

**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, 19th August, 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 Emma Bailey
- Councillor Jacob Flear
- 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 - 16)

- i) Meeting of the Planning Committee held on Wednesday, 22 July 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 - Land Rear of Langmead, West Street, (PAGES 17 - 36)
North Kelsey, Market Rasen
- ii) WL/2025/00667 - Land off Stallingborough Road, (PAGES 37 - 82)
Keelby
- iii) WL/2026/00292 - 33 Market Street, Gainsborough (PAGES 83 - 94)

7. **Determination of Appeals**

There are no determination of appeals to note.

Paul Burkinshaw
Head of Paid Service
The Guildhall
Gainsborough

Tuesday, 11 August 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 22 July 2026 commencing at 6.30 pm.

Present:

- Councillor Ian Fleetwood (Chairman)
- Councillor Matthew Boles (Vice-Chairman)
- Councillor David Dobbie
- Councillor Karen Carless
- Councillor Tom Smith
- Councillor Jim Snee

In Attendance:

- Sally Grindrod-Smith Director Planning, Regeneration & Communities
- Russell Clarkson Head of Planning
- Martha Rees Legal Advisor
- Molly Spencer Democratic & Civic Officer
- Ian Elliott Development Management Team Leader
- Danielle Peck Senior Development Management Officer

Apologies:

- Councillor Emma Bailey
- Councillor Jacob Flear
- Councillor Adam Duguid
- Councillor Sabastian Hague

Membership:

Councillor Karen Carless was appointed substitute for Councillor Adam Duguid

Also in Attendance:

4 Members of the public

17 PUBLIC PARTICIPATION PERIOD

There was no public participation.

18 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

RESOLVED that the minutes of the Planning Committee meeting held on Wednesday, 24 June 2026, be confirmed and signed as an accurate record.

19 DECLARATIONS OF INTEREST

Councillor Boles declared a non-pecuniary interest in application WL/2025/147538, Elm Tree Farm, Heapham, by virtue of his relationship with the applicant through Gainsborough Trinity Football Club. It was stated that he would take no part in the debate or determination of the application..

Councillor Smith declared a non-pecuniary interest in application WL/2026/00514, Land Rear of Langmead, North Kelsey, having received correspondence directly from an objector to the application. Councillor Smith confirmed that the declaration would not affect participation in the debate or determination of the application.

The Chairman declared a non-pecuniary interest in application WL/2025/147290, Highfield Cliff Farm, having received correspondence directly from the applicant advising that a representative would attend and speak on their behalf. The correspondence had been forwarded to Officers and it was confirmed that the declaration would not affect participation in the debate or determination of the application.

20 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY

The Lead Officer provided an update on recent changes to national planning policy and legislation. Members were advised that amendments to Biodiversity Net Gain (BNG) regulations would come into effect from 6 August 2026, including new exemptions for developments on sites below 0.2 hectares and temporary developments of 5 years or less, the removal of the exemption for self and custom build development, and changes to the biodiversity gain hierarchy for minor development.

An update was also provided regarding Planning Committee Reform. Members were informed that new regulations had been made introducing a national scheme of delegation for planning applications and limiting Planning Committees to a maximum of 13 Members, that will come into force on 31 October 2026. It was noted that a Member briefing had been held on 13 July 2026 and that amendments to the Constitution had been approved by the Governance and Audit Committee, with a further report due to be considered by Full Council in September 2026.

Members were advised that revised national planning application fees had been laid before Parliament and, subject to approval, would take effect from 8 December 2026. The changes were expected to increase cost recovery for planning services and form the basis of future local fee setting arrangements.

Finally, Members were informed that publication of the revised National Planning Policy Framework (NPPF) had been delayed until after the Parliamentary summer recess following the recent change in Prime Minister.

In response to a question regarding the impact of Local Government Reorganisation on planning policy functions, Officers advised that the Central Lincolnshire Joint Strategic Planning Committee had agreed to review the adopted Central Lincolnshire Local Plan using the existing Central Lincolnshire geography. Members were advised that legal advice had confirmed that a local plan could continue to operate across boundaries that differed from future unitary authority areas. As such, the current review would proceed on the existing geography, ensuring a robust policy framework remained in place for planning decision making. It was noted that consideration could be given to future reviews based on new local government boundaries, however no immediate changes were anticipated.

Members also sought clarification regarding the operation of the proposed gateway process under the national scheme of delegation. Officers advised that decisions on whether applications met the gateway criteria for determination by the Planning Committee would be

made jointly by a nominated Member and a nominated Officer, with the Chairman of the Planning Committee and Vice-Chairman identified as the proposed nominated Member and substitute. It was explained that applications attracting objections, particularly from Parish Councils and Ward Members, would automatically be referred for consideration under the gateway process. Members discussed the implications of situations where agreement could not be reached between the nominated Member and Officer and the importance of ensuring that applications of significant local interest continued to receive appropriate consideration. Discussions also took place regarding the role of Parish Councils in requesting that applications be considered by the Planning Committee.

21 WL/2026/00514 - FPA LAND REAR OF LANGMEAD, NORTH KELSEY

NOTE: The Lead Officer left the Council Chamber at 6.45 pm.

The Officer advised Members of a correction to the report at page 27 within the Residential Amenity section. Reference to "Beech House" should instead read "Beck House", being the property located to the north of the application site adjacent to the proposed access.

Members were further advised that, since publication of the agenda, a neutral representation had been received from North Kelsey Parish Council. The Parish Council had raised concerns regarding the proposed access from West Street, suggesting that improved access may be achievable from Occupation Lane. Concerns were also expressed regarding the absence of detailed service plans and the scale of the proposed gym, garage and ancillary storage building in relation to a single dwelling.

An objection had been received from a neighbouring property on West Street. Concerns related to the scale of the proposed development, its location in relation to the developed footprint of the village, highway safety associated with the proposed access, the impact on Beck House, the size of the proposed storage building and the potential impact on protected species arising from the demolition of the existing stable building.

The Chairman welcomed the applicant to address the Committee. It was argued that concerns relating to the proposed access should carry limited weight, as prior approval had previously been granted for demolition of an existing garage to facilitate the access arrangement. The applicant emphasised the size of the site, its proximity to village services and facilities, and the relationship of the proposal to surrounding residential development.

The applicant advised that the proposal was for a single self-build dwelling for family occupation and highlighted the limited number of objections received. Reference was made to the proposed ancillary buildings and the need for secure storage of equipment and vehicles.

The applicant further drew comparisons with other residential developments approved within North Kelsey and questioned the assessment that the site lay outside the developed footprint of the settlement. It was also explained that the proposal accorded with Policy NS24 of the Central Lincolnshire Local Plan relating to self and custom build housing and the applicant indicated a willingness agree additional conditions restricting occupation accordingly.

In conclusion, the applicant requested that the Committee approve the application. With no

reply from Officers, the Chairman opened to Members of the Committee to discuss.

During discussion, Members considered the Officer assessment that the site lay outside the developed footprint of North Kelsey and whether the proposal represented an appropriate location for development. Reference was made to the site's relationship with the existing built form of the village, its proximity to local facilities and services, and comparisons drawn by the applicant with other properties and developments within the settlement.

The Chairman expressed the view that a site visit would assist Members in assessing the site's position in relation to the settlement and understanding how the proposed development would relate to the character of the surrounding area. Clarification was sought from the Legal Advisor regarding the reasons for a site visit and, following further explanation, it was confirmed that Members could reasonably seek additional information regarding the site's relationship to the developed footprint and the appropriateness of the location.

The Officer advised that the principal considerations for the Committee were whether the site fell within the developed footprint and whether it represented an appropriate location for development.

A Member of the Committee supported the proposal for a site visit, drawing comparisons with a previous application where an inspection of the site had assisted Members in understanding the relationship between the proposal and the surrounding settlement. Another Member indicated that a site visit would assist in obtaining a fuller understanding of the site and its surroundings.

With no further comments, and having been proposed, seconded and voted upon, it was therefore agreed that application WL/2026/00514 be **DEFERRED** to enable a site visit to be undertaken.

22 WL/2026/00311 - ELM TREE FARM, HEAPHAM LANE, HEAPHAM, DN21 5PT

The Officer introduced the application and advised Members that agreement had now been reached with the applicant in respect of the recommended pre commencement conditions. Members were further advised that condition 3, as set out within the report, could be amended from a pre commencement condition to an in accordance with approved plans condition, as details of the proposed bird and owl boxes had now been incorporated within the submitted plans.

Members were reminded that the application had been referred to the Planning Committee as a departure from the development plan and contrary to Policy S5 of the Central Lincolnshire Local Plan. The departure arose from the extent of new build development proposed as part of the conversion scheme, which was considered to exceed the minimal alterations normally expected under the policy.

The application sought permission for the conversion of an existing barn to residential use, the removal of an agricultural building, and the erection of a replacement building for mixed agricultural and domestic purposes.

In presenting the application, the Officer outlined the site layout, including the repositioning

of the proposed mixed use agricultural and domestic building and the removal of an existing steel framed structure within the courtyard. Members were advised of the site's relationship to nearby Scheduled Monuments, including the medieval moated manorial complex and the dovecote associated with Elm Tree Farm.

Details of the proposed conversion works, including alterations to the barn, associated extensions, and the proposed replacement building, were shown. Members were advised that the scheme had been subject to pre application discussions and amendments following negotiations with Officers.

Member of the Committee expressed support for the application, noting that the proposal represented a pragmatic approach to securing the long-term preservation of the building. Reference was made to the extensive discussions and negotiations that had taken place between the applicant and Officers, and it was considered that, without intervention, the building would continue to deteriorate.

The Chairman acknowledged that, whilst some elements of the design would not necessarily reflect his personal preference, he recognised the wider benefits of the scheme and the investment proposed in securing the future of the heritage asset.

Councillor Snee declared a non-pecuniary interest by virtue of undertaking voluntary work at Gainsborough Trinity Football Club. Councillor Snee confirmed that he had not discussed the application with the applicant or any representatives and would consider the matter with an open mind.

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 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 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.

4. 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 4 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 4.

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 12 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 13 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. The development hereby approved must be completed in strict accordance with the bird and owl mitigation measures listed below:

- All bird nest boxes identified on plan D02 Rev PL1 dated 27th March 2026 must be installed prior to the occupation of the barn conversion.
- The owl nesting box identified on plan D06 Rev PL1 dated 27th March 2026 must be installed prior to the operation and occupation of the agricultural and domestic building.

All the mitigation measures listed above 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

17. Apart from the bird boxes approved in condition 15 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:

18. 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.

19. 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

23 WL/2025/01163 - 4 SILVER STREET, GAINSBOROUGH, DN21 2DP

Members were advised that the application sought full planning permission for the conversion of the upper floors of 4 Silver Street, Gainsborough, to provide five residential flats, whilst retaining the ground floor in retail use. The property was a Grade II Listed Building, and the application had been referred to the Planning Committee as a departure from the Council's parking standards.

In presenting the application, the Officer outlined the proposed accommodation, comprising of 1x one-bedroom flat and 1x two-bedroom flat at first floor level, together with 2x one-bedroom flats at second floor level. Members were advised that the proposals also included the installation of new windows to the rear elevation and the replacement of an unauthorised flat roof with a lean-to roof. Site photographs showing the front and rear of the building were displayed.

Councillor David Dobbie declared a non-pecuniary interest, having previously considered the application as a Member of Gainsborough Town Council. Councillor Dobbie advised that Gainsborough Town Council had supported the proposal, principally because it would contribute towards increasing residential occupation within the town centre.

A Member of the Committee sought clarification regarding access arrangements to the proposed residential accommodation. Officers advised that access would be taken from the rear of the building via an alleyway and rear entrance.

In discussing the application, Members expressed support for the proposal, noting the benefits of bringing additional residential accommodation into the town centre and securing improvements to a listed building. Positive reference was also made to the success of similar renovation projects undertaken in the immediate vicinity.

A Member of the Committee sought clarification regarding whether any works were proposed to the ground floor retail unit. Officers advised that only repair works were proposed.

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 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
ZAAVIA/4SS/507 Rev A dated 29 July 2025

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.

NOTE: Following determination of the application, the Legal Advisor corrected advice given earlier in the meeting relating to voting eligibility on application WL/2026/00514. It was confirmed that a Member of the Committee had been entitled to vote on that application and that their vote had been correctly included in the resolution relating to the site visit. The clarification was noted.

24 WL/2026/00290 - HIGHFIELD CLIFF FARM, SHADOWS LANE, GLENTHAM, MARKET RASEN

The Officer reminded Members that the application had previously been considered by the Planning Committee and deferred to allow further discussions to take place with the applicant and agent regarding the marketing exercise undertaken in support of the application.

Members were advised that the application sought the removal of an agricultural occupancy condition from the dwelling at Highfield Cliff Farm, Glenthams.

An update was provided in respect of additional information received on 14 July 2026. The applicant had advised that nearby farms had been approached to ascertain whether there was any interest in the property. However, no supporting evidence had been submitted to substantiate this claim. Members were further advised that the property had since been advertised through Perkins George Mawer & Co. at an asking price of £420,000, representing a 30% reduction to reflect the agricultural occupancy restriction, and that a marketing board had been erected at the site entrance on the A631.

The Officer presented the site location plan and photographs of the dwelling and surrounding area, demonstrating its location within the open countryside. Members were also shown details of the existing agricultural occupancy condition and the marketing information submitted in support of the application.

The Chairman then invited the applicant's representative to address the Committee. The agent addressed the Committee in support of the application. It was acknowledged that the marketing undertaken to date may not have fully satisfied the Council's expectations; however, it was contended that the occupancy condition relied upon the term "local", which was not specifically defined within the condition. The agent argued that the meaning of "local" was a matter of interpretation and that the marketing requirements should be considered in that context.

