

## Officers Report

### Planning Application No: 147333

**PROPOSAL:** Planning application for 2no. shopfronts to form 2no. retail units and 5no. residential flats including replacement windows and full internal and external refurbishments.

**LOCATION:** 27 Silver Street Gainsborough Lincolnshire DN21 2DT

**WARD:** Gainsborough South West

**WARD MEMBER(S):** Cllr T V Young and Cllr Miss J S McGhee

**APPLICANT NAME:** Mr T. Mahmood

**TARGET DECISION DATE:** 13/11/2023

**DEVELOPMENT TYPE:** Minor – Dwellings

**CASE OFFICER:** Dan Galpin

**RECOMMENDED DECISION:** Grant (subject to conditions)

---

This application has been referred to the Planning Committee as it would be a departure from policy S49 (Parking Provision) of the Central Lincolnshire Local Plan.

**Site Description:** The site relates to a multi-storey building at 27 Silver Street which is located at the western edge of Gainsborough Town Centre, close to the junction with Caskgate Street and Bridge Street, with the River Trent slightly further beyond (also to the west). The ground floor of the building was previously occupied by Heron Foods (Use Class E).

The origins of the building lie in the 18<sup>th</sup> century with later 19<sup>th</sup> century alterations. The main building is situated within a row of buildings, many of which are also Grade II Listed. In addition, the site is also located within the Gainsborough Town Conservation Area and the Gainsborough Primary Shopping Area. Other relevant planning constraints include the site being situated within a Sand & Gravel Mineral Safeguarding Area and is within Flood Zone 1.

Planning permission is being sought for the change of use alongside consent for works to 27 Silver Street which is Grade II Listed Building to create two ground floor retail units and five residential flats. The list description is as follows:

*SILVER STREET 1. 5315 (South-East Side) No 27 SK 8189 1/127 II GV*

*C18 origins. 3 storeys in painted brick with Welsh slate roof, stone coped to left, modern brick to right gable end. Dentil eaves cornice. 4 windows without glazing bars, painted brick voussoirs. 1 window to right blocked. