

Guildhall Gainsborough
Lincolnshire DN21 2NA
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AGENDA

This meeting will be webcast live and the video archive published on our website

Planning Committee

Wednesday, 22nd July, 2026 at 6.30 pm

Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA

Members:

- Councillor Ian Fleetwood (Chairman)
- Councillor Matthew Boles (Vice-Chairman)
- Councillor Jacob Flear
- Councillor John Barrett
- Councillor David Dobbie
- Councillor Adam Duguid
- Councillor Sabastian Hague
- Councillor Tom Smith
- Councillor Jim Snee

1. Apologies for Absence

2. Public Participation Period

Up to 15 minutes are allowed for public participation. Participants are restricted to 3 minutes each.

3. To Approve the Minutes of the Previous Meeting (PAGES 3 - 14)

**i) Meeting of the Planning Committee held on
Wednesday, 24 June 2026, previously circulated.**

4. Declarations of Interest

Members may make any declarations of interest at this point but may also make them at any time during the course of the meeting.

5. Update on Government/Local Changes in Planning Policy

Note – the status of Neighbourhood Plans in the District may be found via this link

<https://www.west-lindsey.gov.uk/my-services/planning-and-building/neighbourhood-planning/>

6. Planning Applications for Determination

- i) WL/2026/00514 - FPA Land Rear of Langmead, North Kelsey (PAGES 15 - 33)
- ii) WL/2026/00311 - Elm Tree Farm, Heapham Lane, Heapham, DN21 5PT (PAGES 34 - 62)
- iii) WL/2025/01163 - 4 Silver Street, Gainsborough, DN21 2DP (PAGES 63 - 77)
- iv) WL/2026/00290 - Highfield Cliff Farm, Shadows Lane, Glentham, Market Rasen (PAGES 78 - 89)

7. Determination of Appeals

(PAGES 90 - 105)

Paul Burkinshaw
Head of Paid Service
The Guildhall
Gainsborough

Tuesday, 14 July 2026

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Planning Committee held in the Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA on 24 June 2026 commencing at 6.30 pm.

Present:

- Councillor Ian Fleetwood (Chairman)
- Councillor Matthew Boles (Vice-Chairman)
- Councillor John Barrett
- Councillor David Dobbie
- Councillor Adam Duguid
- Councillor Mrs Lesley Rollings
- Councillor Tom Smith
- Councillor Jim Snee

In Attendance:

- Sally Grindrod-Smith Director Planning, Regeneration & Communities
- Ian Elliott Development Management Team Leader
- Danielle Peck Senior Development Management Officer
- Richard Green Development Management Officer
- Owen Toop Senior Development Management Officer
- Martha Rees Legal Advisor
- Molly Spencer Democratic & Civic Officer

Apologies: Councillor Sabastian Hague

Membership: Councillor Lesley Rollings was appointed substitute for Councillor Sabastian Hague

Also in Attendance: 28 Members of the public

Visiting Members: Councillor Paul Howitt-Cowan
Councillor Trevor Young

8 PUBLIC PARTICIPATION PERIOD

There was no public participation.

9 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

RESOLVED that the minutes of the Planning Committee meeting held on Wednesday, 27 May 2026, be confirmed and signed as an accurate record.

10 DECLARATIONS OF INTEREST

The Chairman declared a non-pecuniary interest in application WL/2026/00290 on behalf of all Members of the Planning Committee, as the applicant was a West Lindsey District

Councillor known to Members. It was also stated that the applicant would address the meeting before leaving the Chamber for the debate and determination of the application. This declaration was echoed by Councillor Duguid.

Councillor Boles declared a non-pecuniary interest in application WL/2026/00415, as they were a Member of Lincolnshire County Council. It was confirmed that the application would be considered with an open mind.

Councillor Rollings declared a non-pecuniary interest in application WL/2026/00415, as they were the Ward Member for Scotter and Blyton and were attending as a substitute Member.

11 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY

It was reported that the Saxilby with Ingleby Neighbourhood Plan had successfully passed referendum in early May 2026. It was further advised that a report would be submitted to Full Council on 29 June 2026 recommending that the Neighbourhood Plan be made.

12 WL/2026/00415 - NURSERY VALE, MORTON, GAINSBOROUGH

The application was introduced and Members of the Committee were advised that the proposal sought permission for the change of use of a dwelling from Use Class C3 to a children's home within Use Class C2.

An additional representation had been received from a neighbouring property, which had been considered and was not considered to raise any new material planning matters beyond those set out in the Committee report.

The Officer advised that an update to the recommendation was proposed. Condition 3, as set out in the report, was to be replaced with two separate conditions controlling staffing arrangements and limiting the number of children to a maximum of three at any one time.

It was explained that the proposal would accommodate up to three children, with a minimum of two members of staff present overnight, alongside additional staffing arrangements as detailed within the submitted information.

The Committee was shown photographs of the site and surrounding area, noting that no external alterations were proposed and that on- street parking and a rear garden were available.

The site was identified within a Tier 5 settlement and was shown in the context of nearby services and facilities, including shops, a primary school, hospital and public transport links. The location of other similar facilities within the area was also indicated.

The Chairman outlined the procedure for public speaking.

Councillor Allison, speaking on behalf of Morton Parish Council, addressed the Committee and raised concerns regarding flood risk, stating that whilst the site was identified within Flood Zone 1, the wider area was subject to flooding and could become isolated. Reference was made to national and local planning policy, with the view expressed that insufficient weight had been given to the vulnerability of the proposed use.

Concerns were also raised regarding the concentration of similar developments within the area, the interpretation of Morton's relationship with Gainsborough, and the potential impact on the local community. The Parish Council requested that the application be refused.

The applicant addressed the Committee in support of the application. It was explained that the proposal sought to provide a small-scale children's home for up to three children, offering a stable and supportive home environment. Reference was made to the increasing number of children in care and the need for appropriate accommodation. Assurance was provided that the home would be professionally managed and regulated, with a focus on the wellbeing of both the children and the wider community.

The agent also addressed the Committee and outlined their professional experience within the public sector and children's services. It was stated that the proposed development would operate under strict regulatory oversight, and that no objections had been raised by Lincolnshire Police. The view was expressed that children benefited from living within established communities with access to local services and facilities. The Committee was asked to support the Officer recommendation and approve the application.

An objector addressed the Committee, concerns were raised regarding the impact of the proposal on the character of the area, noting that it would introduce a more intensive, managed use within a residential estate.

Further concerns related to the accuracy of information submitted with the application, the potential for increased traffic and activity associated with staff and visitors, and the likelihood of noise and disturbance arising from a 24-hour operation.

Issues were also raised regarding the suitability and sustainability of the location, including access to services and perceived safety considerations. Concern was expressed regarding the loss of a family dwelling and the potential for a concentration of similar uses within the area. The Committee was requested to refuse the application.

With no response from Officers, the Chairman opened the floor to Members of the Committee for debate.

A Member of the Committee queried whether existing similar facilities within Morton had given rise to any issues or complaints, and whether information was available regarding their

operation. It was noted that, whilst there was sympathy for residents, the Committee was required to determine the application on planning grounds. In response, the Lead Officer advised that no specific information was available at the meeting regarding the operation of existing facilities, and that such matters would ordinarily be considered by other regulatory bodies.

The Vice-Chairman raised concerns regarding the compliance of the proposal with Policy S23, particularly in light of the Tier 5 status of Morton and the accessibility of services and facilities. It was queried whether future occupants would have realistic access to education, healthcare and social opportunities. Further concerns were raised in respect of parking and the proposed staffing arrangements, with reference made to the alignment between the report and the wording of the relevant condition.

The Lead Officer advised that Policy S23 sought to direct residential care development away from isolated locations. It was acknowledged that Morton, as a Tier 5 settlement, was more rural in nature; however, it was considered to have access to services and facilities, including via public transport. Reference was made to a similar application previously considered by the Committee, where the location had been accepted in this context.

In relation to the proposed conditions, it was confirmed that Condition 3 would be replaced by revised conditions to reflect the staffing arrangements set out within the submitted Planning Statement, providing greater clarity and enforceability.

Members of the Committee reiterated that each application should be determined on its own merits, and continued concerns were expressed regarding the Tier 5 status of the settlement and access to services, particularly in relation to transport and opportunities for children.

The Legal Advisor reminded Members of the Committee that applications must be determined on their own merits. It was also noted that a previous decision of the Committee, in which Morton had been accepted as a sustainable location for a similar form of development, was capable of being considered as part of the overall planning balance.

A Member of the Committee expressed concern regarding the cumulative impact of similar developments within Morton and queried at what point further provision would represent an over concentration. Reference was made to the volume of objections received from residents, which were considered to reflect genuine planning concerns rather than general opposition in principle. It was suggested that such provision should be evidence based and strategically planned, with appropriate input from relevant bodies, and that limited information had been provided in this regard.

Concern was also raised regarding the potential for speculative development and whether the proposal reflected an identified local need, including the possibility that accommodation could be used by other authorities.

Further concerns were expressed regarding the character of the area, the level of activity associated with the proposed use, and the comparison with a typical dwelling. Reference was also made to parking constraints, the likelihood of additional vehicle movements, and reliance on limited public transport.

A Member of the Committee raised further concerns regarding highways impact, particularly in relation to parking pressures and the potential for increased congestion within the cul de sac.

In response, the Lead Officer advised that the application had been assessed in consultation with the Highways Authority. It was explained that the relevant test for refusal on highways grounds related to whether the development would result in a severe impact on the highway network. No objection had been raised by the Highways Authority, and the proposal had therefore been assessed in accordance with this advice, considering the anticipated vehicle movements and staffing arrangements.

It was further explained that the proposal represented a different use class to that of a standard dwelling and therefore required planning permission. The assessment had been undertaken on land use planning grounds only, with matters relating to operation and management controlled through separate regulatory regimes.

A Member of the Committee reiterated concerns regarding the localised impact on parking and residential amenity, and the implications for existing residents.

The Chairman noted that, in the absence of an objection from the Highways Authority, limited weight could be attributed to highways concerns in isolation, particularly in the context of any potential appeal. Issues were also raised regarding accessibility to services and facilities, including education, and the suitability of the location for future occupants.

A Member of the Committee acknowledged the points raised during the debate but noted that there appeared to be limited planning grounds on which to base a refusal. It was further noted that consistency with previous decisions of the Committee was an important consideration, and concern was expressed regarding the likelihood of a successful appeal should the application be refused without clear planning justification.

A Member of the Committee referred to national data relating to increases in the number of children in care and the growth in children's homes, noting concerns regarding the significant expansion of privately operated provision and associated costs. Strong concern was expressed regarding the wider policy context and the increasing role of private operators within the sector, which the Member stated was not supported.

It was acknowledged that, in planning terms, the application appeared to comply with

relevant policy and that there were limited grounds upon which to refuse permission. Concern was also raised that a refusal could be difficult to defend at appeal, potentially resulting in costs to the Council.

NOTE: Councillor David Dobbie abstained from voting on the following resolution.

Having been proposed and seconded, the Chairman took the vote. With equal votes for and against, the Chairman used his casting vote, and it was agreed that planning permission be **GRANTED** subject to the following conditions:

Recommended Conditions:

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

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

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

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

None.

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

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

- Site Plan – Produced on 27th March 2026
- Site Location Plan – Produced on 27th March 2026
- Proposed Floor Plans – Spring Hill House – Uploaded on 3rd May 2026

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

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

3. The development must only be operated in strict accordance with the staffing structure, hours and attendance as set out on Pages 4 to 6 of the Planning Statement, Dated 4th April 2026

Reason: In order to maximise the sustainability of the development to accord with the

National Planning Policy Framework and local policies S23 and S53 of the Central Lincolnshire Local Plan.

4. The use hereby permitted shall only provide care for a maximum of 3 children at any one time.

Reason: In order to maximise the sustainability of the development to accord with the National Planning Policy Framework and local policies S23 and S53 of the Central Lincolnshire Local Plan.

13 WL/2026/00251 - THE OLD BLACKSMITHS, TEMPLEFIELD ROAD NORTHFIELD LANE, WILLOUGHTON

The Officer introduced the application, who advised that the proposal sought permission for the change of use of the former blacksmiths building to a café and shop.

The Committee was advised that, with no updates to the application, the proposal included limited external alterations, comprising new windows and doors and the addition of a timber pergola, with internal works to facilitate the café, shop and outdoor seating area.

It was noted that the application was before Committee as it represented a departure from Policy S49 due to the absence of on-site parking provision. The Officer further advised that the Highways Authority had initially raised concerns regarding access, however, these had been addressed through the provision of a pedestrian access to the north of the site and a refuge point on the opposite side of the road, to be secured through a highways works agreement and planning condition.

It was also noted that the building was identified as a non-designated heritage asset, and that the proposal would bring the building back into active use and support its long-term preservation.

The Chairman invited the applicant to address Members of the Committee. It was explained that the proposal sought to bring the building back into use as a small-scale café and village shop, providing a community facility and preserving a building of historic importance. Assurance was provided that the business would operate on a modest scale and would seek to complement village life whilst supporting local employment and community cohesion.

Councillor Howitt Cowan as Ward Member addressed the Committee in support of the application, highlighting the opportunity to restore a building of local historical value and provide a community asset. It was acknowledged that the absence of parking presented a challenge, however, it was considered that this should be weighed against the benefits of bringing the building back into use. The Committee was urged to support the application in line with the Officer recommendation.

Members of the Committee expressed overall support for the application, recognising the benefits of bringing a non-designated heritage asset back into active use and providing a community facility within the village. The proposal was welcomed as a positive investment, with support noted for small scale local enterprise and the enhancement of local amenities.

Clarification was sought in respect of highways matters, including the nature of the initial objection and the proposed pedestrian refuge, and of the level of archaeological recording to be secured by condition. It was confirmed that the highways concerns related to pedestrian safety and had been addressed, and that a proportionate level of archaeological recording was proposed.

Whilst the absence of on-site parking was acknowledged, Members considered that the impacts were acceptable in this context, noting the location and anticipated scale of the use.

With no further comments, the proposal to accept the Officer's recommendations was duly seconded and voted upon. It was therefore agreed that planning permission be **GRANTED** 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:

Drawing no. 001 Rev J, dated 04/06/2026.

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

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

3. The development hereby permitted shall be undertaken in accordance with a Construction

Management Plan and Method Statement that shall first be approved in writing by the Local Planning Authority. The Plan and Statement shall indicate measures to mitigate the adverse impacts of vehicle activity and the means to manage the drainage of the site during the construction stage of the permitted development. It shall include;

- the on-site parking of all vehicles of site operatives and visitors;
- the on-site loading and unloading of all plant and materials;
- the on-site storage of all plant and materials used in constructing the development;
- wheel washing facilities;

Reason: In the interests of the safety and free passage of those using the adjacent public highway and to ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction.

4. The development hereby permitted shall not be brought into use until the pedestrian footpath to the north of the building has been installed and completed.

Reason: In the interests of highway safety, including the safety of pedestrian accessing the site, in accordance with Policy S47 of the Central Lincolnshire Local Plan.

5. The conversion works hereby approved shall not take place until an Historic Building Record has been submitted to and approved in writing by the Local Planning Authority. The recording should be to Level 2 as described in Historic England's- A Guide to Good Recording Practice.

Reason: To ensure the appropriate recording of the historic building in a manner proportionate to its importance in accordance with policy S57 of the Central Lincolnshire Local Plan and guidance within the NPPF.

6. Prior to the installation of any new or replacement windows and doors, drawings to a scale of 1:10, showing the following information shall be submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the approved details.

- Materials, including colour and finish;
- Method of glazing;
- Method of opening;

Reason: In the interests of protecting the appearance of the host NDHA and the character of the street scene to be in accordance with Policies S53 and S57 of the Central Lincolnshire Local Plan.

7. Prior to their use in the development hereby approved, details, including specifications of

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

- Roof tile to be used;
- Treatment of verges and barge boards;
- Any flues, vents or other external pipework;
- Treatment and/or finish of pergola.

Reason: In the interests of protecting the appearance of the host NDHA and the character of the street scene to be in accordance with Policies S53 and S57 of the Central Lincolnshire Local Plan.

8.Any new or replacement guttering to be used in the development hereby permitted shall be black cast iron unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of protecting the appearance of the host NDHA and the character of the street scene to be in accordance with Policies S53 and S57 of the Central Lincolnshire Local Plan.

9.The development hereby permitted shall not be brought into use 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 in accordance with Policy S21 of the Central Lincolnshire Local Plan 2023.

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

10.The opening hours of the development hereby approved shall be in strict accordance with the following opening hours, unless otherwise agreed in writing by the Local Planning Authority.

Monday- Friday- 08:00- 18:00

Saturday- 08:00- 18:00

Sunday- 09:00- 17:00

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

14 WL/2026/00290 - HIGHFIELD CLIFF FARM, SHADOWS LANE GLENTAM, MARKET RASEN

The application was introduced by the Officer, who advised that the proposal sought to vary

an existing planning permission to remove an agricultural occupancy condition attached to the dwelling.

The Committee was shown the site location and surrounding context, noting that the site was located within the open countryside to the west of Glentham. The existing condition restricting occupancy was presented and explained. Photographs of the dwelling and access arrangements from the A631 were provided for context.

The applicant addressed the Committee in support of the application. It was explained that the dwelling had been constructed as a farmhouse associated with the wider agricultural holding and was not a typical agricultural workers' dwelling.

It was stated that changes within the agricultural sector had resulted in significantly reduced employment opportunities, meaning that the dwelling was no longer suitable for occupation by a person employed in agriculture as required by the condition. Reference was made to a marketing exercise undertaken over an extended period, which had not resulted in a suitable occupant being identified.

The applicant advised that the property was of a nature and scale that limited its suitability for agricultural occupancy, and that the continued restriction was no longer practical. It was further stated that the removal of the condition would not result in harm, noting the absence of local objection and the established presence of the dwelling.

The Committee was requested to support the removal of the agricultural occupancy condition.

NOTE: Councillor Adam Duguid exited the Council Chamber at 7.48pm.

With no comments to return from the Officer, the Chairman opened to Members of the Committee for debate.

Support was indicated by a Member of the Committee who considered that planning policy should respond to changes within the agricultural sector, noting that buildings no longer required for their original purpose should be capable of alternative use. It was considered that the applicant had demonstrated that the existing restriction was no longer practical, and approval of the application was proposed.

Other Members expressed sympathy with the circumstances outlined by the applicant, particularly in relation to changing agricultural practices. However, concern was raised regarding the need to identify appropriate planning justification to support the removal of the condition, with it noted that decisions must be based on policy.

Further concerns were raised regarding the absence of evidence of a suitable marketing exercise. Clarification was sought regarding the requirements for marketing a dwelling

subject to an agricultural occupancy condition, including duration, pricing and demonstration of lack of interest. The Officer advised that a period of marketing would typically be required, supported by evidence of reduced pricing and details of interest received, and confirmed that no such evidence had been submitted in this case.

Concern was also expressed regarding the potential precedent that could arise from the removal of such conditions. The Committee considered whether the application should be deferred to enable the applicant to provide supporting evidence of marketing activity, rather than determining the application in its current form. It was noted that any deferral would require agreement to an extension of time to avoid the risk of an appeal on grounds of non-determination.

With no further comments, upon being put to the vote, the proposal was carried and it was therefore **RESOLVED** that the application be **DEFERRED** to enable the submission of further information to evidence the marketing of the dwelling.

NOTE: Councillor Adam Duguid re-entered the Council Chamber at 8.01pm

15 DETERMINATION OF APPEALS

With no comments, questions or requirements for a vote the appeal decisions were **DULY NOTED**.

NOTE: The meeting entered closed session at 8.03pm

16 PLANNING ENFORCEMENT - FORMAL CASE UPDATE

Members of the Committee considered the Planning Enforcement update, with reference made to a case where an enforcement notice had been issued in December 2019, and a subsequent application had only recently been submitted. Concern was expressed regarding the length of time taken for the matter to progress, with a query raised as to how the situation had been allowed to extend over a period of approximately 6 years. It was confirmed that the appropriate Officer would follow this up with the relevant teams.

With no further comments or questions, the Planning Enforcement - Formal Case Update was **DULY NOTED**.

The meeting concluded at 8.08 pm.

Chairman

Site Location Plan WL/2026/00514



EXISTING SITE LOCATION PLAN

scale 1:2500

2500

Officers Report

Planning Application No: WL/2026/00514

PROPOSAL: Planning application to erect 1no. self build detached dwelling with associated detached garage / gym, ancillary domestic garden equipment store and associated site works.

LOCATION:

LAND REAR OF LANGMEAD
WEST STREET
NORTH KELSEY
MARKET RASEN
LN7 6JP

WARD: KELSEY WOLD

WARD MEMBER(S): Cllr P Morris

APPLICANT NAME: Mr Oliver Lawrence

TARGET DECISION DATE: 04/08/2026

CASE OFFICER: Danielle Peck

Recommended Decision: Refuse planning permission.

The application is referred to the planning committee for determination in line with the Councils Constitution as the applicant is from the immediate family of an elected member of the Council (Councillor Mrs A T Lawrence).

Site Description: The application site comprises of an area of paddock land located to the rear of existing dwellings along West Street, in North Kelsey. The site is currently well kept and laid to grass, with a stable building located in the south of the site. The application site is adjoined by open paddock/ fields/ countryside to the north and west, with residential dwellings and their garden areas to the east and south. The site is bounded by a mixture of boundary treatments which form the garden areas of the dwellings on West Street and Occupation Lane, to the north, hedging and trees are located to the south.

The Proposal: The application seeks full planning permission for the erection of 1no. self-build, two storey, 4-bedroom, detached dwelling. It is also proposed to erect a two-storey detached garage/ store and gym building and a single storey detached domestic garden equipment storage building. The site would have a formal parking and driveway area to the front (east) with its main garden area located to the west. The existing stable block at the site would be demolished to facilitate the proposals.

The application proposes access to be taken through Langmead, a residential property within the ownership of the applicant, on West Street. Access through would be

facilitated by the removal of the existing attached double garage afforded to this property.

Relevant Planning History

Langmead, West Street- WL/2026/00175- Application for prior notification of proposed demolition of attached double garage. Prior Approval Not Required 16/03/2026.

No other relevant history post 2005.

Representations

Full versions of the representations received can be found on the Councils Website using the following link: [West-Lindsey | Public Portal](#)

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

North Kelsey Parish Council: No representations received to date.

Local residents/ Third Party Representations:

Beck House, West Street, North Kelsey- Objects- Updated and replacement comments received 12/07/2026-

Objections summarised as follows:

1. Conflict with the Character of the Village and Harm to the Rural edge-

The application site forms part of the transition between the existing built form of North Kelsey and the surrounding countryside. It currently comprises open paddock land with existing stable buildings situated behind frontage development on West Street.

West Street is characterised by a predominantly linear pattern of frontage development with generous gardens, mature landscaping and open views towards the countryside. The proposal introduces significant backland development that neither reinforces this established pattern nor preserves the spacious rural character of the western approach to the village.

2. Encroachment into open land and unjustified extension of Built Development- The applicant places considerable reliance upon the site being located within the development footprint of North Kelsey.

However, the adopted Central Lincolnshire Local Plan no longer defines settlement boundaries for villages such as North Kelsey. Consequently, the Local Planning Authority must carefully consider whether this proposal accords with the spatial strategy contained within Policies S1 and S4 together with the relevant provisions of the National Planning Policy Framework concerning development in rural settlements.

Regardless of policy interpretation, the proposal represents the loss of an important area of open paddock land that currently contributes to the visual separation between the built settlement and the surrounding countryside. Its development would reduce openness and further erode the rural edge of the village.

3. Excessive Scale, Massing and Overall Intensity of Development- Although described as a single dwelling, the proposal is substantially more extensive than a typical residential development. Collectively these elements create an estate-style development of considerable scale whose cumulative footprint and visual impact are out of keeping with the prevailing pattern of development in this part of North Kelsey. The proposal therefore represents an over-intensive form of development which would materially urbanise what is presently an open rural setting.

4. Unacceptable Impact upon Residential Amenity- Despite concluding that neighbouring amenity would not be adversely affected, the application is unsupported by objective technical evidence. No measured separation distances, daylight or sunlight assessments, window relationship analysis or cross-sections have been provided. Given the proximity of neighbouring dwellings, particularly along the eastern boundary, such evidence would reasonably be expected before concluding that residential amenity would be adequately protected.

5. Impact of Proposed Access- The proposed access road would pass approximately 0.5 metres from the full length of the southern boundary of my property. The proposal would fundamentally change this relationship by introducing regular vehicle movements immediately adjacent to my garden, patio and outdoor living space. Two habitable room windows also directly face the proposed access. The inevitable increase in vehicle movements, engine noise, headlight glare and general disturbance would materially diminish the enjoyment of my property and fundamentally alter the character of this currently quiet rural boundary.

6. Failure to address existing foul drainage infrastructure- The application provides no evidence demonstrating:

- the precise location of the existing sewer;
- whether buildings or infrastructure would conflict with required easements;
- how future maintenance access would be protected;
- whether the relevant sewerage undertaker has confirmed that the proposed development is acceptable. No technical assessment has been submitted demonstrating that the existing shared drainage infrastructure can be protected or that neighbouring properties will not be adversely affected. These matters are material planning considerations and should be resolved before planning permission is granted rather than deferred through planning conditions.

7. Inappropriate Design Response- The formal Georgian-style country house, together with its associated outbuildings, engineered access, extensive hardstanding and formal landscaping, creates a suburban estate character that is inconsistent with the informal rural setting of the village edge.

8. Cumulative Urbanisation- The applicant refers to previous planning permissions in the locality. However, each application must be considered on its own merits. The Local Planning Authority should also consider the cumulative impact of successive developments on former paddock land around the western edge of North Kelsey.

Incremental encroachment into open land risks gradually eroding the rural setting of the village and weakening the distinction between the settlement and surrounding countryside.

9. Detached Garage/ Gym- Insufficient information has been provided to demonstrate that the detached garage/gym building is genuinely ancillary and subordinate to the principal dwelling. Its scale together with first-floor accommodation raises legitimate concerns regarding future intensification of use and whether it exceeds what would normally be regarded as incidental domestic accommodation.

10. Equipment Store- Given its size and prominent location, it would be readily visible from neighbouring residential properties and would appear as a significant built structure within what is currently an open paddock. The application provides little justification for the scale of this building or why a structure of this size is necessary to serve a single dwelling.

11. Reliance upon future landscaping- The proposal relies heavily upon future tree and hedge planting to mitigate its visual impact. Whilst additional planting is welcomed, landscaping requires many years to mature and should not be relied upon to justify an otherwise harmful layout or development that is inappropriate in principle. The proposal should therefore be assessed on the basis of its immediate impact rather than anticipated future screening.

LCC Highways and Lead Local Flood Authority: **No objections.**

This proposal is to erect 1no detached dwelling with associated detached garage / gym, ancillary domestic garden equipment store and associated site works and the access arrangements remain unchanged with ample parking; therefore, it is considered that the proposals would not result in an unacceptable impact on highway safety.

Should further development come forward off this access, it will need widening to a minimum of 4.1m (width dependent on the size of development) in line with Manual for Streets.

LCC Archaeology: The proposed development is located within an area of medieval field system represented by upstanding earthworks visible in LiDAR, and as cropmarks. The earthworks relating to the wider field system appear to have been partly levelled which has been referred to in previous applications to the immediate north as referenced in the Supporting Statement provided with WL/2026/00514; the survival of the earthworks varies throughout the areas. The proposed development will impact upon an area of surviving earthworks, which will require mitigation should the proposed development go ahead.

A scheme of earthwork recording prior to any works taking place (including enabling works) should be undertaken, followed by a scheme of archaeological monitoring and recording (watching brief) to characterise the below ground remain.

Recommends conditions in relation to an earthworks survey and a written scheme of investigation for archaeological monitoring and recording.

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

Development Plan

- **Central Lincolnshire Local Plan 2023 – 2043**

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
S12 Water Efficiency and Sustainable Water Management
S20 Resilient and Adaptable Design
S21 Flood Risk and Water Resources
NS24 Custom and Self Build Proposals
S47 Accessibility and Transport
S49 Parking Provision
S53 Design and Amenity
S57 The Historic Environment
S60 Protecting Biodiversity and Geodiversity
S61 Biodiversity Opportunity and Delivering Measurable Net Gains
S66 Trees, Woodland and Hedgerows

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

- **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>

- 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>

Main Considerations:

- Principle of development inc. Self Build;
- Visual Amenity/ Character of the Area, including Landscaping;
- Residential Amenity;
- Highways, Access and Parking;
- BNG and Ecology;
- Energy Efficiency;
- Archaeology;
- Flood Risk and Drainage;
- 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 Central Lincolnshire Local Plan sets out a spatial 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.

North Kelsey is defined as a Medium village (Tier 5) by Policy S1. The policy states that; *Beyond site allocations made in this plan or any applicable neighbourhood plan, development will be limited to that which accords with Policy S4: Housing Development in or Adjacent to Villages or other policies relating to non-residential development in this plan as relevant.*

Policy S4 states that:

1. Large, **Medium** and Small Villages, as defined in the Settlement Hierarchy in Policy S1, will experience limited growth to support their role and function through allocated sites of 10 or more dwellings in the Local Plan, sites allocated in neighbourhood plans, or on unallocated sites in appropriate locations* within the developed footprint** of the village that are typically:

- **up to 10 dwellings in Large Villages and Medium Villages;** and
- **up to 5 dwellings in Small Villages.**

Proposals on unallocated sites not meeting these criteria will not generally be supported unless there are clear material planning considerations that indicate otherwise.

2. Residential development proposals for unallocated sites within the size thresholds set out in part 1 of this policy and within the developed footprint of the village will only be supported where it would:

- a) *preserve or enhance the settlement's character and appearance;*
- b) *not significantly harm the character and appearance of the surrounding countryside or the rural setting of the village; and*
- c) *be consistent with other policies in the development plan.*

Appropriate location means a location which does not conflict, when taken as a whole, with national policy or policies in this Local Plan. In addition, to qualify as an 'appropriate location', the site, if developed, would:

- *retain the core shape and form of the settlement;*
- *not significantly harm the settlement's character and appearance; and*
- *not significantly harm the character and appearance of the surrounding countryside or the rural setting of the settlement*

Developed footprint of a settlement is defined as the continuous built form of the settlement and excludes:

- *individual buildings or groups of dispersed buildings which are clearly detached from the continuous built up area of the settlement;*
- ***gardens, paddocks and other undeveloped land within the curtilage of buildings on the edge of the settlement where land relates more to the surrounding countryside than to the built up area of the settlement; (emphasis added)***
- *agricultural buildings and associated land on the edge of the settlement; and*
- *outdoor sports and recreation facilities and other formal open spaces on the edge of the settlement.*

It is first important to assess if the site can be considered as part of the 'developed footprint' of North Kelsey. The definition is clear in that it excludes;

- ***gardens, paddocks and other undeveloped land within the curtilage of buildings on the edge of the settlement where land relates more to the surrounding countryside than to the built up area of the settlement.***

The application site comprises of an existing paddock located to the rear (west) of dwellings which front onto West Street. Whilst the rear garden area of 'The Coppice' extends partially along the southern boundary of the application site, there is a clear absence of built form to the immediate north and west of the application site, as well as the majority of the south. Upon visiting the application site, it was apparent that beyond the rear boundaries of those dwellings along West Street, there is a clear transition into a more rural, edge of settlement and open countryside location. The site is not considered to be within the developed footprint of North Kelsey and instead it is considered that the site does relate more to the open countryside than the main built-up area of North Kelsey, this is further emphasised by the absence of development that surrounds the site to the north, west and most of the southern boundary. It is considered that the site would not be an 'appropriate location' for development as it would also harm the settlements character and appearance, this is discussed further in the Character and Design section of this report.

Furthermore, it is considered that the proposal would introduce an uncharacteristic form of back land development, which, extending into undeveloped space, is not reflective of this part of the settlement. It is considered that if developed, the proposals would harm the core shape and form of the settlement.

It is acknowledged that the submitted supporting statement makes reference to nearby sites that have been granted planning permission. For context, the sites referred to are noted on the plan below, taken from the supporting statement;



It is clear that the site context and assessment of their suitability was considered very differently to this site. For example, the officers report for application reference 145992 (shown in purple), states the following:

"It (application site 145992) sits adjacent to the main body of the village and has dwellings directly opposite. It is therefore considered that the site is within the developed footprint of the village. Therefore, the proposal is deemed to be in an appropriate location as it retains the core shape and form of the settlement and does not significantly harm the settlement's character and appearance."

it is not considered that these sites are comparable with the application site and in any case each planning application is assessed on its own merits.

The submitted supporting statement also states the following:

“Collectively, these approvals establish a clear and consistent built edge to the western side of the settlement and assist in defining the present-day building line in this part of the village. The application site sits immediately to the south of these approved dwellings and is read as part of the same established settlement pattern.”

Respectfully, these conclusions are not agreed with by the LPA. The application site is seen in a totally different context to approvals 142508 and 145992 which face onto Occupation Lane.

Overall, it is considered that the application site does not form part of the developed footprint of North Kelsey, and its development would harm the core, shape and form of the settlement contrary to Policies S1 and S4 of the Central Lincolnshire Local Plan.

Policy S4 (3) states the following;

3. Proposals for residential development on unallocated land immediately adjacent to the developed footprint will only be supported where this is:

- a) a First Homes exception site in accordance with the NPPF and provided it is outside of the Lincolnshire Wolds Area of Outstanding Natural Beauty and not within a location that is subject of a Designated Rural Area as defined in Annex 2 of the NPPF; or*
- b) exclusively for a rural affordable housing exception site.*

Whilst the site may be considered to be immediately adjacent to the developed footprint of North Kelsey, the proposal does not comprise of a development as described in criteria a or b.

Self-Build- Policy NS24 of the Central Lincolnshire Local Plan supports self-build proposals and states;

Proposals for self and custom build dwellings consistent with the policies of this local plan, to be built and occupied by the applicant or to be built on behalf of the applicant, will be supported in principle.

The submitted application form details that the proposal is intended as a self-build proposal, to be occupied by the applicant. The proposal would accord to Policy NS24 in this regard.

Visual Amenity/ Character of the Area, inc. Landscaping

Policy S53 is split into 8 sections which detail design and amenity criteria that all development proposals will meet.

Some particular points have been detailed below, which are of relevance to this application are detailed below:

1. Context

- a) Be based on a sound understanding of the context, integrating into the surroundings and responding to local history, culture and heritage;*
- b) Relate well to the site, its local and wider context and existing characteristics including the retention of existing natural and historic features wherever possible and including appropriate landscape and boundary treatments to ensure that the development can be satisfactorily assimilated into the surrounding area;*
- c) Protect any important local views into, out of or through the site;*

2. Identity

- a) Contribute positively to the sense of place, reflecting and enhancing existing character and distinctiveness;*
- b) Reflect or improve on the original architectural style of the local surroundings, or embrace opportunities for innovative design and new technologies which sympathetically complement or contrast with the local architectural style;*

3. Built Form:

- b) 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;*

The application proposes the erection of three separate buildings within the application site, with the following approximate measurements;

Two storey detached dwelling (western part of the site): 17 metres in max depth, 16 metres in max width, 6.7 metres to the eaves and 8.7 metres in total height.

Two storey detached garage/ gym/ store (northern part of site): 16 metres in max width, 6 metres in max depth, 4.6 metres to the eaves and 6.3 metres in total height.

Single storey detached ancillary domestic store building (sited in the eastern part of site): 18 metres in max depth, 12.1 metres in max depth, 3 metres to the eaves and 4.1 metres in total height.

The proposed dwelling and detached garage/ store/ gym are of a traditional Georgian style design (as detailed within the planning statement) and appear quite distinct in their appearance. Although exact materials have not been confirmed, the submitted drawings detail that these buildings would be red brick and roof tile, with header and cill detailing over windows and doors. The single storey domestic store building would be agricultural in appearance being constructed from vertical cladding, which from the submitted drawings, would be of a green agricultural style.

This area of North Kelsey has a range of dwelling types and styles, with varying materials used. The application site is set back from West Street and only glimpse views through would be seen when passing the site to the east. The site is relatively

well screened from the surrounding countryside to the east by large hedgerows where there would be lessened views of the development within the wider area.

The domestic buildings would however introduce a large massing of built form, comprising of three large, detached buildings, in a currently open paddock area with two modest single storey stable outbuildings. It is considered that the introduction of the proposed buildings, cumulatively, would cause harm to the character of this area of the North Kelsey due to their scale, size and massing within this site. As detailed within the principle section of this report, the site is within a more rural, edge of settlement and open countryside location where you would expect to see a softer edge. The proposals would create a domestic development of a large scale which would be harmful to the spatial layout of this rural landscape, where, at present, there is an absence of back land development to the rear of the dwellings along West Street. and Occupation Lane.

Overall, the proposals would harm the character of the area and would not accord to the provisions of Policy S53 of the CLLP or the provisions of the NPPF.

Landscaping- Proposed landscaping is indicated as consisting of new hedging and formal garden planting as well as hardstanding to the front of the proposed dwelling. If permission were to be granted, then a full landscaping scheme would be conditioned for approval by the LPA prior to the occupation of the dwelling.

The application proposes the removal of a tree within the application site. Whilst no survey details have been provided of this tree it is considered that its removal could be mitigated by the landscaping proposals and the planting of replacement trees.

Residential Amenity

Part 8, criteria d of Policy S53 of the CLLP states that development proposals will:

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;

The application site is directly adjoined to the east by the rear garden area of Langmead, with the garden area of Beech House to the south and open paddock area to the north.

It is noted that Langmead House is currently within the ownership of the applicant, however the amenity of any potential future residents of this property must be taken into consideration as part of this application.

Firstly, it is not considered that the proposed dwelling and gym/ store building would cause harm to neighbouring amenity through unacceptable overlooking or dominating impacts. This is mainly due to the large separation distances between these buildings and the existing properties along West Street.

The proposed single storey, ancillary domestic storage building, sited within the eastern part of the application site would however adjoin the rear garden areas of Langmead (host dwelling) and Beech House (to the south).

The eastern gable end of this building would run almost the full length (c. 12 metres) of the rear boundary of Langmead at a separation distance of 2.2 metres. Even at single storey in height, it is considered that this building, due to its siting, would be particularly dominant for occupiers utilising the rear garden area of Langmead, at an unacceptable level of harm to their amenity.

The full southern elevation of this building would also run for c.18.4 metres along the northern boundary of the rear garden area afforded to Beech House. At its closest point the proposed building would be sited c. 1.8 metres away from the northern boundary moving to c. 4.6 metres the further west it runs.

Beech House has an existing detached garage within its rear garden area which runs adjacent to the northern boundary and is adjoined by The Coppice, a two-storey dwelling to the south. Effectively the proposed ancillary domestic storage building would begin where the western end of this garage ends. Due to the siting of this building close to the northern boundary and even at a single storey height its presence would give a sense of enclosure to the rear garden area whilst also being dominating for the occupiers of Beech House when utilising this area.

Concerns have been raised by the occupiers of Beech House in relation to the new access road running past their garden area. Whilst it is acknowledged that this would increase noise through the increase in car movements, it is not anticipated that this would be at a detriment to their amenity given it is 1no. dwelling proposed. It is also expected that the proposal would only generate low vehicle movements at a low speed.

In conclusion, the proposed development, in particular the detached ancillary/ domestic storage building would have an unacceptable impact upon neighbouring amenity through its siting and dominating impacts, contrary to the provisions of Policy S53 of the CLLP and Paragraph 135 (f) of the NPPF.

Highways, Access and Parking

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

Langmead, currently has two access points off West Street, effectively it has an in and out driveway. Access into the application site is proposed to be taken off West Street, through the rear garden area of Langmead House. To facilitate the access road through, it proposed to demolish the attached double garage of Langmead. Following the demolition of the attached garage, the proposed access road into the development would measure between c.5- 5 metres in width, this is considered to be sufficient for access to and from 1no. dwelling. It is to be noted that the width of this access drive has only been found to be acceptable for the anticipated vehicular movements to and from 1no. dwelling.

Whilst a condition could ensure that the garage is demolished prior to any works commencing on the dwelling, it is not considered necessary to secure this given that, in any case, the garage would need to be demolished to gain access into the site.

Langmead would continue to utilise the access point off West Street to the southeast.

Policy S49 and Appendix 2 of the Central Lincolnshire Plan detail parking standards for new developments. Appendix 2 details that for 4-bedroom dwellings in Villages and Rural Areas, 3 off road parking spaces should be provided. The proposed site plan shows a large amount of driveway space for off road parking for several vehicles. Ample off-road parking also remains for Langmead off the proposed remaining West Street access. The proposal would accord to Policy S49 in this regard.

BNG and Ecology

The 10% BNG is mandatory under Schedule 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% This means a development will result in more or better-quality natural habitat than there was before development.

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.

As detailed within the principle section of this report, the proposal is for a self-build development. Currently, self-build proposals are exempt from providing the 10% Gain.

Although the application indicates that the development is to be carried out by the applicant for their occupation and, therefore, comprises self-build, no means, such as a signed legal agreement (Unilateral Undertaking), to secure the property as self-build has been forthcoming. Without a legal agreement it is not possible to confirm the dwelling as a self-build and that a BNG exemption is applicable. The LPA did not request a legal agreement given the principle concerns with the development.

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.

The application has been accompanied with an Energy Statement and additional information to support the statement in the form of SAP Calculations and The CLLP Energy Efficiency Checklist have also been submitted.

The statement gives detail on how the design principles of Policy S6 has been considered, as follows;

Orientation of buildings- The orientation of the proposed dwelling has been carefully considered to maximise opportunities for energy efficiency and renewable energy generation. The principal dwelling is positioned within an open and spacious plot with minimal risk of overshadowing from neighbouring development, allowing good levels of natural daylight and solar gain throughout the year.

Form- The form of the proposed dwelling has been designed to reflect the character of traditional rural properties whilst incorporating modern energy efficient principles. The compact building form assists in reducing heat loss through the external envelope and promotes efficient internal heating. The layout also facilitates natural cross-ventilation through strategically positioned openings.

Fabric of Buildings- The proposed dwelling will be constructed using high-quality, thermally efficient materials that exceed current Building Regulations requirements. Traditional masonry construction, incorporating insulated cavity walls and high levels of roof and floor insulation, will provide a robust thermal envelope.

Heat Supply- The proposed dwelling will utilise low-carbon heating technology in the form of an Air Source Heat Pump (ASHP).

Renewable Energy Generated- Renewable energy generation will be incorporated through the installation of roof-mounted solar photovoltaic panels on appropriately orientated roof slopes. The open nature of the site and absence of significant nearby obstructions ensures that the panels will benefit from good solar exposure. Energy generated on-site will be used directly within the dwelling, with battery storage located within the proposed garage/gym building enabling excess generation to be stored and utilised during periods of lower solar output.

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 submitted energy statement details that the proposals would have a space heating demand of 41.83 kWh/m2/yr with a total energy demand of 50.86 kWh/m2/yr. These figures are significantly higher than those detailed within Policy S7.2, which details that there should be an average space heating demand of between 15-20 kWh/m2/yr and a site average total demand of 35 kWh/m2/yr.

The figures within the energy statement were raised with the agent for the application. They responded to the query in an email to the case officer dated 07/07/2026 as follows:

"The figures contained within the submitted Energy Statement are correct.

Whilst the calculated space heating demand and total energy demand are above the targets identified within Policy S7, these figures should be considered in the context of the overall energy performance of the proposed dwelling. The calculated demands are influenced by a range of factors considered within the SAP methodology and are not determined solely by the elemental U-values, which are designed to meet or exceed current Building Regulations standards.”

It is considered that no clear or meaningful justification or explanation as to why the development cannot meet the figures within S7 has been provided.

The statement does detail that it could meet, and exceed, its energy demands using solar panels, air source heat pumps and battery storage. However, this does not outweigh the proposed space and energy demand figures and lack of justification as to why they are so high. The proposal would therefore not accord to criteria 2 of Policy S7, of the Central Lincolnshire Local Plan.

Archaeology

Policy S57 states that; *Development affecting archaeological remains, whether known or potential, designated or undesignated, should take every practical and reasonable step to protect and, where possible, enhance their significance.*

The Historic Environment Officer at Lincolnshire County Council has stated the following in their consultation response:

“The proposed development is located within an area of medieval field system represented by upstanding earthworks visible in LiDAR, and as cropmarks. The earthworks relating to the wider field system appear to have been partly levelled which has been referred to in previous applications to the immediate north as referenced in the Supporting Statement provided with WL/2026/00514; the survival of the earthworks varies throughout the areas. The proposed development will impact upon an area of surviving earthworks, which will require mitigation should the proposed development go ahead.

A scheme of earthwork recording prior to any works taking place (including enabling works) should be undertaken, followed by a scheme of archaeological monitoring and recording (watching brief) to characterise the below ground remain.”

Therefore, if permission were to be granted, then pre commencement conditions for an earthwork survey and a written scheme of investigations for archaeological recording would be attached and the proposal would be expected to accord to Policy S57 of the CLLP and the provisions of the NPPF.

Flood Risk and Drainage

The site is located within Flood Zone 1, therefore in a sequentially preferable location for development.

In terms of surface water drainage, the submission details that surface water at the site would be managed soakaways, which is the preferred method within the Drainage hierarchy.

In relation to foul drainage, both the PPG and the Building Regulations 2010 (Approved Document H) set out a presumption in favour of connection to the public foul sewer wherever it is reasonable to do so. Foul water is proposed to connect to the main sewerage system, which is the most preferred option within the drainage hierarchy.

Subject to a condition to secure a detailed design for the drainage scheme, the proposals would accord to Policy S21 of the CLLP and the NPPF.

Other Matters

Water Efficiency- Policy S12 states that all residential development or other development comprising new buildings:

- with outside hard surfacing, must ensure such surfacing is permeable (unless there are technical and unavoidable reasons for not doing so in certain areas) thereby reducing energy demand on the water recycling network;
- should consider the potential to incorporate a green roof and/or walls in accordance with Policy S20; and
- which is residential and which includes a garden area, must include a rain harvesting water butt(s) of minimum 100l capacity

If permission were minded to be granted then a condition will be added to the permission to ensure that evidence of a water butt is provided to the LPA.

Conclusion and reason for decision: The application has been considered against policies 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, S12 Water Efficiency and Sustainable Water Management, S20 Resilient and Adaptable Design, S21 Flood Risk and Water Resources, NS24 Custom and Self Build Proposals, S47 Accessibility and Transport, S49 Parking Provision, S53 Design and Amenity, S57 The Historic Environment, S60 Protecting Biodiversity and Geodiversity, S61 Biodiversity Opportunity and Delivering Measurable Net Gains and S66 Trees, Woodland and Hedgerows of the Central Lincolnshire Local Plan in the first instance, as well as the provisions of the NPPF and guidance contained within the NPPG.

In light of this assessment, it is considered that the site is not within the developed footprint of North Kelsey and its development would cause harm to the core, shape and form of the settlement.

The proposals, by virtue of their scale and massing within this rural location are also considered to be harmful to the character of the area and would also have unacceptable harmful impacts upon neighbouring amenity. The application has also not been submitted with any legal agreement to secure the dwelling as a custom/self-

build dwelling exempt from providing the 10% Biodiversity Net Gain. The proposals also do not come close to according with the limitations of Policy S7.

Matters of highways, drainage, archaeology are considered to be acceptable subject to conditions.

Decision Level: Committee

The application is therefore recommended for refusal for the following reasons:

1. The application site comprises of part of an existing paddock on the edge of the medium village of North Kelsey. The site does not form part of the developed footprint of the settlement, and its development would introduce an uncharacteristic form of back land development, which, extending into undeveloped space, would be not reflective of the character of the settlement. The proposals would also not retain the core shape and form of North Kelsey. The principle of development in this inappropriate location for housing would be contrary to Policy S1: The Spatial Strategy and Settlement Hierarchy and Policy S4: Housing Development in or Adjacent to Villages of the Central Lincolnshire Local Plan 2023.

2. The domestic buildings would introduce a large massing of built form, comprising of three large, detached buildings, in an open paddock and rural settlement edge location. It is considered that the introduction of the proposed buildings, cumulatively, would cause harm to the character of this area of the North Kelsey due to their scale, size and massing within the application site. The proposals would therefore be contrary to Policy S53: Design and Amenity of the Central Lincolnshire Local Plan which seeks to protect surrounding landscapes.

3. The proposed detached domestic ancillary storage building would cause an unacceptable level of harm to the amenity of neighbouring occupiers due to its siting and scale. Its relationship with neighbouring boundaries would cause unacceptable dominating impacts for the occupiers of Langmead and Beech House when they are utilising their private rear gardens. The proposal would be contrary to Policy S53: Design and Amenity of the Central Lincolnshire Local Plan and Paragraph 135 (f) of the National Planning Policy Framework which seek to protect residential amenity.

4. The proposed space heating demand and total energy demand of the proposals would far exceed the figures contained within Criteria 2 of Policy S7: Reducing Energy Consumption in Residential Buildings and no satisfactory justification as to why the development cannot meet these figures has been provided. The proposals would therefore be contrary to Policy S7 of the Central Lincolnshire Local Plan.

5. Insufficient information in the form of a Legal Agreement (Unilateral Undertaking) has been submitted to secure that the dwelling would be a self- build proposal and therefore remain exempt from the mandatory Biodiversity Net Gain condition in law. The proposal would therefore not accord to Schedule 7A of the Town and Country Planning Act and the provisions of Policy S61: Biodiversity Opportunity and Delivering Measurable Net Gains of the Central Lincolnshire Local Plan and the NPPF.

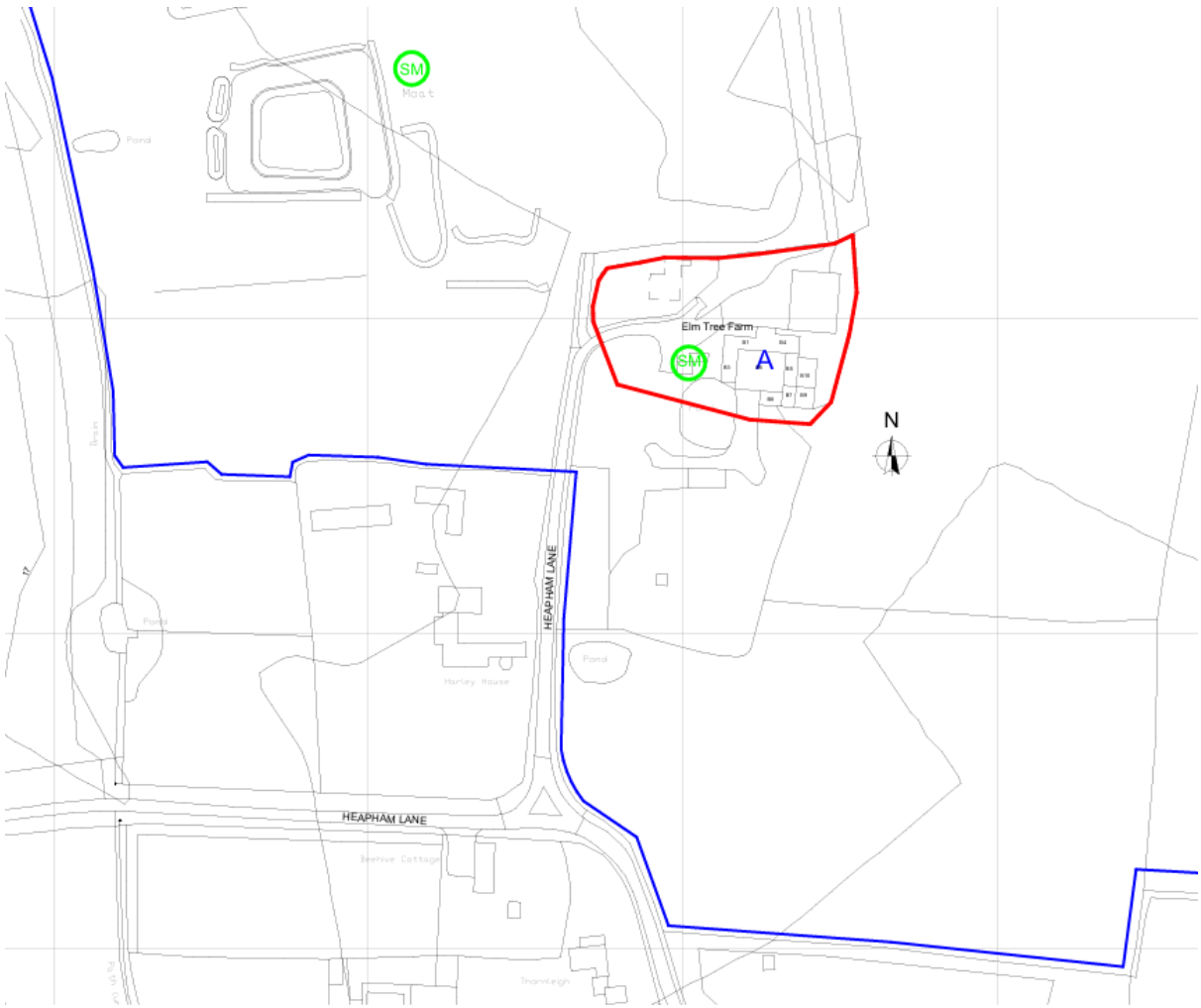
Human Rights Implications:

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

Legal Implications:

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

Agenda Item 6b



Officers Report

Planning Application No: WL/2026/00311

PROPOSAL: Planning application for conversion and rebuild of barn to create 1no. dwelling, demolition of existing agricultural building and replacement building for agricultural and domestic use.

LOCATION: Elm Tree Farm, Heapham Lane, Heapham DN21 5PT

WARD: Hemswell

WARD MEMBER(S): Cllr P Howitt-Cowan

APPLICANT NAME: Mr and Mrs D Horsley

TARGET DECISION DATE: 26/05/2026 (Extension agreed until 24th July 2026)

CASE OFFICER: Ian Elliott

Recommended Decision: Grant permission subject to conditions and the signing of a Section 106 Legal Agreement (Unilateral Undertaking) to:

- to secure the barn conversion to residential use as serviced custom/self-build plots.

Planning Committee:

The application is referred to the Planning Committee for determination in line with the Councils constitution as the proposals would be a departure from Policy S5 (Development in the Countryside) of the Central Lincolnshire Local Plan.

Site Description:

The application site is located in the open countryside, within the wider parish of Heapham. The site currently consists of the remnants of the demolished main farmhouse, a dilapidated timber framed agricultural building, a courtyard shaped barn complex with modern steel framed agricultural canopy within the courtyard, as well as brick dovecote. The nearest residential dwelling to the site 'Harley House' lies approximately 90 metres to the south-west of the southern-western-most corner of the site.

Proposal:

The application seeks planning permission for change of use of barn to create 1no. dwelling and erection of a replacement agricultural unit.

The proposed dwelling would be a four-bedroom dwelling with some areas of new build. The later added agricultural canopy over the courtyard area is to be removed.

The agricultural building would retain the three-bay design of the building to be removed and would be retained in a similar position slightly closer to the barn.

Relevant Planning History:

PRE/2026/00025 - Pre-application advice for barn conversion, replacement agricultural unit and a replacement dwelling – 17/03/26

Extract:

“It is considered that the proposed barn conversion, agricultural building and new dwelling would be likely to be supported. Whilst the agricultural building would be likely to cause some harm it would not outweigh the benefits of converting the historical barn which site within the sensitive setting of a Scheduled Monument (Dovecote). The proposed new dwelling would be highly likely to be a departure from the development plan but it is considered likely that the benefits of restoring the historical farmstead arrangement would be likely to justify a recommendation of approval”.

WL/2025/00360 - Planning application for a barn conversion to create 1no. dwelling, erection of a replacement agricultural unit and 1no. farmhouse dwelling - 14/08/25 - Refuse

Reasons for Refusal:

- 1) The ‘barn conversion’ does not comply with policy S5 part A, in particular criteria ‘b’ and to an extent, criteria ‘c’, therefore the principle of development is not supported by Part A of Policy S5. Whilst the proposal does meet criteria ‘a’ and to an extent criteria ‘c’ with respect of the courtyard brick farmstead buildings, this alone would not outweigh the harm caused by the proposed unacceptable level of alterations to the historic barns. Therefore, the proposal is contrary to Policy S5 of the CLLP, and the provisions of the NPPF.*
- 2) The ‘new dwelling’ is not considered a replacement dwelling as there is no dwelling on the site to replace. It would be a new dwelling in the countryside and no information has been submitted to justify Part D of Policy S5. Therefore, the proposal is contrary to Policy S5 of the CLLP, and the provisions of the NPPF.*
- 3) The ‘barn conversion’ is considered to result in a high level of harm on the compact and original courtyard form of the historical farmstead at Elm Tree Farm due to the retention of the modern steel framed canopy which would be in the centre courtyard area of the building, which would alter the essence of what these buildings represent historically. The alterations would severely dominate the original barn and would diminish its intrinsic architectural and historic merit. The modern alterations including the addition of multiple roof-lights into the historic roofing together with the use of modern materials as well as the modern flat roof extension would also harm the significance of the asset. Overall, it is considered that the benefits of bringing the barns back into use would not outweigh the harm caused to the non-designated heritage asset. As such, the proposal would be contrary to Policy S53 and S57 of the CLLP, and the provisions of the*

NPPF.

- 4) *The design, appearance and use of materials for the 'new dwelling' would be entirely modern in their appearance, and would not re-introduce any of the historical features of the demolished farmhouse. As such, the proposal would not relate well to wider historic setting in which it would be viewed, and would harm the setting of the remaining farmstead NDHA as well as the scheduled Dovecote. The introduction of a dwelling of this design is considered inappropriate to the setting and character of the existing farmstead. Overall, it is considered that the benefits of the proposal would not outweigh the harm caused to setting of the nearby NDHA and the Dovecote Scheduled Monument. The proposal is therefore contrary to Policies S53 and S57 of the CLLP, and the provisions of the NPPF.*
- 5) *The modern design of the proposed 'replacement agricultural building', by virtue of the choice of materials and enclosed nature, would not relate well to the historic setting of the wider Elm Tree Farmstead. The structure would also appear as an incongruous feature within this historic setting, and would therefore detract from and harm the setting of the historic farmstead NDHA and scheduled Dovecote. Overall, it is considered that the benefits of the proposal would not outweigh the harm caused to setting of the nearby NDHA and the Dovecote Scheduled Monument. The proposal is therefore contrary to Policy S53 and S57 of the CLLP, and the provisions of the NPPF.*
- 6) *Insufficient information has been submitted to enable the Local Planning Authority to make a reasoned decision as to whether the proposal would comply with the parking standards contained within Policy S49. As such, the proposal would be contrary to Policy S49 of the Central Lincolnshire Local Plan and the provisions of the NPPF.*
- 7) *The application is claiming a self-build and custom build exemption from providing a biodiversity net gain. The proposal does not exclusively consist of dwellings as required by regulation 8 of The Biodiversity Gain Requirements (Exemptions) Regulations 2024 so the self-build exemption cannot be claimed. As the application has been unable to apply a genuine exemption under the Biodiversity Gain Requirements (Exemptions) Regulations 2024, the minimum level of information as required by Article 7 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 must be supplied. This information has not been supplied to the Local Planning Authority therefore the proposal does not comply with the statutory requirement. In addition, no baseline metric has been submitted and therefore, the Local Planning Authority have been unable to assess whether the biodiversity gain condition would be capable of being successfully discharged. As such, the proposal does not comply with the requirements of Policy S61 of the CLLP and the provisions of the NPPF and Article 7 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.*
- 8) *The submitted energy statement by 'Hubble Architecture' does not meet*

the figures contained within Policy S7.1 and S7.2, or the requirements of S6, nor does it present figures to demonstrate that the dwelling can generate the same amount of energy that it demands over the course of a year. Overall, insufficient information has been submitted to allow the Local Planning Authority to make a reasoned decision on the acceptability of the proposal in energy terms. The proposal would therefore be contrary to Policy S6 and S7 of the Central Lincolnshire Local Plan.

- 9) *Insufficient information has been submitted to the Local Planning Authority to allow it to determine whether there would be sufficient amenity space for the converted farmstead building within the confines of the proposed red line boundary for the site. In addition, the proposal does not make provision for adequate levels of natural light to enter the living areas of the dwelling. The proposal would therefore be contrary to Policy S53 of the CLLP, and the provisions of the NPPF.*
- 10) *There is a low to moderate roost possibility of bats– a European protected species being present in the roof of the existing on-site buildings. Insufficient information has been submitted to allow the Local Planning Authority to make a reasoned decision of the impacts of the proposal on protected species. The proposal would therefore be contrary to Policy S60 of the Central Lincolnshire Local Plan, and the provisions of the National Planning Policy Framework.*

Constraints:

- Elm Tree Farm is identified within the Lincolnshire HER (MLI118066). It is a 19th century farmstead built in a regular courtyard with working buildings to all four sides of the yard. There was also a 19th century farmhouse detached from the working complex. This has been confirmed to have been existing until 2024 when it was demolished by the owner. The barn farmhouse complex is therefore considered as a non-designated heritage asset (NDHA).
- A definitive right of way, namely Heap/1170/1 runs along the northern boundary of the site in an east-west direction, and then continues in a northerly direction.
- The Dovecote at Elm Tree Farm is a designated scheduled ancient monument. This dates from the 19th century, possibly in origin to the rest of the farmstead.
- To the northwest of the site is a moated manorial complex, the HER record labels this site as Ner Gars. Records of land ownership of this area are known from 1086 with clear association in the 15th and 16th century of the moated site being linked to the manor of North Ingleby. There is a significance in the archaeological surroundings to this farmstead from the existing 19th century farmstead and the medieval settlement sited previously in the area.

Representations

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

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

Local residents: No representations received to date

LCC Highways 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 or increase surface water flood risk and therefore does not wish to object to this planning application.

Comments:

The proposal is located at the end of a track which is not a through route and is lightly trafficked, the increase in traffic movements along the lane due to the proposals will be minimal, therefore it will not have an unacceptable impact on the public highway.

LCC Archaeology: No objections subject to conditions

Conditions:

- Level 3 Historic Building Record
- Scheme of Archaeological Works

Conservation Officer: No representations received to date

WLDC Principal Ecology and Wildlife Officer:

- I request additional information before I can come to a conclusion regarding this application.
- The surveys need to be updated.

Biodiversity Net Gain:

- The applicant has claimed BNG exemption through custom self-build. I will need confirmation that this will be secured through a UU, otherwise a BNG assessment will be required.

Degradation:

- Based on satellite imagery, I am satisfied that there has been no degradation to this site since 2020.

Strategic Significance:

- The site is not deemed strategically significant under the CLLP or the draft LNRS. Parts of the site do form part of the green infrastructure baseline so policy S59 will need to be considered. One way of evidencing the appropriate level of impact is using an urban greening factor score.

Protected species:

- Protected species surveys were conducted in May 2024, making them out of date under CIEEM guidance and the red line boundary appears to have been updated since the PEA was completed, based on the boundaries in the document differing from those in the site location plan and the planning portal mapping. Given that the site is located adjacent to, and possibly within, habitat identified within the priority habitat mapping, we require a UKHab assessment of all habitats within the red line on NPPF and s60 grounds, as well as to provide clarification on the de minimis exemption under a wider red line boundary.

Regarding protected species, we require updated Edna for pond 1 and updated emergence surveys for bats as these surveys are no longer in date as per the CIEEM guidance (they fall into the 18 months- 3 years category: <https://cieem.net/wp-content/uploads/2019/04/Advice-Note.pdf>), and the expanded site boundary may have the potential to include more evidence of protected species than was previously identified, especially the more mobile species.

There is no need to contact Natural England based on the impact risk zones for SSSI's.

Lincolnshire Wildlife Trust: Comment

no substantive comments or recommendations on the proposal.

National Grid: Comment

There are no National Gas assets affected in this area.

Historic Buildings & Places (Ancient Monuments Society): No representations received to date

Lincolnshire Bat Group: No representations received to date

Natural England: No representations received to date

Ramblers Society: No representations received to date

Date Checked: 3rd July 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) and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016).

Development Plan

- ***Central Lincolnshire Local Plan 2023–2043***

Relevant policies of the CLLP include:

S1 The Spatial Strategy and Settlement Hierarchy

S5 Development in the Countryside

S6 Design Principles for Efficient Buildings
 S8 Reducing Energy Consumption – Non-Residential Development
 S13 Reducing Energy Consumption in Existing Buildings
 S20 Resilient and Adaptable Design
 S21 Flood Risk and Water Resources
 S23 Meeting Accommodation Needs
 NS24 Custom and Self-Build Housing
 S47 Accessibility and Transport
 S49 Parking Provision
 S53 Design and Amenity
 S56 Development on Land Affected by Contamination
 S57 The Historic Environment
 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>

- **Neighbourhood Plan (NP)**

There is currently no neighbourhood plan to consider for the Heapham area.
<https://www.west-lindsey.gov.uk/planning-building-control/planning/neighbourhood-planning/all-neighbourhood-plans-west-lindsey>

- **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>

- **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:

Draft Custom and Self Build Housing Guidance Note dated January 2024

Main Considerations:

- Principle of the Development
Central Lincolnshire Local Plan 2023-2043
Assessment of Local Policy S5 Part A
Self-Build
Assessment of Local Policy S5 Part E
Concluding Statement
- Heritage
- Visual Impact
- Residential Amenity
- Energy Efficiency
- Foul and Surface Water Drainage
- Highway Safety and Parking Provision
- Ecology
- Biodiversity Net Gain
- Archaeology
- Contamination
- Landscaping
- Public Right of Way

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 development consists of:

- A. Barn Conversion
- B. Agricultural/Domestic Storage Building

Central Lincolnshire Local Plan 2023-2043:

A. Barn Conversion

This section of the development is associated to the domestic section of the proposed agricultural building.

The site is clearly detached from the settlement of Heapham and is in an isolated countryside location and therefore, for the purposes of S1, the site would be categorised within tier 8 as 'Countryside'.

With reference to tier 8, policy S1 states that:

“Unless allowed by:

- a) policy in any of the levels 1-7 above; or*
- b) any other policy in the Local Plan (such as S4, S5, S34, or S43) or a relevant policy in a neighbourhood plan, development will be regarded as being in the countryside and as such restricted to:*
 - that which is demonstrably essential to the effective operation of agriculture, horticulture, forestry, outdoor recreation, transport or utility services;*
 - delivery of infrastructure;*
 - renewable energy generation; and*
 - to minerals or waste development in accordance with separate Minerals and Waste Local Development Documents.*

Local policy S5 Part A (Re-use and conversion of non-residential buildings for residential use in the countryside) states that:

“Where a change of use proposal to residential use requires permission, and where the proposal is outside the developed footprint of a settlement listed in the Settlement Hierarchy or the developed footprint of a hamlet, then the proposal will be supported provided that the following criteria are met:

- a) Comprehensive and proportionate evidence is provided to justify either that the building can no longer be used for the purpose for which it was originally built, or the purpose for which it was last used, **or** that there is no demand (as demonstrated through a thorough and robust marketing exercise) for the use of the building for business purposes; and*
- b) The building is capable of conversion with minimal alteration, including no need for inappropriate new openings and additional features; and*
- c) The building is of notable architectural or historic merit and intrinsically worthy of retention in its setting.”*

Assessment of Local Policy S5 Part A:

- a) Comprehensive and proportionate evidence is provided to justify either that the building can no longer be used for the purpose for which it was originally built, or the purpose for which it was last used, **or** that there is no demand (as demonstrated through a thorough and robust marketing exercise) for the use of the building for business purposes;*

The barns have been redundant for a number of years hence their declining condition. The barns are no longer fit for modern agricultural machinery and methods. The barns could be used for storage purposes, but the farmhouse associated to the site has been demolished.

- b) The building is capable of conversion with minimal alteration, including no need for inappropriate new openings and additional features;*

The application has included the submission of a Structural Report by Ward Cole Consulting Engineers dated May 2024. Paragraph 3.11 concludes that the site is *“structurally suitable for conversion without the need for wholesale rebuild”*.

However, there would be three areas of the development that would have to be considered as new build sections. These would be the:

- section that would provide the family room accommodation
- proposed new wall to provide a hallway
- The domestic vehicles/storage space within the new building

These would have to be considered as more than a minimal alteration to the existing barn building

c) *The building is of notable architectural or historic merit and intrinsically worthy of retention in its setting’.*

The barn is clearly of notable architectural and historic merit as an agricultural structure which is further heightened by its sensitive location within the setting of two Scheduled Ancient Monuments (The Dovecote and Ner Gars). The Authorities Conservation Officer has agreed in the previously refused application that the site has notable architectural and historic merit.

Self-Build:

Part 1 of the local policy NS24 states that *“proposals for self and custom build dwellings consistent with the policies of this local plan, to be built and occupied by the applicant or to be built on behalf of the applicant, will be supported in principle.”*

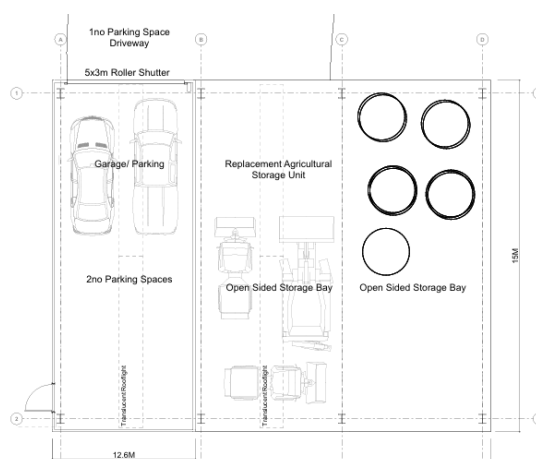
Paragraph 1.3 of the Draft Custom and Self Build Housing Guidance Note dated January 2024 states that *“a custom build has varying degrees of customisation this can be from taking control of the decision-making process **from a shell (floor, roof and external walls built)** (emphasis added) through to selecting the desired finish from a suite of options put forward by a developer (such as floorplans configuration).”*

Paragraph 16 (Reference ID: 57-016-20210208) of the Self-build and custom housebuilding section of the NPPG states *“The Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) provides a legal definition of self-build and custom housebuilding. The Act does not distinguish between self-build and custom housebuilding and provides that both are where an individual, an association of individuals, or persons working with or for individuals or associations of individuals, build or complete houses to be occupied as homes by those individuals.¹”*

B. Agricultural/Domestic Storage Building

¹ [Self-build and custom housebuilding - GOV.UK](https://www.gov.uk/government/publications/self-build-and-custom-housebuilding)

The proposed three bay building would be used for agricultural storage in two of the bays and domestic storage/parking in the remaining bay.



In relation to the agricultural section of the building local policy S5 Part E of the CLLP states that *“proposals for non-residential development will be supported provided that:*

- a) The rural location of the enterprise is justifiable to maintain or enhance the rural economy or the location is justified by means of proximity to existing established businesses or natural features;*
- b) The location of the enterprise is suitable in terms of accessibility;*
- c) The location of the enterprise would not result in conflict with neighbouring uses; and*
- d) The development is of a size and scale commensurate with the proposed use and with the rural character of the location.”*

Assessment of Local Policy S5 Part E:

- 1. The rural location of the enterprise is justifiable to maintain or enhance the rural economy or the location is justified by means of proximity to existing established businesses or natural features;*

The proposed agricultural building would replace an older existing agricultural building which is used for storage purposes by the farmer that farms the adjoining fields. The agricultural part of the building would therefore serve the farm business.

- 2. The location of the enterprise is suitable in terms of accessibility;*

The replacement agricultural building would be accessed via the existing vehicle access and track off Heapham Lane.

- 3. The location of the enterprise would not result in conflict with neighbouring uses; and*

The proposed agricultural building would be for storage purposes only. The farmhouse to the west has been demolished. This application includes the conversion and rebuild of the barn adjacent to the south to a residential unit.

The bay closest to the proposed barn conversion would be for domestic purposes only.

4. *The development is of a size and scale commensurate with the proposed use and with the rural character of the location."*

The proposed replacement building would be of similar size and scale to the agricultural building to be removed.

The bay which would be used as domestic garage/storage space would provide some secure parking in particular

Concluding Statement:

The barn would no longer be suitable for modern agricultural use and is considered to be of notable architectural and historic merit. The barn conversion would include works which would go above and beyond what can be considered minimal alteration.

The applicant has submitted a Section 106 Unilateral Undertaking (UU) to legally obligate the barn conversion to be a serviced custom/self-build residential unit.

The replacement building (agricultural section) would serve the farm business and would not be expected to conflict with neighbouring uses. The agricultural building would be suitable in terms of accessibility and would be commensurate in size and scale.

The proposed development would be expected to comply with local policy S5 Part A (a)(c) and Part E of the CLLP and the provisions of the National Planning Policy Framework. However, the rebuild works cannot be considered as conversion therefore the development would not be fully capable of conversion and would not fully comply with local policy S5 Part A (b) of the CLLP. The development would therefore be a departure from the development plan and would only be acceptable if there were beneficial material planning considerations that outweighed the departure from the development plan.

Heritage

The development would be sensitively located adjacent to and in the setting of Scheduled Ancient Monuments as listed in the constraints section of this report:

- *"The Dovecote at Elm Tree Farm is a designated scheduled ancient monument. This dates from the 19th century, possibly in origin to the rest of the farmstead.*
- *To the northwest of the site is a moated manorial complex, the HER record labels this site as Ner Gars. Records of land ownership of this area are known from 1086 with clear association in the 15th and 16th century of the moated site being linked to the manor of North Ingleby. There is a significance in the archaeological surroundings to this farmstead from the*

existing 19th century farmstead and the medieval settlement sited previously in the area.”

The site is not within a conservation area or within the setting of listed buildings.

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

Local policy S57 of the CLLP states that *“Where a non-designated heritage asset is affected by development proposals, there will be a presumption in favour of its retention, though regard will be had to the scale of any harm or loss and the significance of the heritage asset. Any special features which contribute to an asset’s significance should be retained and reinstated, where possible”*.

Guidance contained within Paragraph 207 of the NPPF states that *‘In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation’*.

Paragraph 212 states that *‘When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance’*.

Paragraph 216 states *“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset”*.

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

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

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

The application has included the submission of a Heritage and Impact Statement (HIS) by Hubble Architecture dated March 2026. The HIS concludes on page 13 that:

“The heritage value of the site relates primarily to its historical contribution to the village as a farmstead within an agricultural landscape. This contribution has been eroded over latter part of the 20th century through erosion and lack of maintenance of its setting. The proposals are good designs, complying with local design policy and will preserve the character and appearance of the character of the area and have no adverse impact upon the setting of the Dovecote due to design mitigation as outlined in this assessment.”

The Local Authority’s Conservation Officer (CO) has taken part in a pre-application site meeting and has verbally agreed that the barn is of historic merit and the barn conversion with some rebuild works is acceptable. The CO has also verbally raised concerns in relation to the agricultural building and its design.

Following the refusal of planning application WL/2025/00360 the Local Planning Authority has met with the applicant/agent on site to get a better understanding of the site and the development. This included the case officer, Planning Manager and the Conservation Officer. As listed in the planning history section of this report the applicant/agent followed this up by submitting a pre-application to negotiate the finer detail of the application.

The proposed barn conversion and rebuild sections would be completed in an appropriate and sensitive manner which would retain the presence of the barn whilst maintaining their historical agricultural character. The development would also remove the agricultural building constructed within the courtyard area of the barn.

The proposed agricultural/domestic building (see photos below) would replace a tired agricultural building which is predominantly open to both ends and sides.

View Looking East

View Looking South

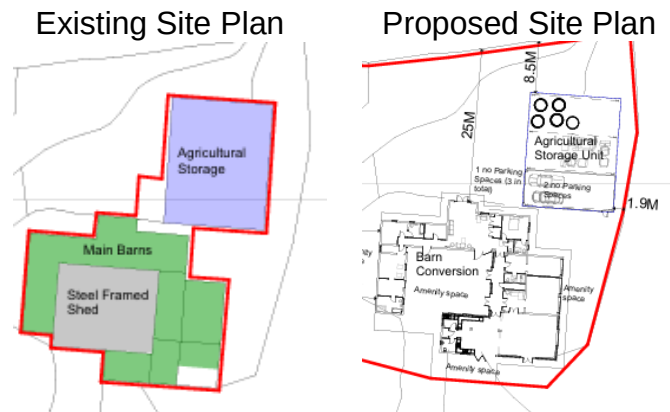


The proposed building would be open for the agricultural storage use but the domestic use section would be enclosed by walls to provide secure parking and storage.



The main consideration of the proposed replacement building is the:

- enclosed section reducing the view of the barn from the north
- the choice of a roller shutter door to secure the domestic storage section.



The photo of the existing agricultural building when looking from the north identifies that whilst the barn is in view it is obscured and spoilt by the agricultural items stored within the building.

The site plans demonstrates that the replacement building would be located slightly more to the east than the existing agricultural building therefore reducing the quantity of the barns north elevation that will be concealed. However, overall, the proposed replacement building would conceal a larger proportion of the barn than the existing agricultural building due to the domestic section being fully enclosed by walls and a roof.

The inclusion of the roller shutter door is a normal modern door design for buildings found in the open countryside on farm units and provides access to the domestic section of the building.

It is acknowledged that the proposed development would locate a modern replacement agricultural/domestic building adjacent a barn with historic and architectural merit and close to two Scheduled Ancient Monuments. The existing barn to be removed is not aesthetically pleasing and is also a modern intervention when compared to the barn.

The conversion with partial rebuild of the barn to a residential use would preserve the presence of the barns for the future and as part of the farm arrangement around the Scheduled Ancient Monuments. This would be afforded substantial weight in the consideration of the overall development.

It is considered that the position of the proposed agricultural/domestic building would be acceptable given it would be on a similar footprint as the agricultural building to be removed. The proposed agricultural/domestic building would not be completely open therefore would screen the barn from views to the north. It would also be a barn of modern appearance and colour. It has to be considered that the design and style of the barn would have some harm on the barn and the setting of the Scheduled Ancient Monuments.

It is considered that the heritage benefits of the development would outweigh the harms and would be expected to accord with local policy S57 of the CLLP and the provisions of the National Planning Policy Framework.

Visual Impact

Local policy S53 of the CLLP sets out 10 criteria based on design and amenity. It is considered that criteria 1 (Context), 2 (Identity), 3 (Built Form), 5 (Nature) and 8 (Homes and Buildings) of S53 are the most relevant to the development.

The identity chapter (pages 14-17) of the National Design Guide places importance on the need for development to either reflect its local character or create a sense of character through the built form.

As previously assessed in the principle section of this report the proposed development would appropriately convert and rebuild the site whilst adding a modern replacement agricultural/domestic building. The benefits and harms of the development have been considered in the heritage section of this report. The proposed development would be subject to several external material conditions to ensure the barn was converted and constructed with materials which were appropriate to the historic agricultural rural character and appearance of the barn.

It is considered that the visual benefits of the development would outweigh the harms and would be expected to accord with local policy S53 of the CLLP and the provisions of the National Planning Policy Framework.

Residential Amenity

Criteria 7b) local policy S53 states that all development proposals will *“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”.

Given the demolition of the farmhouse there are no residential units within close proximity of the barn to be converted. The nearest residential dwelling would be Harley House to the south west (61 metres (m) to the north east boundary).

Therefore, given the nature of the development and the nearest residential dwelling, it is considered that the living conditions of the nearest neighbouring dwellings would not be harmed and accords to local policy S53 of the Central Lincolnshire Local Plan 2023 and the provisions of the National Planning Policy Framework.

Energy Efficiency

The development is split into two distinct developments:

- Barn conversion with extensions or rebuilds
- Building for agricultural and domestic use.

Barn conversion with extensions or rebuilds:

Local policy S13 of the CLLP states *“For all development proposals which involve the change of use or redevelopment of a building, or an extension to an existing building, the applicant is encouraged to consider all opportunities to improve the energy efficiency of that building (including the original building, if it is being extended).”*

The planning statement makes it clear that the barn conversion would be *“insulated to meet the current building regulations for extensions/change of use”* and would generate electricity through solar panels installed onto the roof of the barn.

Building for agricultural and domestic use:

Local policy S6 and S8 of the CLLP sets out design principles for efficient buildings and reducing energy consumption. Local policy LP8 states that:

“All new non-residential development proposals must include an Energy Statement which confirms that all such non-residential development proposals:

- 1. Can generate at least the same amount of renewable electricity on-site (and preferably on-plot) as 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 70 kWh/m2/yr. No unit to have a total energy demand in*

excess of 90 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 building, with no deduction for renewable energy generated on site)

The agricultural section of the proposed replacement building would not have an electricity points therefore the energy efficiency policies would not apply to this part of the development.

The domestic section of the proposed replacement building would have lighting and electrical sockets. This part of the development would be fed by the solar panels on the barn.

The development would accord to the requirements of local policy S6, S8 and S13 of the CLLP and the provisions of the NPPF.

Foul and Surface Water Drainage

The application has not included the submission of a drainage plan.

Foul Water:

The application form proposes that foul drainage will be disposed of to a package treatment plant. Paragraph: 020 (Reference ID: 34-020-20140306) of the water supply, wastewater and water quality section of the NPPG states that *"where a connection to a public sewage treatment plant is not feasible (in terms of cost and/or practicality) a package sewage treatment plant can be considered"*. It is accepted that connection to a foul sewer would be unlikely in this location.

Surface Water:

The application form proposed surface water to discharged to a soakaway which is preferred as a form of sustainable urban drainage system.

It is considered that foul and surface water drainage details can be addressed through a condition on any permission.

Therefore, the development would be expected to accord to local policy S21 of the CLLP and the provisions of the NPPF.

Highway Safety and Parking Provision

The proposed residential unit would use the existing vehicle access and track off Heapham Lane. The unit would have sufficient off street parking including spaces within the proposed agricultural/domestic building. The Highways Officer at Lincolnshire County Council has no objections to the proposal.

