for approval, subject to conditions.

Date: 20/01/2026

Signed:



Sally Grindrod-Smith
Director Planning, Regeneration and
Communities

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

Note: This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation. You are strongly advised not to commence works until you have obtained any other permissions or consents that may be required, for example approval under the Building Regulations, otherwise there may be a risk of significant legal and financial consequences. For further advice on the Building Regulations, contact the Council's Building Control section.

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

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- **If you want to appeal against your local planning authority's decision then you must do so within six months of the date of this notice.**
Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at www.planningportal.gov.uk/pcs. 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 676676, by email customer.services@west-lindsey.gov.uk or by asking any of the Customer Services staff.

Officers Report

Planning Application No: WL/2025/00972

PROPOSAL: Planning application for erection of 4no. dwellings with associated works and infrastructure

LOCATION:

LAND AT FOXBY LANE
GAINSBOROUGH
LINCOLNSHIRE
DN21 1PP

WARD: GAINSBOROUGH EAST

TARGET DECISION DATE: Agreed Extension of time until 20/01/2026

CASE OFFICER: James Newton

Recommended Decision: Grant Permission, subject to conditions.

Site Description and Proposal:

The application site is located within the developed footprint of Gainsborough. The site itself is located to the south of Foxby Lane, within the Southern Gainsborough Sustainable Urban Extension (WL/GAIN/015). The site has existing neighbouring dwellings to the east, with approved proposed dwelling to the south. The highways runs to the north, and an existing commercial unit to the west. The site is located within an Area of Great Landscape Value (AGLV) and a 250 metre contaminated land buffer.

Many houses are already built following outline applications 125020 and 138921 and the subsequent reserved matters application 140081.

The application seeks planning permission to erect 4no. dwellings of which consists of two pairs of semi detached dwellings. Measurements below:

Roundhill – Three-Storey

Eaves - 7.644 metres
Ridge – 10.753 metres
Length – 10.228 metres
Width – 8.54 metres

Coniston – Two Storey

Eaves – 5.078 metres
Ridge – 8.278 metres
Length – 10.678 metres
Width – 8.99 metres

Relevant Planning History

Reference	Proposal	Decision
125020	Outline planning application for 2500 (Two thousand five hundred) new homes with associated employment land (use classes B1- Business and B2 -General industry); community services and facilities (use classes A1 - Shops,A2-Financial & Professional,A3- Restaurants & cafes, A4- Drinking establishments,A5-Hot food take aways,D1-Non-residential institutions and D2-Assembly and Leisure); formal and informal open space and landscaping; together with the construction of new access junctions, cycleways and footways and associated infrastructure and facilities (access to be considered and not reserved).	Granted with Legal Agreement 05/07/2011
138921	Planning application to vary conditions 1, 2, 3, 6, 11, 17, 19, 20, 21, 26, and 27, and remove conditions 4, 5, 7, 8, 9, 10, 12, 13, 18, 23, and 25, of planning permission 125020 granted 5th July 2011.	Granted time limit plus conditions 29/08/2019
140081	Reserved matters application for Phase 1 to erect 454no. dwellings, considering appearance, landscaping, layout and scale, following outline planning permission 138921 granted 29 August 2019.	Granted time limit plus conditions 06/02/2020
144857	Application for approval of reserved matters considering appearance, landscaping, layout and scale following outline planning permission 138921 granted 29 August 2019 - erection of Local Centre/shop.	Granted time limit plus conditions 11/08/2022

Reference	Proposal	Decision
145397	Reserved matters application for Phase 1 to erect 454no. dwellings, considering appearance, landscaping, layout and scale, following outline planning permission 138921 granted 29 August 2019 - being variation of condition 1 of 140081 granted 06 February 2020 for changes to approved site layout.	Granted time limit plus conditions 12/12/2022
142208	Planning application for variation of condition 16 of planning permission 138921 granted 29 August 2019 re: completion of roundabout.	Granted time limit plus conditions 15/06/2023
147316	Application for advertisement consent to display 2no. built up Spar illuminated logos, 2no. Daily Deli fascia signs, digitally printed window graphics, 5m tall illuminated pole sign (double sided), 2no. mesh style banner frames into ground and 5no. lockable poster frames.	Granted time limit plus conditions 01/11/2023
WL/2024/00681	Application for non-material amendment to planning permission 140081 granted 6 February 2020 - amended site plan and change of house mix.	Refuse 08/10/2024
WL/2025/00813	Written enquiry: public consultation on proposal to grant a Variation to Independent Water Networks Limited	No observation/objections 15/08/2025
WL/2025/00680	Reserved matters application for Phase 1 to erect 454no. dwellings, considering appearance, landscaping, layout and scale, following outline planning permission 138921 granted 29 August 2019 - being variation of condition 1 of planning permission 145951 granted 23 February 2023	Grant with conditions 29/09/2025

Representations

Chairman/Ward members:

No representations received.

Gainsborough Town Council:

Resolved: to support the application

Local residents:

No representations received,

LCC Highways and Lead Local Flood Authority:

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

Comments: The proposal is to erect 4 new dwellings within the already approved phase 1, Foxby Lane development which overall comprises of 2500 dwellings. This phase is not yet adopted by the Highway Authority. Four dwellings would not have an unacceptable impact on the site overall or the public highway. Parking provision is in line with current Local Plan guidelines. The proposal will not have an unacceptable impact on the public highway.

As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage and surface water flood risk on all Major applications. This application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the surface water flood risk and drainage proposals for this planning application.

LCC Archaeology:

No archaeological input required.

WLDC Strategic Housing Officer:

The application does not trigger an affordable housing obligation under Policy S22 of the Central Lincolnshire Local Plan, as the site is below the threshold for triggering such a requirement.

Principle Ecology and Wildlife Officer:

5.12.25 –

Thank you for the reconsult.

BNG aspects are all now ok and will just be subject to the below condition (in addition to the statutory one) there will also be a Species enhancement condition see below.

Conditions recommended.

10.10.25 –

In regard to application WL/2025/00972 I have the following comments

BNG Baseline

The site has been subject to degradation, however the site is subject to an extant permission. As such the baseline of the site must reflect the sites highest value since 25th August 2023. Having reviewed satellite imagery I am satisfied the baseline has adequately addressed this. Unfortunately the metric is currently unacceptable as it does not cover the full red lien area.

The application form has the site at 0.2ha but the metric only covers 0.07ha. I suspect that this is due to the access roads being excluded from the metric. Updating this will not impact the baseline values but needs to be addressed.

BNG Post Development

Developments of this scale are unlikely to be able to deliver their BNG onsite as no habitat creation can be proposed in private garden. As such offsite units will be required. Current proposals show 0 significant onsite gains. The only matter I need to see addressed in the post development metric is the Garden values. As BNG must take into account outcomes in 30 years we must plan ahead for loss of garden space due to PD rights such as extensions of patios/driveways, installation of shed etc. To address the unpredictable nature of this we apply ONS data which shows on average in the UK only 62% of a garden is vegetated. I would appreciate if the applicant updated the metric so that sealed surface is only used for roads and structures with private garden sealed surfaces recorded as unvegetated garden (with 38% unvegetated to 62% vegetated) Once the metric is updated I can provide an estimate of likely cost for offsite units/credits

Other ecological matters

Given the sites current habitats I do not see any significant protected species constraints. Species enhancements in line with the NPFF and S60 such as bee/bat/bird bricks will be required and secured via condition The site is within consideration zone for Ancient woodland. We must be satisfied that steps have been taken to mitigate all the direct and indirect impacts listed here Ancient woodland, ancient trees and veteran trees: advice for making planning decisions - GOV.UK The extant permission around this development may have existing strategies to facilitate this mitigation that may be adaptable here.

We should not grant permission until we are satisfied by these mitigations, should impacts not be able to be mitigated consultation with the secretary of state is required. The site is within a SSSI consultation zone but does not meet the triggers required to consult NE Impact Risk Zones

Date Checked: 16th January 2026

Relevant Planning Policies and Legislation:

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

Development Plan

- ***Central Lincolnshire Local Plan 2023 –***

Relevant policies of the CLLP include:

- S1 The Spatial Strategy and Settlement Hierarchy
- S3 Housing in the Lincoln Urban Area, Main Towns and Market Towns
- S6 Design Principles for Efficient Buildings
- S7 Reducing Energy Consumption –Residential Development
- S12 Water Efficiency and Sustainable Water Management
- S20 Resilient and Adaptable Design
- S21 Flood Risk and Water Resources
- S23 Meeting Accommodation Needs
- S47 Accessibility and Transport
- S49 Parking Provision
- S53 Design and Amenity
- S56 Development of Land Affected By Contamination
- S60 Protecting Biodiversity and Geodiversity
- S61 Biodiversity Opportunity and Delivering Measurable Net Gains
- S62 Area of Great Landscape Value
- S66 Trees, Woodland and Hedgerows
- S70 Gainsborough Sustainable Urban Extensions

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

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

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

Relevant policies of the NP include:

NPP1 – Sustainable Development

NPP2 – Protecting the Natural Environment and Enhancing Biodiversity

NPP6 – Ensuring High Quality Design

NPP7 – Ensuring High Quality Design in each Character Area

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

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

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

National policy & guidance (Material Consideration)

- National Planning Policy Framework (NPPF)

The NPPF sets out the Government's planning policies for England and how these should be applied. It is a material consideration in planning decisions. The most recent iteration of the NPPF was published in December 2023.. Paragraph 225 states:

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

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

- National Planning Practice Guidance

<https://www.gov.uk/government/collections/planning-practice-guidance>

- National Design Guide (2019)

<https://www.gov.uk/government/publications/national-design-guide>

- National Model Design Code (2021)

<https://www.gov.uk/government/publications/national-model-design-code>

Draft Local Plan / Neighbourhood Plan (Material Consideration)

NPPF paragraph 48 states that Local planning authorities may give weight to relevant policies in emerging plans according to:

(a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

- (b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- (c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).*

Main Considerations:

- Principle of development:
- Visual Impact:
- Residential Amenity:
- Highways Safety and Parking Provision
- Foul and Surface Water Drainage/Flood Risk
- Climate Change and Energy Efficiency:
- Ecology and Biodiversity Net Gain
- Other Matters:

Assessment:

Principle of the Development:

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

Policy S1 of the CLLP sets out a settlement hierarchy for the Central Lincolnshire Authorities. The spatial strategy will focus on delivering sustainable growth for Central Lincolnshire that meets the needs for homes and jobs, regenerates places and communities, and supports necessary improvements to facilities, services and infrastructure.

Within Policy S1, Gainsborough is defined as a Main Town and as such falls within Tier 3 of the settlement hierarchy, it states, *to maintain and enhance their roles as main towns, and to meet the objectives for regeneration, Sleaford and Gainsborough will, primarily via sites allocated in this Local Plan and any applicable neighbourhood plan, be the focus for substantial housing development supported by appropriate levels of employment growth, retail growth and wider service provision. In addition to sites being allocated in the Local Plan or a neighbourhood plan, development proposals in accordance with Policy S3 and other relevant development plan policies will be viewed positively.*

Policy S70 of the CLLP identifies sites within Gainsborough Sustainable Urban Extensions which are allocated primarily for residential use. The application site is located within the Southern Gainsborough Sustainable

Urban Extension (WL/GAIN/015) of which is given an indicative capacity of 2500no dwellings.

Supporting text contained within paragraph 13.2.3 of the Central Lincolnshire Local Plan states *the indicative numbers of dwellings are used to demonstrate how the Local Plan requirement can be met. It is emphasised that they are only 'indicative', and do not represent a fixed policy target for each individual site.*

The wider site area of where the application is located has planning permission under reference 140081 to erect 454no dwellings. The application submission includes a site plan of which shows the application site in relation to the approved and partially developed surrounding area. The application seeks to erect an additional 4no dwellings.

The site is clearly within the developed footprint of Gainsborough. It would also meet the appropriate location test in that the development of the site would retain the core shape and form of the settlement and would not significantly harm its character and appearance (discussed further in the visual impact section of this report). The proposed development would not be considered as overdevelopment in relation to the existing surrounding development.

It is therefore considered that the principle of residential development on the site is acceptable and accords to Policies S1 and S3 of the Central Lincolnshire Local Plan 2023.

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.*

NPP1 of the Gainsborough Town Neighbourhood Plan expects that the *proposed development is of a scale, density, layout and design that is compatible with the character, appearance and amenity of that part of the Town in which it is located as identified in the Character Assessment.*

NPP6 (Ensuring High Quality Design) of the Gainsborough Neighbourhood Plan states *development should be of a high design quality that will contribute to the character of Gainsborough Parish. In order to achieve this, proposals should demonstrate how they will reinforce the character of the area as set out in Gainsborough Heritage and Character Assessment 2018. As appropriate to their scale, nature and location, development proposals should;*

- a) respond to the local character of both the surrounding area and the immediately neighbouring properties; and*
- b) demonstrate sensitive positioning within plots and be of such scale and form as to not dominate neighbouring properties or the streetscape; and*
- c) show thorough understanding of the history and design qualities of the buildings and provide a clear rationale for how this is taken into account in the design of the proposals; and*
- d) use native trees and hedgerows in landscaping schemes and boundary treatment where possible; and*
- e) use a colour palette reflecting the hues in local materials;*

The site is also located within An Area of Great Landscape Value. *Areas of Great Landscape Value (AGLV) are locally designated landscape areas recognised for their intrinsic character and beauty and their natural, historic and cultural importance. A high level of protection will be afforded to AGLV reflecting their locally important high scenic quality, special landscape features and sensitivity.*

The application site comprises of an area of land approximately 29.5 metres in length and 26 metres in width, with a total area of 767 squared metres. The application seeks permission to erect 4no. dwellings in 2no. pairs of semi-detached 3 and 4 bed dwellings. The pair of Roundhill semi-detached dwellings are three storey 4 bed dwellings with an eaves height of 7.644 metres and a ridge height of 10.753 metres. The pair of Coniston semi-detached dwellings are two storey 3 bed dwellings with an eaves height of 5.078 metres and a ridge height of 8.278 metres.

All 4 dwellings would consist of the following materials:

Proposed External Walls – Thockley Kilcreggan Multi facing bricks

Proposed Roofing Materials – Grey Flat Tiles

Proposed External Windows – Grey windows with grey astragal cross

Proposed External Doors – Black six panel door with 2 panels glazed

Proposed Rainwater Goods - Half round gutter and fascia mounted with circular fell pipes, all in black

The dwellings are located within the front portion of the plot in linear form with their relevant amenity areas running towards the rear. The pair of Roundhill dwellings are on the western side with the Coniston to the east.

The design and materials of the proposed dwellings and the layout is acceptable and will complement existing and future housing.

In terms of landscaping and boundary treatments, the rear amenity area of each dwelling shall be separated by a 1.8 metre close-boarded fence, with a 1.8 metre high brick wall along the eastern boundary of the plot separating the garden area of plot 4 to the highway to the east, as well as additional planting and grassed areas to the front of each plot.

Overall the appearance, layout and scale of the proposed dwellings are appropriate, and the proposal will integrate into the surrounding area. The proposed dwellings would not have an unacceptably harmful visual impact on the character of the area. The proposal therefore complies with policy S53 and S56 of the Central Lincolnshire Local Plan and NPP1 & NPP6 of the Gainsborough Town Neighbourhood Plan. It is considered that the proposed dwelling would enhance the character of the area and the surrounding street scene context given the current quality of the existing dwelling.

Residential Amenity

Local Plan Policy S53 also states that all development must not result in harm to people's amenity either within the proposed development or neighbouring it through overlooking, overshadowing, loss of light or increase in artificial light or glare. It further states that development must provide homes with good quality internal environments with adequate space for users and good access to private, shared or public spaces.

Existing residential dwellings are located to the east of the site on the other side of the existing highway, with approved proposed dwellings along the southern boundary. There are no concerns with the proposed dwellings with regards of overlooking, or overdominance given the separation distances of over 19 metres between plot 4 and the neighbouring dwelling to the east.

Within the site itself it is considered all dwellings are adequately separated as to not cause unacceptable overlooking issues, given the nature and design of the dwellings. All of the dwellings also have adequate amounts of outdoor amenity spaces for future users with garden depths measuring approximately 10.73 metres.

Overall, the proposal would not cause harm to residential amenity and would accord to Policy S53 of the CLLP and provisions contained within the NPPF.

Highways Safety and Parking Provision

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. Policy S49 *states planning permission for new residential development will only be granted if the proposal makes appropriate and deliverable parking provision in accordance with the standards in Appendix 2. Proposals must ensure that appropriate vehicle, powered two wheeler, cycle parking and disabled parking provision is made for residents, visitors, employees, customers, deliveries and for people with impaired mobility.*

Paragraph 115 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.

The proposed development shows a total of 2no. off-road parking spaces serving each of the 4no. dwellings. This meets the requirements set out within appendix 2 of the CLLP. Access would be provided from the existing highway to the north of the site.

Lincolnshire County Council Highways have raised no concerns in relation to highway safety. If it is minded to grant permission the one informative suggested by the Highways Authority will be attached to the decision notice.

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, and the NPPF.

Foul and Surface Water Drainage/Flood Risk

The site is in Flood Zone 1 which is sequentially preferable and therefore meets the test within Policy S21. This policy (S21) also contains drainage guidance. The application form states that foul sewerage will be dealt with via main sewers and a dedicated foul water pumping system approved within the wider phase 1 development. and that surface water will be dealt with via a sustainable drainage system.

No percolation testing has been undertaken however, it is considered that means of proposed foul and surface water drainage could be conditioned.

Foul and surface water drainage matters are considered acceptable in principle, subject to receiving further details, and would not be expected to have a harmful impact. As such it is considered that the proposal would accord with policy S21 of the CLLP and the provisions of the NPPF.

Climate Change and Energy Efficiency

The CLLP sets specific standards that are required by new residential and non-residential development in relation to site average space heating demand and total energy demand. Policy S6 states a set of design expectations that should be considered when formulating development proposals. This includes the orientations of buildings, form of buildings, fabric of buildings, heat supply

and renewable energy generated. Policy S7 requires that all new residential buildings are accompanied by an Energy Statement and in addition to the requirements of policy S6, must meet the following criteria:

- 1. 'Can generate at least the same amount of renewable electricity on-site (and preferably on-plot) as the electricity they demand over the course of a year, such demand including all energy use (regulated and unregulated), calculated using a methodology proven to accurately predict a building's actual energy performance; and*
- 2. To help achieve point 1 above, target achieving a site average space heating demand of around 15-20kWh/m²/yr and a site average total energy demand of 35 kWh/m²/yr, achieved through a 'fabric first' approach to construction. No single dwelling unit to have a total energy demand in excess of 60 kWh/m²/yr, irrespective of amount of on-site renewable energy production. (For the avoidance of doubt, 'total energy demand' means the amount of energy used as measured by the metering of that home, with no deduction for renewable energy generated on site).'*

The application has been accompanied with Energy Statement. The statement contains information on all Energy Policies including SAP calculations, energy performance calculations and the relevant construction details to allow for a better energy efficient build.

The statement justifies policy S6 and S7 as follows:

The proposed dwellings achieve a form factor well within expected targets, with a beneficial North/South orientation that maximises solar gains and solar PV renewable energy generation. The development will incorporate high levels of insulation, alongside triple-glazing and high air tightness as part of a fabric first approach. Highly efficient MVHR systems will deliver fresh air, whilst limiting heat loss from necessary ventilation. ASHPs will provide the heating for these plots, with no connection to the gas network or use of bottled oil and gas proposed. The plots are proposed to achieve the Optional Technical Housing Standard of 110 litres per day per person water usage. Solar PV is proposed to deliver renewable energy on this scheme.

External Walls U-Value – 0.13

Floor U-Value – 0.1

Roof U-Value – 0.1

Windows and Doors U-Value – 0.8

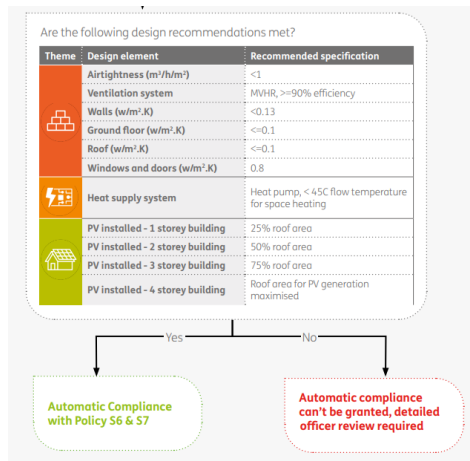
Air Tightness U-Value - 1

Heat Supply - The proposed development will utilise an Air Source Heat Pump heating system with a flow temperature of less than 45 degrees. There are no connections proposed to the gas network or use of oil or bottled gas.

Renewable Energy - Solar photovoltaic panels – 77% of the roof area shall be covered plots 1 & 2, of which are three storey and 53% of the roof area shall be covered on plots 3 & 4 of which are two storey.

Ventilation – Whole house mechanical ventilation with heat recovery (MVHR) with a 94% efficiency.

From the information provided, the proposal can be considered automatically compliant with the SAP route contained with the CLLP Energy Efficiency Design Guide pictured below



It is considered necessary to impose the standard conditions relating to the development being completed in accordance with the details in the Energy Statement, the removal of national permitted development rights with respect to fuel tanks, and a pre-occupation condition requiring a verification statement to ensure the approved scheme has been implemented in full. It is therefore considered that subject to conditions, the proposal would accord with the aims of policies S6 and S7 of the Central Lincolnshire Local Plan.

Ecology and Biodiversity Net Gain

Biodiversity Net Gain (BNG) is mandatory on minor developments from 2nd April 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). It requires that development must deliver a net gain of 10% to ensure that habitats for wildlife are left in a measurably better state than they were before the development. This was formerly a requirement of local policy S61 of the CLLP which required *“All qualifying development proposals must deliver at least a 10% measurable biodiversity net gain attributable to the development. The net gain for biodiversity should be calculated using Natural England’s Biodiversity Metric”*. This has now should be calculated using Natural England’s Biodiversity Metric”. This has now been formally superseded by national regulations, however it is still a policy requirement of the CLLP to get a 10% net gain.

Policy NPP2 of the Gainsborough Town Neighbourhood Plan states *where practicable development proposals should achieve a net biodiversity gain, in accordance with local and national planning policy. If significant ecological impacts are identified, appropriate mitigation or compensation measures will be required.*

The proposed application site is located within 320 metres of the ancient woodland to the south of the site. It is considered given the subsequent scale of approved development being erected around the site, the four additional dwellings proposed are identical in character and located in the same position with very similar access arrangements as the four previously approved under Keepmoat's Section 73 permission (ref. 145397), which varied Condition 1 of the Reserved Matters approval. In addition, the proposal would follow mitigation measures set out within the ecological report contained within the outline application for the wider site.

The site is comprised of modified grassland. The submitted accompanying metric states that the proposal would result in a net loss on site of -53.95% in area habitat units which equates to 0.08 units. Off-site habitat creation is to be implemented to ensure that the scheme delivers a minimum of 10% biodiversity net gain. To achieve a 10% net gain and to meet the trading rules, the developer will need to purchase 0.1 units of any type of gain and provide evidence of this prior to commencement through the statutory BNG condition.

It is clear from the above that the 10% net gain requirement would be met through a variety of on-site and off-site provision. Under the statutory framework for biodiversity net gain, subject to some exemptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). The biodiversity gain condition is a pre-commencement condition: once planning permission has been granted, a Biodiversity Gain Plan must be submitted and approved by the planning authority before commencement of the development.

Other matters:

Water Efficiency:

Policy S12 of the CLLP requires that a rain harvesting water-butt with a minimum capacity of 100l be included for all residential development. Were it minded to grant permission, a condition would be included in this regard to ensure all dwellings have a rain-water harvesting but with a capacity of at least 100l. Were it minded to grant permission, a condition would also be included to require the developer to provide evidence that the dwellings would have a rainwater harvesting water butt prior to occupation.

Contaminated Land Buffer

Policy S56 of the CLLP states that development proposals must take into account the potential environmental impacts on people, biodiversity, buildings, land, air and water arising from the development itself and any former use of the site, including, in particular, adverse effects arising from pollution.

The application site is located within a Contaminated Land buffer which relates to the previous use of the site in which consisted of pits and a quarry. It is considered that subject to a precautionary contamination condition, the development would not have a harmful contamination impact and would be expected to accord with Policy S56 of the CLLP and the provisions of the NPPF.

Conclusion and reason for decision:

Example:

The proposed development has been assessed against policies S1 The Spatial Strategy and Settlement Hierarchy, S3 Housing in the Lincoln Urban Area, Main Towns and Market Towns, S6 Design Principles for Efficient Buildings, S7 Reducing Energy Consumption –Residential Development, S12 Water Efficiency and Sustainable Water Management, S20 Resilient and Adaptable Design, S21 Flood Risk and Water Resources, S23 Meeting Accommodation Needs, S47 Accessibility and Transport, S49 Parking Provision, S53 Design and Amenity, S60 Protecting Biodiversity and Geodiversity, S61 Biodiversity Opportunity and Delivering Measurable Net Gains, S66 Trees, Woodland and Hedgerows and S70 Gainsborough Sustainable Urban Extensions of the Central Lincolnshire Local Plan 2023 and policies NPP1 – Sustainable Development, NPP2 – Protecting the Natural Environment and Enhancing Biodiversity, NPP6 – Ensuring High Quality Design and NPP7 – Ensuring High Quality Design in each Character Area of the Gainsborough Town Neighbourhood Plan in the first instance.

Furthermore, consideration has been given to guidance contained within the National Planning Policy Framework, National Planning Practice Guidance, National Design Guide and the National Design Code, as well as all other material considerations and representations received. As a result of this assessment the proposals would not cause harm to the character of the area, neighbouring residential amenity or highway safety. The proposals would accord to the climate change policies. The proposals are considered to be acceptable in principle in relation to drainage, landscaping and BNG, subject to conditions. The application is recommended for approval, subject to conditions.

Decision Level: Delegated

Conditions:

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

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

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

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

2. No development shall take place until a written Ecological Mitigation & Enhancement Plan (EMEP) is submitted to and approved in writing by the local planning authority. The EMEP shall include: -

- Details of any precautionary method statements for protected species
- Details of a sensitive lighting strategy
- Details of wildlife friendly landscaping within curtilage of private dwellings (must include native tree planting, flowering lawns, should include species rich native hedgerows for boundary treatments, could include garden ponds and urban greening))
- Details of educational leaflets to be provided to all residence as to the enhancements for wildlife within their own cartilage
- Details, specification location of hedgehog highway within all closed panel fence boundaries and 1x hedgehog refugia within the ornamental planting outside of private curtilage
- Details, specification, locations of amphibian friendly curb and drain treatments.
- Details, specification and location of the following species enhancements incorporated into structures across the site:

- *Integrated bird boxes*
- *All suitable elevations (North to east facing of a height of at least 5m) must include swift bricks installed in groups of 3 to 5*
- *4 Integrated bat boxes*
- *2 bee/insect bricks per dwelling*

The C/LEMP shall be implemented in strict accordance with the approved plan. All features shall be installed during construction and retained as such thereafter.

Reason: In the interest of nature conservation and to accord with the National Planning Policy Framework and local policy S60 of the Central Lincolnshire Local Plan 2023.

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

3. The Biodiversity Gain Plan shall be prepared in accordance with the Statutory Biodiversity Metric dated 19/11/25 and prepared by Sam Wardle.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policy S61 of the Central Lincolnshire Local Plan 2023-2043.

4. 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:

- 2534.02A (Site Location Plan) dated 22nd July 2025
- 2534.01B (Proposed Site Layout) dated 22nd July 2025
- 2534.ROU.02B (Roundhill Elevations) dated 22nd July 2025
- 2534.ROU.01A (Roundhill Floor Plans) dated 22nd July 2025
- 2534.ROU.03 (Roundhill Roof Plan) dated 22nd July 2025
- 2534.CON.01B (Coniston Elevations and Floor Plan) dated 22nd July 2025
- 2534CON.02 (Coniston Roof Plan) dated 22nd July 2025

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

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework and local policy S53 of the Central Lincolnshire Local Plan 2023.

5. No development shall take place above foundation level until a scheme for the disposal of foul and surface waters (including the results of soakaway/percolation tests) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Reason: To ensure adequate drainage facilities are provided to serve the development and to prevent pollution of the water environment in accordance with Policy S21 of the Central Lincolnshire Local Plan 2023.