The Committee was advised that the property had been marketed locally through an estate agent for a period of nine months and that a marketing board had been displayed at the site, albeit intermittently due to concerns regarding rural crime and the security of the wider farming operation. It was further stated that wider marketing had been undertaken but had generated no interest from qualifying purchasers.

The agent submitted that the dwelling was beyond the financial reach of most agricultural workers, even at a reduced price, and advised that the property had not originally been constructed as a farm worker's dwelling. It was further explained that changes in farming practices meant there was no longer a requirement for an employee to occupy the property and that the dwelling had remained vacant for several months.

Concern was expressed that the ongoing vacancy of the property increased the risk of crime and vandalism. The agent also highlighted the property's proximity to Glenthams and referred to recent residential development within the village.

In conclusion, the Committee was asked to support the removal of the agricultural occupancy condition and approve the application.

The Officer advised that the application related to a dwelling constructed in an isolated countryside location where policy would not ordinarily support residential development. As such, the key consideration for Members was whether sufficient evidence had been provided to demonstrate that the property could not reasonably be sold subject to the existing occupancy restriction. The Officer further clarified that the dwelling had originally been granted planning permission as accommodation for an agricultural worker and the condition remained relevant in planning terms.

In opening the debate, the Vice-Chairman expressed disappointment that the additional information requested by the Committee had not been fully provided. Concern was expressed that insufficient evidence had been submitted to demonstrate that the property had been effectively marketed, particularly through online channels. It was noted that Members had requested additional information regarding the marketing exercise, however no supporting evidence had been provided to demonstrate the extent of the marketing undertaken or enquiries received.

A Member of the Committee acknowledged the concerns raised regarding the marketing exercise but also reflected on changes within the agricultural industry and questioned whether any further marketing would realistically result in a purchaser capable of satisfying the occupancy restriction. It was suggested that the ongoing vacancy of the dwelling could result in deterioration of the property and increase the risk of criminal activity.

In response, the Officer advised that the application before the Committee was made under Section 73 to vary or remove an existing planning condition. Members were advised that they could refuse the application, remove the condition entirely or vary it. The Officer noted that, whilst the applicant had raised concerns regarding the use of the word "local" within the condition, insufficient evidence had been submitted to demonstrate that there was no demand for the dwelling from a qualifying occupier. The Officer reiterated that additional information had been requested following the previous meeting, however the evidence sought by the Committee had not been provided.

During consideration of the application, the Chairman declared a non-pecuniary interest on behalf of all Members of the Planning Committee, as the applicant was known to Members. It was confirmed that Members would consider the application with an open mind.

A Member of the Committee sought clarification regarding the interpretation of the term "local" within the occupancy condition and raised the potential implications of Local Government Reorganisation on any geographical definition. In response, the Officer advised that, should the Committee be minded to vary the condition, the preferred approach would be to remove the word "local" altogether whilst retaining the agricultural occupancy restriction.

A Member of the Committee then proposed that, rather than removing the occupancy restriction entirely, the condition be varied by removing the word "local". The proposal was seconded.

During discussion of the motion, Members were advised that such an amendment would allow the property to be marketed more widely whilst still retaining an agricultural occupancy restriction. The Chairman noted that, should the amended condition subsequently prove ineffective, it would remain open to the applicant to submit a further application in the future.

The Officer further advised that, should the Committee resolve to vary the condition, reference to agriculture should also be updated to reflect the definition contained within the Town and Country Planning Act 1990 rather than the earlier legislative reference currently cited within the condition. The proposer confirmed agreement with the suggested amendment.

Upon being put to the vote, it was agreed that permission be **GRANTED** subject to the

variation of condition 1 as follows:

1.The occupation of the dwelling shall be limited to a person solely or mainly employed, or last employed, prior to retirement, in agriculture as defined in Section 336 of the Town and Country Planning Act 1990, or in forestry or a dependant of such person residing with them (but including a widow or widower of such a person).

Reason: 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 an agricultural need

25 DETERMINATION OF APPEALS

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

The meeting concluded at 7.33 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 (Extension of time agreed until 21st August 2026)

CASE OFFICER: Danielle Peck

Recommended Decision: Refuse planning permission.

The application was referred to the planning committee of 22nd July 2026 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).

The application is referred back to the Planning Committee on 19th August 2026 following the deferral from the meeting of the 22nd July 2026 to allow the Planning Committee to carry out a site visit on 12th August 2026.

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:

Access from West Street with the school, better access to site from Occupation Lane.

Services no detailed plan where route for these are to go, including drainage surface water and waste water, flooding is a hazard in the area.

Proposed gym/garage and ancillary store for domestic garden equipment, the size is substantial and out of proportion for one dwelling.

Local residents/ Third Party Representations:

Wharfedale, West Street, In summary-

- 1.The proposed development is too large and not in keeping with other properties on West Street and Occupation Lane. It would be outside of the developed footprint for the village.
2. Access to the site, Paragraph 2 is factually incorrect. There is no vehicle access from West Street. The only vehicle access possible to the paddock is via a gated entrance to the north east off Occupation Lane.

It is noted that a capped spur exists on the site plan to the north of the hedged boundary; for what purpose?

Concerns with highway safety and parking.

Concerns with the access running alongside Beck House, creating unacceptable nuisance. Weight of traffic could cause drainage problems.

3. The planned domestic garden equipment store appears disproportionately large for the purpose stated.

4. Demolition of the existing stable and hay store. This building is home to a bat colony plus seasonal nesting by swallows. Will a thorough bat survey be carried out before demolition is allowed?

Overall, the planning proposal looks poorly thought through with little regard for the neighbouring residents and properties. I harbour a strong suspicion of a hidden agenda regarding the future, further development intentions of the applicants towards the rest of the paddock.

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 Beck 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.

Ecology- The comments from Wharfedale in relation to bats and birds using the stable building are noted. It was not considered necessary to request an ecology survey to be carried out in this case, considering the current state of the building and given that the building could also be demolished without first seeking permission or prior approval from the Local Planning Authority.

In any case bats and birds are protected by the Wildlife and Countryside Act 1981 where it is illegal to intentionally or recklessly disturb bats or obstruct, damage, or destroy their resting and breeding places, even when bats are not present. It is also illegal to damage, destroy, or take a nest while it is in use or being built, or take/destroy an egg.

In the case that permission were to be granted then an advisory note to the applicant would remind them of their duties under the Wildlife and Countryside Act 1981, where it is unlawful to disturb birds and bats.

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. No clear justification as to why the development cannot meet these figures has been provided.

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

Officers Report

Planning Application No: WL/2025/00667

PROPOSAL: Planning application for construction of solar farm and battery energy storage system, comprising ground mounted solar photovoltaic panels, battery containers, transformers, high voltage electrical substation and ancillary infrastructure including underground cabling, fencing, CCTV, internal access tracks, water storage tanks and an attenuation pond together with landscape enhancements, woodland and a permissive footpath for a temporary period of 40 years (cross boundary application with North East Lincolnshire Council)

LOCATION: LAND OFF STALLINGBOROUGH ROAD KEELBY
GRIMSBY DN41 8DH

WARD: CAISTOR AND YARBOROUGH

TARGET DECISION DATE: EoT until 23/07/2026

CASE OFFICER: Josh Turner

Recommended Decision: Grant Subject to Conditions and the following obligations:

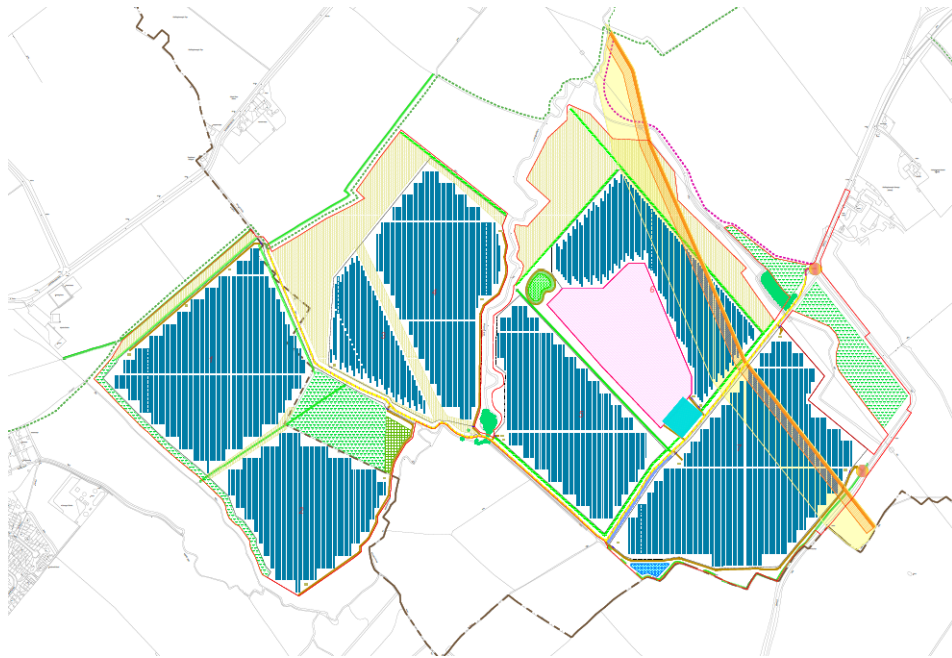
- Monitoring Fee

Site Description:

The wider Site is located west and south of the Stallingborough Junction, a grade separated roundabout at the intersection of the A180 and the A1173. The proposed location for the development is centred on TA17736. The village of Keelby is located to the west of the Site.

The total site area within the red line boundary is 147.63ha, of which 142.79ha is the principal site and 4.85ha is the cable route corridor. The Site is within the administrative areas of North East Lincolnshire Council (NELC) and West Lindsey District Council (WLDC).

The eastern part (and the majority) of the Site (110.93ha) is within NELC and western part of the Site (31.85ha) is within WLDC (approximately 22% of the total site area).



To the west of the Site, land is allocated for housing (refs. WL/KEE/001 and 003) under Policy S80. Public Right of way (PRoW) Keel/8/1 runs parallel to the north western edge of the site adjacent to the Keelby Sports Ground, an area designated as a Local Green Space under Policy S64.

Proposal:

The proposal seeks the siting of a solar farm and battery energy storage system (BESS), comprising ground mounted solar photovoltaic panels, battery containers, transformers, high voltage electrical substation and ancillary infrastructure including underground cabling, fencing, CCTV, internal access tracks, water storage tanks and an attenuation pond together with landscape enhancements, woodland and a permissive footpath, for a temporary period of 40 years.

Due to the proposed layout of the site the West Lindsey portion of the application site's infrastructure is limited to PV Panel arrays & power conversion units and would not feature BESS or a substation.

A Landscaping scheme has also been proposed which would see woodland and meadow planting along with enhanced planting along the sites boundaries.

Screening/EIA Assessment:

Town and Country Planning (Environmental Impact Assessment) Regulations 2017:

The Development has been subject to a formal request for EIA Screening (ref WL/2024/00854).

The development has been assessed in the context of Schedule 2 of the Regulations and after taking account of the criteria in Schedule 3 it has been concluded that the development is not likely to have significant effects on the

environment by virtue of its nature, size or location. Neither is the site within a sensitive area as defined in Regulation 2(1). Therefore the development is not 'EIA development'.

Relevant Planning History

Reference	Proposal	Decision
WL/2024/00854	Screening opinion to construct and operate a renewable energy facility, Grange Energy Park, comprising of solar energy generation (PV), battery energy storage (BESS) and a high voltage substation (HVSS) on land near Stallingborough.	EIA not required 14/02/2025

The application is a Cross Boundary application with North East Lincolnshire Council (NELC). The application was granted permission via a committee decision under application ref: DM/0108/24/FUL.

Representations

Chairman/Ward member(s): No letters of comment received.

County Councillor J Bean: *An objection was received raising the following points (summarised for brevity):*

- **Loss of agricultural land:** *The proposal is opposed on the basis that solar panels should not be placed on farmland, as this could reduce domestic food production and increase reliance on imports.*
- **Visual/landscape objection:** *The scheme is characterised as a "renewable eyesore".*
- **Archaeology:** *Concerns are raised that geophysical survey results indicate possible archaeological interest, and that a full archaeological survey should be undertaken across the whole site.*
- **Groundwater pollution:** *The Environment Agency's objection is cited, particularly the risk of pollution to groundwater within sensitive source protection/drinking water safeguard zones.*
- **Flood risk:** *absence of an acceptable Flood Risk Assessment and refers to the Environment Agency's recommendation that permission be refused.*
- **Impact on North Beck Drain:** *Concern is raised about potential effects on North Beck Drain, identified as a chalk stream and priority habitat under the NERC Act 2006.*
- **BESS fire safety:** *The objection argues that battery energy storage systems present risks of thermal runaway, difficult-to-extinguish fires, and prolonged defensive firefighting.*
- **Firewater runoff:** *It is argued that large volumes of contaminated runoff from BESS firefighting could pollute North Beck Drain and local aquifers.*
- **Toxic fumes:** *Concern is raised that a BESS fire could release toxic gases harmful to public health, with unpredictable dispersion.*

- **Gas pipeline risk:** *The objection refers to concerns about proximity to a high-pressure gas pipeline and potential consequences if pipeline integrity were affected.*
- **Overall conclusion:** *The site is considered unsuitable, with the objector arguing that approval would show disregard for public safety and the environment*

Keelby Parish Council: *Having looked at the plans and information given to us and after debating this at our council meeting, We as a full council strongly object to this planning application / development for the following reasons;*

1. As Keelby is sighted directly next to the proposed development therefore it will have a profound effect to the village due to the loss of natural views across open farmland and the unsightly view the village will have to endure for many years.

2. the safety risk to all that live in Keelby due to the large battery storage that is known and documented to have a toxic environment and health impact to all that breath in the fumes in the event of a fire that cannot be put out only managed. This is now more a reality due to the battery storage being moved nearer to Keelby due to the same concerns by other Parishes.

3. the loss of good quality farmland that in the event of a further world disaster that would help up maintain our independence.

4. The loss of property value in the village without any guarantees that all will be compensated for the full term of the project.

5. The village will not benefit by way of reduced energy bills as the electricity that is to be produced on this site is not going directly to our grid.

6. We have environmental concerns due to the number of run-off water courses that go from the village and travel through Stallingborough before entering the Humber estuary.

7. We have the backing of most of the village when we say that we strongly oppose this development now and in the future.

Following re-consultation Keelby Parish Council did not provide an updated response to WLDC.

It is however relevant to note that the objections to the larger portion of the scheme located within NELC's District (ref: DM/0108/24/FUL) was withdrawn and instead a note was provided raising concerns on the loss of good agricultural land locally which results in the village being surrounded by solar farms.

Further clarification was requested from Keelby Parish Council and they confirmed that they had received answers to the questions raised within their

initial objection letter. It was however confirmed that the Parish Council does not wish to withdraw or amend their initial response.

Conservation Officer: The scheme was discussed verbally with the authorities Conservation Officer. Given the siting of the proposed development relative to heritage assets within WLDC it was considered that a formal written response was not required.

Local residents: Local residents were notified via a mixture of Site Notices and Neighbour Notification Letters. From the notices and 116 neighbour notification letters sent 8 responses were received from 6 different addresses, 4 of which neighbour the site.

The responses received are summarised below:

Objections:

- Loss of Best and Most Versatile (BMV) Agricultural Land
- Landscape / Visual and Cumulative Impact
- Ecology and Biodiversity Concerns
- Noise, Glint, Glare and Construction Impacts
- Existing solar development in the area
- Prime agricultural land
- Too close to housing in Keelby
- Concerns over impact on existing gas infrastructure
- Solar could be provided on existing buildings
- Similar 49.9mw solar scheme granted permission nearby, concerns over cumulative impact
- Concerns raised over the proximity of the site to a housing development granted under ref: 147126
- Location of the site on ground at a higher level than Keelby village.
- Concerns over the impact of the construction process.
- Concerns over the impact on wildlife
- Impact on public footpath.

LCC Highways and Lead Local Flood Authority: No Objections subject to the recommended informatives.

Witham Third District IDB: No objection, comments provided summarised below:

- *The site is partly within the North East Lindsey Drainage Board area.*
- *The Board-maintained watercourse North Beck/Caddle Beck (7A) runs through the site.*
- *The Board's prior written consent is required for any temporary or permanent works or structures in, under, over, or within 9 metres of the top of the bank of a Board-maintained watercourse.*
- *The full 9-metre maintenance strip should be kept clear of all obstructions on both sides of the watercourse; the submitted plans*

appear to show a strip, but it is unclear from the scale whether the full 9 metres has been provided.

- Consent is also required under the Land Drainage Act 1991 for any works within any watercourse, including infilling or diversion.
- A permanent undeveloped strip of sufficient width should be retained alongside all watercourses to allow future maintenance.
- Suitable maintenance access arrangements should be agreed with the Local Planning Authority, Lincolnshire County Council and the relevant maintenance party.

Anglian Water: initial response, summarised for brevity:

- **Initial objection:** Anglian Water initially objected because the site overlies the principal chalk aquifer and is partly within Source Protection Zone 1 for a groundwater source used for public water supply. The BESS area lies wholly within SPZ1.
- **Groundwater protection concerns:** Anglian Water considered there was insufficient information to show that contaminated firefighting runoff from the BESS could be captured and contained, or that risks to controlled waters and nearby groundwater abstraction points had been adequately assessed.
- **Drainage/infiltration:** The FRA suggested infiltration drainage may be unsuitable due to high groundwater, but also recommended further permeability testing. Anglian Water advised that, if infiltration drainage is later proposed within SPZ1, it should be limited to clean roof water or supported by a suitable hydrogeological risk assessment.
- **Wastewater:** No foul flows are proposed, so Anglian Water had no comments on wastewater treatment or used water network capacity.
- **Surface water:** Anglian Water noted that the proposed surface water management does not relate to its assets and that it has no public surface water sewers in this location. The LPA should seek advice from the LLFA/IDB, and the Environment Agency should be consulted where discharge to a watercourse is involved.
- **Revised position:** Following the applicant's additional information and proposed mitigation measures, Anglian Water removed its objection.
- **Recommended condition:** Anglian Water recommends a condition requiring full design details before development proceeds for:
 - a containment system beneath the BESS area to prevent contaminated water infiltrating to groundwater;
 - a treatment system to prevent pollution of controlled waters and comply with any Environment Agency permit requirements;
 - a system to isolate and shut off surface water discharges from hardstanding areas in the event of a fire.

- **Implementation:** The condition should only be discharged once the approved measures have been fully implemented on site.
- **Permitting:** Any discharge to the environment may require an environmental permit, and the Environment Agency should be contacted for guidance.

Final Response:

Please find below our revised response for application: WL/2025/00667
 Our reference number is: PLN-0235331
 LAND OFF STALLINGBOROUGH ROAD KEELBY GRIMSBY DN41 8DH
 11 December 2025

We acknowledge the response from the applicant in their letter dated 27 October, in response to Anglian Water's objection and concerns raised in our emailed response to the Local Planning Authority on 30 July 2025.

The applicant has proposed measures to mitigate the risk posed by contaminated runoff from the BESS area of the proposed development. Based on these updated proposals and the additional documentation provided, Anglian Water is happy to remove its previous objection and instead recommend conditions to the Local Planning Authority for inclusion in any future planning consents:

Condition 1:

The applicant must provide full design details for the following systems, proposed as a means of preventing contaminated surface water from the BESS area of the proposed development from entering controlled waters (surface water and groundwater) in the event of a fire:

- A contaminant containment system underlying the site to prevent infiltration of potentially contaminated surface water to the water table.
- A treatment system which is effective in preventing pollution to controlled waters (groundwater or surface water), and otherwise to comply with any additional permit conditions which might be set by the Environment Agency*.
- A system which effectively isolates and shuts off any surface water discharges from hardstanding areas to surface water or groundwater (via soakaway) in the event of a fire.

Development must not proceed until this documentation has been submitted to and approved in writing by the Local Planning Authority. The condition should only be discharged once it can be demonstrated that the approved measures have been fully implemented on site, and as per the approved designs.

* Note that any proposed discharge to the environment must comply with The Environmental Permitting (England and Wales) Regulations 2016 and a permit may be required. The Environment Agency should be contacted for

further guidance regarding permitting and any associated risk assessments which may be required.

Please do not hesitate to contact us if you have any questions regarding our revised response.

LCC Archaeology: Initial Response, summarised for brevity:

- **Archaeological potential:** *The site has known high archaeological potential, but the character, significance and full extent of any remains are not yet sufficiently understood.*
- **Development impact:** *The solar farm, associated infrastructure, landscaping and tree planting could affect surviving buried archaeological remains.*
- **Need for further investigation:** *A trial trench evaluation was recommended to establish the presence, absence, significance, extent, depth and character of archaeological remains.*
- **Risk management:** *Trenching results are needed to inform project risk, programme scheduling and costs, and to avoid unnecessary destruction of heritage assets or delays.*
- **Mitigation:** *Preferred mitigation would include preservation in situ where possible, with open-area excavation where avoidance is not achievable.*

Follow up response:

I have received an interim report from the trenching at the proposed Stallingborough site.

Archaeological remains broadly aligned with geophysical survey results on the site, there were also some features which were not initially identified by the geophysical survey.

As I stated in my response to the archaeological contractor and applicants, based on this I can recommend conditions for an archaeological mitigation strategy for a permission, if granted. They will need to provide the full report (this is only interim) before any pre-commencement strategy can be agreed.

I recommend the following wording:

Condition 1 (pre-commencement condition)

No new development (including enabling works), or demolition works, shall take place until an Archaeological Mitigation Strategy for the protection of archaeological remains is submitted to and approved by the Local Planning Authority. The Archaeological Mitigation Strategy will include provision for

further appropriate archaeological Written Schemes of Investigation as required to meet the strategy. These written schemes of investigation shall include the following:

- 1. An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements).*
- 2. A methodology and timetable of site investigation and recording*
- 3. Provision for site analysis*
- 4. Provision for publication and dissemination of analysis and records*
- 5. Provision for archive deposition*
- 6. Nomination of a competent person/organisation to undertake the work*
- 7. Provision for publication, dissemination and engagement proposals. This should detail how the needs of relevant audiences will be met, including how the results may be usable for subsequent research.*

The scheme of archaeological investigation must only be undertaken in accordance with the approved details.

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

Condition 2

Any pre-commencement or post-commencement archaeological mitigation requirements and any development works (including enabling works) must be undertaken only in full accordance with the Archaeological Mitigation Strategy and the approved written schemes referred to in Condition 1. The applicant will notify the Local Planning Authority of the intention to commence at least fourteen days before the start of archaeological work in order to facilitate adequate monitoring arrangements. No variation shall take place without prior consent of the Local Planning Authority.

Reason: To ensure satisfactory arrangements are made for the recording of archaeological remains in accordance with the National Planning Policy Framework.

Condition 3

A report of the archaeologist's findings shall be submitted to the Local Planning Authority and the Historic Environment Record Officer at Lincolnshire County Council within 3 months of the works hereby given consent being commenced unless otherwise agreed in writing by the Local Planning Authority. The condition shall not be discharged until the archive of

all archaeological work undertaken hitherto has been deposited with the County Museum Service, or another public depository willing to receive it, and until any relevant analysis, publication and dissemination agreed in relation to condition 1 has been undertaken.

Reason: In order to ensure that satisfactory arrangements are made for the investigation, retrieval and recording of any archaeological remains on the site, as well as the publication and dissemination of the results. This Condition is imposed in accordance with the National Planning Policy Framework (December 2024).

Lincolnshire Fire and Rescue: Neutral Response, key points summarised below for brevity:

BESS design and risk management: *The applicant should identify and manage site-specific fire risks linked to the BESS layout, infrastructure, siting and operation.*

Container type: *The type of BESS unit matters; cabinet-style units with external access are preferred because they reduce the need for staff or firefighters to enter containers.*

Spacing and fire spread: *Vertical stacking is not supported. The design should demonstrate that any thermal event/fire can be contained to the BESS unit of origin, with adequate separation or fire-resistant materials to prevent spread.*

Battery risks: *Different lithium battery chemistries may vary, but all can present risks including toxic, flammable or explosive vapour clouds and intense fire.*

Detection systems: *Early fault detection, battery management systems, gas/smoke/heat detection, remote shutdown and audible/visual alarms should be provided and clearly linked to emergency response procedures.*

Suppression systems: *Fire suppression may help prevent spread to battery modules but is unlikely to extinguish thermal runaway within cells. Any claims about suppression performance should be evidenced.*

Explosion control: *BESS containers should include suitable explosion protection/deflagration venting, with venting directed safely and accounted for in emergency plans.*

Emergency access: *Safe access and egress should be provided for fire appliances, preferably with alternative access so crews do not need to pass through vapour/gas clouds.*

Water supply: *Adequate firefighting water should be available. Hydrants should ideally provide at least 25 litres/second; if not, a static supply of around 180,000 litres for 120 minutes is suggested.*

Runoff management: The design should consider containment and management of firefighting water runoff, including drainage, interceptors or banded lagoons.

Vegetation management: Combustible vegetation should be kept away from BESS units, with areas within 10 metres kept clear to reduce fire spread risk.

Emergency response plan: The operator should prepare and share an emergency response plan with the local Fire and Rescue Service, covering site layout, access, alarms, hazards, emergency contacts, shutoff points and firefighting strategy.

Sensitive receptors: Plans should identify sensitive receptors within 1 km, including homes, schools, workplaces, habitats, watercourses, groundwater sources, transport infrastructure and utilities.

Further clarification: The Fire and Rescue Service would expect clarification on thermal event behaviour, site access, water supply, suppression systems, BESS design, monitoring, remote annunciation and environmental receptors.

Environment Agency: Initial Response (summarised below for brevity):

Groundwater and contamination risk: The site lies within Source Protection Zones 1 and 2, a drinking water safeguard zone, and over secondary/principal aquifers. The EA considered that the BESS could pose an unacceptable pollution risk to groundwater, particularly from contaminated firewater or rainfall entering damaged battery containers during or after a fire.

Need for containment and risk assessment: The applicant was asked to provide a Controlled Waters Risk Assessment and preliminary risk assessment, including a conceptual site model addressing contaminant pathways to shallow groundwater, nearby watercourses and the underlying principal aquifer. The EA advised that mitigation should include impermeable surfaces/membranes, sealed drainage, lined containment features, and a controlled penstock system capable of retaining contaminated runoff and firefighting water.

Flood risk: The EA objected because the submitted Flood Risk Assessment was considered inadequate. It did not properly assess lifetime flood risk, did not set out mitigation measures, and did not clarify whether critical infrastructure would remain operational and safe during flood events, including the 0.1% annual probability event with climate change.

Updated flood mapping: The EA noted that Flood Map for Planning data had changed, meaning some parts of the site may require additional resilience measures.

Priority habitat impact: The EA objected due to potential impacts on North Beck Drain, identified as a chalk stream and priority habitat under the NERC

Act 2006. The application failed to acknowledge the watercourse as a chalk stream or provide sufficient protection, mitigation or compensation.

How objections could be overcome: The EA advised that objections could potentially be addressed through a revised FRA, a robust controlled waters/firewater containment strategy, and further assessment and mitigation for the chalk stream, including construction protection, long-term management and possible enhancement/restoration.

BESS emergency planning: The EA advised engagement with the Fire and Rescue Service and use of relevant guidance for BESS design, siting, emergency planning, decommissioning and end-of-life battery management.

Additional operational safeguards: The EA recommended considering bunded storage for damaged batteries and PV panels, a soil management plan beneath the BESS, bunding for oil-filled transformers, and a recycling plan for panels, batteries and site materials.

Re-consultation Response:

“Environment Agency position

We have reviewed the amended plans, and letter (dated 27 October 2025) and consider that they satisfactorily address our earlier concerns.

Subject to the conditions below, we therefore withdraw our previous objections, dated 25 July 2025.”

Flood Risk

No objection subject to the inclusion of the recommended condition.

Advice to the Local Planning Authority and Applicant

Critical equipment – power conversion units

We note that two of the ‘Power Conversion Units’ are shown to be within flood zones on the submitted plan (ref: ‘02 Rev A Site Layout Plan’, by Island Green Power), and therefore at risk of fluvial flooding. We advise that the applicant should clarify whether these are classed as ‘critical equipment’. If the operation of the site during a flood is reliant on the function of the power converter units and they are considered critical equipment, they should be moved to Flood Zone 1 as stated in the mitigation measures outlined in the submitted letter.

Groundwater and Contaminated Land We have reviewed the following reports for the proposed development with regard to controlled waters only:

- Stallingborough Solar and BESS Facility Hydrogeological Risk Assessment (ref: QNL-JBA-XX-XX-RP-EN-0001-A1-C01) by JBA Consulting dated October 2025*
- Flood Risk Assessment & Outline Surface Water Drainage Strategy Report (ref: QNL-JBA-XX-XX-RP-HM-0001-A2-C02) by JBA Consulting dated October 2025*

Based on the information received, we can withdraw our objection with regard to groundwater and contaminated land, and we recommend the following condition.

Condition 2

The development hereby permitted shall not be commenced until such time as a scheme to dispose of surface water in the event of a fire has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reason

The submitted planning application includes a Battery Energy Storage System (BESS). Highly polluting chemicals in batteries could enter groundwater in firewater or rainfall should battery containers become exposed in the event of a fire. The local planning authority should ensure mitigation is in place to ensure containment of this water.

While in the event of a fire at a BESS, it is accepted best practice to let the containers on fire burn out, it is likely water will be used to cool neighbouring containers. This water could enter burning containers through surface water run off or directly from spray cooling neighbouring containers. Furthermore, during or following a fire at a BESS development, water could enter exposed containers through rainfall during the period of time it takes to remove or cover burnt out containers.

Groundwater is particularly sensitive in this location because the proposed development site is within source protection zones 1 and 2 and located upon a confined principal aquifer.

In light of the above, the proposed development will be acceptable if a planning condition securing adequate pollution prevention measures is included on any planning permission granted. Without this condition we would object to the proposal in line with paragraph 187 of the National Planning Policy Framework because it cannot be guaranteed that the development will not present unacceptable risks to groundwater resources.

Advice to the applicant and Local Planning Authority

Further advice on a detailed surface water scheme

We recommend that a detailed design is produced that incorporates the measures outlined in the Flood Risk Assessment and Outline Surface Water Drainage Strategy Report dated October 2025 by JBA Consulting. The proposed drainage strategy drawing shows drainage pipes leaving the gravel areas within the BESS compounds to the discharge point. We recommend that all the drainage is sealed to ensure that there are no potential leaks into the environment and that it should be able to withstand the potentially very corrosive contaminated discharge (hydrochloric & hydrofluoric acid etc). We would like details of the proposed liner to be provided in a final

drainage strategy and how it will be resistant should any contaminated crushed stone need to be removed if contaminated.

On similar sites, we have asked for a dual control penstock, or something similar, that can be operated remotely in the event of a fire or manually by firefighters. We recommend that the design should demonstrate that there is sufficient capacity for fire run-off with additional headroom to accommodate any potential contemporaneous rainfall. This information is requested to prevent pollution in the event of a fire, and we would like the details to be provided in the final drainage strategy.

Biodiversity

We note that the applicant has acknowledged the North Beck as a chalk stream and therefore a priority habitat. We would like to provide the following informative comment for the Local Planning Authority and applicant with regards to this.

Advice to the applicant and Local Planning Authority

In line with the CaBA Northern Becks Catchment Management Plan (August 2022) and Addendum to the CaBA Northern Becks Catchment Management Plan (January 2025), we recommend that the proposed development is used as an opportunity to restore more natural processes to the watercourse.

The site offers a unique opportunity to enhance the upper North Beck Drain as the applicant is the riparian owner of both banks of a section of the watercourse, thus restoration measures that go above and beyond creation of buffer strips could be suitable on site. Additional restoration techniques identified for Reach A of North Beck Drain within the Addendum to the CaBA Northern Becks Catchment Management Plan include channel realignment; installation of woody vegetation within the channel; and creation of floodplain area. This would offer a significant environmental gain.

Please notify us immediately if you are unable to apply our suggested conditions, to allow further consideration and advice.

In accordance with the Planning Practice Guidance (Determining a planning application, paragraph 019), please notify us by email within two weeks of a decision being made or if the application is withdrawn. Please provide us with a URL of the decision notice, or an electronic copy of the decision notice or outcome.

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me using the details below.

MOD Safeguarding: No response received.

WLDC Economic Development: No response received.

Civil Aviation Authority: No Response received.

Humberside International Airport: No response received.

NATS Safeguarding: Neutral

"The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal."

North East Lincolnshire Council: No formal response received.

Continuous engagement with North Lincolnshire Council has been undertaken throughout the application process.

The Ramblers Society: No response received.

National Grid Plant Protection Team: Initial Response:

"The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal."

Follow up response:

National Gas Transmission operates a high-pressure gas pipeline: FEEDER 9 - SPROATLEY TO ALDBROUGH - in the vicinity of the proposed development.

The pipeline has an easement in place, and any permanent changes to the easement will require formal written permission from National Gas Transmission in the form of a deed of consent.

Final response:

National Gas Transmission operates a high-pressure gas pipeline: FEEDER 9 - SPROATLEY TO ALDBROUGH - in the vicinity of the proposed development.

The pipeline has an easement in place, and any permanent changes to the easement will require formal written permission from National Gas Transmission in the form of a deed of consent.

Natural England: NO OBJECTION Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on the Humber Estuary Special Protection Area (SPA) or Special Area of Conservation (SAC) and has no objection.

A lack of objection does not mean that there are no significant environmental impacts. Natural England advises that all environmental impacts and opportunities are fully considered and relevant local bodies are consulted.

Lincolnshire Wildlife Trust: Initial Response:

- *Strong objection to the planning application due to its expected impacts on nesting Skylarks, the absence of adequate mitigation measures, and the lack of assessment of cumulative effects.*
- *The applicant predicts the loss of 18–20 Skylark territories within the development site but concludes that the impact would be negligible. The Trust disputes this conclusion, considering the scale of habitat loss and disturbance to be significant.*
- *The proposed compensation measures, mainly involving limited improvements to foraging habitat, are considered insufficient and unlikely to offset the loss of breeding territories.*
- *The applicant has not incorporated previously recommended mitigation measures, including the creation of off-site Skylark plots, despite these being suggested during pre-application discussions.*
- *The application fails to assess the cumulative impact of this development alongside the increasing number of solar farm proposals across Lincolnshire.*
- *There is no consideration of the wider status of Skylark populations or the existing pressures affecting the species, despite Skylarks having experienced a decline of more than 60% since the late 1960s.*
- *Overall, the Trust considers the ecological assessment and mitigation proposals inadequate to address the likely impacts on Skylarks.*

Final Response:

No follow up response was provided directly to WLDC however it was confirmed by the LWT that the reconsultation response provided to NELC also applies to the WLDC site. This is included below:

i. We note the revised proposals for the provision of 16.5 Ha area to be set-aside as skylark mitigation. Whilst the Trust does not accept the proposed methodology as an appropriate mechanism for calculating territory provision and retains significant concerns over the assumptions of edge-effect absorption, we do consider that the scale of the mitigation area is likely to address the displacement effects of the development.

ii. We concur with the applicants recommendation that a planning condition / precommencement condition should be imposed for a formal Skylark Mitigation Strategy, accounting for creation, on-going management and monitoring, with flexibility clauses to allow for LPA variations.

iii. On the basis of Points I and II, The Trust considers its objection satisfied and has no further comments on this application.

Principal Ecology and Wildlife Officer: Initial response (Summarised for brevity):

Biodiversity Net Gain (BNG) Baseline

- *The submitted BNG baseline is not accepted because it does not cover the entire red line boundary, despite some excluded areas being sealed surfaces.*
- *The river condition assessment has not been provided, preventing review of its accuracy.*
- *The riparian encroachment assessment is considered inadequate, as agricultural land should be recorded as an encroachment in accordance with the BNG guidance.*
- *The application of strategic significance within the metric appears incorrect, as no part of the site falls within the relevant Biodiversity Opportunity Mapping area for West Lindsey.*

BNG Post-Development Assessment

- *The classification of under-panel habitat as poor-condition modified grassland is considered acceptable.*
- *The metric identifies tree losses, but these cannot be located on the baseline habitat map.*
- *There is a discrepancy between the BNG metric and the BNG report, suggesting that a revised metric may not have been submitted.*
- *The metric does not comply with trading rules and fails to achieve the required 10% watercourse gain, despite there being sufficient space to do so.*
- *Proposed woodland screening areas may be too small for standard woodland creation guidance, and clarification on the intended methodology is required.*

Monitoring and Enforcement

- *Clarification is needed regarding responsibility for BNG monitoring, particularly as most of the site lies within North East Lincolnshire.*
- *If Natural England leads monitoring, a Section 106 agreement will be required to delegate enforcement and monitoring responsibilities.*
- *Given the scale of the development, a bespoke monitoring fee should be agreed, with remote sensing potentially supporting monitoring and quality assurance.*

Wider Ecological Matters

- *The site falls within an SSSI risk zone, and consultation with Natural England is required if this has not already taken place.*
- *No ecological reports covering protected species surveys and impacts have been identified, so these matters cannot currently be assessed.*
- *The development should include two-way badger gates and hedgehog highways within fencing to maintain wildlife connectivity across the site.*

Follow up response:

I am satisfied with the metric etc. I am happy to propose conditions; I have 2 questions I need answering to accurately calculate the monitoring fee. 1. What area of the site is in WL and 2. Of that area in West Lindsey how much is under panel (modified grassland in poor condition) habitat.

Condition wise I assume we will condition a CEMP in addition to an ecological enhancement plan and HMMP

Relevant Planning Policies and Legislation:

Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Here, the Development Plan comprises the provisions of the Central Lincolnshire Local Plan (adopted in April 2023), the Lincolnshire Minerals and Waste Local Plan (adopted June 2016) and The Keelby Neighbourhood Plan (2023)

Development Plan

- **Central Lincolnshire Local Plan 2023 –**

Relevant policies of the CLLP include:

- S1 The Spatial Strategy and Settlement Hierarchy
- S5 Development in the Countryside
- S14 Renewable Energy
- S21 Flood Risk and Water Resources
- S47 Accessibility and Transport
- S49 Parking Provision
- S53 Design and Amenity
- S57 The Historic Environment
- S59 Green and Blue Infrastructure Network
- S60 Protecting Biodiversity and Geodiversity
- S61 Biodiversity Opportunity and Delivering Measurable Net Gains
- S66 Trees, Woodland and Hedgerows
- S67 Best and Most Versatile Agricultural Land

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

- **Keelby Neighbourhood Plan (NP) (2023-2040)**

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

Relevant policies of the NP include:

- Planning Policy 1: The Rural Character and Distinctiveness of the Parish
- Planning Policy 4: Business and Service Development

- Planning Policy 5: Environment and Countryside
- **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>

- Renewable and Low Carbon Energy Guidance

<https://www.gov.uk/guidance/renewable-and-low-carbon-energy>

- 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:

- Principal of Development
- Landscape and Visual Impact
- Neighbouring/Residential Amenity

- Highway Safety
- Drainage and Flood Risk
- The Historic Environment & Archaeology
- Ecology and Biodiversity Net Gain
- Other matters

Assessment:

Cross-boundary Applications

Where a development crosses a local authority boundary, each authority is responsible for determining the application for the land within its own area. The involved authorities work collaboratively throughout the process, sharing evidence and considering impacts that extend beyond their administrative boundaries. Each authority must determine the application in accordance with its own development plan and other material considerations, while seeking to align planning conditions, mitigation measures and planning obligations where appropriate. Separate decision notices will be issued by each authority, and each authority assesses the development within their respective district boundaries. The North East Lincolnshire Council portion of the application has already been granted via a committee decision.

Principle of the Development:

Paragraphs 161–169 of the NPPF emphasise that the planning system should support the transition to net zero by 2050 by reducing greenhouse gas emissions, increasing climate resilience and supporting renewable and low-carbon energy development. Local plans and planning decisions should take a proactive approach to mitigating and adapting to climate change, considering issues such as flood risk, water resources, biodiversity, overheating and drought.

Planning authorities are expected to identify suitable opportunities for renewable and low-carbon energy infrastructure and give significant weight to the benefits of such proposals, including community-led schemes and the repowering of existing sites. The NPPF also makes clear that applicants should not be required to demonstrate an overall need for renewable energy development, reflecting the strong national policy support for the transition to a low-carbon future.

The Planning Practice Guidance on Renewable and Low Carbon Energy advises that renewable energy proposals should be supported where they are acceptable in their proposed location, having regard to site-specific environmental, landscape and amenity impacts.

For solar development, authorities should recognise the importance of maximising solar gain while considering visual effects, impacts on designated landscapes, agricultural land quality and opportunities for screening and mitigation. Large-scale solar farms should be sensitively designed to minimise harm to the rural environment.

The guidance also advises against the use of inflexible buffer zones, emphasising that proposals should be assessed on their individual merits and local circumstances. Overall, the guidance supports renewable energy development while ensuring that environmental protections and local planning considerations are appropriately balanced

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

Central Lincolnshire Local Plan 2023 (CLLP):

The CLLP comprises a number of policies which promotes the reduction of carbon emissions and burning of fossil fuels. This includes the installation of renewable energy technology such as solar farm in locations which are considered appropriate when all materials consideration have been considered. Local policy S14 of the Central Lincolnshire Local Plan 2023 states that:

“Proposals for renewable energy schemes, including ancillary development, will be supported where the direct, indirect, individual and cumulative impacts on the following considerations are, or will be made, acceptable. To determine whether it is acceptable, the following tests will have to be met:

i. The impacts are acceptable having considered the scale, siting and design, and the consequent impacts on landscape character; visual amenity; biodiversity; geodiversity; flood risk; townscape; heritage assets, their settings and the historic landscape; and highway safety and rail safety; and

ii. The impacts are acceptable on aviation and defence navigation system/communications; and

iii. The impacts are acceptable on the amenity of sensitive neighbouring uses (including local residents) by virtue of matters such as noise, dust, odour, shadow flicker, air quality and traffic;”

and

“Proposals for ground based photovoltaics and associated infrastructure, including commercial large scale proposals, will be under a presumption in favour unless:

- there is clear and demonstrable significant harm arising; or*
- the proposal is (following a site specific soil assessment) to take place on Best and Most Versatile (BMV) agricultural land and does not meet the requirements of Policy S67; or*
- the land is allocated for another purpose in this Local Plan or other statutory based document (such as a nature recovery strategy or a*

Local Transport Plan), and the proposal is not compatible with such other allocation.

Proposals for ground based photovoltaics should be accompanied by evidence demonstrating how opportunities for delivering biodiversity net gain will be maximised in the scheme taking account of soil, natural features, existing habitats, and planting proposals accompanying the scheme to create new habitats linking into the nature recovery strategy."

Local policy S14 of the CLLP additionally states that:

"Permitted proposals will be subject to a condition that will require the submission of an End of Life Removal Scheme within one year of the facility becoming non-operational, and the implementation of such a scheme within one year of the scheme being approved. Such a scheme should demonstrate how any biodiversity net gain that has arisen on the site will be protected or enhanced further, and how the materials to be removed would, to a practical degree, be re-used or recycled."

In addition, the CLLP has a policy (S5) which protects the open countryside from inappropriate and harmful development. Local Policy S5 includes parts A-G, with part E being the relevant part. Part E (non-residential development in the countryside) of policy S5 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

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

Apart from criteria a) the criteria in S5 part E replicates the considerations outlined in local policy S14.

Concluding Statement:

The proposed solar farm would reduce the carbon footprint of West Lindsey (Central Lincolnshire) generating an estimated 49.9MW(AC) of renewable energy site-wide. The principle of the development is therefore considered acceptable and the presumption in favour under S14 applies, subject to satisfying the criteria listed in local policy S14 and S5 of part E of the CLLP and any other material considerations.

Site selection & BMV Agricultural land

The National Planning Practice Guidance (NPPG) provides additional guidance to support the Policies within the NPPF and provides a specific

focus for planning considerations which need to be taken account of when dealing with large ground mounted solar farms.

It specifies that large scale solar farms should be focused 'on previously developed and non-agricultural land, provided that it is not of high environmental value' and 'where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays'. In response, the site is greenfield and is in agricultural use and the impacts on land quality will be discussed below. Land quality is considered important to the overall acceptability in principle.

Other matters which are required to be considered by the NPPG in regard to the specific detail will be covered in other sections of this report.

Policy S14 (&S67) note a presumption in favour of development unless the proposal is (following a site specific soil assessment) to take place on Best and Most Versatile (BMV) agricultural land and does not meet the requirements of Policy S67].

As noted above the NPPG requires development to be located on brownfield or non-agricultural land of low environmental value in the first instance. A number of factors have led to this particular site selection and have meant looking outside of brownfield or non agricultural land, this includes:

- The site footprint required to enable the proposed development.
- That renewable forms of technology already exist in the form of solar farms with associated infrastructure adjacent to the site
- Prime access to a grid connection allowing for maximisation of energy output
- No environmental designations impacting the site.
-

The LPA also recognises the 15 May 2024 Written Ministerial Statement ("WMS") on the use of Best and Most Versatile ("BMV") is a relevant consideration in deciding this application.

Insert 2: Extract from the Updated ALC Plan



The application site lies partially within Grade 2, grade 3a and 3ba land within the district.

The area of the total site boundary i.e., approximately 156ha. The quality of agricultural land within the total site area is limited mainly by soil wetness to predominantly subgrade 3b (110.5ha (70.6%) of the Site), with smaller proportions of Grade 2 (12ha (7.7%)), and subgrade 3a (23.1ha (14.7%) of the Site) and 11ha of non-agricultural land.

Local policy S67 states *“proposals should protect the best and most versatile agricultural land so as to protect opportunities for food production and the continuance of the agricultural economy.”*

Guidance contained within Paragraph 180(b) of the NPPF states that *“recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland”*.

Annex 2 of the NPPF defines best and most versatile agricultural land as *“land in grades 1, 2 and 3a of the Agricultural Land Classification”*. The land is classed in Natural England’s East Midlands Agricultural Land Classification Map as grade 2 (very good) and grade 3 (good to moderate). This designates the site as being reasonably productive for agricultural use.

As required by local policy S67 the application has included the submission of an Agricultural Land Classification Report (ALCR). This was provided in the form of an Agricultural Considerations report Produced by Kernon Countryside Consultants Ltd and dated November 2025.

As per the report provided the land breakdown is as follows:

3.7 The ALC results for the Study Area (ie not including the cable route) are as follows:

Table 1: Updated ALC Results for the Site (rounded to nearest 0.5 ha)

ALC Grade and description	Area (ha)*	Proportion (%)
2 Very good	12.0	7.7
3a Good	23.0	14.7
3b Moderate	110.5	70.6
N/A Non-agricultural	10.0	6.4
U Urban	1.0	0.6
Total	156.5	100.0

Natural England's Guide to assessing development proposals on agricultural land dated 5th February 2021 defines grade 3a and grade 3b. Section 4.4 states that grade 3a (good quality agricultural land) is:

"Land capable of consistently producing moderate to high yields of a narrow range of arable crops, especially cereals, or moderate yields of crops including:

- cereals
- grass
- oilseed rape
- potatoes
- sugar beet
- less demanding horticultural crops"

Section 4.5 states that grade 3b (moderate quality agricultural land) is:

"Land capable of producing moderate yields of a narrow range of crops, principally:

- cereals and grass
- lower yields of a wider range of crops
- high yields of grass which can be grazed or harvested over most of the year"

Consideration must be given to Natural England's (section 6) guidance which states that "you should take account of smaller losses (under 20ha) if they're significant when making your decision"

A detailed soil survey was carried out (as required by S14) as part of the survey reporting heavy clay loams across the site with some sandy clay loam.

The solar farm development would be on the land for up to 40 years. However, once the lifetime of the development has expired the structures would be decommissioned and removed off site allowing the site to be reversed back to an agricultural use. It is further noted that once the proposed panels have been installed on site the land would be capable of use for the grazing of animals such as Sheep.

78% of the land within the NELC portion of the site is non-BMV (and 22% BMV). For WLDC there is 75% non-BMV and 25% BMV. Measured by the whole site this is 77.6% non-BMV and 22.4% BMV.

Therefore, whilst the development would cover a mixed section of grade 2, 3a & 3b agricultural land it is not considered to be unacceptably harmful to the overall amount of best and most versatile agricultural land in West Lindsey or Central Lincolnshire.

Mitigation can also be secured by condition through a Soil Management Plan (SMP). The SMP would protect soil resources and avoid the loss of soil material and soil function. Measures could include appropriate planting and the safe removal of below-ground infrastructure at decommissioning. This would help ensure the land can be restored to arable use once the development has ended.

The NPPG recognises that solar farms are temporary structures and do not prevent the long-term agricultural use of land. The applicant's statement also confirms that solar development can continue alongside some farming practices. The land beneath the panels can therefore be retained for future use and may benefit from a period of soil recovery.

Commencement period

The applicant has requested that the standard three-year commencement period be extended to five years.

Section 91(1)(b) of the Town and Country Planning Act 1990 establishes a default three-year time limit for commencement. However, Section 91(1)(a) expressly allows a local planning authority to impose "such other period as they consider appropriate" where justified by the circumstances of the case.

In this case, the proposed solar farm depends on strategic transmission reinforcement works associated with National Grid Electricity Transmission's Grimsby to Walpole Great Grid Upgrade, which is being progressed through a Development Consent Order under the Planning Act 2008. The DCO submission is currently expected in 2027.

The development cannot export electricity until the necessary reinforcement infrastructure has been consented, built and energised. As delivery of those works is outside the applicant's control, a five-year commencement period would allow the scheme to align with the expected grid programme and support coordinated, deliverable implementation.

The longer timeframe would not change the nature, scale or environmental effects of the development and is reasonable in the circumstances. A five-year commencement condition is therefore justified.

Landscape and Visual Impact

Test (i) of Policy S14 requires that *“The impacts are acceptable having considered the scale, siting and design, and the consequent impacts on landscape character; visual amenity; biodiversity; geodiversity; flood risk; townscape; heritage assets, their settings and the historic landscape; and highway safety and rail safety;”*

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.

The application has included the submission of a Design and Access statement alongside Landscape and Visual Appraisal Photoviews and a Landscape Mitigation Plan.

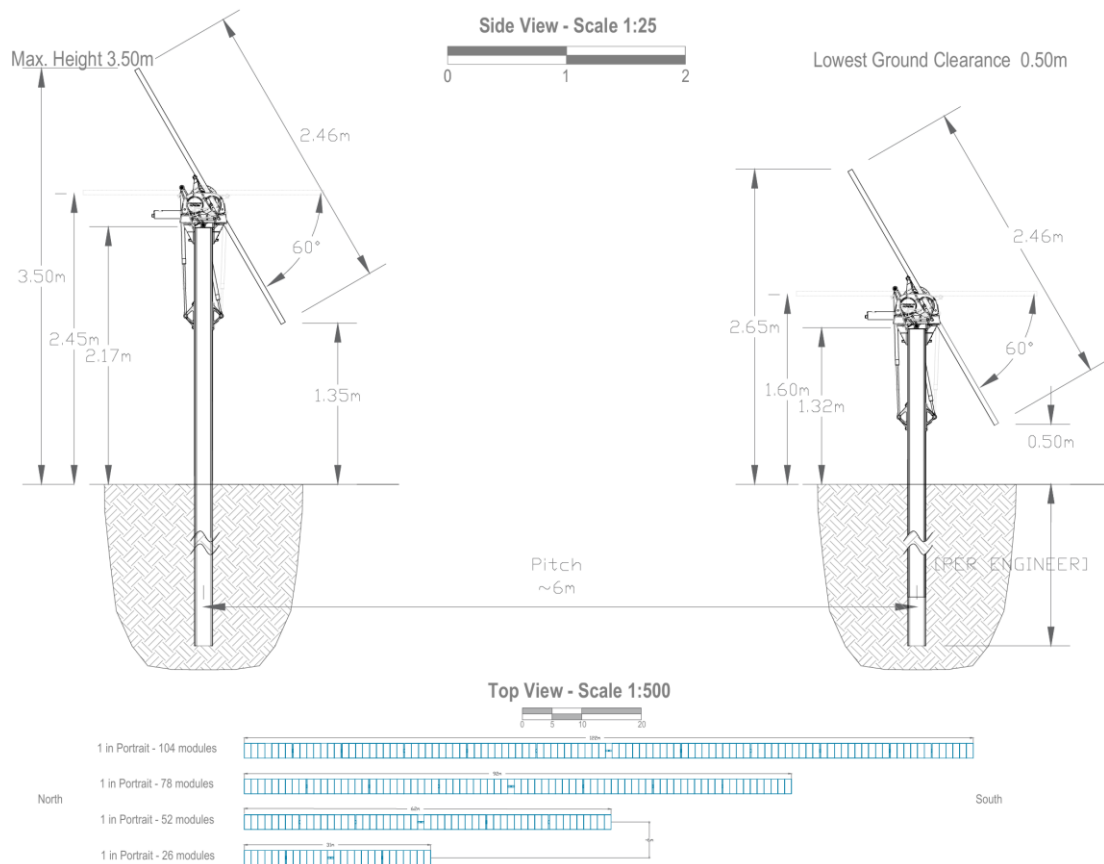
The development proposed within the West Lindsey portion of the site would include the following infrastructure:

Item	Height	Width	Length
PV arrays	3.5m (max)	31-122m	2.5m
Deer fence	2m	n/a	3m
Power Conversion units	2.9m	2.4m	6m
Internal Access Track	n/a	3.5 – 4m	n/a
CCTV (Pole mounted)	3m (1m below ground)	0.8m	n/a

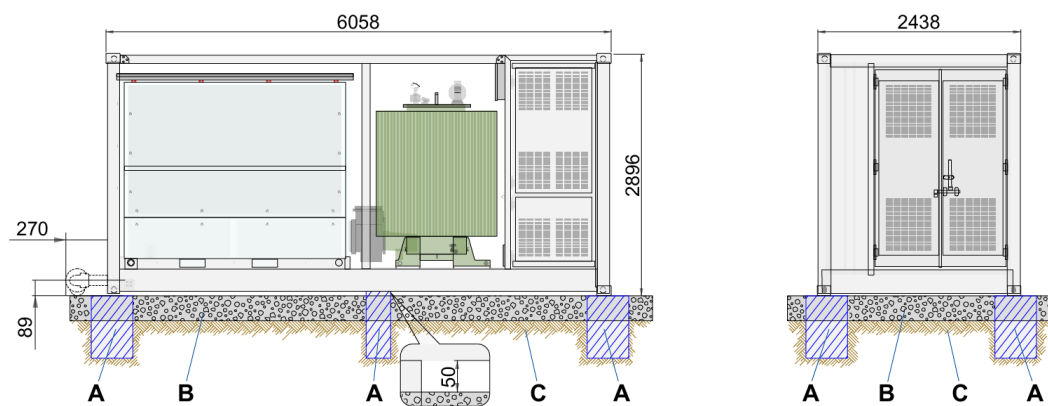
All BESS & Substation equipment would be located outside of West Lindsey District along with the construction compound.

The proposed PV arrays would be installed in long rows of varying numbers of panels to best fit the orientation of the site. The greatest single span of panels would be 122m in length.

Proposed PV specification:



Proposed Power Conversion unit:



5no. power conversion units are proposed to be sited in fields 1 & 2 serving the proposed panels. Despite their relatively large massing they would have a modest maximum height of 2.4m which would be well screened by the proposed boundary treatment.

The development will include cameras installed at 3 metres high. The proposed fencing and gate would be of a typical agricultural appearance finished typical of Deer fences which would not appear out of place within the surrounding rural context of the site.

The application site is located in the open countryside with limited built structures. The site presently benefits from some screening provided through

existing natural boundary treatment however it is noted that at present the site would be visible from the east of Keelby across the adjacent fields.

A Landscape and Visual Impact Assessment was produced for the scheme dated May 2025 by AWscape. The assessment identified a 5km radius from the site however it was noted that the impact beyond 2km away was negligible.

Part of the Site is located within the Wold's Estates (14) Landscape Character Areas. Key Characteristics of the area are as follows:

- *Arable landscape with a regular pattern of medium sized fields*
- *Extensive belt of mixed deciduous and coniferous woodland gives some sense of enclosure and backdrop to views*
- *Settlements have attractive woodland settings and the majority of buildings are constructed in a characteristic 'estate style'.*
- *Parkland landscape with distinctive individual mature trees and groups of trees near Brocklesby*
- *Widespread influence of Brocklesby Estate, with large stone gate posts, post and rail fencing and castellated gate house.*
- *Larger and more open fields east of the B1211 and A18, allowing distant views across the flat landscape, towards Immingham Docks.*

The most sensitive parts of the landscape are identified as:

- *Open landscape to the north east of the area, where there are relatively few hedgerows and trees;*
- *Woodland edges, which form a backdrop to views and enclose areas of the landscape.*

The site is presently in use as arable fields and has been farmed historically with little to no development on much of the wider site area.

The site's topography and intervening vegetation would limit views across it. The layout has been designed sensitively to reflect its open countryside setting, and the LVIA mitigation strategy includes measures to integrate the development into the landscape. These are reflected in the layout through extensive landscaping. Existing field boundaries would be retained and reinforced with additional planting to help preserve landscape character and support wildlife corridors.

The site is located in proximity to PRow Keel/8/1 which runs to the north west of the site. This has been identified and protected as part of the proposed development, with proposed planting screening views into the wider site.

As noted within the LVIA *"There is limited vegetation within the Site with mature hedges to the boundary and one hedgerow within the Site. "*

A thorough assessment of the sensitivity for each landscape element as well as the characteristics within the Site and the study area are detailed within Tables 1-4 of the LVIA.

It concludes that *“The overall sensitivity of the landscape within the Site to this type of development is **medium** and within the wider study area is **medium**.”*

The LVIA provides a detailed assessment of the visual baseline, including effects on sensitive receptors such as highways, public rights of way and bridleways. It concludes that the effects would not be major, but would instead amount to a *“low level of significance”*.

The site’s topography and intervening vegetation would limit views across the site. The layout has been designed sensitively to reflect its open countryside setting, and the LVIA mitigation strategy includes measures to help integrate the development into the landscape.

These measures are reflected in the site layout through extensive landscaping. Existing field boundaries would be retained and bolstered with additional planting to help preserve landscape character and support wildlife corridors.

Due to the nature of the site and its proximity to Keelby the authorities Tree and Landscape officer has been consulted on the scheme.

Concerns were raised over “views from Keelby, as the only planting proposed along the SW side is the woodland belt which would just be small sticks planted and will take several years to sufficiently grow to provide some screening”.

Subsequently, an amended landscaping scheme was submitted to strengthen screening from Keelby and refine the planting mix. The aim of this being to provide more immediate screening and avoid boundary gaps that would otherwise depend on planting maturing over time.

The Tree and Landscape Officer reviewed the amended scheme and confirmed that the proposed changes satisfactorily addressed the earlier concerns. It was also noted that the proposed phasing plan was acceptable.

The LVIA concludes that, in year 1 before landscaping matures, the development would have a minor to moderate adverse effect on local landscape and visual character. Once the landscaping matures, this would reduce to a minor adverse effect.

A condition for the final landscaping detail and implementation is recommended. It is noted that the Arboricultural Report identifies 3 trees that show Veteran features; T100 and T101 are located in WLDC and T8 is located in NELC. T8 is located on the site boundary away from the operational part of the development, conditions are proposed to protect trees and hedges through the construction process.

The principles of the landscape strategy have the potential to reduce the impacts of the proposal and integrate it within its surroundings. It is also acknowledged that these visual improvements through the new landscaping strategy would in theory extend beyond the operational lifespan of the solar farm to the long-term benefit of the landscape and in turn provide for improved biodiversity.

In regard to the impact on the character of the area and nearby settlements of Stallingborough and Keelby, the development remains of a temporary nature, and the presence of solar farms already establishes the principle of renewable sources of energy in the wider landscape. The open countryside and landscape areas are important to retain settlement identity and prevent their coalescence.

The proposal whilst extensive in area would be low lying and remains well separated from the settlement edges. The development would be visible from public roads and rights of way, but mitigation has been included to reduce the potential impact. This includes extensive landscaping in the form of improved existing hedges, new hedges, new woodland buffers and low-level planting.

It is considered that the proposed development with mitigation and enhancement measures would not have an unacceptable harmful visual impact on the site or the surrounding area. The development would therefore be expected to accord with S5, S14 and S53 of the CLLP and the provision of the NPPF.

Neighbouring/Residential Amenity

Test (iii) of Policy S14 requires that *"The impacts are acceptable on the amenity of sensitive neighbouring uses (including local residents) by virtue of matters such as noise, dust, odour, shadow flicker, air quality and traffic;"*

Local policy S53 of the CLLP states that buildings will *"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"*.

Local policy S5 Part E requires development to not conflict with neighbouring uses.

The proposed development was advertised via site notices and neighbour notification letters. Of the 116 letters sent and notices erected only 7no. letters of objection were received, with 8 responses in total from 5 different addresses.

As listed earlier in the report (landscape and visual impact section) the highest structure/building on the West Lindsey Portion of the site would be the CCTV poles at 3m in height.

The site area itself is extensive and has neighbouring properties including properties on Riby Road, Stallingborough Road and on the north eastern edge of Keelby.

The closest residential properties to the site within WLDC's area boundary are Saddle Lodge, Inglebrook and The Hawthornes approximately 250m to the west of the site.

The proposed development has been designed and set out to try and minimise the potential impacts to these neighbouring properties. This has been achieved by creating landscape buffers between the proposed solar arrays and the neighbours, this includes woodland and hedge planting.

The BESS and HVSS elements are located entirely within the NELC portion of the site and as such the impacts will be assessed by NELC within their own assessment.

The potential for impact to neighbouring residential properties has been considered through the various assessments provided within the application, including the Noise Assessment and Glint and Glare Assessment. These assessments conclude that the neighbouring residential properties would not suffer any undue impacts on their amenities.

The solar panels are proposed to be no more than 3.5m in total height, which at the distances from neighbours would be relatively low lying when accounting for field boundaries, landscaping and the site's topography. The supporting infrastructure is also set further away from neighbours which limits any adverse massing or dominance issues for neighbours.

A Noise Assessment accompanies the application, it concludes that operational noise from the solar farm, in particular the BESS and substation elements, during the likely operating hours would be low and would not cause harm to the nearby residential properties and as such no mitigation is required. Given the BESS and substation functions are located outside of WLDC's district limits this aspect will be assessed as part of NELC's application.

A Glint and Glare Assessment accompanies the application, it does not raise any concerns in regard to neighbours' amenities, this is due to the orientation of the site, the separation distance and the use of landscaping to screen the development.

It is considered that the proposed development would not unacceptably overlook, overshadow or cause an unacceptable loss of light on the living conditions of the neighbouring dwellings. The development would therefore accord to local policy S5, S14 and S53 of the CLLP and the provision of the NPPF.

Highway Safety

Test (i) of Policy S14 requires that *“The impacts are acceptable having considered the scale, siting and design, and the consequent impacts on landscape character; visual amenity; biodiversity; geodiversity; flood risk; townscape; heritage assets, their settings and the historic landscape; and highway safety and rail safety;”*

Paragraph 115 of the NPPF states that *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*

The application has been submitted with a detailed Transport Statement and Traffic Management Plan. The proposal details two site accesses off Riby Road within North East Lincolnshire. No site access is proposed within WLDC’s portion of the wider site and it would not be host of the temporary construction compound.

The nature of the proposed development means that it will have very few associated traffic movements during operation, it is the construction phase where there would be the greatest number of vehicles accessing the site.

Both the proposed site access’ would be located within NELC’s district area and the WLDC portion of the site would not be accessible via public highways within West Lindsey.

The proposal includes the creation of a new permissive path that links the existing footpaths around the site. The concept behind the proposed rights of way layout is to improve access and create attractive routes through the proposed. This would not however impact PRow Keel/8/1, the function of which would be unimpeded by the proposed development.

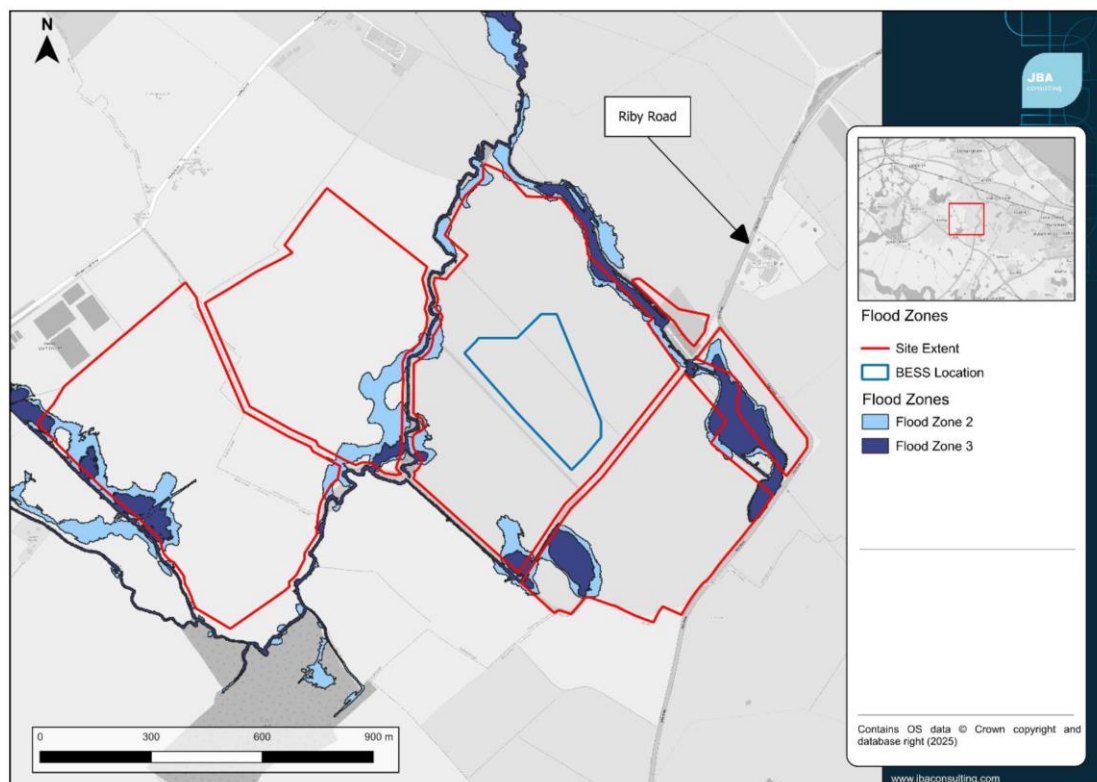
As stated in earlier sections of this report, a Glint and Glare Assessment accompanies the application. It assesses the impact upon road, rail and airports. It concludes that no mitigation is required and that there is no impact on rail and airports. Humberside Airport and the Ministry of Defence have been consulted and have raised no objections. The Assessment pays particular regard to the potential impact on the surrounding highways and residential properties.

It is considered that the proposed development would not have a severe harmful highway safety impact and would accord with S5, S14, S47 and S49 of the CLLP and the provision of the NPPF.

Drainage and Flood Risk

Test (i) of Policy S14 requires that *“The impacts are acceptable having considered the scale, siting and design, and the consequent impacts on landscape character; visual amenity; biodiversity; geodiversity; flood risk; townscape; heritage assets, their settings and the historic landscape; and highway safety and rail safety;”*

The Environment Agency (EA) Flood Map for planning shows the application site is located within Flood Zone 1, 2 and 3 and as such a detailed Flood Risk Assessment has been submitted with the application, although the vast majority of the site is flood zone 1.



The West Lindsey portion of the site does not contain any BESS or HV functions and is primarily made up of ground mounted PV arrays raised 1.35m above ground level.

Following an initial objection, a revised FRA was produced and supplied. This has been considered by the EA, and no objections have been raised.