The proposal therefore would not have an unacceptable harmful impact on highway safety and would accord to local policy S47 and S49 of the Central Lincolnshire Local Plan 2023 and the provisions of the National Planning Policy Framework.

Ecology

Local Policy S60 of the CLLP states:

“All development should:

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

Guidance contained within paragraph 187 and 192 of the NPPF encourages the protection and enhancement of protected species (fauna and flora) and providing net biodiversity gains.

The site is a redundant barn with an open farm building used for storage of machinery and animal feed surrounded by arable and grass land. The application has included

- a Preliminary Ecological Appraisal and Phase 2 survey by Archer Ecology dated September 2024
- Great Crested Newt Report by Archer Ecology dated 11th July 2024

In addition, paragraph 6.14 and figure 20 of the planning statement confirms from Archer Ecology that the surveys are still relevant stating:

“I have taken a quick look at the PEA and seen that the site is simply composed of buildings. To this end, I can suggest that time stamped photos of the building are provided to indicate that the habitat composition of the site remains unchanged”

Therefore, in summary the surveys recommend the following:

Landscaping:

- Use native species for planting

Amphibians:

- Follow the bespoke Amphibian Method Statement in Appendix V

Birds:

- Works commence outside the bird breeding season (March to August)
- Integrated nest boxes for swift, starling, great tit, blue tit and house sparrow
- Replace/relocate owl box

Bats:

- Further surveys if planned demolition works not completed before May 2025.
- Precautionary measures set out in paragraph 5.1.3
- Maintain dark unlit corridors
- Artificial light kept directed away from foraging areas

Mammals:

- Precautionary measures set out in paragraph 5.5.2 and 5.5.3.

Great Crested Newts:

1. Negative eDNA

Whilst the assessing professional ecologist has confirmed that the submitted PEA is up to date it does include the following recommendation :

"Further surveys if planned demolition works not completed before May 2025."

The PEA states in paragraph 4.3.17 that *"for foraging activity only and no evidence of roosting activity was recorded during the survey"*. Given that ecology surveys have been completed with no roosting activity it is considered in this case reasonable and necessary to condition the completion of further bat surveys prior to works commencing.

The proposal would therefore subject to conditions would accord to local policy S60 of the Central Lincolnshire Local Plan 2023 and the provisions of the National Planning Policy Framework.

Biodiversity Net Gain

Local policy S61 of the CLLP requires *"all development proposals should ensure opportunities are taken to retain, protect and enhance biodiversity and geodiversity features proportionate to their scale, through site layout, design of new buildings and proposals for existing buildings with consideration to the construction phase and ongoing site management"*. Local policy S61 goes on to state that *"All qualifying development proposals must deliver at least a 10% measurable biodiversity net gain attributable to the development. The net gain for biodiversity should be calculated using Natural England's Biodiversity Metric"*.

Schedule 7A of the Town and Country Planning Act 1990 sets out in law that 10% Biodiversity Net Gain (BNG) for minor developments is a statutory requirement after 2nd April 2024. This takes precedence over local policy S61 of the CLLP.

Provision 8 (self-build and custom build applications) of the Biodiversity Gain Requirements (Exceptions) Regulations 2024 states that:

*"(1) The biodiversity gain planning condition does not apply in relation to planning permission for development which—
(a) consists of no more than 9 dwellings;*

*(b) is carried out on a site which has an area no larger than 0.5 hectares; and
(c) consists exclusively of dwellings which are self-build or custom housebuilding.*

(2) In this regulation “self-build or custom housebuilding” has the same meaning as in section 1(A1) of the Self-build and Custom Housebuilding Act 2015(1).”

This is further confirmed under the question “*which planning permissions are in scope and which are exempt from biodiversity net gain?*” in Paragraph 3 (Reference ID: 74-003-20240214) of the Biodiversity Net Gain section of the NPPG.

The proposed development as a custom/self-build is therefore exempt from Biodiversity Net Gain.

Archaeology

Local policy S57 of the CLLP states “*Development affecting archaeological remains, whether known or potential, designated or undesignated, should take every practical and reasonable step to protect and, where possible, enhance their significance*”.

The Historic Environment Officer (HEO) at Lincolnshire County Council has recommended conditions for a level Historic Building Record and Scheme of Archaeological Works.

Therefore, the proposal subject to conditions would not have an unacceptable archaeological impact and would accord to local policy S57 of the Central Lincolnshire Local Plan 2023 and the provisions of the National Planning Policy Framework.

Contamination

Local policy S56 of the CLLP states “*where development is proposed on a site which is known to be or has the potential to be affected by contamination, a preliminary risk assessment should be undertaken by the developer and submitted to the relevant Central Lincolnshire Authority as the first stage in assessing the risk of contamination.*”

The application has not included the submission of a Contamination Report. The barn would have previously had an agricultural storage and animal use. In this case it is considered relevant and necessary to add a precautionary contamination condition to any permission.

The proposed development would not be expected to have a harmful contamination impact and would accord to local policy S56 of the CLLP and the provisions of the NPPF.

Other Considerations:

Permitted Development

It would be considered relevant and necessary to remove certain permitted development rights. This is due to the sensitive location of the site and its

surrounding. The permitted development rights to be removed would be Class A, AA, B, C, D, E, F, G, H of Part 1 and Class A of Part 2 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).

Community Infrastructure Levy

West Lindsey District Council adopted a Community Infrastructure Levy (CIL) which will be charged from 22nd January 2018. The site is within charging zone 1, where the charge would be £15 per square metre for houses. It is the case officer's opinion that at least the rebuild and extension sections of the development would be liable to a CIL Payment.

Pre-commencement conditions

The agent has agreed in writing to the pre-commencement conditions.

Conclusion and reason for decision:

The proposed development has been assessed against policies S1 The Spatial Strategy and Settlement Hierarchy, S5 Development in the Countryside, S6 Design Principles for Efficient Buildings, S8 Reducing Energy Consumption – Non-Residential Development, S13 Reducing Energy Consumption in Existing Buildings, S20 Resilient and Adaptable Design S21 Flood Risk and Water Resources, S23 Meeting Accommodation Needs, NS24 Custom and Self-Build Housing, S47 Accessibility and Transport, S49 Parking Provision, S53 Design and Amenity, S56 Development on Land Affected by Contamination, S57 The Historic Environment, S60 Protecting Biodiversity and Geodiversity and S61 Biodiversity Opportunity and Delivering Measurable Net Gains of the Central Lincolnshire Local Plan 2023-2043. 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. In light of this assessment, it is considered that the benefits of converting and rebuilding the barn would outweigh the harms of the replacement agricultural/domestic building and the departure of some of the development from local policy S5(b) of the CLLP. The proposed development would preserve the future retention of the barn within its setting. The proposal would not have an unacceptable harmful visual impact on the site or the surrounding area. It would not have an unacceptable harmful impact on the living conditions of neighbouring occupiers, highway safety, biodiversity, drainage, archaeology, climate change or contamination.

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

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

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

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

2. No development must take place until a comprehensive Historic Building Record to level 3 standard has been submitted to and approved in writing by the local planning authority.

Reason: To ensure a complete written and photographic record of the building(s) is submitted prior to works commencing to accord with the National Planning Policy Framework and local policy S57 of the Central Lincolnshire Local Plan 2023-2043.

3. No development must take place until details of the type and position of the bird nest boxes for swift, starling, great tit, blue tit and house sparrow have been submitted to and approved in writing by the Local Planning Authority. The approved boxes must be retained as such thereafter.

Reason: In the interest of nature to accord with the National Planning Policy Framework and local policy S60 and S61 of the Central Lincolnshire Local Plan 2023-2043.

4. No development must take place until further bat surveys on all the buildings have been completed by a suitably qualified professional person and a bat survey report submitted to and approved in writing by the Local Planning Authority. The bat survey report must include any necessary mitigation measures including a plan showing their position. The development must be completed in strict accordance with the recommendations and retained as such thereafter.

Reason: In the interest of nature and to ensure the protection of roosting bats to accord with the National Planning Policy Framework and local policy S60 and S61 of the Central Lincolnshire Local Plan 2023-2043.

5. No development must take place until a written scheme of archaeological investigation has been submitted to and approved in writing by the local planning authority. This scheme must include the following
 - a) An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements).
 - b) A methodology and timetable of site investigation and recording.
 - c) Provision for site analysis.
 - d) Provision for publication and dissemination of analysis and records.
 - e) Provision for archive deposition.
 - f) Nomination of a competent person/organisation to undertake the work.
 - g) The scheme to be in accordance with the Lincolnshire Archaeological Handbook.

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

Planning Policy Framework and local policy S57 of the Central Lincolnshire Local Plan 2023-2043.

6. The local planning authority must be notified in writing of the intention to commence the archaeological investigations in accordance with the approved written scheme referred to in condition 5 at least 14 days before the said commencement. No variation must take place without prior written consent of the local planning authority.

Reason: In order to facilitate the appropriate monitoring arrangements and to ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework and local policy S57 of the Central Lincolnshire Local Plan 2023-2043.

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

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

- SBP1 Rev PL2 dated 7th May 2026 – Site Plan
- D02 Rev PL1 dated 27th March 2026 – Barn Conversion Elevation and Floor Plans
- D05 Rev PL1 dated 27th March 2026 – Barn Conversion Courtyard Elevation Plans
- D06 Rec PL1 dated 27th March 2026 – Agricultural/Domestic Storage Unit Elevation and Floor Plans

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 S5, S47, S49, S53 and S57 of the Central Lincolnshire Local Plan 2023-2043.

8. No construction works above ground level must take place until details of a scheme for the disposal of foul/surface water (including any necessary soakaway/percolation tests) from the barn conversion and the agricultural/domestic building including a plan identifying connectivity and their position has been submitted to and approved in writing by the local planning authority. No occupation must occur until the approved scheme has been carried out.

Reason: To ensure adequate drainage facilities are provided to serve the proposed residential unit and the agricultural/domestic building, to reduce the risk of flooding and to prevent the pollution of the water environment to

accord with the National Planning Policy Framework and local policy S21 of the Central Lincolnshire Local Plan 2023-2043.

9. Prior to the commencement of any external repairs being undertaken, a full specification and methodology for external repairs must be supplied and agreed in writing by the Local Planning Authority. This to include:
- a) Repairs to the roof covering and structure;
 - b) Brickwork repairs/repointing (extent to be shown shaded on elevations). A sample panel of repointing must be made available for inspection and approval by the Local Planning Authority.
 - c) Structural repairs (including any works to remove any timber beam);

The development must be completed in accordance with the approved details.

Reason: To ensure the retention of key historical features in the first instance or appropriate replacements to accord with the National Planning Policy Framework and local policies S5, S53 and S57 of the Central Lincolnshire Local Plan 2023.

10. Prior to installation full joinery details of all new windows, rooflights, doors and glazed screens must be supplied at scale of no less than 1:20, and 1:1 for glazing bar details, showing elevations, sections through, cill and header details and door frames, colour and finish. The joinery details must be approved in writing by the Local Planning Authority. The development must be completed in strict accordance with the approved details.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and the character and appearance of the barns, the site, the open countryside and to preserve the setting of the Schedule Ancient Monuments to accord with the National Planning Policy Framework and local policies S5, S53 and S57 of the Central Lincolnshire Local Plan 2023-2043.

11. Prior to installation, the external material listed below must be submitted to and approved in writing by the Local Planning Authority:

- A one metre square sample panel of brickwork, mortar and bond of all new types of brickwork. The brickwork panel(s) constructed must be retained on the site until the development hereby approved has been completed.
- Retained and new roof tiles
- Any cladding material and colour finish
- Header, Cills, Lintels and other decorative finishes
- rainwater goods and downpipes including the colour
- Treatment of gables and cappings
- Treatment of verges and barge boards
- Leadwork
- Means of ventilating the roof

- Flues, vents or other pipework piercing the roof (and decorative finish)
- Retention or replaced ironmongery

The development must be completed in strict accordance with the approved details.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and the character and appearance of the site and the surrounding area including the setting of the Scheduled Ancient Monuments to accord with the National Planning Policy Framework and local policies S5, 53 and S57 of the Central Lincolnshire Local Plan 2023-2043.

12. 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.

13. The archaeological site work shall be undertaken only in full accordance with the written scheme required by condition 5.

Reason: To ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework and local policy S57 of the Central Lincolnshire Local Plan 2023-2043.

14. Following the archaeological site work referred to in condition 13 a written report of the findings of the work shall be submitted to and approved in writing by the local planning authority within 3 months of the said site work being completed.

Reason: To ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework and local policy S57 of the Central Lincolnshire Local Plan 2023-2043.

15. The report referred to in condition 14 and any artefactual evidence recovered from the site shall be deposited within 6 months of the archaeological site work being completed in accordance with a methodology and in a location to be agreed in writing by the local planning authority.

Reason: To ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework and local policy S57 of the Central Lincolnshire Local Plan 2023-2043.

16. Apart from the bird boxes approved in condition 3 of this permission the development must be completed in strict accordance with Section 5 of the Preliminary Ecological Appraisal and Phase 2 survey by Archer Ecology dated September 2024.

Reason: In the interest of nature to accord with the National Planning Policy Framework and local policy S61 of the Central Lincolnshire Local Plan 2023-2043.

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

17. Notwithstanding the provisions of Classes A, AA, B, C, D, E, F, G and H of Schedule 2 Part 1 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) the dwellings, annex and carport building hereby permitted must not be extended, altered and no buildings or structures shall be erected within the curtilage of the dwellings, annex and carport building unless planning permission has first been granted by the Local Planning Authority.

Reason: To enable any such proposals to be assessed in terms of their impact on the design, character and appearance of the dwellings within its historic setting and on the living conditions of neighbouring occupiers in accordance with the National Planning Policy Framework, local policy S5, S53 and S57 of the Central Lincolnshire Local Plan 2023 and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

18. Notwithstanding the provisions of Class A of Schedule 2 Part 2 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) the dwellings, annex and car port building hereby permitted no gates, fences, walls or other means of enclosure must be erected within or on the boundary of the site unless planning permission has first been granted by the Local Planning Authority.

Reason: To enable any such proposals to be assessed in terms of their impact on the area and the historic setting to accord with the National Planning Policy Framework, local policy S5, S53 and LP57 of the Central Lincolnshire Local Plan 2023 and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990

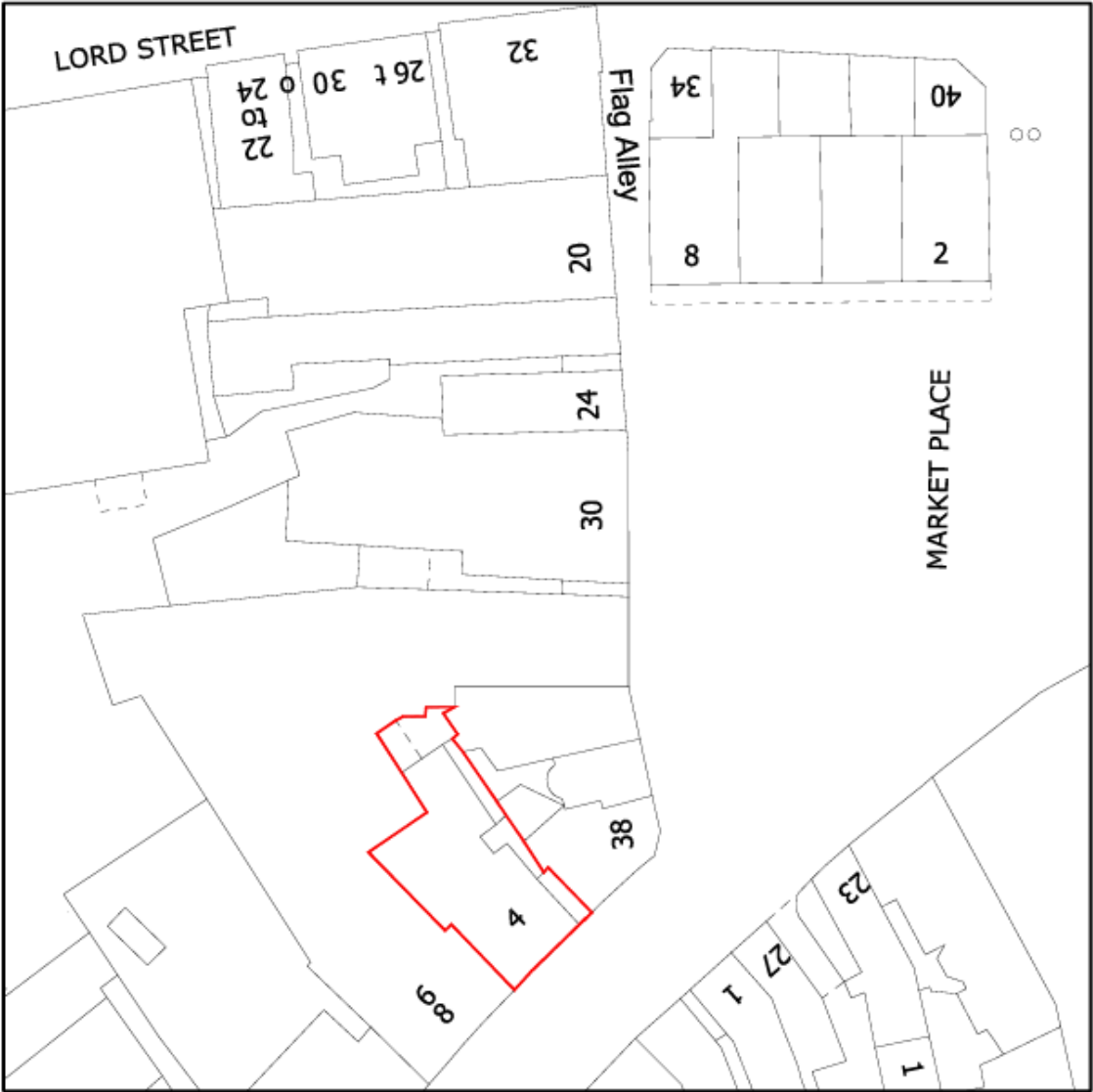
Decision Level: Planning Committee

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



Officers Report

Planning Application No: WL/2025/01163

PROPOSAL: Planning application for change of use of vacant spaces on the 1st, 2nd & 3rd floors from E(a) retail to (C3) residential accommodation, internal alterations to form 5no. residential units including installation of 4no. windows to rear elevation, including rectifying unlawful work.

LOCATION: 4 SILVER STREET GAINSBOROUGH DN21 2DP

WARD: Gainsborough South West (Cllr Miss J S McGhee and Cllr T V Young - Ward Members)

APPLICANT NAME: FMJ PROPERTIES

TARGET DECISION DATE: 24/07/2026

DEVELOPMENT TYPE: Minor - all others

CASE OFFICER: Richard Green

RECOMMENDED DECISION: Grant with conditions attached.

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

Description:

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

The application proposes to change the use of the 1st, 2nd and 3rd floors of the building from E(a) retail to (C3) residential accommodation to form 5no. residential units.

The application will create two self-contained flats on the first floor (a one bed and a two bed flat), 2no.x one-bed self-contained flats on the second floor and a one bed self-contained flat on the third floor (5 self-contained flats in total). The flats will be accessed off Silver Street through a door way which leads through a passageway to a door way and a stairway up to the upper floors of the building. The ground floor vacant shop unit (last occupied by Cooplands) is not part of this application. Four new second floor windows on the rear (north) elevation are also proposed along with rectifying unlawful work, namely to a lean-to element of the building (which has been removed and replaced with a breeze block flat roofed structure) on the second floor, within the internal courtyard on the eastern elevation.

Amended plans and an amended heritage statement have been received following comments from the Conservation Officer and the Planning Officer [in regards to national space standards for the proposed flats].

Departure Procedure: The application has been advertised as a departure from the local plan in line with Section 15 (2) of the TCPA Development Management Procedure Order 2015[1] a site notice was displayed on 02/12/2025 and a notice has been placed in the local newspaper on 04/12/2025. The advertisement of the departure therefore meets the provisions of Section 15 of the DMPO.

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

Relevant history:

WL/2025/01164 – Listed building consent for change of use of vacant spaces on the 1st, 2nd & 3rd floors from E(a) retail to (C3) residential accommodation, internal alterations to form 5no. residential units including installation of 4no. windows to rear elevation, including rectifying unlawful work. To be determined in tandem with this application.

PRE/2025/00003 - Pre-application enquiry for change of use from retail to 5no. residential units. Listed building consent for change of use of vacant spaces on the 1st, 2nd & 3rd floors from E(a) retail to (C3) residential accommodation, internal alterations to form 5no. residential units including installation of 4no. windows to rear elevation, including rectifying unlawful work. Advice given 21/01/2025 *'Thank-you for the site visit earlier today in regards to the above proposal. I welcome the fact that you want to remedy the unauthorised/unlawful work that has been carried out in the past on this building (namely the flat roof element to the rear of the building). You will need to apply for Full Planning Permission and Listed Building Consent for the above proposal.'*

147437 - Planning application for change of use of vacant spaces on the 1st, 2nd & 3rd floors from E(a)-Retail to (C3)-residential accommodation, internal alterations to form 5no. residential units including installation of 4no. windows to rear elevation. Refused 04/12/2023 *'The proposal with the loss of historic fabric would be detrimental to the special architectural and historic qualities of this Grade II listed building. There is a lack of clear and convincing justification to demonstrate that any benefit outweighs the great weight to be given to conservation of this heritage asset. The proposal is therefore contrary to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy S57 of the Central Lincolnshire Local Plan, Policy NPP 18 of the Gainsborough Neighbourhood Plan and Chapter 16 of the National Planning Policy Framework.'*

147438 - Listed building consent for change of use of vacant spaces on the 1st, 2nd & 3rd floors from E(a)-Retail to (C3)-residential accommodation, internal alterations to form 5no. residential units including installation of 4no. windows to rear elevation. Refused 04/12/2023 *'It is considered that the works fail to preserve the Listed Building, and are considered to be harmful to its character. The proposal with the loss of historic fabric would be detrimental to the special architectural and historic qualities of this*

Grade II listed building. The proposal is therefore contrary to Section 16 of the Planning (Listed Building and Conservation Area) Act 1990 and the NPPF.'

146536 - Request for confirmation of compliance with conditions 1(expiration), 2(refuse), & 3(repairs/materials) of planning permission 139718. Conditions not discharged 1/06/2023 *'On the 02/05/2023 the current application (146536) was validated with planning permission 139718 having expired after 3 years on the 07/11/2022. The permission has lapsed and the conditions cannot therefore be discharged.*

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

All the internal original beams to the lean-to roof will also have been lost. The conditions cannot be discharged as unlawful work has been carried out on this Grade II Listed Building. Therefore, conditions 1, 2 and 3 of planning permission 139718 cannot be discharged as the planning permission has expired/lapsed and unlawful work has been carried out to this Grade II Listed Building.'

146540 - Request for confirmation of compliance with conditions 1(expiration), 2 (repairs and specification of repairs and 3 (fire safety work) of listed building consent 139719. Conditions not discharged 16/06/2023 *'On the 02/05/2023 the current application (146540) was validated with listed building consent 139719 having expired after 3 years on the 07/11/2022. The Listed Building Consent has now expired/lapsed and the conditions cannot therefore be discharged.*

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

All the internal original beams to the lean-to roof will also have been lost. The conditions cannot be discharged as unlawful work has been carried out on this Grade II Listed Building. Therefore, conditions 1, 2 and 3 of listed building consent 139719 cannot be discharged as the planning permission has expired/lapsed and unlawful work has been carried out to this Grade II Listed Building.'

139718 – Planning application for a change of use of vacant spaces on the 1st, 2nd & 3rd floors from (A1) retail to (C3) residential accommodation,

internal alterations to form 5no. residential units including installation of 4no. windows to rear elevation. Granted 07/11/2019.

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

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

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

Representations:

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

Gainsborough Town Council: Support the application.

Local residents/Occupiers: No representations received to date.

LCC Highways and Lead Local Flood Authority: The proposals impact on the public highway is negligible; therefore, the highway authority would have no objection to this application. Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

Conservation Officer: 11/02/2026: The change of use to the first floor and above to residential preserves the character and conserves the conditions of the derelict building. This will be supported by Policy S57.

The Heritage Statement (HS) is limited in information and does not provide detailed justification or investigation into the specific alterations proposed and any impacts this has upon the significance.

The proposal seeks to reverse the unauthorised alteration to the pitched roof towards the rear, removing the flat roof and breeze block walls with a mono-pitched roof. This conserves the listed building and is supported.

Externally the only alterations are to the unauthorised works so this will enhance and conserve the historic environment and setting and be supported by Policy S57.

Ground Floor - No alterations proposed to the layout.

First Floor - The removal of doors and openings are of architectural and historic significance. Not enough information is given to the justification or investigation of the harm. Are there ways to avoid or mitigate this?

Second Floor - Alterations are not justified or investigated, as per the first floor.

Third Floor - Additions are potentially acceptable but this needs evidence of the existing to examine the impacts to the existing features.

Overall, the potential for the works could be supported, however, there is

limited evidence to assess the impact of the works. The HS should illustrate the significance of each room and the impacts that the work will have.

Further comments 29/06/2026 (following the submission of amended plans and information: Overall, the works will preserve and protect the historic features to meet policy S57, however, there is still a lot of detail to understand for the works. Therefore, I have no objection subject to several suggested conditions.

Archaeology: The building subject to this application is a Grade II listed building dating to the 18th century. The heritage statement submitted is lacking detail and does not include visual and spatial information on existing historic fabric. The West Lindsey Conservation Officer should be consulted on the acceptability of the proposals. If permission were to be granted, we recommend that a pre-commencement condition be placed for an Historic Building Recording, this should be equivalent to a level 3 recording as set out in Historic England's "Understanding Historic Buildings: A Guide to Good Recording Practice".

Relevant Planning Policies:

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Here, the Development Plan comprises the provisions of the Central Lincolnshire Local Plan (adopted in April 2023).

Development Plan:

The following policies are particularly relevant:

Central Lincolnshire Local Plan adopted 2023 (CLLP):

Policy S1: The Spatial Strategy and Settlement Hierarchy

Policy S2: Growth Levels and Distribution

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

S6: Design Principles for Efficient Buildings

Policy S13: Reducing Energy Consumption in Existing Buildings

Policy S20: Resilient and Adaptable Design

Policy S21: Flood Risk and Water Resources

Policy S23: Meeting Accommodation Needs

Policy S35: Network and Hierarchy of Centres

Policy S37: Gainsborough Town Centre and Primary Shopping Area

Policy S47: Accessibility and Transport

Policy S49: Parking Provision

Policy S53: Design and Amenity

Policy S57: The Historic Environment

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

Gainsborough Neighbourhood Plan

NPP 1 Sustainable Development

NPP 6 Ensuring High Quality Design

NPP 7 Ensuring High Quality Design in each Character Area

NPP 8 A Mix of Housing Types

NPP 18 Protecting and Enhancing Heritage Assets

NPP 19 Improving the Vitality of the Town Centre

[Gainsborough Town Neighbourhood Plan | West Lindsey District Council](#)

Lincolnshire Minerals and Waste Plan:

The Core Strategy & Development Management policies (CSDMP) were adopted in June 2016 and form part of the Development Plan.

The application site is within a Mineral Safeguarding Area (MSA). Policy M11 applies. The Site Locations were adopted in December 2017. The site is not within an allocated Minerals Site or Waste Site/Area.

[Minerals and waste local plan - Core strategy and development management policies – Lincolnshire County Council](#)

Draft Minerals and Waste Local Plan (DMWLP):

Lincolnshire County Council are currently reviewing the Minerals and Waste Local Plan. The draft Minerals and Waste Local Plan has been through a consultation which started in July and closed on 24th September 2024.

The Draft Plan has not been adopted as yet but once adopted will cover the period to 2041.

The consulted draft plan includes the following relevant policy:

SM15: Safeguarding of Mineral Resources

The draft plan would have some limited weight in the decision-making process.

[Minerals and Waste Local Plan: Preferred approach consultation | Let's Talk Lincolnshire](#)

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.

[National Planning Policy Framework](#)

- **National Planning Practice Guidance**

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

- **National Design Guide (2019)**

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

- **National Design Code (2021)**

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

Main Issues:

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

Assessment:

Principle of Development

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

It is proposed to create five flats on the upper storeys of this three storey Grade II Listed Building located within the town centre of Gainsborough. The Central Lincolnshire Local Plan contains a suite of policies to guide development within the Town Centre.

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

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

Paragraph 90 of the NPPF is supportive of residential development within Town Centre locations as it is recognised that such development often plays an important role in ensuring the vitality of such centres. Significant weight is also attached to securing the future use of a designated heritage asset.

The Gainsborough Town Centre section of Policy S37 of the CLLP states that; 'Development proposals within Gainsborough Town Centre, not in E Use

Class will be considered on their merits subject to satisfying the criteria in a)-e) where relevant and providing that they will:

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

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

Point 4 of Policy NPP19 of the GNP states that; Development proposals for the use of upper floors of commercial premises within the town centre for residential use will be supported where it can be demonstrated that the residential use will not create unacceptable harm to the wider retail offer of the Town Centre.

Overall, the site is located within the developed footprint of Gainsborough, being within the town centre. The proposal will maintain a retail use on its ground floor level fronting Silver Street.

The residential development element of the proposals is supported by the development plan and the NPPF as this would complement the existing uses ensuring the continued vitality of the town centre. In principle it is considered that the proposal accords to policies S1, S3, S35 and S37 of the CLLP and Policy NPP 19 of the Gainsborough Neighbourhood Plan.

Conservation Area and Listed Buildings

The site is a Grade II listed three storey building which is surrounded by other commercial properties some of which have accommodation on the upper floors. Many of these neighbouring buildings are also listed, including the attached building to the east (No.38 Market Place). The building is early 18th century and is located in the Gainsborough Town Centre Conservation Area. The building is in a very poor state of repair.

S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a legislative requirement that when considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72 of the Act contains similar requirements with respect to buildings or land in a conservation area. In this context, "preserving", means doing no harm.

Policy S57 states that development proposals should protect, conserve and seek opportunities to enhance the historic environment of Central Lincolnshire. This aim is echoed within policy NPP18 of the Gainsborough Neighbourhood Plan (NP). Paragraph 212 of the NPPF states that 'great weight should be given to the [designated] asset's conservation'.

Paragraph 213 goes on to state that 'Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting'.

Paragraph 214 provides guidance that 'Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent'.

The application proposes to create 5 self-contained flats on the upper floors of the Grade II listed building (with the existing ground floor shop unit and shop front on Silver Street being retained). No external alterations are proposed apart from 4 new second floor windows to the rear (north) of the building within a courtyard and replacement windows and doors where needed. In terms of floor plans no alterations to the existing vernacular floor plans are proposed with only additional partition walls being proposed.

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

The full scope of the works shown on the proposed plans have been reviewed by the councils Conservation Officer and have been found to be acceptable subject to suggested conditions in terms of the impact on historic fabric and that they would preserve the special historic interest of the host building. It is considered that the proposed approach to development (subject to conditions) would achieve the key heritage aims of the NPPF in that it would put an existing deteriorating Heritage Asset into a viable use to enable its ongoing conservation.

The request from the Historic Environment Officer at Lincolnshire County Council regarding the submission of a Historic Building Record is noted. There have been previous applications/permissions at this site for the conversion of the upper floors to flats. This recording has not been previously requested and is not requested by the Conservation Officer who also has numerous external and internal photographs from previous site visits which document the building, it is therefore considered unreasonable to secure this by condition.

It is considered that the proposal would not harm the special architectural or historic interest of the Listed Building or its setting. The proposal will also preserve the character and appearance of the Conservation Area. The proposal would accord to Statutory Duties, the policies within the Development Plan and Section 16 of the NPPF.

Residential Amenity

National and Local Planning Policy seeks to bring back to use vacant and underused upper floors in town centres for residential uses in order to contribute to the vitality and viability of the town centre.

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

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

The following details for each of the flats and relevant national space Standards are stated below:

- Flat 1 (First Floor:) **64.2 sqm**. 1 bed (2 person flat), dining/living room, kitchen and shower/W.C.
 - Flat 2 (First Floor:) **65.3 sqm**. 2 bed (3 person flat), dining/living/kitchen area, bathroom/W.C.
 - Flat 3 (Second Floor:) **45.5 sqm**. 1 bed (1 person flat), dining/living/kitchen area, bathroom/W.C.
 - Flat 4 (Second Floor:) **39.5 sqm**. 1 bed (1 person flat), dining/living/kitchen area, bathroom/W.C.
 - Flat 5 (Third Floor:) **44 sqm**. 1 bed (1 person flat), dining/living/kitchen area, bathroom/W.C.
- National space standards 1 bed 1 person = **37 sqm** (with a shower 39 sq m with a bathroom)
 - National space standards 1 bed 2 persons = **50 sqm**
 - National space standards 2 bed 3 persons = **61 sqm**

All five of the units meet with the nationally described space standards and there are no concerns in relation to overlooking, over dominance or loss of light over adjoining properties. The main living areas of the flats and bedrooms would all be served by windows, allowing adequate light to enter the rooms. In terms of noise, a level of noise is to be expected in a town centre location.

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

The development would therefore not have an unacceptable harmful impact on the living conditions of the future occupiers and is acceptable with regard to the impact on existing neighbouring uses and would accord with Policy S53 and the provisions of the NPPF, particularly paragraph 135(f).

Visual Impact

Local Plan Policy S53 states that all development '*must achieve high quality sustainable design that contributes positively to local character, landscape and townscape, and supports diversity, equality and access for all.*' Development must '*relate well to the site, its local and wider context and existing characteristics including the retention of existing natural and historic features wherever possible and including appropriate landscape and boundary treatments to ensure that the development can be satisfactorily assimilated into the surrounding area*'. It further states that

development should *'contribute positively to the sense of place, reflecting and enhancing existing character and distinctiveness'*, and should *'be appropriate for its context and its future use in terms of its building types, street layout, development block type and size, siting, height, scale, massing, form, rhythm, plot widths, gaps between buildings, and the ratio of developed to undeveloped space both within a plot and within a scheme.'* In addition, development must *'achieve a density not only appropriate for its context but also taking into account its accessibility.'*

Four new windows are proposed on the rear elevation of the building at second floor level. No new openings are proposed on the front elevation facing onto Silver Street. It is therefore considered that the proposal will not harm the character and appearance of the street-scene and with the proposal complying with the NPPF and Policy S53 of the Central Lincolnshire Local Plan.

Highways and Car Parking

No objection has been received from the Local Highway Authority relating to the proposed development.

Policy S39 of the CLLP requires 'Proposals for residential or commercial development above town centre uses will be supported providing... adequate off-street parking can be provided.'

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

With consideration to the town centre location with close walking proximity to numerous facilities/services and siting close to several town centre car parks and public transport links, including the bus and train station, it is considered that the non-inclusion of parking provision is acceptable in this case. It is also considered that the benefits of restoring and bringing this Grade II listed building back into use greatly outweighs the harm caused by the lack of parking provision and the departure from local policy S49 of the CLLP. Taking this into account it is not considered reasonable to withhold permission on this ground alone and on balance the lack of parking is justified in this instance. If it is minded to grant permission the informative suggested by LCC Highways will be attached to the decision notice.

Foul and Surface Water Drainage

The site benefits from existing foul and surface water drainage connections which the proposed flats will link into. The proposals will not increase the external floor space of the existing building.

Given the existing drainage connections at the site it is not considered necessary to request any further details to be submitted in this respect. The proposal therefore accords with the NPPF and Policy S21 of the Central Lincolnshire Local Plan

Other matters:Minerals and Waste

The site is located within sand and gravel safeguarding area. There are no issues of sterilisation of the minerals resource with the proposed change of use.

Contamination:

The site is located within a contaminated land buffer zone. There are no contamination issues with the proposed change of use.

Household waste

Bins for the proposed flats will be kept in the internal courtyard (to the east of the building) which is screened by the surrounding development and from the street scene.

Comments on energy efficiency and biodiversity net gain policies:

The application being a change of use application is exempt from biodiversity net gain.

An energy statement is not required for a change of use application such as this proposal. It is noted that Policy S13 of the CLLP encourages applicants to consider all opportunities to improve energy efficiency and where such efforts achieve an improved EPC rating would be supported in principle.

Notwithstanding that the wording of Policy S13 only encourages applicants to consider improving energy efficiency, in this instance, it is not considered necessary to request that any amendments are made to the proposals given that the site comprises of a listed building, in a conservation area and within the setting of other listed buildings where such new internal materials, solar panels and air source heat pumps, for example would likely not be supported.

Conclusion and reasons for decision:

The decision has been considered against Policy S1: The Spatial Strategy and Settlement Hierarchy, S2: Growth Levels and Distribution, S3: Housing in the Lincoln Urban Area, Main Towns and Market Towns, S6: Design Principles for Efficient Buildings, S13: Reducing Energy Consumption in Existing Buildings, S20: Resilient and Adaptable Design, S21: Flood Risk and Water Resources, S23: Meeting Accommodation Needs, S35: Network and Hierarchy of Centres, S37: Gainsborough Town Centre and Primary Shopping Area, S47: Accessibility and Transport, S49: Parking Provision, S56: Development on Land Affected by Contamination, S53: Design and Amenity and S57: The Historic Environment of the Central Lincolnshire Local Plan and the policies contained within the Gainsborough Neighbourhood Plan (NPP 1 Sustainable Development, NPP 6 Ensuring High Quality Design, NPP 7 Ensuring High Quality Design in each Character Area, NPP 8 A Mix of Housing Types, NPP 18 Protecting and Enhancing Heritage Assets and NPP 19 Improving the Vitality of the Town Centre) and the guidance contained in National Planning Policy Framework and National Planning Practice Guidance and against Section 66 & 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

Matters of highway safety and drainage are also considered to be acceptable. The proposal does represent a departure from the provisions of Policy S49, however as detailed in the above report, the heritage benefits that the scheme would bring is considered to outweigh the lack of proposed parking provision in this case.

RECOMMENDATION- Grant planning permission with the following conditions:

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

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

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

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

None.

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

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

ZAAVIA/4SS/512 Rev B dated 4 May 2026
ZAAVIA/4SS/511 Rev B dated 4 May 2026
ZAAVIA/4SS/510 Rev B dated 4 May 2026
ZAAVIA/4SS/509 Rev B dated 4 May 2026
Site Location Plan (Red Line) received 24/11/2025
ZAAVIA/4SS/524 Rev A dated 29 July 2025
ZAAVIA/4SS/522 Rev A dated 29 July 2025
ZAAVIA/4SS/521 Rev A dated 29 July 2025
ZAAVIA/4SS/520 Rev A dated 29 July 2025
ZAAVIA/4SS/519 Rev A dated 29 July 2025
ZAAVIA/4SS/518 Rev A dated 29 July 2025
ZAAVIA/4SS/517 Rev A dated 29 July 2025
ZAAVIA/4SS/513 Rev A dated 29 July 2025
ZAAVIA/4SS/508 Rev A dated 26/03/2024

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

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

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

None.

Notes to the Applicant

Listed Building Consent WL/2025/01164

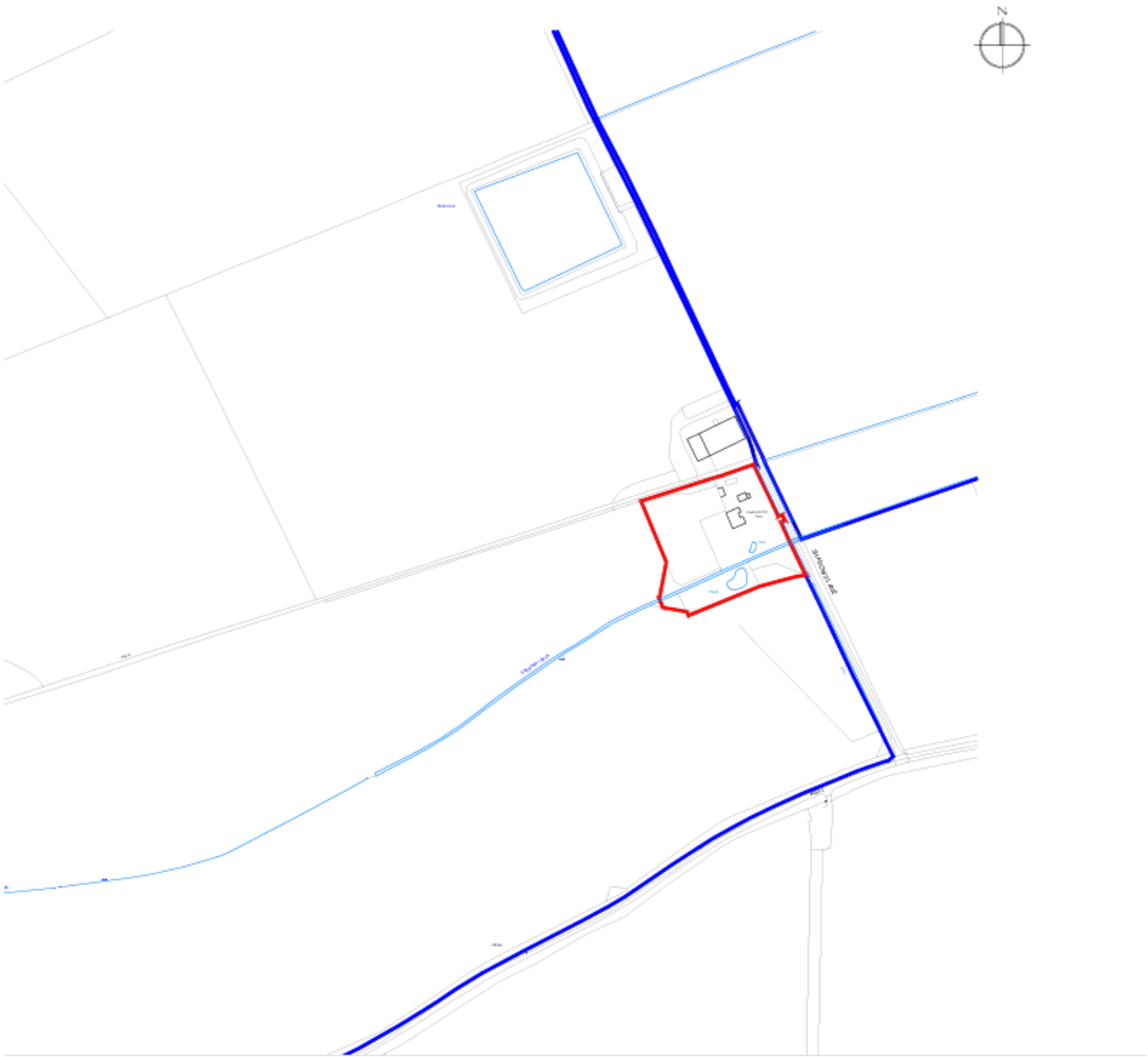
See conditions on the decision notice for Listed Building Consent WL/2025/01164 also.

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



Officers Report

Planning Application No: WL/2026/00290

PROPOSAL: Reserved Matters Planning application to erect dwelling and garage/store in connection with agriculture, granted outline planning permission on 13 July 1988 (W35/556/88) being removal of condition 1 of planning permission W35/63/89 granted 27 February 1989 re: occupancy condition.

LOCATION: HIGHFIELD CLIFF FARM SHADOWS LANE GLENTHAM

WARD: Waddingham and Spital

WARD MEMBERS: Cllr A M Duguid

APPLICANT NAME: Mr Adam Duguid (A M Duguid & Son)

TARGET DECISION DATE: 26/06/2026

DEVELOPMENT TYPE: Minor - Dwellings

CASE OFFICER: Richard Green

RECOMMENDED DECISION: Refusal.

This application was considered at the meeting of 24th June 2026, where it was deferred to enable the applicant to provide further information to evidence the marketing of the dwelling. Since that time the applicant has provided further information as detailed below.

Description: The site is a 2 storey 4/5 bed detached farmhouse located in the open countryside, approximately 1.26 kilometres to the west of the centre of Glentham. The site is accessed off the A631 to the south via a single metalled track. The site is located within Flood Zone 2 (medium probability) and there is a claimed Public Right of Way (Glentham DMMO 634) running to the south of the site close to the A631.

The site was granted outline permission (W35/556/880) in July 1988 to erect a farmhouse and a subsequent application for outstanding reserved matters (W35/63/89) was approved in February 1989. This was subject to an "agricultural workers" condition as follows:

- 1 The occupation of the dwelling shall be limited to a person solely or mainly employed, or last employed, prior to retirement, locally, in agriculture as defined in Section 290 of the Town and Country Planning Act 1971, or in forestry or a dependant of such a person residing with him (but including a widow or widower of such a person).

Reason:-

- 1 The site is in a rural area where it is the policy of the district planning authority, in the interests of safeguarding the rural character and appearance of the area, not to permit development unless it is required to meet a local agricultural need. Permission has been granted only in the light of agricultural need.

This application now seeks to vary the permission by removing the condition and agricultural workers tie.

The accompanying planning statement explains the house was built in 1989 and was sought at that time *"as Highfield Cliff Farm had no agricultural worker's dwelling available from which the then agricultural holding could be managed/operated. Highfield Cliff Farm had been part of the Norton Place Estate but by 1989 it had been sold off and had become a freestanding agricultural holding."*

It explains *"Highfield Cliff Farm, extending to approximately 138 hectares/341 acres, and its farmhouse were brought back into the Norton Place Estate and the Estate's farm manager occupied the house from November 2010 as part of his employment package. This arrangement continued to August 2025."*

However, the Farm Manager has acquired his own property nearby and has now vacated the property. It explains that Norton Place Estate has a number of residential properties across the holding, *"all... fully let to workers involved in the various Estate operations"*.

It advises that their letting agent *"have advised that, with the tie, the property should command a rent of at least £1,250 per calendar month. They have commented, however, that they are unable to identify any demand from an appropriately qualified tenant. Similarly, they are of the view that the capital value, with the tie, is £400,000 to £500,000 and, again, there is no perceivable demand. These figures are all considered to be out of the reach of an agricultural worker. The word 'locally' contained in the condition also has a significant bearing on its marketability."*

The application therefore seeks to remove the condition in order that the dwelling can be sold / let on the open market, without being tied to an agricultural worker.

The application was deferred for a month at the Planning Committee held on the 24th June 2026 to allow the applicant to demonstrate that a suitable marketing exercise for the property had been carried out. An email was sent to the agent on the 25th June 2026 following this decision asking the applicant to provide details of whether a suitable marketing exercise of between 9 to 12 months at a price to reflect the agricultural occupancy condition had taken place (this follows a similar email asking for details of a suitable marketing exercise issued on 13th May).

On the 6th July 2026, the applicant provided a sales brochure advertising the property for £420,000 and an accompanying letter from Perkins George Mawer & Co (Chartered Valuation Surveyors & Estate Agents & Fine Art Auctioneers).

[letter states "we have made reasonable efforts to promote the property to suitable clients within our database since November 2025, so far without success."

Following receipt of this information the following questions were put to the applicant to provide further clarity:

1. Can you please explain what the 'reasonable efforts' to promote the property have been please?

2. Who are the 'suitable clients' that the property has been promoted to and do the clients include people who have solely or mainly been employed or last employed prior to retirement in agriculture and forestry?
3. Was the property advertised publicly or just privately to clients on the database?

The following response to these questions was received on the 6th July 2026 from the applicant:

1. *'The property has been advertised in the agents' premises and there has been a board placed at the property;*
2. *The particulars have been circulated to selected local farming businesses without any interest.*
3. *The property has been advertised privately to potentially suitable clients which given the restrictions is a small pool.'*

Relevant history:

W35/556/880 - Outline application to erect farmhouse. Granted 13/07/88.

W35/63/89 – Reserved Matters to erect dwelling and garage/store in connection with agriculture, granted outline planning permission on 13 July 1988 W35/556/88). Granted 27/02/89.

Representations received (in summary):

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

Parish Council: No representations received to date.

Local residents/Occupiers: No representations received to date.

LCC Highways/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 or increase surface water flood risk and therefore does not wish to object to this planning application.

Shire Group IDB: Standard response no obstruction within 9 metres of a watercourse and surface Water disposal.

LCC Archaeology: No archaeological input is required.

Relevant Planning Policies:

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

otherwise. Here, the Development Plan comprises the provisions of the Central Lincolnshire Local Plan (adopted in April 2023).

Development Plan:

The following policies are particularly relevant:

Central Lincolnshire Local Plan adopted 2023 (CLLP):

Policy S1: The Spatial Strategy and Settlement Hierarchy

Policy S5: Development in the Countryside

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

Neighbourhood Plan

No plan currently being prepared

National policy & guidance (Material Consideration)

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

[National Planning Policy Framework](#)

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.

In particular Paragraph 82 states 'In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs, including proposals for community-led development for housing. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.' and

Paragraph 84 states *'Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:*

a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;

b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;

c) the development would re-use redundant or disused buildings and enhance its immediate setting;

d) the development would involve the subdivision of an existing residential building;
or

e) the design is of exceptional quality, in that it:

- i. is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and*
- ii. would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.'*

- **National Planning Practice Guidance**

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

In particular Paragraph: 010 Reference ID: 67-010-20190722 of NPPG states that 'considerations that it may be relevant to take into account when applying paragraph 79a of the NPPF could include:

- evidence of the necessity for a rural worker to live at, or in close proximity to, their place of work to ensure the effective operation of an agricultural, forestry or similar land-based rural enterprise (for instance, where farm animals or agricultural processes require on-site attention 24-hours a day and where otherwise there would be a risk to human or animal health or from crime, or to deal quickly with emergencies that could cause serious loss of crops or products);
- the degree to which there is confidence that the enterprise will remain viable for the foreseeable future;
- whether the provision of an additional dwelling on site is essential for the continued viability of a farming business through the farm succession process;
- whether the need could be met through improvements to existing accommodation on the site, providing such improvements are appropriate taking into account their scale, appearance and the local context; and
- in the case of new enterprises, whether it is appropriate to consider granting permission for a temporary dwelling for a trial period.

Employment on an assembly or food packing line, or the need to accommodate seasonal workers, will generally not be sufficient to justify building isolated rural dwellings.

<https://www.gov.uk/guidance/housing-needs-of-different-groups>

- **National Design Guide (2019)**

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

- **National Design Code (2021)**

[National Model Design Code - GOV.UK](#)

Main issues

This application is made under section 73 and therefore considers only the matter of whether to grant a new permission without the planning condition, or to refuse the application.

The following report will consider if there are any changes in circumstance that means that Condition 1 of W35/63/89 no longer meets the following six tests contained in Paragraph 55 of the NPPF:

1. necessary;
2. relevant to planning;
3. relevant to the development to be permitted;
4. enforceable
5. precise; and
6. reasonable in all other respects.

- Current Policy Context
- Removal of Condition 1 of W35/63/89
- Other Matters

Assessment:

Current Policy Context

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

Despite the passage of time since the original approval, the site remains in an isolated rural location for planning purposes. The effect of removing the condition is the grant of a fresh planning permission which would enable the property to be let or sold to any person and would no longer be restricted persons employed (or last employed) in agriculture or forestry (or the dependents thereof).

The policies in force at the time permission was granted in 1989 are no longer applicable, and this application needs to be assessed against today's policies - namely, the policies of the Central Lincolnshire Local Plan, along with any relevant policies in the NPPF (a material consideration).

Firstly, it is relevant to note that policies which seek to avoid the provision of an isolated home in the countryside remain in force today. Paragraph 84 of the NPPF states that decisions should avoid the development of isolated homes in the countryside unless in the above specified circumstances.

This is also reflected in Policy S5 of the Central Lincolnshire Local Plan.

Local Policy S5 Part D of the Central Lincolnshire Local Plan states that '*new dwellings will only be acceptable where they are essential to the effective operation of rural operations listed in tier 8 of Policy S1 (agriculture, horticulture, forestry, outdoor recreation, transport or utility services). Applications should be accompanied by evidence of:*

- a) Details of the rural operation that will be supported by the dwelling;*
- b) The need for the dwelling;*
- c) The number of workers (full and part time) that will occupy the dwelling;*
- d) The length of time the enterprise the dwelling will support has been established;*
- e) The commercial viability of the associated rural enterprise through the submission of business accounts or a detailed business plan;*
- f) The availability of other suitable accommodation on site or in the area; and*
- g) Details of how the proposed size of the dwelling relates to the needs of the*

enterprise.

Any such development will be subject to a restrictive occupancy condition.'

It therefore remains the case that if planning permission was being sought today, it remains as national and local policy that such a property would be subject to a restrictive occupancy condition in order to be policy compliant, as it was in 1989.

It therefore falls to be considered as to whether there are any changes in circumstance that means it no longer meets the following six tests contained in Paragraph 55 of the NPPF. The framework makes it clear that planning conditions should be kept to a minimum, and only used where they satisfy the 6 tests below:

1. necessary;
2. relevant to planning;
3. relevant to the development to be permitted;
4. enforceable
5. precise; and
6. reasonable in all other respects.

Removal of Condition 1 of W35/63/89

The agent has submitted the following supporting information and evidence to support their application to remove the occupancy condition:

- The application form states that the owner has been unable to identify any qualifying person. This is further underlined by the affordability of the property to such a suitable person.
- A planning statement has been submitted which states the following :
 - *'In July 2025, the farm manager announced that he had acquired his own property nearby and would be vacating the farmhouse the following month. He will remain as the farm manager for the foreseeable future, thereby leaving a vacant house on the Estate.*
 - *Norton Place Estate has a number of residential properties across the holding, and all that accommodation is fully let to workers involved in the various Estate operations. There are no workers requiring accommodation either now or in the foreseeable future.*
 - *The Applicant immediately sought to find a new occupant who could fulfil the Section 336 planning condition. Their regular letting agents, Perkins George Mawer & Co of Market Rasen, have advised that, with the tie, the property should command a rent of at least £1,250 per calendar month. They have commented, however, that they are unable to identify any demand from an appropriately qualified tenant. Similarly, they are of the view that the capital value, with the tie, is £400,000 to £500,000 and, again, there is no perceivable demand. These figures are all considered to be out of the reach of an agricultural worker. The word 'locally' contained in the condition also has a significant bearing on its marketability.*
 - *The Applicant has reasonably established that there is no demand for a large dwelling with an agricultural tie such as this and requests that favourable consideration is given to this application.'*

- A letter has been submitted from Perkins George Mawer & Co (Chartered Valuation Surveyors and Estate Agents which states *'based on their experience of marketing large properties with agricultural ties demand has generally been low. Norton Place has successfully rented one such property in the last year to a farmhand but it is uncommon for us to be asked to market a property with an agricultural tie. Generally, one bedroomed flats with a rental value of £350-£550 per calendar month are the most suitable accommodation for agricultural workers. In addition, some farm workers maybe working from home already or already have a second home, and therefore do not require large accommodation and would not be able to afford the high rent.'*

The applicant seems to be therefore reliant on the advice of their letting agent who has stated that *"that they are unable to identify any demand from an appropriately qualified tenant.*

We have sought clarity on this matter and further correspondence from the letting agent has been provided. This states:

"Based on our experience marketing large properties with agricultural ties, demand has generally been low. For example, when we advertised a property subject to an agricultural tie, the enquiries received were largely from applicants who did not work within the required industry. As a result, the owners applied to the council to have the tie removed. Overall, and despite our strong agricultural connections, we rarely receive enquiries specifically seeking properties with an agricultural tie."

Whilst some weight may be attached to the experience of the local letting agent, it does not appear that there has been any genuine attempt to market the property at a rate that reflects the occupancy condition, or to test the local market for any interest or demand from local agricultural workers, which could have been taken into consideration.

The letting agent further states:

"Norton Place has successfully rented one such property within the past year to a farmhand. However, as agents, we do not consistently see strong demand from agricultural workers, as many farmers tend to house workers within their own properties or retain accommodation specifically for seasonal staff. Consequently, it is uncommon for us to be asked to market a property with an agricultural tie or to receive enquiries about available properties subject to such restrictions. "

The application was deferred for a month at the Planning Committee held on the 24 June 2026 to allow the applicant to demonstrate that a suitable marketing exercise for the property had been carried out.

On the 06 July 2026, the applicant provided a sales brochure advertising the property for £420,000 and an accompanying letter from Perkins George Mawer & Co (Chartered Valuation Surveyors & Estate Agents & Fine Art Auctioneers). A letter

from Perkins George Mawer & Co dated 01 June 2026 already received prior to the previous report to planning committee was also re-attached). The letter received on the 06/07/2026 re-iterates the following:

'As we set out in our letter of 1st June 2026 to Mr Duguid we have made reasonable efforts to promote the property to suitable clients within our database since November 2025, so far without success. We enclose a copy of the sales and lettings particulars. '

Following receipt of this information the following questions were put to the applicant: to provide further clarity:

1. Can you please explain what the 'reasonable efforts' to promote the property have been please?
2. Who are the 'suitable clients' that the property has been promoted to and do the clients include people who have solely or mainly been employed or last employed prior to retirement in agriculture and forestry?
3. Was the property advertised publicly or just privately to clients on the database?

The following response to these questions was received on the 6th July 2026 from the applicant:

1. *'The property has been advertised in the agents' premises and there has been a board placed at the property;*
2. *The particulars have been circulated to selected local farming businesses without any interest.*
3. *The property has been advertised privately to potentially suitable clients which given the restrictions is a small pool.'*

Whilst the above response and the knowledge and experience of the letting agent is acknowledged, there appears to be no evidence that this has been tested through a suitable public housing marketing exercise. No evidence of a suitable and comprehensive public housing marketing exercise has been submitted with the application which shows that such an exercise has been carried out for a suitable length of time, targeting an appropriate audience and at an appropriate price to reflect the occupancy restriction.

There is therefore limited evidence before the local planning authority that would demonstrate that an occupancy condition is no longer necessary or reasonable.

As stated, planning policy still requires occupancy conditions to be placed on isolated homes and so it still remains relevant to planning.

It has not been adequately demonstrated that the dwelling is no longer suitable as rural worker accommodation or that there is no demand for the dwelling with the occupancy restriction in place. The condition still serves a planning purpose and is still reasonable and necessary to help maintain a supply of rural workers in the area. As a result, allowing the removal of the occupancy condition would be contrary to development plan policies S1 and S5 as well as NPPF (Dec 2024) paragraph 84.

Other Matters:

Flood Zone

The site is located within Flood Zone 2 (medium probability). Owing to the nature of the application which seeks to remove an agricultural occupancy condition this is not a consideration for this determination.

Public Right of Way

There is claimed Public Right of Way (Glentham DMMO 634) running to the south of the site close to the A631. Owing to the nature of the application which seeks to remove an agricultural occupancy condition this is not a consideration for this determination.

Shire Group IDB

Have provided a standard response in regards to no obstruction within 9 metres of a watercourse and surface Water disposal. Owing to the nature of the application which seeks to remove an agricultural occupancy condition if it is minded to grant permission these informatives will not be attached to the decision notice.

Conclusion and reasons for decision:

Policy S5 of the Central Lincolnshire Local Plan and Paragraph 84 of the National Planning Policy Framework (NPPF), seek to promote sustainable development in rural areas, and paragraph 83 states that new housing should be located where it will enhance or maintain the vitality of rural communities. Paragraph 84 goes on to state that new isolated homes in the countryside should be avoided unless there are special circumstances. The dwelling was only granted in special circumstances as a dwelling would not ordinarily be granted at the time of approval, and despite the passage of time the restriction through paragraph 84 of the NPPF and policy S5 still apply. Therefore the application should be refused for the following reason:

1. Planning decisions should avoid creating isolated homes in the countryside unless it meets with certain criteria such as to meet the need for a rural worker. It has not been adequately demonstrated that there is no longer a need for the dwelling to continue to provide suitable accommodation for a rural worker with the occupancy restriction in place. It has not been demonstrated that the condition is no longer reasonable or necessary, or the dwelling is no longer suitable to provide accommodation for a rural worker. As a result, allowing the removal of the occupancy condition would be contrary to development plan policies S1 and S5 as well as NPPF (Dec 2024) paragraph 84.

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.

Agenda Item 7



Planning Committee

22 July 2026

Subject: Determination of Planning Appeals

Report by:

Director – Planning, Regeneration & Communities

Contact Officer:

Molly Spencer
Democratic and Civic Officer
Molly.Spencer@west-lindsey.gov.uk

Purpose / Summary:

The report contains details of planning applications that had been submitted to appeal and for determination by the Planning Inspectorate.

RECOMMENDATION(S): That the Appeal decisions be noted.

IMPLICATIONS

Legal: None arising from this report.

Financial: None arising from this report.

Staffing: None arising from this report.

Equality and Diversity including Human Rights: The planning applications have been considered against Human Rights implications especially with regard to Article 8 – right to respect for private and family life and Protocol 1, Article 1 – protection of property and balancing the public interest and well-being of the community within these rights.

Risk Assessment: None arising from this report.

Climate Related Risks and Opportunities: None arising from this report.

Title and Location of any Background Papers used in the preparation of this report:

Are detailed in each individual item

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

☐

No

x

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

☐

No

x

Appendix A - Summary

- i) Appeal by Lisa Johnson against the decision of West Lindsey District Council to refuse planning permission to erect boundary fence, brick-built pillars and gate to the front of property at 15 Spring Gardens, Gainsborough DN21 2AY.

Appeal Dismissed – See copy letter attached as Appendix Bi.