6. The development hereby permitted shall be carried out in full accordance with the details set out in the submitted Energy Statement by AES Sustainability Consultants Ltd dated December 2025 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development takes place in accordance with the approved details and in accordance with the provisions of policies S6 and S7 of the Central Lincolnshire Local Plan (2023).

7. Prior to the occupation of the dwellings hereby approved a written verification statement shall be submitted to demonstrate that the approved scheme has been implemented in full, in accordance with the submitted Energy Statement by AES Sustainability Consultants Ltd dated December 2025 and approved in writing by the Local Planning Authority.

Reason: To ensure that the development takes place in accordance with the approved details and in accordance with the provisions of policies S6 and S7 of the Central Lincolnshire Local Plan (2023).

8. Prior to occupation of the approved dwellings evidence must be submitted to the local planning authority that a rainwater harvesting butt of a minimum 100 litres has been installed.

Reason: In the interests of sustainable water management in accordance with policy S12 of the Central Lincolnshire Local Plan.

9. All new hardstanding shall be constructed from a porous material or shall be appropriately drained within the site and shall be retained as such thereafter.

Reason: To ensure appropriate drainage to accord with the National Planning Policy Framework and Policy S21 of the Central Lincolnshire Local Plan.

10. If during the course of development, contamination is found to be present on site, then no further development (unless otherwise agreed in writing by the local planning authority) must be carried out until a method statement detailing how and when the contamination is to be dealt with has been submitted to and approved in writing by the local planning authority. The contamination must then be dealt with in accordance with the approved details.

Reason: In order to safeguard human health and the water environment and to accord with the National Planning Policy Framework and local policy S56 of the Central Lincolnshire Local Plan 2023.

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

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and reenacting that Order with or without modification) no domestic oil tanks or domestic gas tanks shall be placed within the curtilage of the dwelling hereby approved without express planning permission from the local planning authority.

Reason: In the interests of energy efficiency to accord with policies S6 and S7 of the Central Lincolnshire Local Plan 2023.

Informatives:

Highways Informative 08

The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. Any traffic

management required to undertake works within the highway will be subject to agreement. The access must be constructed in accordance with a current specification issued by the Highway Authority. Any requirement to relocate existing apparatus, underground services, or street furniture because of the installation of an access will be the responsibility, and cost, of the applicant and must be agreed prior to a vehicle access application. The application form, costs and guidance documentation can be found on the Highway Authority's website, accessible via the following link:
<https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb>.

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 : James Newton

Date : 16.01.2026

Authorising



Officer

Date: 16/01/2026

PAPER I

Planning Permission

Name and address of applicant

Z Khan
UNIT 8
ALLENBY BUSINESS PARK
LINCOLN
LN3 4NL

Name and address of agent (if any)

H Cook
Grey-Castle Architectural
THE HARBOUR
KINTORE DRIVE
GRANTHAM
UNITED KINGDOM
NG31 9DH

Part One – Particulars of application

Date of application:
07/04/2025

Application number:
WL/2025/00348

Particulars and location of development:

Proposal: Planning application for 9no. flats, secure bin storage and cycle storage, and off road parking

Location:

LAND AT NORTH STREET (REAR OF FORMER FRIENDSHIP HOTEL)
GAINSBOROUGH
DN21 2HS

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 details shown on the approved plans and any other document forming part of the application:

Amended Proposed Site Location and Site Layout Plan PL/A1/501 Rev E
Amended Proposed Elevations- PL/A1/504 Rev E
Amended Proposed Elevations-PL/A1/ 505 Rev E
Amended Proposed Ground Floor Layout- PL/A1/502 Rev E
Amended Proposed First and Second Floor Layout- PL/A1/503 Rev E
Amended Proposed Courtyard Sections and Bin Store Details- PL/A1/506 Rev E

All received 11th December 2025.

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

3. The Biodiversity Gain Plan shall be prepared in accordance with the Biodiversity Net Gain Metric dated 12 March 2025 and prepared by RDF Ecology.

Reason: To ensure the development delivers a biodiversity net gain in accordance with Schedule 7A of the Town and Country Planning Act 1990.

4. No development shall take place above damp proof course level until details, including specifications of the following materials have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in full in accordance with the approved details:

- Facing Brickwork
- Stone
- Rooftiles
- Glazing to be used in the external walkways

Reason: In the interests of visual amenity and to preserve the setting of the nearby listed buildings and the Conservation Area in accordance with the Statutory duties, and policies S53 and S57 of the Central Lincolnshire Local Plan and Policy NPP 6 of the Gainsborough Neighbourhood Plan.

5. Prior to the installation of any windows and doors details in respect of the following shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in full in accordance with the approved details:

- Detailed drawings at a scale of 1:20 for all new windows, doors and joinery, including sections through, details of cills, headers, glazing bar details, method of opening, colour and finish of doors, windows and frames.

Reason: In the interests of visual amenity and to preserve the setting of the nearby listed buildings and the Conservation Area in accordance with the Statutory duties, and policies S53 and S57 of the Central Lincolnshire Local Plan and Policy NPP 6 of the Gainsborough Neighbourhood Plan.

6. No development above damp-proof course level shall take place until details of foul and surface water disposal, including the results of percolation tests, have been submitted to and approved in writing by the local planning authority. These details should include a plan showing the position of the drainage and location of the connections to the proposal. The approved details shall be implemented, maintained and retained in accordance with the approved plans.

Reason: To ensure adequate drainage facilities are provided to serve the development to accord with the National Planning Policy Framework and Policy S21 of the Central Lincolnshire Local Plan.

7. The development hereby permitted shall be carried out in full accordance with the details set out in the submitted Energy Statement by G Reports received 08/04/2025 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development takes place in accordance with the approved details and in accordance with the provisions of policies S6 and S7 of the Central Lincolnshire Local Plan (2023).

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

8 The proposed hard and soft landscaping as show on plan reference Amended Proposed Site Location and Site Layout Plan PL/A1/501 Rev E shall be shall be carried out in the first planting season following the occupation of the dwelling and any landscaping which within a period of 5 years from the completion of the development dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of providing biodiversity enhancements in accordance with the requirements of Policies S53, S60 and S61 of the Central Lincolnshire Local Plan.

9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no domestic oil tanks or domestic gas tanks shall be placed within the curtilage of the dwelling hereby approved.

Reason: In the interests of energy efficiency to accord with policies S6 and S7 of the Central Lincolnshire Local Plan 2023.

Notes to the Applicant

Community Infrastructure Levy

Please be aware that as of the 22nd January 2018 West Lindsey District Council implemented a Community Infrastructure Levy and that eligible development granted on or after this date will be subject to this charge. The development subject to this Decision Notice could fall within the definitions held within the adopted charging schedule and as such may be liable to pay the levy. For further information on CIL, processes, calculating the levy and associated forms please visit the Planning Portal www.west-lindsey.gov.uk/cilforms and West Lindsey District Council's own website www.west-lindsey.gov.uk/CIL

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

Highways

The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. Any traffic management required to undertake works within the highway will be subject to agreement. The access must be constructed in accordance with a current

specification issued by the Highway Authority. Any requirement to relocate existing apparatus, underground services, or street furniture because of the installation of an access will be the responsibility, and cost, of the applicant and must be agreed prior to a vehicle access application. The application form, costs and guidance documentation can be found on the Highway Authority's website, accessible via the following link: <https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb>

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

Biodiversity Net Gain

Unless an exception or a transitional arrangement applies¹, the effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition”) that development may not begin unless:

- (a) a Biodiversity Gain Plan² has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan in respect of this permission would be West Lindsey District Council.

Biodiversity Gain Plan

The biodiversity gain plan must include/accompanied by³:

- (a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
- (b) the pre-development biodiversity value of the onsite habitat;
- (c) the post-development biodiversity value of the onsite habitat;
- (d) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
- (e) any biodiversity credits purchased for the development;
- (f) any information relating to irreplaceable habitat making up onsite habitat
- (g) information about steps taken or to be taken to minimise any adverse effect of the development on, and arrangements for compensation for any impact the development has on the biodiversity of, any irreplaceable habitat⁴ present within the onsite baseline.
- (h) any additional information requirements stipulated by the secretary of state⁵.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission (“the earlier Biodiversity Gain Plan”) there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i. do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii. in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

¹ listed exemptions from Statutory BNG and transitional arrangements can be found at [Biodiversity net gain: exempt developments - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/biodiversity-gain-plan). The LPA advises that all perceived exempt applications complete a Statutory Metric Baseline Assessment prior to commencement. Should the relevant exemption cease to apply following commencement, a higher value precautionary assessment will be required if an appropriate pre-commencement baseline was not conducted.

² The Statutory Biodiversity Gain Plan template can be found at <https://www.gov.uk/government/publications/biodiversity-gain-plan>

³ Minimum legal requirements for the Biodiversity Gain plan can be found at [https://www.legislation.gov.uk/ukpga/2021/30/schedule/14#:~:text=paragraph%2015\).-Biodiversity%20gain%20plan,-14](https://www.legislation.gov.uk/ukpga/2021/30/schedule/14#:~:text=paragraph%2015).-Biodiversity%20gain%20plan,-14)

⁴ Irreplaceable habitats for the purposed of Biodiversity Net Gain are defined by Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024. A full list of irreplaceable habitats can be found at <https://www.legislation.gov.uk/uksi/2024/48/schedule/made>

⁵ Additional information required is outlined by Articles 37C(2) [Non Phased] 37C(4) [Phased] of The Town and Country Planning (Development Management Procedure) (England) Order 2015 and may be subject to the nature of your application <https://www.legislation.gov.uk/uksi/2015/595#:~:text=Additional%20content%20of%20plan>

Reasons for granting permission

The proposal has been considered in light of relevant development plan policies namely S1: The Spatial Strategy and Settlement Hierarchy, S2: Level and Distribution of Growth, Policy S3: Housing in the Lincoln Urban Area, Main Towns and Market Towns, S13: Reducing Energy Consumption in Existing, S21: Flood Risk and Water Resources, S47: Accessibility and Transport, S48 Walking and Cycling Infrastructure, S49: Parking Provision, S53: Design and Amenity and S57: The Historic Environment, S60: Protecting Biodiversity and Geodiversity and S61: Biodiversity Opportunity and Delivering Measurable Net Gains of the CLLP. Relevant guidance in the NPPF has also been considered.

In light of the assessment outlined in this report, it is considered that subject to conditions, the proposed development is acceptable. The proposal would see the redevelopment of a brownfield site within a town centre location. The proposals would preserve the setting of nearby listed buildings and the Conservation Area. The proposal would not have harmful impacts upon highway safety, residential amenity or the character of the area. Matters of drainage, energy efficiency and biodiversity net gain are acceptable, subject to conditions.

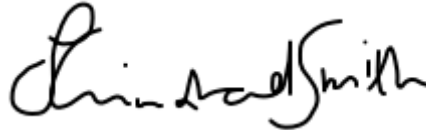
Working Practice Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a

result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Date: 26/01/2026

Signed:



Sally Grindrod-Smith
Director Planning, Regeneration and
Communities

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

Note: This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation. You are strongly advised not to commence works until you have obtained any other permissions or consents that may be required, for example approval under the Building Regulations, otherwise there may be a risk of significant legal and financial consequences. For further advice on the Building Regulations, contact the Council's Building Control section.

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

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- **If you want to appeal against your local planning authority's decision then you must do so within six months of the date of this notice.**
Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at www.planningportal.gov.uk/pcs. 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 676676, by email customer.services@west-lindsey.gov.uk or by asking any of the Customer Services staff.

Officers Report

Planning Application No: WL/2025/00348

PROPOSAL: Planning application for 9no. flats, secure bin storage and cycle storage, and off-road parking.

LOCATION:

LAND AT NORTH STREET (REAR OF FORMER FRIENDSHIP HOTEL)
GAINSBOROUGH
DN21 2HS

WARD: GAINSBOROUGH SOUTH WEST

TARGET DECISION DATE: 07/07/2025 (Extension of time agreed until 28th January 2026)

CASE OFFICER: Danielle Peck

Recommended Decision: Grant planning permission with conditions

Site Description:

The application site is located in the north of Gainsborough Town Centre (outside of the Gainsborough Primary Shopping Area) within the Gainsborough Town Conservation Area. The existing site is currently vacant and in an overgrown state. The site is adjoined by the former Friendship Hotel (now converted into flats) to the west, with KFC located to the south and a commercial business to the north. The site is also within close proximity to a number of Listed Buildings, namely; Grade I Listed All Saints Church (north west of site), nos 60 to 82 Church Street (north of site) all of which are Grade II Listed. The recently converted Friendship Hotel that lies adjacent to the west boundary is also considered to be a non-designated heritage asset.

The Proposal:

The application has been amended from the original submission, and the number of flats has now been reduced from 16no. to 9no. flats. Amended plans to reflect the reduction were received on the 11/12/2025 and a 14 day re consultation was carried out with all consultees on the amended plans and description of development.

The application now seeks planning permission for the erection 9no. 1 bedroom flats, set out over three floors. The development also includes off road parking provision for 9no. vehicles. There is also provision for cycle and bin storage in the form of a small, single storey, wooden clad building, in the north west corner of the site.

The flats would lie adjacent to the south boundary of the site and would have the following approximate measurements; 5.7 metres in width, 30 metres in length, 5.59 metres to the eaves and 8.8 metres in total height.

Relevant Planning History

Reference	Proposal	Decision
124794	Planning application to erect 6no. town houses	Withdrawn by Applicant 05/01/2011
129881	Planning Application for 6no. townhouses, increased from 5 townhouses approved in planning permissions M05P0899 and 123555.	Granted time limit plus conditions 04/07/2013
129880	Planning application for change of use of ground floor to retail use. Amendment to previously approved scheme M05P0899 and 123555 comprising 8 apartments and 5 townhouses.	Granted time limit plus conditions 04/07/2013
Adjacent Site		
146076	Planning application for proposed conversion of former hotel into 7no. flats.	Granted time limit plus conditions 01/06/2023
147424	Request for confirmation of compliance with condition 5 (details of repairs) of planning permission 146076 granted 1 June 2023.	Condition discharged 13/10/2023

Representations

Comments have been summarised, full versions of the representations received can be viewed on the Councils website using the following link:
[West-Lindsey | Public Portal](#)

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

Gainsborough Town Council:

22/12/2025- The Town Council's Planning Committee reviewed the application and resolved to support the application.