The majority of the Site is at a very low risk of flooding from surface water, with the exception of some areas of the Site proposed for the PV located in low lying areas. These areas could experience flood depths surface water ponding with up to a high risk of flooding in the southern part of the Site. The latest EA depth mapping suggests that during a high, medium and low surface water flood event, the area of ponding will have a maximum flood depth of between 0.3 -0.6m during the 1 in 30 year and 1 in 100-year events. The BESS and the HV compound are not considered to be at surface water risk. The Drainage Engineers have considered the proposal and have no objections to raise.

The scheme has been submitted with an outline surface water drainage scheme for the BESS and HVSS to ensure that pollution and ground water is protected in the event of an incident. This includes a Hydrogeological Risk Assessment. It also seeks to respond to ecological issues raised.

These have been considered by the Drainage Engineers, Anglian Water and the Environment Agency and they consider that the detail is acceptable subject to conditions.

There are drains adjacent to and within the site which are managed by the North East Lindsey Drainage Board as advised through consultation with the Witham Third District IDB.

The necessary easements will be required and through discussions with the Board have been detailed on the proposed plans. The Drainage Board have no objections in principle to the development, and the applicant will be reminded that these easements must be adhered to.

Based upon the above assessment and subject to conditions securing implementation of the detail the proposed development would meet the requirements set out within Policy S21 of the Central Lincolnshire Local Plan.

The Historic Environment & Archaeology

Test (i) of Policy S14 requires that *“The impacts are acceptable having considered the scale, siting and design, and the consequent impacts on landscape character; visual amenity; biodiversity; geodiversity; flood risk; townscape; heritage assets, their settings and the historic landscape; and highway safety and rail safety;”*

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

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 210 of the NPPF states that *“in determining applications, local planning authorities should take account of:*

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*

c) the desirability of new development making a positive contribution to local character and distinctiveness.”

Section 66 of the Planning (Listed Building & Conservation Areas) Act 1990 places a legislative requirement that when considering whether to grant planning permission for development which affects the setting of a listed building, 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”*

A full heritage assessment has been provided which assesses the above and below ground heritage on and surrounding the site.

Consideration has also been had to the nearby above ground Heritage Assets. The Heritage Assessment considers all designated heritage assets within 2km of the site. Two Grade 2 listed buildings have been noted of particular importance; with the Church of St.Bartholmew located within the settlement limits of Keelby.

The church of St.Bartholomew is a Grade 1 listed church located within the settlement limits of Keelby. The Heritage Assessment details that in terms of visual impact; the proposed development will be visually shielded when viewed at ground level from within the churchyard and from the Church tower the proposed development would only be visible of the broader landscape.

The proposed development is therefore anticipated to have no adverse effects on the ability to appreciate and understand the historical function and aesthetic qualities of the Church. Consequently, there will be no harm to the significance of the Church.

Local policy S57 of the CLLP 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.*

Planning applications for such development should be accompanied by an appropriate and proportionate assessment to understand the potential for and significance of remains, and the impact of development upon them.

If initial assessment does not provide sufficient information, developers will be required to undertake field evaluation in advance of determination of the application. This may include a range of techniques for both intrusive and non-intrusive evaluation, as appropriate to the site.”

The heritage assessment further notes that below ground investigation was required to assess potential archaeological impacts of the development.

This archaeological investigation has been undertaken following the advice and supervision of LCC’s Historic Environment Department. Following consultation and the engagement of suitable surveys and trial trenching it was

concluded that the standard archaeological condition can be used to secure mitigation.

It was recommended that conditions for an archaeological mitigation strategy for a permission be attached to the grant of any permission as suggested.

On this basis, subject to the inclusion of the recommended conditions it is considered the proposed development would therefore accord to local policy S14 and S57 of the CLLP, Section 66 of the Planning (Listed Building & Conservation Areas) Act 1990 and the provisions of the NPPF.

Ecology and Biodiversity Net Gain

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;”*

Guidance contained within paragraph 192 and 193 of the NPPF encourages the protection and enhancement of protected species (fauna and flora).

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

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”*.

The submitted BNG Assessment and proposed landscaping scheme, including ecological enhancements, show that the development would deliver a significant biodiversity net gain compared with the existing site. North Beck is recognised as a priority habitat for BNG purposes as a chalk stream, but its presence does not in itself prevent development.

An indicative planting and landscaping specification has been provided which proposes (within WLDC):

- A woodland and shrub tree mix, with Planting along western edge with Keelby to be 2m spacing for enhanced screening and a 15m buffer.

- Native hedgerows to be maintained and enhanced, to be grown and maintained to a height of 3m and depth of 1m.
- Wildflower seed mix sown at 50kg/ha surrounding the PV arrays
- Proposed deciduous woodland reinstating an historic woodland lost over time. Trees proposed to be planted at 3m spacing.



Potential impacts have been fully assessed and addressed through appropriate stand-off distances, drainage design, pollution prevention measures, and construction and operational management plans. Additional enhancements will be secured, resulting in a BNG of over 60%, well above the statutory 10% requirement, with all gains delivered on site.

The Principal Ecology and Wildlife Officer (PEWO) originally raised concerns with the submitted information and requested amendments to the scheme as submitted. The amended information submitted including the Biodiversity Metric was considered accurate and met the 10% BNG for habitat, hedgerow and watercourse units. The PEWO has no objections to the development subject to the inclusion of the recommended conditions.

No objections have been raised from Natural England or Lincolnshire Wildlife Trust following the submission of additional information.

To secure the biodiversity net gain and ecology mitigation proposed, it is considered that the submission of an updated Landscape Ecological Management Plan is required, a Construction Environmental Management Plan and a Habitat Management and Monitoring Plan is also required to ensure ecological mitigation is managed through the construction period, these matters are conditioned.

To secure the ongoing monitoring of the site a Unilateral Undertaking securing the relevant monitoring fee has been sought.

The proposed development would therefore not be expected to have a harmful impact on protected species subject to securing the mitigation measures set out in the PEA and OSFR. Subject to conditions and a Bilateral S106 Legal Agreement would be expected to meet and exceed the 10% BNG for habitats, hedgerows and watercourse units and would be expected to accord with Schedule 7A of the Town and Country Planning Act 1990 The development therefore would be expected to accord with local policy S60, S61 of the CLLP, and guidance contained within the NPPF.

Other matters:

Aviation/Defence Systems: Test (ii) of Policy S14 requires that “*The impacts are acceptable on aviation and defence navigation system/communications;*”

MOD Safeguarding, the Civil Aviation Authority and NATS Safeguarding were consulted as part of the scheme with only NATS providing a response. NATS noted that the proposed development does not conflict with their safeguarding policy.

Lincolnshire Fire and Rescue: The comments provided by LFR are noted however the responsibility of assessing the BESS and HV functions of the site falls within NELC’s jurisdiction.

BESS fire risk: Concerns have been raised in regard to BESS fire risk and associated pollution. The applicant has liaised closely with Humberside and Lincolnshire Fire and Rescue Services’, and a detailed Fire Safety Strategy and Outline Battery Safety Management Plan has been agreed with both to ensure risks are appropriately managed. This matter has been dealt with as part of the neighbouring application within NELC’s jurisdiction and a condition is proposed to secure the detailed Battery Safety Management Plan.

Groundwater: Both Anglian Water & the Witham & Third District IDB were consulted on the proposed scheme. Witham & Third raised no objection to the scheme subject to appropriate consent from the board being sought prior to any works which would fall within 9m of the top of the bank, and for this area to be kept clear.

Anglian water noted an initial objection due to the site's location atop a Chalk Aquifer, in particular the BESS portion of the site within the NELC portion of the site. Following the submission of additional information and a subsequent reconsultation Anglian Water withdrew their objection.

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, S14 Renewable Energy, S21 Flood Risk and Water Resources, S47 Accessibility and Transport, S49 Parking Provision, S53 Design and Amenity, S57 The Historic Environment, S59 Green and Blue Infrastructure Network, S60 Protecting Biodiversity and Geodiversity, S61 Biodiversity Opportunity and Delivering Measurable Net Gains, S66 Trees, Woodland and Hedgerows and S67 Best and Most Versatile Agricultural Land of the Central Lincolnshire Local Plan 2023-2043 and Policies Policy 1: The Rural Character and Distinctiveness of the Parish Policy 4: Business and Service Development Policy 5: Environment and Countryside of the Keelby Neighbourhood Plan 2023-2040. Consideration has also been given to the guidance contained within the National Planning Policy Framework, National Planning Practice Guidance, National Design Guide and the National Design Code.

As a result of this assessment the principle of the renewable energy solar farm is considered to accord with the development plan and would provide a source of renewable energy to the local area through the existing infrastructure in the immediate area. The location of the site is considered appropriate, and the proposed development would not have an unacceptable harmful visual impact on the site or the surrounding area and landscape character. The proposed development would not have an unacceptable harmful impact on the living conditions of the nearest neighbouring dwellings, highway safety, aviation safety, heritage assets, drainage, ecology, trees, hedgerows, flood risk and contamination. The development would provide at least 10% Biodiversity Net Gain for habitat, hedgerow and watercourse units and would not lead to an unacceptable loss of the best and most versatile agricultural land which would be brought back into use at the end of the solar farm's lifespan. This is subject to further details being submitted through conditions on the permission and the securing of a Unilateral Undertaking Securing a monitoring fee.

Recommended Conditions:

1. The development hereby permitted must be begun before the expiration of five 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 hereby permitted must take place until a written Habitat Management and Maintenance Plan [HMMP] in accordance with the [The Statutory Biodiversity Metric] dated [15/04/2025] and prepared by [Danny Thomas CEcol MCIEEM] or other metric agreed by the Local Planning authority is submitted to and approved in writing by the Local Planning Authority and shall relate to all 'significant' biodiversity gains on site is to be submitted to and approved in writing by the Local Planning Authority The HMMP document must be produced in accordance with sections listed below:

- a) a non-technical summary;
- b) the roles and responsibilities of the people or organisation(s) delivering/monitoring the [HMMP];
- c) the details of funding, resources and mechanisms for long term delivery of the [HMMP].
- d) the planned habitat creation and enhancement works for the initial completion period to create or improve habitat. Initial creation/enhancement must be completed within [to be inserted as defined by the metric] years of commencement of development
- e) the management measures to maintain habitat for a period of 30 years from the end of initial habitat creation.
- f) the monitoring/reporting methodology and frequency in respect of the retained, created and/or enhanced habitat to be submitted to the local planning authority on years [1,5,10,15,20,25,30] All reports must be submitted no later than September 1st on each reporting year (reports must be completed by a suitably qualified ecologist)
- g) the mechanisms of adaptive management and remedial measures to account for changes in the work schedule to achieve required targets.

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

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

- A plan showing habitat protection zones
- Details of any precautionary method statements for protected species
- Details of a sensitive lighting strategy
- Details, specification location of hedgehog highway and 2-way mammals located within security fencing
- Details, specification and location of the following species enhancements incorporated across the site:
 - A range and variety of post/tree mounted bird boxes
 - A range and variety of post/tree mounted bat boxes
 - Freestanding insect hotels/bee posts
 - Hibernacula/refugia
 - Dead wood features.

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

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

4. Notwithstanding the detail contained within the application, prior to their installation on site, details of the proposed materials, size, colours and finishes of the solar panels, frames, fencing, buildings and equipment on the site shall be submitted to and approved in writing by the local planning authority. Thereafter, the development shall be carried out in accordance with the approved details and maintained as such for the lifetime of the development

Reason:

To ensure the satisfactory appearance of the development upon completion in the absence of precise details accompanying the application, in accordance with the National Planning Policy Framework and local policy S5, S14 and S53 of the Central Lincolnshire Local Plan 2023-2043.

5. Before any part of the development hereby permitted is commenced, a detailed Landscape and Ecology Strategy Plan and Landscape Planting Phasing Plan based on the Indicative Landscape and Ecology Strategy Plan shall be submitted to and agreed in writing by the Local Planning Authority.

Thereafter the agreed landscaping scheme and phasing/timescales shall be implemented on the site in accordance with the approved details, unless otherwise agreed with the Local Planning Authority.

Reason:

To ensure the satisfactory appearance of the development and proposed landscaping plan upon completion in the absence of precise details accompanying the application, in accordance with the National Planning Policy Framework and local policy S5, S14 and S53 of the Central Lincolnshire Local Plan 2023-2043.

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

6. 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:

- Site Location Plan ref. 01 Rev A
- Site Layout Plan ref. ref 02 Rev A
- BESS and HV Substation Layout ref. 03 Rev A
- Solar Panel Mounting Structure Detail ref. 04
- Battery Storage Container ref. 05

- Power Conversion Unit ref. 06
- HV Substation Compound ref. 07
- Deer Fence and Gate Details ref. 08
- BESS and Security Fence Details ref. 09
- CCTV ref. 10
- Water Tank ref. 11
- Control room Building ref. 14
- Auxiliary transformers building ref. 15
- Indicative Landscape and Ecology Strategy Plan ref. AW0274 -PL -02
Rev C -Proposed Landscape Phasing Plan ref. AW0274 -PL -03

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, S14 and S53 of the Central Lincolnshire Local Plan 2023-2043

7. The development hereby approved shall be temporary, for a period of 40 years from the date of the first exportation of electricity from the site. The applicant, or their successor in title, shall notify the local planning authority in writing of the date of the first exportation of electricity from the site

Reason

To confirm the proposed 40-year temporary period of the permission for the avoidance of doubt and in the interests of proper planning

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

8. Within 1 month of the date of first export of electricity (the date of first export) confirmation shall be given in writing to the Local Planning Authority of the same. The development shall then cease use within 40 years of the date of the first export of electricity.

Within a period of 39 years and 6 months following the date of first exportation of electricity from the site, a scheme for the decommissioning of the solar farm and its ancillary equipment shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of how the land is to be restored and shall include a programme for the completion of the decommissioning and restoration works. It shall make provision for the removal from the land of the solar panels and associated above-ground works approved under this permission, as well as details of the management and timing of any works, a traffic management plan to address likely traffic issues during the decommissioning period, and an environmental management plan to include details to be taken during the decommissioning period to protect wildlife and habitats. Thereafter, the decommissioning of the solar farm shall be undertaken

in accordance with the approved details and timings.