Officer Decision – Refuse

- ii) Appeal by Heather Sugden against the decision of West Lindsey District Council to refuse planning permission for agricultural building for machinery, hay and animal feed storage at 5.9 Hectare of Land off Bigby Hill, Bigby DN38 6EW

Appeal Dismissed – See copy letter attached as Appendix Bii.

Officer Decision – Refuse

- iii) Appeal by D Spedding against the decision of West Lindsey District Council to refuse planning permission for (PiP) to erect up to three (3) dwellings at Land adjacent to Rose Cottage, High Street, Faldingworth, Nr Market Rasen LN8 3SE

Appeal Dismissed – See copy letter attached as Appendix Biii.

Officer Decision – Refuse

Costs Dismissed – see costs letter attached as Appendix Biiia



Appeal Decision

Site visit made on 9 June 2026

by Mr R Walker BA HONS DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 June 2026

Appeal Ref: 6003527

15 Spring Gardens, Gainsborough DN21 2AY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Lisa Johnson against the decision of West Lindsey District Council.
- The application Ref is WL/2025/01139.
- The development proposed is planning application to erect boundary fence, brick built pillars and gate to the front of property.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the description of development in the banner heading above from the Council's decision notice, which accurately and succinctly describes the development. As the fence, pillars and gate are in situ I am considering the scheme retrospectively.
3. As the site is in a conservation area and within the setting of several listed buildings, I have had special regard to sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issue

4. The main issue is whether the development preserves the listed buildings or their settings, known as County Court Building (Grade II*), Police Station, Britannia Works and 35-37 Spring Gardens (all Grade II), and any features of special architectural or historic interest which they possess and whether the development preserves or enhances the character or appearance of the Gainsborough Britannia Works Conservation Area.

Reasons

Special interest and significance

5. The appeal site lies along Spring Gardens in the Gainsborough Britannia Works Conservation Area (CA). Development on the northern side of the street includes a mixture of terraced housing and No 15 Spring Gardens (No 15), which were identified in the 1853 map of the area. No 15 is also identified in the Council's CA Appraisal as a being a well-maintained example of a surviving villa from this period. Its more verdant grounds and positioning set back away from the road are a striking contrast to the prevailing pattern of buildings along the street.

6. Boundary treatments to the front of buildings along the northern side of Spring Gardens are mixed but are generally either at a low level, or do not exist. This means that views of the buildings can be experienced in the street scene. In this regard, the appeal site's host building, plot layout and its verdant grounds all contribute to the character and appearance of the CA and thus its significance.
7. The Grade II listed Police Station and 35-37 Spring Gardens are located to the east of the appeal site. The Police Station dates to the mid-nineteenth century and faces onto both Spring Gardens and Cross Street. Its significance, in so far as it relates to this appeal, is derived from its age, surviving traditional materials and the high quality of its architectural detailing. 35-37 Spring Gardens also dates to the nineteenth century and forms a connected group with No 33 and the Police Station. Its significance, in so far as it relates to this appeal, is derived from its surviving consistency, height, materials, brick to void ratio, and simple unornamented front façade, which together give the listed building a cohesive appearance.
8. The Grade II* listed County Court Building dates to 1759 and is a three storey red brick building sitting prominently on its corner location. Its height, formal fenestration pattern with keystones above, brick bands, cornice and parapet treatment along with its impressive entrance results in a building with a strong sense of grandeur. The Grade II Britannia Works is located along Beaumont Street and dates to 1848 as a Steam Traction Engine Works employing many employees. It has a long, impressive façade onto Beaumont Street and its architectural detailing, including from its formal entrance with an elaborate round arch with a statue of Britannia above, emphasises its historical role as a large employer.
9. In so far as it relates to this appeal, the significance of the County Court and the Britannia Works buildings are derived from their historical and architectural interests including their use, age, form, and fabric and the high quality of their architectural detailing reflecting their respective historical importance within the town.
10. Development within the setting of these listed buildings has evolved over years. However, it has not severed the connection of the historical housing development in Spring Gardens with these listed buildings. As such, the historical layout of the built form along the northern side of Spring Gardens makes a positive contribution to their setting to the extent that it contributes to the understanding of the historical narrative of the listed buildings and their context. In this regard, the appeal premises and its verdant grounds make a small but positive contribution to the significance of these listed buildings and the CA.

Appeal proposal and effects

11. The development has enclosed the front garden due to the combination of the height and solid appearance of the fence, pillars and gate. This enclosing nature has eroded the contribution that the open verdant front garden of the appeal premises made to this part of the CA. It has also reduced the ability to experience the host property as part of the historic street scene when viewed in Spring Gardens and from the exit from the shopping centre opposite.
12. I also have concerns about the design of the fence. As the combination of concrete posts, solid timber panels and concrete gravel boards results in an overtly modern

suburban design. Even if painted it would still jar injuriously with its location at the front boundary of this Victorian villa and the historic street scene to the north of Spring Gardens.

13. I have also had regard to the other boundary treatments and gates in the area, including at the top of Spring Gardens. However, I do not have the full details to understand the circumstances by which they exist. Moreover, none that I saw are directly comparable to that proposed in terms of the use of concrete posts and gravel boards, and its historical context to the front of a Victorian villa in the CA.
14. Overall, the fence and gates have introduced an overtly modern feature, which weakens the legibility of, and fails to harmonise with, the historical boundary treatments along the northern side of Spring Gardens. In this regard, it has eroded the character and appearance of this part of the CA and thus its significance, along with, to a limited degree, the setting of the listed buildings. Additional planting within the garden would not overcome this due to the location of the development along the footway.
15. I recognise that there are more recent developments within the CA and the setting of the respective listed buildings including the large Council offices, and dilapidated fencing at the corner of Spring Gardens and Marshalls Rise. However, I have already taken them into account when considering the significance and special interest of the CA and listed buildings and they do not alter or undermine the contribution that the appeal site makes in this regard.
16. Drawing the above together, the development has failed to preserve the special interest of the listed buildings known as County Court Building, Police Station, Britannia Works and 35-37 Spring Gardens and has failed to preserve or enhance the character and appearance of the CA. As a result, the expectations of the Act have not been met, and the development harms the significance of these designated heritage assets.

Public benefits

17. Paragraph 212 of the National Planning Policy Framework (the Framework) advises that great weight be given to the conservation of designated heritage assets (and the more important the asset, the greater the weight should be). Paragraph 213 goes on to advise that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting and that this should have clear and convincing justification.
18. With reference to paragraphs 214 and 215 of the Framework, in finding harm to the significance of the designated heritage assets, the magnitude of that harm should be assessed. Although, for the purposes of undertaking the heritage balance, the Framework does not require the decision maker to place the harm on a spectrum, I acknowledge that within each category of harm, the extent of the harm may vary.
19. In this instance, as the harm would be confined to a small element of the CA and the setting of the respective listed buildings, the harm to the overall listed buildings and the CA, individually and together, would be 'less than substantial' and at the lower end of the spectrum but, nevertheless, of great weight. Under such circumstances, paragraph 215 advises that this harm should be weighed against the public benefits of the proposed development.

20. The development is principally of private benefit by providing privacy, reduced noise, increased security and an enclosed space for the appellant's dogs. The appellant also explains that the development is required due to a family member's health condition to allow access to the house away from traffic in a regulated space. However, the nature and scale of any associated public benefits that would flow from the scheme to the public at large would be minimal.
21. As such, whilst I recognise the benefits of the scheme, the public benefits in favour of the development do not outweigh the great weight that I attach to the harm I have found. Accordingly, the development is contrary to the requirements of both the Act and the Framework, in so far as they relate to this main issue. It follows that it is also contrary to the requirements of Policies S53 and S57 of the Central Lincolnshire Local Plan and Policies NPP6 and NPP18 of the Gainsborough Town Neighbourhood Plan, when taken together and in so far as they relate to this main issue. These say, amongst other things, that as appropriate to their scale, nature and location, development proposals should 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.

Other Matters

22. In exercising my function on behalf of a public authority, I am aware of my duty under the Public Sector Equality Duty (PSED) contained in the Equality Act 2010, which sets out the need to eliminate unlawful discrimination, harassment and victimisation and to advance equality of opportunity. The Equality Act recognises that disability constitutes a relevant protected characteristic for the purposes of PSED.
23. Whilst I sympathise with the personal circumstances of the appellant, no substantive evidence has been provided to suggest that other ways to achieve the appellant's aims or minimise the extent of built form have been investigated and discounted that might reduce the impact on the heritage assets. In this regard, I can not be certain on the evidence before me that the appeal scheme is the only means of achieving the appellant's objectives. As such, whilst I recognise the benefits of the scheme, given the nature and totality of the harm from the main issue I am not persuaded that, they outweigh the harm and policy conflicts I have identified.
24. I have no reason to doubt that the appellant was not aware that planning permission was required. However, I have assessed the scheme on its own merits and this, or the retrospective nature, has not altered the planning merits in this respect.

Conclusion

25. For the reasons given above, the development conflicts with the development plan and there are no material considerations that outweigh this conflict. Therefore, the appeal is dismissed.

Mr R Walker

INSPECTOR



Appeal Decision

Site visit made on 9 June 2026

by Mr R Walker BA HONS DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd June 2026

Appeal Ref: 6002009

5.9 Hectare of Land off Bigby Hill, Bigby DN38 6EW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- The appeal is made by Heather Sugden against the decision of West Lindsey District Council.
- The application Ref is WL/2025/00925.
- The development proposed is agricultural building for machinery, hay and animal feed storage.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO) permits, amongst other things, works for the erection of a building on agricultural land, comprised in an agricultural unit of 5 hectares or more in area, which is reasonably necessary for the purposes of agriculture within that unit. Paragraph A.2(2)(i) states that for development permitted by Class A the developer must, before beginning the development, apply to the local planning authority for determination as to whether its prior approval will be required as to the siting, design and external appearance of the building.

Main Issues

3. The main issues are:
 - Whether or not the proposed building would comply with the conditions and limitations of Class A of Part 6 to Schedule 2 of the GPDO, with particular regard to whether or not it is reasonably necessary for the purposes of agriculture within the unit; and
 - If so, whether or not prior approval can be given having regard to the siting, design, and external appearance of the proposed building.

Reasons

Whether reasonably necessary

4. An application for prior approval to erect an agricultural storage building was previously granted in 2021. The appellant purchased the land in 2023 and indicates that they operate a mixed arable and livestock enterprise covering 5.9ha and that they currently utilise a building approximately four miles away to support the operations.

5. The appellant seeks an alternative design to that previously granted. The proposed alternative building is built from brick, is lower in height, and is designed with two projecting narrow wings to create a courtyard that overall would cover a larger area of the field. In this regard, the proposed building has departed from the more modern farming approach of taller steel portal farm buildings with large openings.
6. I'm told that the building would house machinery for grassland and woodland management, storage for hay, bedding and feed, storage for bee keeping equipment and secure parking and protection of agricultural equipment. References are also made to equestrian equipment and use, and diversification. Taken together, the appellant refers to quite a broad range of activities and equipment. However, full and specific details of the agricultural operations, how they are currently undertaken with storage off-site, the deficiencies of this that trigger the need for the appeal proposal, and the agricultural and non-agricultural equipment that would be used and stored in the proposed building, are not provided.
7. The appellant indicates that more than 60 large rounds of hay would be cropped but full details of how much, or how, this would be stored within the building, along with other items, given its size, height, materials, layout and openings are not before me. There are also no firm details of the number of livestock and animals and how they form part of the agricultural operations, and in turn, how the proposed building is reasonably necessary to support them. Moreover, suggestions that the proposed building would offer more security, better vermin control, reduced carbon footprint, are not substantiated.
8. The appellant indicates that they will be intensifying the use of the land but full details of what this entails, in respect of agricultural operations, and how the proposed building and its size, layout, and design would be reasonably necessary for this are not before me. I am also not persuaded that the design offers more long-term flexibility and adaptability for agricultural purposes than a modern steel portal farm building where the large open layout of such buildings provides flexibility.
9. Overall, there is an absence of substantive evidence to demonstrate that a building of this size, layout and design is reasonably necessary for the purposes of agriculture within the agricultural unit. What has been provided is incomplete and ambiguous in that regard.
10. I have had regard to the previous prior approval, which was granted for an alternative building within the appeal site prior to the appellant's purchase of the land. However, this does not alter my findings as I must consider the proposed appeal building on its own merits and whether it is, on the evidence before me, reasonably necessary for the purposes of agriculture within the unit now.
11. To conclude, I am not persuaded that the proposed building is reasonably necessary for the purposes of agriculture within the unit. Consequently, it would not satisfy the necessary criteria set out in A.1 of Class A, Part 6 of the GPDO. It would therefore not constitute permitted development under Class A.
12. As I have found the proposed development to not be permitted development, it is not necessary to consider whether prior approval can be given as to the siting,

design and external appearance of the building, including the relationship to the setting of the nearby listed building.

13. Matters relating to farm tracks, other works on site, and additional planting, are not matters for my consideration as part of this appeal. Moreover, the principle of development is established through the grant of permission by the GPDO. As such, references to the West Lindsey Local Plan or the National Planning Policy Framework do not alter my findings on whether the building constitutes permitted development under Class A.

Conclusion

14. For the reasons given above the appeal is dismissed.

Mr R Walker

INSPECTOR



Appeal Decision

Site visit made on 9 June 2026

by Mr R Walker BA HONS DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 June 2026

Appeal Ref: 6006265

Land adjacent to Rose Cottage, High Street, Faldingworth, Nr Market Rasen LN8 3SE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
- The appeal is made by D Spedding against the decision of West Lindsey District Council.
- The application Ref is WL/2026/00084.
- The development proposed was originally described as the development proposed is permission in principle (PiP) to erect up to three (3) dwellings.

Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by D Spedding against West Lindsey District Council. This application is the subject of a separate Decision.

Preliminary Matters

3. The proposal is for permission in principle. Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has two stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. This appeal relates to the first of these two stages.
4. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted¹. All other matters are considered as part of a subsequent Technical Details Consent (TDC) application if permission in principle is granted. I have determined the appeal accordingly.

Main Issues

5. The main issues are whether the site is suitable for residential development, having regard to its location, the proposed land use and the amount of development, with particular reference to:
 - The character and appearance of the surrounding area; and
 - Any archaeological interests within the site.

¹ PPG Paragraph: 012 Reference ID: 58-012-20180615

Reasons

Character and appearance

6. The appeal site is an open parcel of land that extends from High Street wrapping around to the rear of properties. This part of High Street is characterised by predominantly linear housing fronting onto the street with only a small number of sporadic individual exceptions. Instead, the natural open undeveloped qualities of the appeal site, along with trees and vegetation, combined with other elements such as car parking, outbuildings and rear gardens on land behind the frontage housing results in a verdant semi-rural quality as the built form of the village dissipates into the countryside to the north.
7. The introduction of up to three dwellings would result in a small group of houses, which due to the need for access would push development to the rear. This amount of housing together as a group in this rear location would be at odds with the prevailing pattern of housing fronting High Street with only sporadic individual exceptions. Moreover, the amount of housing, and its associated land use, would erode the more open and verdant qualities of the site, which contribute to the area's transitional landscape character.
8. The presence of features such as the car park adjacent to the site, and the windmill development and other sporadic individual properties set to the rear of the High Street, would mean that the appeal scheme would not be an isolated feature. However, this would not overcome my concerns regarding the amount of development in this location, which would still not preserve or enhance the settlement's character but instead harm it. Moreover, whilst there has been consent for a single dwelling within part of the appeal site in the past, from the evidence before me, this consented location would have maintained the predominantly linear character of the houses along High Street in contrast with the appeal scheme. It does not therefore justify the harm that I have identified.
9. I therefore conclude on this main issue that the site is not suitable for residential development, having regard to its location, the proposed land use and the amount of development, with particular reference to the character and appearance of the surrounding area. As such, the proposal for permission in principle would be contrary to the requirements of Policies S1 and S4 of the Central Lincolnshire Local Plan, when taken together and in so far as they relate to this main issue. These say, amongst other things, that residential development proposals for unallocated sites within the size thresholds set out in part 1 of this policy and within the developed footprint of the village will only be supported where it would preserve or enhance the settlement's character and appearance.

Archaeological interests

10. The Council advise that Faldingworth dates to at least the early medieval period. Moreover, there has been Romano British and prehistoric archaeological evidence recorded within the settlement. The appellant has not disputed this categorisation of the potential archaeological interests around the settlement.
11. In this regard, the evidence before me indicates that the settlement holds potential for sites with archaeological interest. However, there is no substantive evidence that the appeal site holds a level of archaeological interest that would preclude up to three dwellings in principle. I am also mindful that the Council has previously,

and relatively recently, granted consent for a single dwelling in part of the appeal site.

12. The National Planning Policy Framework (the Framework) and the PPG² require that where a site has the potential to include heritage assets with archaeological interest, then an appropriate desk-based assessment and where necessary a field evaluation should be submitted.
13. However, the site will not benefit from planning permission until such time as the TDC has been granted. If archaeological assets were found at the TDC stage and were of such significance that their loss could not be mitigated against and would preclude development of up to three dwellings across the site, the Council still has the power to refuse TDC consent. As such, I am satisfied that addressing this matter at the TDC stage would be in line with the Framework and the PPG in this instance.
14. Drawing the above together, I can not conclude that the site is not suitable for residential development, having regard to its location, the proposed land use and the amount of development, with particular reference to any archaeological interests within the site. As such, I do not find conflict with the requirements of Policy S57 of the Central Lincolnshire Local Plan or paragraphs 207 and 208 of the Framework, when taken together and in so far as they relate to this main issue. These say, amongst other things, that development affecting archaeological remains, whether known or potential, designated or undesignated, should take every practical and reasonable step to protect and, where possible, enhance their significance.

Other Matters

15. The proposal would provide up to three residential units which would contribute to the supply of housing in the area. Moreover, economic and social benefits would flow from their construction and occupation. The scheme would therefore help support the Government's objective of significantly boosting the supply of homes. However, I have no substantive evidence of a shortfall in housing land supply in the area limiting the weight I afford these more generalised housing benefits. The absence of harm in principle in relation to other matters weighs neither for nor against the proposal.
16. In contrast, the amount of development in this location would result in harm to the character and appearance of the area. This would bring conflict with the development plan when taken as a whole. To allow development contrary to the development plan would undermine and dilute the plan-led system and the future pattern of development in the area. In this regard, the more generalised benefits from the scheme, are not sufficient to outweigh my findings in relation to the conflict with the development plan from the appeal proposal.
17. Concerns regarding the processing of the application are not issues that I can assess as part of this appeal. The validity or not of such matters do not affect the planning merits or effects of the proposal before me.

² Paragraph 207 and Paragraph: 041 Reference ID: 18a-041-20190723

Conclusion

18. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

Mr R Walker

INSPECTOR



Costs Decision

Site visit made on 9 June 2026

by Mr R Walker BA HONS DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 June 2026

Costs application in relation to Appeal Ref: 6006265

Land adjacent to Rose Cottage, High Street, Faldingworth, Nr Market Rasen LN8 3SE

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
- The application is made by D Spedding for a full award of costs against West Lindsey District Council.
- The appeal was against the refusal of permission in principle originally described as the development proposed is permission in principle (PiP) to erect up to three (3) dwellings

Decision

1. The application for an award of costs is refused.

Reasons

2. Parties in planning appeals normally meet their own expenses. However, the Planning Practice Guidance (PPG) advises that costs may be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.
3. The applicant sets down several reasons for its application for costs. These include the lack of Council officer site visit during the application and including a reason for refusal which could have been dealt with under a Technical Details Consent application. The Council has defended itself against the submission.
4. The applicant submits that the nature of an application for permission in principle does not entitle the Council to pursue the arguments around archaeological interests that it has. However, deciding whether the contested issue of archaeology is 'relevant' to the matters of location, land use and amount of development and how, is a question of evaluative judgement for the decision maker.
5. In this regard, the PPG¹ references 'historic environment records' as an information source that should be used to support decisions on whether to grant permission in principle. The Council drew from its records of the settlement in substantiating its concerns and consequently, irrespective of my findings on this main issue, I cannot find that the Council behaved unreasonably, relative to that main issue, in offering a different view to my own.
6. There is no dispute that the Council's officer did not undertake a site visit during the application. However, a site visit was conducted during a pre-application submission for a larger scheme. Moreover, given my conclusions on the first main issue, and overall, in the appeal, the Council has not prevented or delayed development which should clearly be permitted. Therefore, the Council's approach

¹ Planning Practice Guidance, Paragraph: 042 Reference ID: 58-042-20170728

during the application does not constitute unreasonable behaviour which has led to wasted expense in the appeal.

7. Accordingly, I determine that the costs application should fail, and no award is made.

Mr R Walker

INSPECTOR