Local residents/ Third Party Representations: No representations received to date.

LCC Highways and Lead Local Flood Authority:

11/12/2025- No objections. Comments in relation to revised plans received on 11th December to reduce flats from 16 to 9.

No objection to the revised proposals, the access arrangements remain as previously agreed. There is adequate parking and turning within the site to all vehicles to access and egress in a forward gear. The proposal will not have an unacceptable impact on the public highway.

As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage and surface water flood risk on all Major applications. This application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the surface water flood risk and drainage proposals for this planning application.

Recommends informatives.

04/06/2025- No objections. The application is for 16 flats to be used for supported living at North Street, Gainsborough. The site has previously been granted planning permission for 5 flats. The former host building which was a hotel, has recently been converted into flats.

The site is located at the former Friendship Inn which used to front Church Street. This proposal is to the rear and will front North Street which is where the vehicle access will be located. North Street is a busy through road in Gainsborough which provides access to a wide range of local facilities including Marshalls Yard, Tesco, McDonalds and KFC. The site is well situated for access to public transport.

The site is currently classed as brownfield due to foundations from a previous permission which was started and not completed. There is an existing access to the west of the site which will be stopped up.

The site layout allows for 6 parking spaces and turning within the site so that vehicles can access and egress in a forward gear. The site will be accessed from a new entrance on North Street. There is an existing dropped kerb to the west of the site which will be stopped up as demonstrated in the site block plan.

Flood Risk and Drainage- The site proposes to store water on site and discharge to the combined sewer at a restricted rate agreed with Severn Trent Water, therefore the site will not increase flood risk in the area. The western

part of the site is located within Flood Zone 2 but this area has been allocated for parking. As mitigation, the finished floor levels will be raised to alleviate the risk.

Recommends informatives.

16/05/2025- Additional information required. Please can the applicant confirm the location of the vehicle access point for the site, if a new access is to be created, can they show that it will be in line with current LCC specifications. If a new access is created, they'll need to demonstrate the existing access serving the site will be stopped up and existing drop kerbs replaced to match the full height kerbs in the immediate surrounding area

Lincolnshire Fire and Rescue:

18/12/2025- I confirm that the comments made within the objection letter from Lincolnshire Fire and Rescues Water Planner Manager have been appropriately addressed in this new application.

Namely- ACCESS

Access to buildings for fire appliances and fire fighters must meet with the requirements specified in Building Regulations 2010 (As Amended) Part B5. Lincolnshire Fire and Rescue also requires a minimum carrying capacity for hard standing for pumping appliances of 18 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2010 (As Amended) Part B5.

15/05/2025- Remove objection.

23/04/2025- The Fire Authority object to the application on the grounds of inadequate access. It is the opinion of the Fire Authority that in order to remove the objection the following measures are required.

ACCESS- Access to buildings for fire appliances and fire fighters must meet with the requirements specified in Building Regulations 2010 (As Amended) Part B5. Lincolnshire Fire and Rescue also require a minimum carrying capacity for hard standing for pumping appliances of 18 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2010 (As Amended) Part B5.

WATER SUPPLY- No comment.

ENVIRONMENTAL- No comment.

Environment Agency:

12/12/2025- Thank you for re-consulting us on the above application on 10 December 2025, following a reduction in the number of flats from 16 flats to 9 flats. We have no further comments to make and refer you to our letter dated 23 April 2025 for our position on this application.

23/04/2025- While we hold more up to date hydraulic model data for this location than is provided in the Flood Risk Assessment (FRA), this does not change the understanding of flood risk to the site, therefore it is deemed unnecessary to require the applicant to request the up-to-date data.

Furthermore, due to the release of NaFRA2 the site is now shown to be wholly within Flood Zone 1. In addition to this, the proposed finished floor levels of 7.2mAOD in the submitted FRA are raised above the closest breach flood height of 6.17mAOD.

Therefore, we have no objections to this application.

Central Lincolnshire Ecologist:

22/12/2025- No further issues from myself on this one. Still not sure if the applicant has formally confirmed why further urban greening was not possible onsite. Given the loss for Biodiversity and our responsibility to ensure compliance with the Biodiversity Net Gain Hierarchy we do require something in writing to confirm that they are unable (due to a real factor such as viability, design etc) to deliver further onsite.

22/05/2025- As discussed, the baseline is suitably precautionary given the habitat removal.

The metric and BNG details show 4 small trees proposed post development, but the landscaping suggests only 2? Happy with 4 just not sure where they are going.

Due to the high loss on site, I just need a quick written statement that they considered other urban greening such as green walls, vegetated paving etc but that due to constraints (if there were any) they could only do the living roofs proposed (and why they could do an intensive or Biodiverse green roof)

So, the 4 trees are defined as significant by the national guidance but a full HMMP seems disproportionate especially since the target condition is poor so they will meet their obligations just by ensuring the site always has 4 trees for the next 30 years that are at least 75cm diameter, they could in theory be dead but not cut down and still pass the requirement

LCC Archaeology:

12/12/2025- I reiterate my comments made on 6th May 2025 and my recommendation for archaeological evaluation by trial trenching prior to the determination of the application. If, however, the local planning authority is minded to grant permission prior to archaeological fieldwork being undertaken, we recommend that archaeological trial trenching and any further archaeological mitigation measures are conducted as part of a phased programme of investigation and mitigation secured by suitably worded conditions attached to any consent granted in respect of this proposal.

06/05/2025- The site of the proposed application is in an area of medieval and post-medieval archaeological potential. The site is in close proximity to All Saint's Church, which can date its origins to at least the 14th century. The site is also approximately 160 metres northeast of Gainsborough Old Hall and 180 metres north of Gainsborough marketplace. Archaeological works carried out 10 metres north of the proposed site, in 2007, identified a segment of medieval wall, as well as other later below-ground archaeological remains and features.

The groundworks associated with the proposed development can impact any surviving below-ground archaeological remains present on the site.

Recommendation- Currently there is insufficient specific information on the archaeological potential for the site and the extent of impact to buried archaeological remains from the proposed development.

Given the known high archaeological potential, but as yet unknown character and extent, I recommend that the applicant submit the results of a trial trench evaluation which should aim to determine the presence, absence, significance, extent depth and character of any archaeological remains which could be impacted by the proposed development as noted above.

Trenching results are also essential for effective risk management and to inform programme scheduling and budget management. Failing to do so could lead to unnecessary destruction of heritage assets, potential programme delays and excessive cost increases that could otherwise be avoided. It is important that the archaeological implications for this development have been fully considered as part of the application process and in the project feasibility assessment. In short, archaeology may be a significant element of this project and early understanding of the site resource and mitigation requirements will be essential.

This information should be provided with the application so that an informed planning recommendation can be made and to meet the requirements of the National Planning Policy Framework (NPPF) paragraphs 207 and 218, as well as Policy S57 of the Central Lincolnshire Local Plan (CLLP).

This will also help inform an appropriate mitigation strategy for the proposed impact if necessary and should permission be subsequently granted.

WLDC Conservation Officer:

The church setting will be negatively impacted with the introduction of the new flats. The views of the church tower will be reduced. However, this reduction in views does not remove these views but reduces them. The significance is still viewed and historically there was a building here which would have had an impact upon the views from this location. Therefore, the significant views of the tower will not be lost from this proposal.

The listed buildings and NDHA on Church Street were not designed to be viewed at the rear so the setting impact on these are minimal. Their significant setting views are in the group value with the church on their front elevations.

Policy S57 of the Central Lincolnshire Local Plan (CLLP, 2023) aims to protect, conserve, and enhance the historic environment.

The location of the development is within a highly significant historic environment being within the CA and near listed buildings and NDHA's. The setting will be impacted but it is considered acceptable with this historically being a built-up area.

Policy S57 gives significant weight to the protection and enhancement of Conservation Areas, including retaining its historic building lines.

The historic footprint of the plot was previously a U-shaped floor. The proposal follows the southern section of the footprint of this layout conserving part of the historic plan form. This would enhance the historic environment by bring back a similar historic building line.

The proposal is for 9no. flats with bin and cycle storage units with off road parking. The flats are a three-storey row of flats with red brick, buff stone, and slate tiles. On the southern and eastern elevation, the height, massing, scale, form, and materials, reflect the local distinctiveness whilst providing a contemporary central staircase. The window details with the headers and sills and wall bands offer a positive design. However, the staircase is not traditional in design, but this provides a clear distinction on the traditional and modern of which this area of the has had many modern alterations.

Unfortunately, the northern elevation does not provide the same level of architectural detail and appears modern with no architectural detail or historic association to offer to the CA and setting of the LBs. The introduction of the external balcony/walkways are alien to the CA and the setting which would negatively impact upon the historic environment.

The previous Pre-application included a significantly larger building which enclosed the rear within a courtyard which mitigated the design, however, this is now a visible elevation within the CA so the design and character is significant for the CA and setting of the LBs. I note the mention of expanding this in the future, however, this is not a material consideration for this application and I must consider this separately.

The proposal to the rear does not protect, conserve, or enhance the historic environment and will need to be redesigned to be in keeping, as the southern elevation is and the external balcony/walkways must be removed.

The location and design of the bin and cycle storage is set back in the plot and does not negatively impact the setting. The material and finish of the stores and the landscaping of the car park and boundaries will need to be in character with the CA.

Overall, I must object as this does not meet Policy S57. The northern elevation harms the CA and setting of the LBs with little regard to its design and character within the historic environment.

WLDC Developer Contributions and Enabling Officer:

12/01/2026- Further to my previous comments, the reduction in the proposed dwelling number to nine removes the requirement for an Affordable Housing obligation as this is no longer applicable under Policy S22 of the Central Lincolnshire Local Plan. However, in the absence of any new information to the contrary, my previous comments regarding the “Supported Living” nature of the intended provision continue to apply, including the need for evidence of this type of accommodation in this location, and the preference for any Registered Provider involved to be registered with the Regulator of Social Housing.

21/05/2025- Should the proposal be acceptable, it would trigger an affordable housing obligation of 10% under Policy S22 of the Central Lincolnshire Local Plan. This would equate to 1.6 affordable housing units which would be rounded up to 2 units if delivered on site, unless the Council determines that a commuted sum payment is necessary in this instance.

It is noted that the proposal is referred to as being for “Supported Living” which would be “owned and managed by a Registered HA Provider”, although the applicant, Amaana Homes, does not appear on the Regulator of Social Housing’s current approved list of Registered Providers. Should the proposal be intended to be delivered as a Supported Living scheme, further details are requested from the applicant regarding the nature of the proposal, including the proposed use class.

In addition, evidence of the need for this particular type of accommodation within this location is also required. It would also be beneficial to obtain the views of Lincolnshire County Council who are the Adult Social Services Authority, as they have an interest in ensuring that such facilities are sited in locations that match the local population and its needs, insofar as it can be known, and also that they are well designed to meet the requirements of those that may use them.

Anglian Water: This application is outside of Anglian Water’s sewerage boundary – we have no comments to make thereon. Please note Anglian Water will only comment on drainage/surface water within our boundaries.

NHS Lincolnshire:

16/12/2025- Thank you for notifying us of changes in the below application. Due to the reduction of dwellings from 16 to 9, the NHS Lincolnshire ICB wishes to withdraw the S106 application that was submitted to the council on 16th April 2025.

16/04/2025- This development would put additional demands on the existing GP services for the area and additional infrastructure would be required to meet the increased demands.

NHS Lincolnshire Integrated Care Board (LICB) wishes for the Section 106 contribution from the development of 16 dwellings on Land at North Street (Rear of former friendship hotel), Gainsborough, DN21 2HS to contribute to the expansion in capacity through remodelling/changes to layout or extension to existing facilities within the Trent Care Primary Care Network (PCN) at the Caskgate Street Surgery and/or Cleveland Surgery. Alternatively, the funding may, where appropriate, be used to support expansion in capacity at an alternative general practice site as required to meet the local population health need.

The contribution requested for the development is £6,098.40 (£381.15 x 16 dwellings).

Date Checked: 23/01/2026

Relevant Planning Policies and Legislation:

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 Lincolnshire Minerals and Waste Local Plan (adopted June 2016) and the Gainsborough Town Neighbourhood Plan 2021.

Development Plan

- ***Central Lincolnshire Local Plan 2023 –***

Relevant policies of the CLLP include:

- S1 The Spatial Strategy and Settlement Hierarchy
- S4 Housing Development in or Adjacent to Villages
- S6 Design Principles for Efficient Buildings
- S7 Reducing Energy Consumption –Residential Development
- S20 Resilient and Adaptable Design
- S21 Flood Risk and Water Resources
- S23 Meeting Accommodation Needs
- S37 Gainsborough Town Centre and Primary Shopping Area
- S47 Accessibility and Transport
- S48 Walking and Cycling Infrastructure
- S49 Parking Provision
- S53 Design and Amenity
- S57 The Historic Environment
- S59 Green and Blue Infrastructure Network
- S60 Protecting Biodiversity and Geodiversity
- S61 Biodiversity Opportunity and Delivering Measurable Net Gains

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

- **Gainsborough Neighbourhood Plan 2021 (GNP)**

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

Relevant policies of the NP include:

Policy NPP1: Sustainable Development
Policy NPP5: Protecting the Landscape Character
Policy NPP6: Ensuring High Quality Design
Policy NPP18: Protecting and Enhancing Heritage Assets

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

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

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

National policy & guidance (Material Consideration)

- National Planning Policy Framework (NPPF)

The NPPF sets out the Government's planning policies for England and how these should be applied. It is a material consideration in planning decisions. The most recent iteration of the NPPF was published in December 2024. Paragraph 232 states:

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

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

- National Planning Practice Guidance

<https://www.gov.uk/government/collections/planning-practice-guidance>

- National Design Guide (2019)

<https://www.gov.uk/government/publications/national-design-guide>

- National Model Design Code (2021)

<https://www.gov.uk/government/publications/national-model-design-code>

Other:

LB Legal Duty

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

CA Legal Duty

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

Main Considerations:

- Principle of Development
- Visual Amenity
- Residential Amenity
- Heritage and Conservation
- Highways
- Drainage
- Energy Efficiency
- Ecology & Biodiversity
- Other Matters

Assessment:

Principle of the Development

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

Planning permission is sought for the erection of a block of 9no. flats, set out over three floors.