Reason:

To ensure the decommissioning phase is completed with limited disturbance to the local area and the site is restored to its former appearance and use to accord with the National Planning Policy Framework, local policies S5, S14, S47, S53 and S56 of the Central Lincolnshire Local Plan 2023-2043.

9. Notice in writing shall be given to the Council within 15 working days of the Initial habitat creation and enhancement works as set out in the Habitat Management and Monitoring Plan [HMMP] being completed.

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

10. The Habitat Management and Monitoring Plan [HMMP] submitted and approved as part of condition [2] must be strictly adhered to and implemented in full for a minimum of 30 years following the initial completion period approved pursuant to condition [21]

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

Decision Level: Delegated

Delegated/Committee Referral:

Is it/are they planning matter(s)?

Yes, Residential Amenity, Visual Amenity, Ecology & Biodiversity, Overdevelopment, Cumulative impact, siting, Scale, loss of BMV land, Glint, glare, construction impact

Is the matter(s) relevant to this application?

Yes, Residential Amenity, Visual Amenity, Ecology & Biodiversity, Overdevelopment, Cumulative impact, siting, Scale, loss of BMV land, Glint, glare, construction impact

Is/are the matter(s) finely balanced?

No. The matters raised have been clearly addressed within the relevant sections of the report and subsequent amended information provided has addressed the concerns raised.

Human Rights Implications:

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

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

Legal Implications:

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

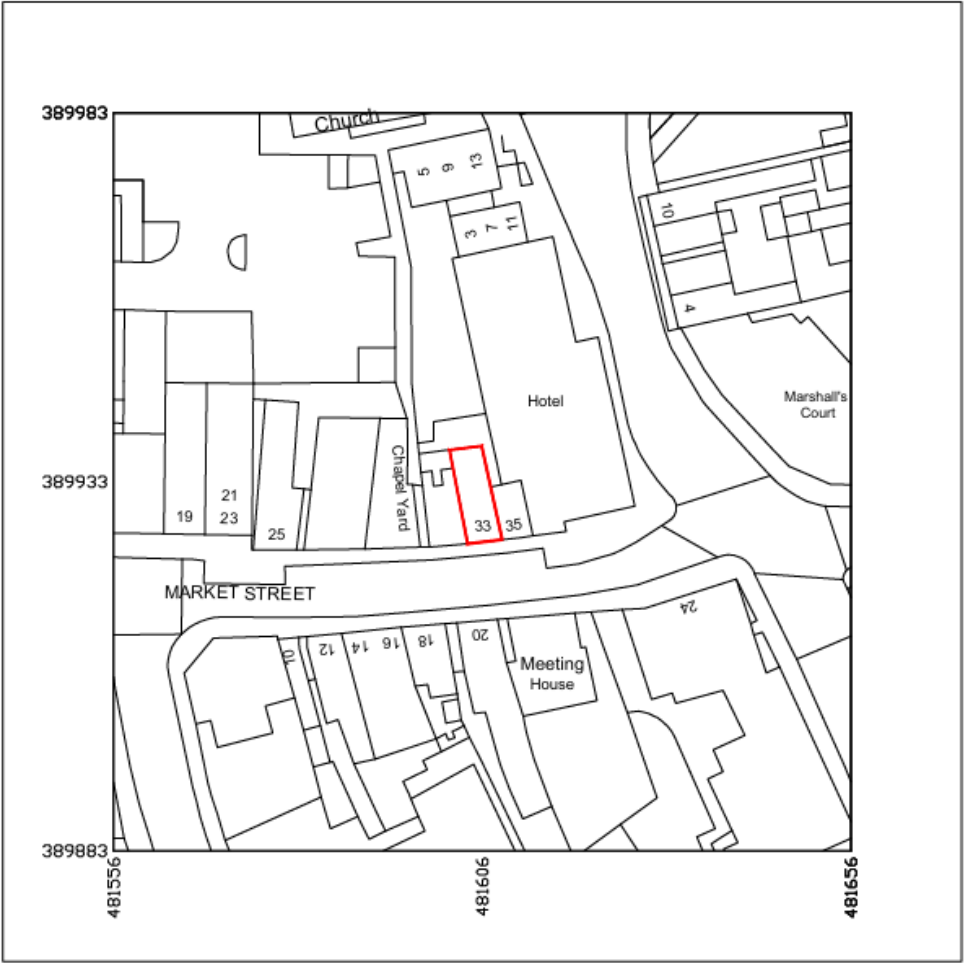
Prepared by: Josh Turner

Date : 02/06/2026

Authorising Officer:

A handwritten signature in black ink, appearing to read 'R. Jackson', written over a horizontal line.

Date: 20/07/2026



Officers Report

Planning Application No: WL/2026/00292

PROPOSAL: Planning application for conversion of existing office space to 1no. residential apartment including external alterations

LOCATION:

33 MARKET STREET
GAINSBOROUGH
DN21 2BE

WARD: GAINSBOROUGH SOUTH WEST

WARD MEMBER(S): Cllr McGhee and Cllr Young

TARGET DECISION DATE: 19/05/2026 EoT 20/8/26

CASE OFFICER: Vicky Maplethorpe

Recommended Decision: Grant permission

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

Site Description and Proposal:

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

Official List Entry:

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

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

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

Relevant Planning History

Reference	Proposal	Decision
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Reference	Proposal	Decision
WL/2025/01058	Planning application for façade renovation works including 2no. replacement windows and shop front.	Grant with conditions 30/01/2026
WL/2025/01059	Listed building consent for façade renovation works including 2no. replacement windows and shop front.	Grant with conditions 30/01/2026
WL/2026/00293	Listed Building Consent for conversion of existing office space to 1no. residential apartment including external alterations	Still under consideration

Representations to original plans:

Chairman/Ward member(s): None received

Town Council: Resolved to support

Local residents: We've noticed on the plans that the Applicant is proposing to use our old water closet for his access door for the flat. This does not belong to 33 Market Street but in fact is owned by 31 Market Street along with the Courtyard! This is shown clearly on our Land Registry document!

LCC Highways and Lead Local Flood Authority: No objections

LCC Archaeology: No archaeological input required

Conservation Officer: The Heritage Statement (HS) is limited in information with no mention of the internal alterations. The limited assessment, identified impacts, and justification of the proposed alterations. The application does not meet parts a-c of Policy S57. The proposal seeks to remove the ground and first floor original stairways, introducing a new rear stairwell and inverting the stairs from the first to the second floor. In turn the second floor must be altered to enable further access for the new stair entry. The internal walls to the stairs are also to be removed to expand a new staircase. The justification discussed on site for the move of the stairs was to enable a staff toilet and increase retail space. A staff toilet can be adapted to the rear of the property to enable a staff toilet of which is proposed to be lost from the retail area in the proposal. There is evidence of this being an outhouse previously, so this is more suitable with less impact for drainage. The separation of retail and living space can be produced through a vestibule being linked from the rear entrance to the stairwell with minimal alteration being required. Overall, the proposal will result in less than substantial harm. Under Policy S57 this harm must be outweighed against the public benefit or optimum viable use. There is no public benefit for this application as there is no increase of retail space due to this work. It has been noted that the upper floors can be converted with minimal alteration to protect the historic fabric so an optimum viable use can be achieved without the

harm. Therefore, I must object to this application as the proposal does not meet policy S57.

Representations to amended plans:

Chairman/Ward member(s): None received

Parish/Town Council/Meeting: None received

Local residents: None received

LCC Highways and Lead Local Flood Authority: None received

LCC Archaeology: None received

Conservation Officer: 'The Heritage Statement (HS) is limited in information with no mention of the internal alterations. The limited assessment, identified impacts, and justification of the proposed alterations.

The proposal is for the addition of a vestibule to separate the ground floor retail unit with the residential use on the first and second floors.

The proposal will have minimal impact upon existing form of the building whilst enabling a long-term viable use to the first and second floor. The ground floor has had a full modern intervention with no historic or architectural features to protect with the additional feature.

The proposal will be supported by Policy S57 as it protects and conserves the listed building. Therefore, I have no objections subject to the following conditions.....'

Date Checked: 23/7/26

Relevant Planning Policies and Legislation:

Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Here, the Development Plan comprises the provisions of the Central Lincolnshire Local Plan (adopted in April 2023), the Lincolnshire Minerals and Waste Local Plan (adopted June 2016) and Gainsborough Neighbourhood Plan.

Development Plan

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

Relevant policies of the CLLP include:

Policy S1: The Spatial Strategy and Settlement Hierarchy

Policy S2: Growth Levels and Distribution

Policy S3: Housing in the Lincoln Urban Area, Main Towns and Market Towns Policy
S6: Design Principles for Efficient Buildings
Policy S13: Reducing Energy Consumption in Existing Buildings
Policy S20: Resilient and Adaptable Design
Policy S21: Flood Risk and Water Resources
Policy S23: Meeting Accommodation Needs
Policy S35: Network and Hierarchy of Centres Policy
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/adopted-local-plan-2023>

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

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

Relevant policies of the NP include:

NPP 1 Sustainable Development
NPP 6 Ensuring High Quality Design
NPP 7 Ensuring High Quality Design in each Character Area
NPP 18 Protecting and Enhancing Heritage Assets
NPP 19 Improving the Vitality of the Town Centre

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

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

The 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.

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

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.

<https://www.letstalk.lincolnshire.gov.uk/minerals-and-waste-local-plan>

National policy & guidance (Material Consideration)

- National Planning Policy Framework (NPPF)

The NPPF sets out the Government's planning policies for England and how these should be applied. It is a material consideration in planning decisions.

The most recent iteration of the NPPF was published in December 2023.. Paragraph 225 states:

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

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

- National Planning Practice Guidance

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

- National Design Guide (2019)

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

- National Model Design Code (2021)

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

Other:

LB Legal Duty

Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990

CA Legal Duty

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

Main Considerations:

- Principle of Development
- Residential Amenity
- Visual Impact
- Conservation Area and Listed Buildings

- Highways and Car Parking
- 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.

It is proposed to change the use of the first and second floors from commercial storage (Use Class E) to residential (Use Class C3a) to form 1no. flat and other external alterations to the ground floor. The ground floor will remain in commercial use (Use Class E), currently an opticians. The first floor is currently given over to storage for the commercial use and the second floor is unused.

The site is located within the defined town centre of Gainsborough and the ground floor will remain a commercial (Class E) use/retain an active frontage which accords with Policy S35 of the Central Lincolnshire Local Plan (CLLP).

The proposal to create 1No. first floor flat in addition to an area of commercial use associated with the ground floor commercial use is also supported in principle as detailed below.

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.

Policy S39 of the Central Lincolnshire Local Plan states that *'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 and provided adequate off-street parking can be provided.'*

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 Market Street and is not expected to conflict with existing uses, as explored below. The residential development element of the proposal 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 S39 of the CLLP.

Residential Amenity

National and Local planning policy supports bringing 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.

The proposed flat meets 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 flat 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*'.

A replacement window and door are proposed on the rear elevation of the building at ground floor level. No new openings are proposed on the front elevation facing onto Market 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.

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 buildings

to the east and west. The building is early 18th century and is located in the Gainsborough Town Centre Conservation Area.

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

Policy S57 states that development proposals should protect, conserve and seek opportunities to enhance the historic environment of Central Lincolnshire. This aim is echoed within policy NPP18 of the Gainsborough Neighbourhood Plan (NP). Paragraph 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 1 self-contained flat on the upper two floors of the Grade II listed building (with the existing ground floor shop unit being retained. Planning permission was granted in January 2026 for a replacement traditional shop front facade).

Following concerns raised by the conservation officer amended plans were submitted showing no external alterations apart from a replacement window and door at the rear of the building in a single story flat roof offshoot.

In terms of floor plans no alterations to the existing vernacular floor plans are proposed with only additional partition wall being proposed on the ground floor and the infilling of a doorway on the first floor. 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 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 would achieve the key heritage aims of the NPPF in that it would put an existing deteriorating Heritage Asset into a viable use to enable its ongoing conservation.

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

Highways and Parking

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

Appendix 2 of the CLLP which is referred to in Policy S49 states that 1 bed dwellings in market towns should provide 1 parking space per dwelling, plus visitor spaces. The proposal will retain two existing car parking spaces located to the rear of the building. There would therefore be a shortfall of 1 on-site parking space for residents (plus no visitor space provision).

With consideration to the town centre location with close walking proximity to numerous facilities/services and siting close to public transport links, including a train station and bus routes, it is considered that the undersupply of 1 car parking space could be accepted in this case.

The NPPF requires local planning authorities to recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.

The proposal does not include any dedicated parking provision for the flat proposed. It is noted that no parking provision has been requested by the highway's authority. The Gainsborough Neighbourhood Plan does not contain any specific figures with regard to parking provision for new dwellings within the town.

Whilst the undersupply of on site car parking attaches some negative weight, there still is some on site provision and it is considered that the benefits of providing residential development to support town centre viability may justify a departure from the Local Plan parking policy.

Other matters:

Foul and Surface Water Drainage

The site benefits from existing foul and surface water drainage connections which the proposed flat will link into. The proposal 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.

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.

Ownership – An owner of no. 31 Market Street has stated the old water closet at the rear of the building is not in the applicant's ownership. This was put to the agent who confirmed via email that *'they (owners of no. 31) have a right of access to the small existing loo at the rear.'*

If the owners of no. 31 dispute this, it is a civil matter that the council would not be involved in.

Conclusion and reason 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 drawing PA -101 -A -B -GA -PP Rev B dated 06/07/26. 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

See decision notice for Listed Building Consent WL/2026/00293 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.