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

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

Policy S2 outlines that 12% of the housing growth within Central Lincolnshire should be developed within Gainsborough subject to the principles in Policy S3 of the CLLP. Policy S3 of the CLLP states that; *Within the developed footprint* of the Lincoln Urban Area and Main Towns and Market Towns, development proposals at appropriate locations** not specifically identified as an allocation or an area for change in this plan will be supported in principle.*

The proposed development is at the northern edge of Gainsborough Town Centre and is considered to qualify as an 'appropriate location' that is within the 'developed footprint' of Gainsborough. It is considered that the proposed development would comply with the overarching provisions of Policy S3.

The proposals acceptability in relation to the character of the area and impact upon designated heritage assets is discussed in the relevant sections of this report. It would be subservient to existing development and is in a sustainable location where it is close to essential amenities with the location also promoting active travel. There is no affordable housing implication associated with this application.

Policy NPP1 of the GNP relates to sustainable development and states that; *Development in the Gainsborough Neighbourhood Plan area should be located so that it can make a positive contribution towards the achievement of sustainable development. Development should assist in meeting the economic, social and environmental regeneration of the Town in accordance with CLLP policies.* It then lists a set of criteria of which development proposals should meet in relation to design etc.

The application site is outside of the Gainsborough Primary Shopping Area. Paragraph 90 f) of the NPPF is also supportive in principle of residential development within Town Centre locations. It states that planning decisions should recognise the important role that residential development plays in ensuring the vitality of centres and development should be encouraged in appropriate locations.

The provision of 9no. flats on a brownfield site within the centre of Gainsborough would represent a positive contribution towards maintaining the vitality of Gainsborough Town Centre being both within a walkable distance to Marshall's Yard and other shops on Church Street, Lord Street and Market Place.

Therefore, based on the above assessment, it is considered that the proposed development would accord to the principle policies of the Development Plan.

Visual Amenity

Policy S53 of the CLLP requires that all development proposals must take into consideration the character and local distinctiveness of the area (and enhance or reinforce it, as appropriate) and create a sense of place which demonstrates a sound understanding on their context. As such, and where applicable, proposals will be required to demonstrate, to a degree proportionate to the

proposal, that they are well designed in relation to siting, height, scale, massing, and form. Important views into, out of and through a site should also be safeguarded.

Policy 1 of the GNP states that development must be;

a) the proposed development is of a scale, density, layout and design that is compatible with the character, appearance and amenity of that part of the Town in which it is located as identified in the Character Assessment and in Policy NPP7;

The application site is within the Gainsborough Town Centre (TCA 06) townscape character area as defined by Map 12 within the GNP.

Appendix H of the GNP details The key characteristics of Gainsborough Town Centre are as follows:

- *The historic character of the area surrounding Gainsborough Old Hall, All Saints Church and other buildings comprising the Town Centre Conservation Area;*
- *The historic character of Marshalls Yard and the Britannia Works Conservation Area*

NPP 7 details that the development principles for TCA 06 are covered in the general design principles in NPP 6 in points 1-3.

Point 1 states that *development should be of a high design quality that will contribute to the character of Gainsborough Parish.*

Point 2 sets out a set of design criteria for development proposals, including such things as using appropriate materials, demonstrating an appropriate scale and form as to not dominate neighbouring properties and showing understanding of historic character.

The proposal seeks permission for the erection of a block of 9no. flats set out over three floors, with dormer windows in the roof serving the flats on the second floor. The building would run adjacent to the south boundary of the application site and would have the following approximate measurements; 5.7 metres in width, 30 metres in length, 5.59 metres to the eaves and 8.8 metres in total height.

The surrounding area comprises of a range of different buildings, including the modern KFC building directly to the south, the recently converted Former Friendship Hotel lies adjacent to the west boundary, to the north is Charlotte Court a row of modern terraced properties.

In terms of the proposed height and for context, the existing former friendship hotel that has recently been converted into flats is taller in overall height. The extant permission is also of a comparable scale as can be seen on the sectional drawing below;



The glazed link which would serve the stair way creates a sense of separation between the two elements, which also helps to break up the massing of the view that would be experienced when approaching from the north and south along North Street.

Proposed materials are detailed as being buff stone cladding at ground floor level with dark red brick forming the first floor, grey slate are proposed as the roof covering. Standing seam detailing would be used in the dormer windows. Other architectural detailing would include headers and cills above windows. The materials are reflective of those used within the surrounding area where there are many different materials apparent, including red brick and stone as is proposed here.

It is acknowledged that the building would be visible within the street scene, it would however be seen in context with the surrounding development of which there is no overriding character. Its proposed design, materials, scale and siting within the site would not cause harm to the character of the area to its detriment.

The impact on how this would impact upon designated heritage assets is discussed in the Heritage section of this report.

Overall, the proposal would introduce new built form in this area, it is however considered to be an improvement over the existing situation of an overgrown and untidy site. The proposal would not cause visual harm to the character of the area and would accord to Policy S53 of the CLLP and Policy NPP 6 of the GNP.

Residential Amenity

At point 8, Homes and Buildings of Policy S53 it states that development proposals will;

- a) Provide homes with good quality internal environments with adequate space for users and good access to private, shared or public spaces;*
- b) Be adaptable and resilient to climate change and be compatible with achieving a net zero carbon Central Lincolnshire as required by Policies S6, S7 and S8;*
- c) Be capable of adapting to changing needs of future occupants and be cost effective to run by achieving the standards set out in Policy S20;*
- d) Not result in harm to people's amenity either within the proposed development or neighbouring it through overlooking, overshadowing, loss of light or increase in artificial light or glare;*

In terms of neighbouring land uses, the application site is adjoined by KFC to the south, the former friendship hotel (now flats), to the west, with an existing commercial premises to the north, with a terraced row of dwellings beyond.

There are no concerns with regard to overlooking or dominating impacts arising from the proposed development on the north, east or west boundaries given the separation distances. The blank western gable end of the building would be sited c.11m away from the former friendship hotel's eastern (rear) elevation, given the siting the proposal would not appear over dominant from rear window openings.

It is acknowledged that the south side of the building is within close proximity to the shared boundary with KFC at c. 0.7m, in this location there is a wall at 0.6m in height. The bottom of the ground floor windows are set at c.0.8 m above the ground level and therefore light would still be able to enter these windows, providing an acceptable level of amenity for future occupiers.

Whilst there may be some disturbance from the drive through and the car park of the KFC restaurant, it is not considered that this would be such a nuisance to future occupiers that would warrant a reason to refuse the application. An element of buyer beware would be utilised and the site is also within a town centre location where a certain level of disturbance is to be expected.

The lack of outdoor amenity space is noted; however, this is not uncommon for town centre flats to have no outdoor amenity space. The site is nearby to open spaces, including the Riverside walk and the town centre which would likely be used by future users.

Whilst not a formally adopted document the Nationally Described Space Standards (NDSS) indicate what the government envisages for internal space standards. Each of the flats comprise of 1 bedroom. All of the flats measure c. 42sqm. They would all meet with the recommended space standard of 39sqm for 1 bed space, 1 storey dwellings.

Overall, the proposal would accord to the aims of Policy S53 of the CLLP and the provisions of the NPPF.

Heritage and Conservation

The site is located within the Gainsborough Town Conservation Area and is located within close proximity to a number of listed buildings, namely- Grade I Listed All Saints Church (north west of site), no.s 60 to 82 Church Street (north of site) all of which are Grade II Listed.

Policy S57 of the CLLP requires that development proposals do not have an unacceptable impact on various heritage assets ranging from non-designated heritage assets to designated heritage assets which are primarily Listed Building and Conservation Areas. Any development proposal should aim to preserve or enhance the setting and/or the architectural significance of Listed Buildings and preserve and/or enhance the character and appearance of designated conservation areas. Any harm to such heritage assets should have a clear justification and where such a harm cannot be justified or outweighed by the public benefits, planning permission should be refused. These requirements are also contained within national legislation and guidance.

Point 7 of Policy NPP 18 of the GNP states the following:

Development within the Conservation Areas or their settings should demonstrate an understanding of the history and industrial quality of the area. Development should respect the scale, building plot, height and roofline, and complement existing materials and architectural detailing and reflect the pattern and design.

Section 66 of the Planning (Listed Buildings and Conservations Act) 1990 places a statutory duty on the Local Planning Authority to have special regard to the desirability of preserving a Listed Building, its setting, and any features of special architectural or historic interest. Section 72 of the same Act requires the Local Planning Authority to have regard for to the desirability of preserving or enhancing the character or appearance of the land and buildings within Conservation Areas.

The proposed layout of the building broadly reflects historic street patterns in this location which show that buildings ran adjacent to North Street in an east to west direction.

The use of the proposed materials is also respectful of the surrounding Conservation Area. Standing seam detailing would be used in the dormer windows, which was recommended by the Councils Conservation Officer to be included as an amendment to the application.

The Conservation Officer's comments in relation to the scheme state the following;

“Unfortunately, the northern elevation does not provide the same level of architectural detail and appears modern with no architectural detail or historic association to offer to the CA and setting of the LBs. The introduction of the external balcony/walkways are alien to the

CA and the setting which would negatively impact upon the historic environment.

The previous Pre-application included a significantly larger building which enclosed the rear within a courtyard which mitigated the design, however, this is now a visible elevation within the CA so the design and character is significant for the CA and setting of the LBs. I note the mention of expanding this in the future, however, this is not a material consideration for this application and I must consider this separately.

The proposal to the rear does not protect, conserve, or enhance the historic environment and will need to be redesigned to be in keeping, as the southern elevation is and the external balcony/walkways must be removed.”

The external walkways are at first and second floor level and protrude c. 1.2m from the northern elevation and essentially would be transparent in appearance when viewed against the rest of the elevation. Much of the views of these walkways would be screened by intervening modern development when travelling along North Street from the north, with views likely to only be visible when directly passing the site. The site is also surrounded by varying development types and styles which appear to cause more harm to the setting of the Conservation Area and Listed Buildings than the proposals would. Whilst views of these walkways would be visible from within the site, they are not considered to be so harmful to warrant a refusal on those grounds alone. On balance, taking into account the benefits of bringing a brownfield site in a town centre location into use, the proposal is considered to preserve the setting of the Conservation Area and nearby Listed Buildings.

There are partial views through the site towards the Grade I Listed All Saints Church, much of which are already restricted by the KFC building and the former Friendship Hotel building. Most of the building would be screened by the KFC building when approaching from the south of the site and the existing views through from this direction would be maintained. Passing views of the Church can also be seen from the eastern boundary of the site, again due to the buildings siting, the views through would be altered with the presence of a new building but maintained. The proposal is considered to preserve the setting of this listed building.

Considering the buildings design, use of materials and positioning within the site, the setting of the nearby listed buildings would be preserved through the development as well as the Gainsborough Town Conservation Area. Overall, the proposal would accord to the Statutory Duties as well as Policy S57 of the CLLP and Policy NPP 18 of the GNP and the provisions of the NPPF.

Archaeology- The comments of the Historic Environment Officer are noted. They have requested a pre commencement condition for a written scheme of investigations to be submitted for approval. This is due to the application site being within the historic core of Gainsborough.

The ground at the existing site has already been disturbed through the laying of areas of foundations and hardstanding for the dwellings that have extant permission. It is also pertinent to note the comments received from the historic environment officer in 2013 for application reference 129881 for the erection of the houses with extant permission at the site.

In an email dated 05/06/2013 to the planning case officer from the historic environment officer, the following was stated;

“Archaeological evaluation was undertaken on the site of the former magistrates court immediately south of this proposed development, which identified 19th and 20th century remains associated with the Victorian terrace housing which occupied this site prior to the construction of the court.

The evaluation demonstrated that potential for encountering pre 19th century historic assets on this site is limited, therefore no further archaeological input is required on this application.”

With consideration to the already disturbed ground as well as the results of archaeological works on neighbouring sites and previous comments in relation to the application site, it is not considered necessary to request that the applicant submits an archaeological scheme for approval in this case.

Highways

Policies S47, S48 and S49 collectively require that development proposals do not have an unacceptable impact on highway safety or a severe cumulative impact on the wider highway network. Policy S48 requires that development proposals should facilitate active travel. It also requires that first priority should be given to pedestrians, cyclists and people with impaired mobility. Policy S49 of the CLLP sets out minimum parking standards that are required for residential and non-residential development within Central Lincolnshire.

Access into the site would be taken off North Street, to the east. The access will include a new drop kerb access point, to be in line with LCC specifications. There is adequate access, turning and parking within the site to allow vehicles to leave in a forward gear, as confirmed by the Highways Authority.

Policy S49 and Appendix 2 of the CLLP detail parking standards for all new developments. For 1-bedroom flats within town centres, Appendix 2 of the CLLP details that each flat should have one parking space, some provision is also needed for visitors. The proposed site plan shows off road parking spaces for 9no. vehicles. There are clearly also spaces for visitors in the north east corner of the site.

The proposals also include a single storey wood clad building in north west corner of the site which would house cycle and bin storage. Overall, the proposals would accord to policies S47, S48 and S49 of the CLLP.

Drainage

The application site is located within Flood Zone 1 (lowest risk of flooding) as defined by the Environment Agency's Flood Risk Maps for planning. The application has been accompanied by a Drainage Strategy.

The drainage strategy details that the existing drainage connections for 5no new dwellings has already been installed and laid abandoned. It was expected that these would make an on-site connection into the existing combined sewer to the western side of the site.

No formal detailed drainage design has been submitted at this stage and therefore further detailed information would be secured by condition. The applicant will also be required to further detail why the use of soakaways are not appropriate in the first instance. Overall, subject to conditions, the proposal would accord to Policy S21 of the CLLP.

Energy Efficiency

Policy S6 of the CLLP states a set of design expectations that should be considered when formulating development proposals. This includes the orientations of buildings, form of buildings, fabric of buildings, heat supply and renewable energy generated.

In addition to this Policy S7 of the CLLP requires that all new residential development proposals must include an Energy Statement which confirms that in addition to the requirements of Policy S6 that all such residential development proposals, can generate at least the same amount of renewable electricity on- site and to help achieve this point, target achieving a site average space heating demand of around 15-20kWh/m2/yr and a site average total energy demand of 35 kWh/m2/yr, achieved through a 'fabric first' approach to construction. No single dwelling unit to have a total energy demand in excess of 60 kWh/m2/yr, irrespective of amount of on-site renewable energy production.

The site is located within Value Zone D in Gainsborough as indicated on Map 3.

Clause 3 (viability) Of Policy S7 states: *In Value Zones C and D as indicated on Map 3 (see chapter 4 of this Local Plan), which essentially is Sleaford and Gainsborough and immediate surrounding land only, and on brownfield land throughout the plan area, it is acknowledged that the full delivery of requirements 1 and 2 in this policy may not be possible in some cases for viability reasons. Consequently, for proposals in such areas or on such brownfield land, the applicable local planning authority will continue to require an Energy Statement to be submitted, and, if full delivery of requirements 1 and 2 are not proposed to be met, such a Statement must set out the degree to which points 1 and 2 are proposed to be met in order to enable the development to become viable.*

The application has been accompanied by an Energy Statement by G Reports dated 08/04/2025. The report recognises that the site is within the Value Zone. It details that the proposed building would follow a fabric first approach and would have the following U Values;

Proposed U-Values	
Floor	0.12 W/m ² k
Wall	0.18 W/m ² k
Roof	0.15 W/m ² k
Windows / Doors	1.36 W/m ² k
Heating / Hot Water System	Air Source Heat Pump 170.00% efficient
Air Permeability	4.5m ³ /hm ² @ 50pa

Reviewing the technical feasibility of the renewable and low carbon technologies, it is proposed that the site would benefit from the installation of an Air Source Heat Pumps. A fabric first approach has been taken for the proposed new dwellings, with the u- values for all external elements exceeding current building regulations. Using the fabric first approach, the DPER would offer a 16% improvement over current Building Regulations (2021) minimum requirements, and a total energy demand of less than 60 kWhPE/m2/year.

It is also recognised that there would be an absence of solar panels providing renewable energy, given the sites sensitive setting within the Conservation Area and within close proximity to Listed Buildings, the LPA accepts their absence, which is preferable.

Overall, the proposal would meet with the exception clause within Policy S7 of the CLLP and would still provide some energy efficiency benefits.

Ecology & Biodiversity

In England BNG is now mandatory under Section 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Developers must deliver a BNG of 10%. Development will result in a better-quality natural habitat than there was before development. The 10% gain is reinforced by Policies S60 and S61 of the CLLP.

The application has been submitted with the following documents in relation to BNG:

- Completed Statutory Biodiversity Metric- dated 12/03/2025

- Preliminary Ecological Appraisal and BNG Assessment by RDF Ecology dated April 2025.

In terms of the baseline figures for the site, the metric details that there is 0.0584 habitat units on the site, comprising of mixed scrubland. There are no existing hedgerow or watercourse units.

Proposed landscaping at the site would see the creation of green roof (on the cycle storage building), new shrub and the planting of 4no. small native trees. The proposals would result in a net loss of 75.88%. The remaining units would need to be purchased off site.

The information has been reviewed by the Central Lincolnshire Ecologist who has advised that the baseline and proposals are acceptable since the site plan has been amended to include the 4no. trees. As the proposed biodiversity enhancements are to only comprise of the planting of 4 no. trees, it is not considered that a HMMP is necessary in this case which would be a disproportionate request, given the small number of planting and trees proposed.

The application would be subject to the BNG condition in law, this is a pre commencement condition where a Gain Plan will need to be submitted for approval prior to any development commencing on site.

The Central Lincolnshire Ecologist raised a query in relation to the possibility of further enhancements on site. A green roof is proposed on the cycle/bin store building, which would also contribute toward biodiversity. The applicant has confirmed that no further greening on site is possible due to the proposed layout of the site and the potential to affect viability of the scheme, which is within an area that is recognised as having viability issues in terms of affordable housing and energy efficiency measures.

In terms of ecological impacts at the site, the submitted PEA has adequately assessed the site and there are no ecology implications that would affect the development.

Overall, the proposal would, subject to condition, accord to Schedule 7A of the TCPA as inserted by Schedule 14 of the Environment Act 2021) and policies S60 and S61 of the CLLP.

Other matters:

Use Class- The original proposal stated that the flats were to be assisted living units to be taken on by a registered provider. It has been confirmed in an email from the agent for the application dated 07/12/2025 that the use Class is C3. If an alternative use class is implemented that requires planning permission then this would be subject to a further application.

Mineral Safeguarding Area: The application site is within a Sand and Gravel Mineral Safeguarding Area. Policy M11 of the LMWLP requires that

development proposals do not result in the unnecessary sterilisation of the potential minerals reserves. Due to the proposed development being within the continuous developed footprint of Gainsborough, it is not considered that the safeguarding considerations are engaged in this instance.

Conclusion and reason for decision: The proposal has been considered in light of relevant development plan policies namely S1: The Spatial Strategy and Settlement Hierarchy, S2: Level and Distribution of Growth, Policy S3: Housing in the Lincoln Urban Area, Main Towns and Market Towns, S13: Reducing Energy Consumption in Existing, S21: Flood Risk and Water Resources, S47: Accessibility and Transport, S48 Walking and Cycling Infrastructure, S49: Parking Provision, S53: Design and Amenity and S57: The Historic Environment, S60: Protecting Biodiversity and Geodiversity and S61: Biodiversity Opportunity and Delivering Measurable Net Gains of the CLLP. Relevant guidance in the NPPF has also been considered.

In light of the assessment outlined in this report, it is considered that subject to conditions, the proposed development is acceptable. The proposal would see the redevelopment of a brownfield site within a town centre location. The proposals would preserve the setting of nearby listed buildings and the Conservation Area. The proposal would not have harmful impacts upon highway safety, residential amenity or the character of the area. Matters of drainage, energy efficiency and biodiversity net gain are acceptable, subject to conditions. It is therefore recommended that planning permission is granted subject to conditions.

Decision Level: Delegated

RECOMMENDED 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 details shown on the approved plans and any other document forming part of the application:

Amended Proposed Site Location and Site Layout Plan PL/A1/501 Rev E
Amended Proposed Elevations- PL/A1/504 Rev E
Amended Proposed Elevations-PL/A1/ 505 Rev E
Amended Proposed Ground Floor Layout- PL/A1/502 Rev E
Amended Proposed First and Second Floor Layout- PL/A1/503 Rev E
Amended Proposed Courtyard Sections and Bin Store Details- PL/A1/506 Rev E

All received 11th December 2025.

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

3. The Biodiversity Gain Plan shall be prepared in accordance with the Biodiversity Net Gain Metric dated 12 March 2025 and prepared by RDF Ecology.

Reason: To ensure the development delivers a biodiversity net gain in accordance with Schedule 7A of the Town and Country Planning Act 1990.

4. No development shall take place above damp proof course level until details, including specifications of the following materials have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in full in accordance with the approved details:

- Facing Brickwork
- Stone
- Rooftiles
- Glazing to be used in the external walkways

Reason: In the interests of visual amenity and to preserve the setting of the nearby listed buildings and the Conservation Area in accordance with the Statutory duties, and policies S53 and S57 of the Central Lincolnshire Local Plan and Policy NPP 6 of the Gainsborough Neighbourhood Plan.

5. Prior to the installation of any windows and doors details in respect of the following shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in full in accordance with the approved details:

- Detailed drawings at a scale of 1:20 for all new windows, doors and joinery, including sections through, details of cills, headers, glazing bar details, method of opening, colour and finish of doors, windows and frames.

Reason: In the interests of visual amenity and to preserve the setting of the nearby listed buildings and the Conservation Area in accordance with the

Statutory duties, and policies S53 and S57 of the Central Lincolnshire Local Plan and Policy NPP 6 of the Gainsborough Neighbourhood Plan.

6.No development above damp-proof course level shall take place until details of foul and surface water disposal, including the results of percolation tests, have been submitted to and approved in writing by the local planning authority. These details should include a plan showing the position of the drainage and location of the connections to the proposal. The approved details shall be implemented, maintained and retained in accordance with the approved plans.

Reason: To ensure adequate drainage facilities are provided to serve the development to accord with the National Planning Policy Framework and Policy S21 of the Central Lincolnshire Local Plan.

7. The development hereby permitted shall be carried out in full accordance with the details set out in the submitted Energy Statement by G Reports received 08/04/2025 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development takes place in accordance with the approved details and in accordance with the provisions of policies S6 and S7 of the Central Lincolnshire Local Plan (2023).

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

8 The proposed hard and soft landscaping as show on plan reference Amended Proposed Site Location and Site Layout Plan PL/A1/501 Rev E shall be shall be carried out in the first planting season following the occupation of the dwelling and any landscaping which within a period of 5 years from the completion of the development dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of providing biodiversity enhancements in accordance with the requirements of Policies S53, S60 and S61 of the Central Lincolnshire Local Plan.

9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no domestic oil tanks or domestic gas tanks shall be placed within the curtilage of the dwelling hereby approved.

Reason: In the interests of energy efficiency to accord with policies S6 and S7 of the Central Lincolnshire Local Plan 2023.

Notes to the Applicant

Community Infrastructure Levy

Please be aware that as of the 22nd January 2018 West Lindsey District Council implemented a Community Infrastructure Levy and that eligible development granted on or after this date will be subject to this charge. The development subject to this Decision Notice could fall within the definitions held within the adopted charging schedule and as such may be liable to pay the levy. For further information on CIL, processes, calculating the levy and associated forms please visit the Planning Portal www.west-lindsey.gov.uk/cilforms and West Lindsey District Council's own website www.west-lindsey.gov.uk/CIL

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

Highways

The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. Any traffic management required to undertake works within the highway will be subject to agreement. The access must be constructed in accordance with a current specification issued by the Highway Authority. Any requirement to relocate existing apparatus, underground services, or street furniture because of the installation of an access will be the responsibility, and cost, of the applicant and must be agreed prior to a vehicle access application. The application form, costs and guidance documentation can be found on the Highway Authority's website, accessible via the following link: <https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb>

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

Biodiversity Net Gain

Unless an exception or a transitional arrangement applies¹, the effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition”) that development may not begin unless:

- (a) a Biodiversity Gain Plan² has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan in respect of this permission would be West Lindsey District Council.

Biodiversity Gain Plan

The biodiversity gain plan must include/accompanied by³:

- (a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
- (b) the pre-development biodiversity value of the onsite habitat;
- (c) the post-development biodiversity value of the onsite habitat;
- (d) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
- (e) any biodiversity credits purchased for the development;
- (f) any information relating to irreplaceable habitat making up onsite habitat
- (g) information about steps taken or to be taken to minimise any adverse effect of the development on, and arrangements for compensation for any impact the development has on the biodiversity of, any irreplaceable habitat⁴ present within the onsite baseline.
- (h) any additional information requirements stipulated by the secretary of state⁵.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission (“the earlier Biodiversity Gain Plan”) there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i. do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii. in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

¹ listed exemptions from Statutory BNG and transitional arrangements can be found at [Biodiversity net gain: exempt developments - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments). The LPA advises that all perceived exempt applications complete a Statutory

Metric Baseline Assessment prior to commencement. Should the relevant exemption cease to apply following commencement, a higher value precautionary assessment will be required if an appropriate pre-commencement baseline was not conducted.

² The Statutory Biodiversity Gain Plan template can be found at <https://www.gov.uk/government/publications/biodiversity-gain-plan>

³ Minimum legal requirements for the Biodiversity Gain plan can be found at [https://www.legislation.gov.uk/ukpga/2021/30/schedule/14#:~:text=paragraph%2015\).-,Biodiversity%20gain%20plan,-14](https://www.legislation.gov.uk/ukpga/2021/30/schedule/14#:~:text=paragraph%2015).-,Biodiversity%20gain%20plan,-14)

⁴ Irreplaceable habitats for the purposed of Biodiversity Net Gain are defined by Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024. A full list of irreplaceable habitats can be found at <https://www.legislation.gov.uk/uksi/2024/48/schedule/made>

⁵ Additional information required is outlined by Articles 37C(2) [Non Phased] 37C(4) [Phased] of The Town and Country Planning (Development Management Procedure) (England) Order 2015 and may be subject to the nature of your application <https://www.legislation.gov.uk/uksi/2015/595#:~:text=Additional%20content%20of%20plan>

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 : Danielle Peck

Date : 23/01//2026

Authorising Officer:



Date: 23/01/2026

PAPER J

Planning Permission

Name and address of applicant

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Name and address of agent (if any)

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UNITED KINGDOM
LS1 2JZ

Part One – Particulars of application

Date of application:
25/09/2025

Application number:
WL/2025/00965

Particulars and location of development:

Proposal: Planning application for the demolition of existing structures, and erection of an A1 foodstore, with access, car parking, servicing, sub-station, hard and soft landscaping, and other associated works, including remodelling of the elevations of the adjoining property The Lindsey Centre being variation of condition 19 of planning permission 133654 granted 27 April 2016 - extend the delivery hours.

Location:

LIDL UK GMBH
BEAUMONT STREET
GAINSBOROUGH
DN21 2ER

Part Two – Particulars of decision

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

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

None.

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

None.

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

1.The landscaping as approved as part of 134890 shall be retained in perpetuity for the lifetime of the development.

Reason: To ensure that a landscaping scheme to enhance the development is provided in accordance with Policy S53 of the Central Lincolnshire Local Plan.

2.The boundary treatments approved as part of 134890 shall be retained in perpetuity for the lifetime of the development.

Reason: To ensure that a landscaping scheme to enhance the development is provided in accordance with Policy S53 of the Central Lincolnshire Local Plan.

3.The Cycle Storage approved as part of 134890 shall be always retained and available for use for the lifetime of the development.

Reason: To encourage the use of alternative forms of transport to the site, other than the private car, having regard to NPPF and in accordance with Policy S48 of the Central Lincolnshire Local Plan.

4.The approved air conditioning and refrigeration units shall be as approved as part of 134890 and shall be retained as such thereafter.

Reason: To protect residential amenity and in accordance with Policy S53 of the Central Lincolnshire Local Plan.

5.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: 1839 03 rev AM, 1839 05 rev P, 1839-08 rev C, 1839-09 rev A, 1839 10 rev A, 1839-11 Rev E, 1839-12, 1839 -13 rev B, 1839 16 rev E, 1839 22, Topographical Survey No. 001, Substation Plans, Lighting Assessment Plan and Reports: Design and Access Statement, Lighting Assessment, Flood Risk and Foul Drainage and Foul Drainage Assessment, Addendum to Flood Risk & Foul Drainage Report, Noise Impact Assessment Report Reference: 11394/CP, Planning & Heritage Statement, Addendum to Planning Note & Updated Heritage Assessment, Preliminary Appraisal Report (Desk Study) of land off Beaumont Street, Gainsborough, Transport Assessment and C6408-011. 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 documents.

6.The foul surface water and sewage disposal works to serve the development shall be in accordance with the approved plans and report by WYG titled: Flood Risk & Foul Drainage Assessment and associated Appendix, A/B/C/D/E/F/G/H/I/J/K and except where amended by the Flood Risk & Foul Drainage Assessment Addendum which should then be adhered to.

Reason: In the interest of water quality, flood prevention and the residential amenities of future occupiers in accordance with Policy S21 of the Central Lincolnshire Local Plan.

7.The external lighting used in the development shall be as approved under reference 134890.

Reason: In the interest of visual and residential amenity in accordance with Policy S53 of the Central Lincolnshire Local Plan.

8.The facilities for the disposal and storage of any refuse/ recyclable materials shall be in accordance with the details approved within application reference 134890. The facilities shall be permanently retained thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of public health, visual amenity and highway safety in accordance with Policies S47 and S53 of the Central Lincolnshire Local Plan.

9.The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA), (Rev A, September 2015, WYG Engineering), in particular setting finished floor levels no lower than 7.08m above Ordnance Datum (AOD).

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

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

10.The arrangements shown on the approved plan 1839 03AM for the parking/turning/manoeuvring/loading/uploading of vehicles shall be available at all times when the premises are in use.

Reason: In the interests of highway safety in accordance with Policy S47 of the Central Lincolnshire Local Plan.

11.No servicing of the store, including waiting vehicles or activity within the service yard shall occur outside of the hours of 05:00 – 23:00 on weekdays and 07:00-23:00 on weekends and bank holidays.

Reason: In the interests of protecting the residential amenities of neighbouring occupiers in accordance with Policy S53 of the Central Lincolnshire Local Plan.

12.The deliveries, taking place between 05:00 and 07:00 on weekdays, shall not exceed the specified noise levels as measured at the specified measuring locations defined in the noise report submitted by Acoustic Consultants Limited Report Reference: 11394/CP Date: 8 July 2025 unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of protecting the residential amenities of neighbouring occupiers in accordance with Policy S53 of the Central Lincolnshire Local Plan.

13.There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct or via soakaways.

Reason: To avoid flooding and prevent pollution of the water environment as recommended by the Environment Agency and in accordance with Policy S21 of the Central Lincolnshire Local Plan.

14.Prior to being discharged into any watercourse, surface water system or soakaway, all surface water drainage from parking areas and hardstandings shall be passed through trapped gullies and oil interceptors with an overall capacity compatible with the site being drained. Roof water shall not pass through the interceptor.

Reason: To prevent pollution of the water environment as recommended by the Environment Agency and in accordance with Policy S21 of the Central Lincolnshire Local Plan.

15.No external system of public address, loudspeaker system or amplified sound/music shall be operated on any part of the site externally without the prior written approval of the Local Planning Authority.

Reason: In the interest of preserving the amenity of the surrounding area in accordance with Policy S53 of the Central Lincolnshire Local Plan.

Notes to the Applicant

None.

Reasons for granting permission

The application has been considered against policies S1 The Spatial Strategy and Settlement Hierarchy, S47 Accessibility and Transport, S35 Network and Hierarchy of Centres, S37 Gainsborough Town Centre and Primary Shopping Area and S53 Design and Amenity of the Central Lincolnshire Local Plan and the policies within the Gainsborough Neighbourhood Plan in the first instance as well as guidance contained within the NPPG and the provisions of the NPPF.

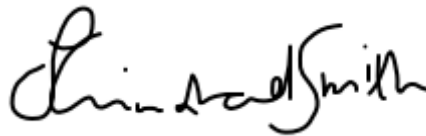
In light of this assessment, the impacts arising from the extending of delivery hours are considered to be acceptable in relation to the impacts arising from noise.

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: 14/01/2026

Signed:



Sally Grindrod-Smith
Director Planning, Regeneration and
Communities

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

Note: This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation. You are strongly advised not to commence works until you have obtained any other permissions or consents that may be required, for example approval under the Building Regulations, otherwise there may be a risk of significant legal and financial consequences. For further advice on the Building Regulations, contact the Council's Building Control section.

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

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- **If you want to appeal against your local planning authority's decision then you must do so within six months of the date of this notice.**
Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at www.planningportal.gov.uk/pcs. 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 676676, by email customer.services@west-lindsey.gov.uk or by asking any of the Customer Services staff.

Officers Report

Planning Application No: WL/2025/00965

PROPOSAL: Planning application for the demolition of existing structures, and erection of an A1 food store, with access, car parking, servicing, sub-station, hard and soft landscaping, and other associated works, including remodelling of the elevations of the adjoining property The Lindsey Centre being variation of condition 19 of planning permission 133654 granted 27 April 2016 - extend the delivery hours.

LOCATION:

LIDL UK GMBH
BEAUMONT STREET
GAINSBOROUGH
DN21 2ER

WARD: GAINSBOROUGH SOUTH WEST

TARGET DECISION DATE: 25/12/2025 (Extension of time agreed until 15th January 2026)

CASE OFFICER: Danielle Peck

Recommended Decision: Grant with conditions

Site Description: The application site comprises of the Lidl food store and its associated car park and delivery areas within the centre of the market town of Gainsborough. The site is adjoined by the recently completed Savoy Cinema to the north west, with a small number of retail units to the west. The site is adjoined by Beaumont Street to the east with the Marshalls Yard retail centre beyond. Residential properties and their rear amenity areas lie beyond the south boundary of the site, along Etherington Street and Heaton Street.

The site is within a Primary Shopping Area and is within the defined Town Centre of Gainsborough.

The Proposal: The application is a Section 73 application to vary Condition 19 of planning permission 133654 granted on 27th April 2016. Condition 19 states;

“No servicing of the store, including waiting vehicles or activity within the service yard shall occur from 23:00 on one day to 07:00 the following day.

Reason: To protect the amenities of adjoining properties and the locality in general in accordance with West Lindsey Local Plan First Review Policy STRAT1”

It is proposed to alter the wording of Condition 19 to allow deliveries to take place from 05:00am on weekdays only. The application proposes the condition to be reworded as follows:

“No servicing of the store, including waiting vehicles or activity within the service yard shall occur outside of the hours of 05:00 – 23:00 on weekdays and 07:00-23:00 on weekends and bank holidays.”

Relevant Planning History

137067- Request for confirmation of compliance with conditions 5 and 9e of planning permission 133654 granted 27 April 2016. Condition Discharged 04/01/2018.

135462- Planning application for variation of condition 11 following grant of planning permission 133654 on 27th April 2016, to install higher level windows on rear elevation. Withdrawn by Applicant.

134890- Request for confirmation of compliance with conditions 2,3,4,7,8,part of 9,10,15,16 of planning permission 133654 granted 27 April 2016. Conditions discharged 31/08/2017.

133709- Advertisement consent for 4no. internally illuminated fascia signs, one totem sign partially illuminated and three externally illuminated wall-mounted advertising hoardings and one non illuminated wall mounted poster sign. Granted with conditions 13/05/2016.

133654- Planning application for the demolition of existing structures, and erection of an A1 foodstore, with access, car parking, servicing, sub-station, hard and soft landscaping, and other associated works, including remodelling of the elevations of the adjoining property The Lindsey Centre. Granted with conditions 27/04/2016.

Representations: Comments have been summarised, full versions of the comments received can be viewed on the Councils website using the following link: [West-Lindsey | Public Portal](#)

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

Gainsborough Town Council: RESOLVED: To support the application on the condition that the times are amended to 06:00 to 23:00 rather than a 05:00 start, to show consideration to surrounding residential properties.

Local residents/ Third Party Representations:

The Flat, 7A Heaton Street- Objects- Due to the close proximity to our bedroom the noise would wake us.

33 Etherington Street x 2- Objects- Photographs provided to show the close proximity of the Lidl delivery yard to the bedroom. This is why I do not want 5:00am deliveries, I get woken up by early deliveries to Lidl as it is already.

I understand Lidl is asking to have its delivery times extended to 5am- 11pm Monday to Friday and 7am- 11pm at weekends and bank holidays, any of which I object to.

Their lorry drivers seem to have a mind of their own and can't even stick to the current curfew times sometimes turning up before 6am, leaving their fridge engines running and slamming and banging around, unloading the cages, after years of complaining nothing changes.

My bedroom is 25m from the delivery yard and even with my windows shut I still am woken every day by their lorries, not even a break at weekends.

Considering Lidl only has two deliveries a day I am sure they could be done during shop opening hours.

I have lived here for 22 years we never had these problems with the co-op and Boyes.

We were promised by Lidl when this was proposed we would not know they were there; they proved that wrong.

Please consider this is firstly a residential area and give some respect to the people that reside here.

WLDC Environmental Protection: The information provided by the applicant with regards to the above referenced planning application has been reviewed. I note the appropriate acoustic standards have been used. As such, I would have the following comments to make:

The deliveries shall not exceed the specified noise levels as measured at the specified measuring locations defined in the noise report submitted by Acoustic Consultants Limited Report Reference: 11394/CP Date: 8 July 2025 and must continue to comply with the Delivery Management Plan included in the original approved Noise Impact Assessment granted under planning reference 133654.

In addition, the existing close boarded timber acoustic fencing of a 3m height must remain in situ and be maintained as required.

LCC Highways and Lead Local Flood Authority: No objections. Condition 19 is not relevant to the highway authority.

LCC Archaeology: No representations received to date.

Historic England: Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

Environment Agency: We did not recommend Condition 19 on application 133654 and therefore, we have no comments to make on this application.

Date Checked: 13/01/2026

Relevant Planning Policies and Legislation:

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

Development Plan

- ***Central Lincolnshire Local Plan 2023 –***

Relevant policies of the CLLP include:

S1 The Spatial Strategy and Settlement Hierarchy
S47 Accessibility and Transport
S35 Network and Hierarchy of Centres
S37 Gainsborough Town Centre and Primary Shopping Area
S53 Design and Amenity

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

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

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

Relevant policies of the NP include:

NPP1 Sustainable Development

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

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

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

National policy & guidance (Material Consideration)

- National Planning Policy Framework (NPPF)

The NPPF sets out the Government's planning policies for England and how these should be applied. It is a material consideration in planning decisions. The most recent iteration of the NPPF was published in December 2024. Paragraph 232 states:

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

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

- National Planning Practice Guidance

<https://www.gov.uk/government/collections/planning-practice-guidance>

In particular, the following sections are relevant to this application: [Noise - GOV.UK](#)

- National Design Guide (2019)

<https://www.gov.uk/government/publications/national-design-guide>

- National Model Design Code (2021)

<https://www.gov.uk/government/publications/national-model-design-code>

Other- Noise Policy Statement for England (NPSE)- [Noise policy statement for England - GOV.UK](#)

British Standard- For industrial and commercial noise- BS4142:2014+A1:2019

Main Considerations:

This application is made under Section 73 of the Town & Country Planning Act 1990, in order to develop land not in compliance with conditions previously attached.

In accordance with planning law (Section 73(2)), “consider only the question of the conditions subject to which planning permission should be granted.” It is not a re-visitation or reassessment of the original decision to grant planning permission.

In this respect therefore, this application considers on the implications of the varying of Condition 19 and the impacts of altering the delivery times upon neighbouring residential amenity.

- Principle of development

- Variation of Condition 19 and the Impact upon Residential Amenity- Noise
- Assessment of conditions under reference 133654.

Assessment:

Principle of the Development

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

The principle of the development has already been established and benefits from full planning permission which has been fully implemented under reference 133654.

Variation of Condition 19 and the Impact upon Residential Amenity- Noise

Planning permission 133654, for the Lidl store was granted with Condition 19 attached, as follows;

“No servicing of the store, including waiting vehicles or activity within the service yard shall occur from 23:00 on one day to 07:00 the following day.

Reason: To protect the amenities of adjoining properties and the locality in general in accordance with West Lindsey Local Plan First Review Policy STRAT1”

It is proposed to vary the wording of the condition to be as follows;

*“No servicing of the store, including waiting vehicles or activity within the service yard shall occur outside of the hours of **05:00 – 23:00** on weekdays and 07:00-23:00 on weekends and bank holidays.”*

The main consideration in this case is the implications of allowing deliveries to the store to be carried out from 05:00am on weekdays as an alternative to from 07:00. The impacts that this would have upon neighbouring amenity, particularly those residents along Etherington Street and Heaton Street needs to be assessed. The delivery area for Lidl is located to the southwest corner of the application site. Delivery vehicles come into this area and reverse back into the delivery bay at the back of the store.

In support of the application the applicant has detailed that the store is becoming increasingly popular and therefore there is the need to ensure that the store can be adequately stocked, to serve customer demand, through a sufficient number of deliveries. The restriction on deliveries prior to 7am have resulted in operational difficulties for Lidl in being able to deliver a sufficient quantity of goods to the store.

Point 7, criteria a and c of Policy S53 of the Central Lincolnshire Local Plan states that all development proposals will;

b) Be compatible with neighbouring land uses and not result in likely conflict with existing uses unless it can be satisfactorily demonstrated that both the ongoing use of the neighbouring site will not be compromised, and that the amenity of occupiers of the new development will be satisfactory with the ongoing normal use of the neighbouring site;

c) Not result in adverse noise and vibration taking into account surrounding uses nor result in adverse impacts upon air quality from odour, fumes, smoke, dust and other sources;

This accords with the NPPF (Dec 2024) which states at paragraph 198:

198. Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life

In determining noise impacts, the NPPG states that;

“Noise needs to be considered when new developments may create additional noise and when new developments would be sensitive to the prevailing acoustic environment.”

“Plan-making and decision making need to take account of the acoustic environment and in doing so consider:

- whether or not a significant adverse effect is occurring or likely to occur;*
- whether or not an adverse effect is occurring or likely to occur; and*
- whether or not a good standard of amenity can be achieved”*

In establishing whether noise is likely to be a concern the NPPG explains:

*At the lowest extreme, when **noise is not perceived to be present**, there is by definition no effect. As the noise exposure increases, it will cross the ‘**no observed effect**’ level. However, the noise has no adverse effect so long as the exposure does not cause any change in behaviour, attitude or other physiological*

responses of those affected by it. The noise may slightly affect the acoustic character of an area but not to the extent there is a change in quality of life. If the noise exposure is at this level no specific measures are required to manage the acoustic environment.

*As the exposure increases further, it crosses the '**lowest observed adverse effect' level** boundary above which the noise starts to cause small changes in behaviour and attitude, for example, having to turn up the volume on the television or needing to speak more loudly to be heard. The noise therefore starts to have an adverse effect and consideration needs to be given to mitigating and minimising those effects (taking account of the economic and social benefits being derived from the activity causing the noise).*

In addition to this the NPPG has a table identifying- Perception of Effect Levels. These are split into four categories. For industrial and commercial noise, the most relevant guidance is provided within British Standard BS4142:2014+A1:2019. The methods described in the British Standard use outdoor sound levels to assess the likely effects of sound upon people who might be inside or outside a dwelling or other premises used for residential purposes.

When planning permission was granted in April 2016 the condition was imposed for the reason "*to protect the amenities of the adjoining properties and the locality in general*". Objections have been received by the occupants of 33 Etherington Street who adjoin the service yard and cite that they do currently hear and experience disturbance from vehicles within the yard. One complaint was received in October 2022 in relation to deliveries arriving after 11pm and not leaving until the 12.30am, no further complaints have been received.

The onus is therefore with the applicant to demonstrate why the change of hours is required, and satisfactorily demonstrate that this would not adversely affect surrounding amenities.

The application has been accompanied by a noise report by Acoustic Consultants Ltd, dated 08/07/2025. A long-term partially attended noise monitoring exercise was undertaken between 25th and 28th April 2025 at a location representative of the Nearest Sensitive Receptors (NSR). This monitoring location was at the rear boundaries of 29-33 Etherington Street and The Flat, Heaton Street. The long- term noise measurement was conducted over a 3 day long period. The residual level for each hour has been determined from the lowest measured 15 -minute residual level during each hour. This presents a worst-case assessment. Impulsivity character corrections have been applied to each hour.

The background level was assessed between 05:00 and 7:00 on a Monday morning and has been used as a representative for all weekday mornings, this method is considered to be acceptable.

The report details that at the boundary of the NSR- between 05:00 and 07:00 the background (baseline) sound level is at 46 dB it then details that the rating level would be 2dB above the background level when deliveries are taking place AT 48dB. At the façade of the NSR, the report details that the rating level would be 1dB above the background sound level between the hours of 05:00 and 07:00.

The report states that *"During this period [0500-0700], the noise source may be perceptible at the [neighbouring properties]; however, it would not be dominant above the residual noise climate."*

In conclusion, the assessment details that the noise levels at the nearest sensitive receptor are equal to or below the residual sound levels between 05:00- 07:00 hours on Monday mornings, which has been taken as a representative of all weekday mornings. This impact would fall below the Lowest Observed Adverse Effect Level (LOAEL) as detailed within the NPPG. The LOAEL is *"the level of noise exposure above which adverse effects on health and quality of life can be detected."*

This would place the noise impact in the "no observed adverse effect" level - i.e. *"the noise has no adverse effect so long as the exposure does not cause any change in behaviour, attitude or other physiological responses of those affected by it. The noise may slightly affect the acoustic character of an area but not to the extent there is a change in quality of life."*

The NPPG advises that *"If the noise exposure is at this level no specific measures are required to manage the acoustic environment."*

The Councils Environmental Protection (EP) team are satisfied that the appropriate acoustic standards have been used within the noise report. In relation to Section 73 applications, the NPPG states that;

"Permission granted under section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions."

In accordance with the comments received from the Councils EP team and together with the new varied condition 19, a new condition will be added as follows;

The deliveries shall not exceed the specified noise levels as measured at the specified measuring locations defined in the noise report submitted by Acoustic Consultants Limited Report Reference: 11394/CP Date: 8 July 2025.

It is considered to make this more specific to the development proposed it shall be worded as follows;

The deliveries, taking place between 05:00 and 07:00 on weekdays, shall not exceed the specified noise levels as measured at the specified measuring

*locations defined in the noise report submitted by Acoustic Consultants Limited
Report Reference: 11394/CP Date: 8 July 2025.*

Reason: In the interests of protecting the residential amenities of neighbouring occupiers in accordance with Policy S53 of the Central Lincolnshire Local Plan.

In relation to their comments around the 3m high acoustic fencing, this has been approved as part of the original application at the site and therefore does not need to be replicated. The Delivery Management Plan is also already including in the approved plans and documents condition, and therefore does not need to be duplicated.

It is acknowledged that the noise may be perceptible at the receptors but would not be dominant above the residual noise climate. Overall, subject to conditions the proposal is considered to be acceptable with regards to the impacts upon residential amenity and would accord to the provisions of Policy S53 of the CLLP and guidance contained within the NPPG as well as the provisions of the NPPF.

Assessment of remaining conditions under reference 133654

As the granting of a Section 73 application would create a new permission, it is necessary to carry out an assessment of the conditions attached to the original permission 133654.

Condition 1- Commencement

No longer relevant, the development is complete. This condition will be removed.

Condition 2- Access Details

No longer relevant, the development, including the access is complete.

Condition 3- Landscaping details

Details were approved as part of 134890. The condition will be re worded and carried over.

Condition 4- Boundary Treatments

This condition remains relevant in this case as the acoustic fencing needs to remain in place for the lifetime of the development. The condition will be carried over and re worded.

Condition 5- Highway Access and Pedestrian Crossing

The details were discharged by application reference 137067. The works have been completed and therefore the condition is no longer relevant.

Condition 6- S106 agreement

A S106 agreement has been signed for the pedestrian crossing and it has been delivered. The works have been completed and therefore the condition is no longer relevant.

Condition 7- Cycle Storage

Details of cycle storage were approved under 134890. The condition will be re worded to be in accordance with this information.

Condition 8- Air Con and Refrigeration Units

These details were approved and discharged as part of 134890. The condition will be varied to be in accordance with the approved information.

Condition 9- Contaminated Land Assessment

All contamination reports, including the completion report have been approved and discharged. This condition is no longer relevant and will be removed.

Condition 10- Demolition and Construction Management Plan

No longer relevant, the development is complete.

Condition 11- Approved Plans and Documents

This remains relevant and shall be carried over.

Condition 12- Contamination found during development

No longer relevant, the development is complete.

Condition 13- Closure of temporary access points to Heaton Street

No longer relevant and will be removed.

Condition 14- Drainage

Remains relevant. Will be re worded.

Condition 15- External Lighting

Remains relevant and shall be amended to be in accordance with the details discharged as part of application reference 134890.

Condition 16- Refuse Facilities

Remains relevant and shall be amended to be in accordance with the details discharged as part of application reference 134890.

Condition 17- In accordance with FRA

Remains relevant and will be carried over.

Condition 18- Approved Landscaping Plan

No longer relevant. This condition will be removed as part of the new permission.

Condition 19- Delivery times

Will be varied as assessed within this application.

Condition 20- Parking Plan

Remains relevant and will be carried over.

Condition 21- Contaminated Drainage

Remains relevant and will be carried over.

Condition 22- Surface Water System

Remains relevant and will be carried over.

Condition 23- External loudspeaker

Remains relevant and will be carried over.

Where conditions are no longer applicable, the numbering on the decision notice will be updated to reflect this. The reasons for the conditions have also been updated to reflect the most up to date relevant planning policy.

Conclusion and reason for decision: The application has been considered against policies S1 The Spatial Strategy and Settlement Hierarchy, S47 Accessibility and Transport, S35 Network and Hierarchy of Centres, S37 Gainsborough Town Centre and Primary Shopping Area and S53 Design and Amenity of the Central Lincolnshire Local Plan and the policies within the Gainsborough Neighbourhood Plan in the first instance as well as guidance contained within the NPPG and the provisions of the NPPF.

In light of this assessment, the impacts arising from the extending of delivery hours are considered to be acceptable in relation to the impacts arising from noise. The application is recommended for approval, subject to conditions.

Decision Level: Delegated/Committee

Referral- Third Party Representations and Gainsborough Town Council:
Are they planning matter(s)?

Yes- The impact of noise arising from development is a material planning consideration.

Are the matter(s) relevant to this application?

Yes- as above.

Are the matter(s) finely balanced?

No. The proposals are considered to be acceptable with regard to the impacts of extending delivery hours to be from 05:00 upon residential amenity. The application has been accompanied by a Noise Report which has been reviewed by the Councils Environmental Protection Team who consider the noise levels to be acceptable. The matters are not considered to be finely balanced.

RECOMMENDED CONDITIONS

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

None.

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

1.The landscaping as approved as part of 134890 shall be retained in perpetuity for the lifetime of the development.

Reason: To ensure that a landscaping scheme to enhance the development is provided in accordance with Policy S53 of the Central Lincolnshire Local Plan.

2.The boundary treatments approved as part of 134890 shall be retained in perpetuity for the lifetime of the development.

Reason: To ensure that a landscaping scheme to enhance the development is provided in accordance with Policy S53 of the Central Lincolnshire Local Plan.

3.The Cycle Storage approved as part of 134890 shall be always retained and available for use for the lifetime of the development.

Reason: To encourage the use of alternative forms of transport to the site, other than the private car, having regard to NPPF and in accordance with Policy S48 of the Central Lincolnshire Local Plan.

4.The approved air conditioning and refrigeration units shall be as approved as part of 134890 and shall be retained as such thereafter.

Reason: To protect residential amenity and in accordance with Policy S53 of the Central Lincolnshire Local Plan.

5. 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: 1839 03 rev AM, 1839 05 rev P, 1839-08 rev C, 1839-09 rev A, 1839 10 rev A, 1839-11 Rev E, 1839-12, 1839 -13 rev B, 1839 16 rev E, 1839 22, Topographical Survey No. 001, Substation Plans, Lighting Assessment Plan and Reports: Design and Access Statement, Lighting Assessment, Flood Risk and Foul Drainage and Foul Drainage Assessment, Addendum to Flood Risk & Foul Drainage Report, Noise Impact Assessment Report Reference: 11394/CP, Planning & Heritage Statement, Addendum to Planning Note & Updated Heritage Assessment, Preliminary Appraisal Report (Desk Study) of land off Beaumont Street, Gainsborough, Transport Assessment and C6408-011. 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 documents.

6. The foul surface water and sewage disposal works to serve the development shall be in accordance with the approved plans and report by WYG titled: Flood Risk & Foul Drainage Assessment and associated Appendix, A/B/C/D/E/F/G/H/I/J/K and except where amended by the Flood Risk & Foul Drainage Assessment Addendum which should then be adhered to.

Reason: In the interest of water quality, flood prevention and the residential amenities of future occupiers in accordance with Policy S21 of the Central Lincolnshire Local Plan.

7. The external lighting used in the development shall be as approved under reference 134890.

Reason: In the interest of visual and residential amenity in accordance with Policy S53 of the Central Lincolnshire Local Plan.

8. The facilities for the disposal and storage of any refuse/ recyclable materials shall be in accordance with the details approved within application reference 134890. The facilities shall be permanently retained thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of public health, visual amenity and highway safety in accordance with Policies S47 and S53 of the Central Lincolnshire Local Plan.

9. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA), (Rev A, September 2015, WYG Engineering), in particular setting finished floor levels no lower than 7.08m above Ordnance Datum (AOD).

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

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

10.The arrangements shown on the approved plan 1839 03AM for the parking/turning/ manoeuvring/loading/uploading of vehicles shall be available at all times when the premises are in use.

Reason: In the interests of highway safety in accordance with Policy S47 of the Central Lincolnshire Local Plan.

11.No servicing of the store, including waiting vehicles or activity within the service yard shall occur outside of the hours of 05:00 – 23:00 on weekdays and 07:00-23:00 on weekends and bank holidays.

Reason: In the interests of protecting the residential amenities of neighbouring occupiers in accordance with Policy S53 of the Central Lincolnshire Local Plan.

12.The deliveries, taking place between 05:00 and 07:00 on weekdays, shall not exceed the specified noise levels as measured at the specified measuring locations defined in the noise report submitted by Acoustic Consultants Limited Report Reference: 11394/CP Date: 8 July 2025 unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of protecting the residential amenities of neighbouring occupiers in accordance with Policy S53 of the Central Lincolnshire Local Plan.

13.There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct or via soakaways.

Reason: To avoid flooding and prevent pollution of the water environment as recommended by the Environment Agency and in accordance with Policy S21 of the Central Lincolnshire Local Plan.

14.Prior to being discharged into any watercourse, surface water system or soakaway, all surface water drainage from parking areas and hardstandings shall be passed through trapped gullies and oil interceptors with an overall capacity compatible with the site being drained. Roof water shall not pass through the interceptor.

Reason: To prevent pollution of the water environment as recommended by the Environment Agency and in accordance with Policy S21 of the Central Lincolnshire Local Plan.

15.No external system of public address, loudspeaker system or amplified sound/music shall be operated on any part of the site externally without the prior written approval of the Local Planning Authority.

Reason: In the interest of preserving the amenity of the surrounding area in accordance with Policy S53 of the Central Lincolnshire Local Plan.

Notes to the Applicant

None.

Human Rights Implications:

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

Legal Implications:

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

Prepared by : Danielle Peck **Date :** 13/01/2026

I agree with your recommendation.

Whilst the concerns of neighbouring residents are noted, the Noise Impact Assessment identifies any noise will be at the No Observed Adverse Impact Level and mitigation should not be required.

In the event of breaching these levels, condition 12 would be engaged which is enforceable. The Council also has statutory powers under the provisions of the Environmental Protection Act.

I consider the matters raised to be addressed and are not finely balanced. The decision may be determined under delegated powers in accordance with our Constitution.



Authorising Officer
13/01/2026

..... **Date:**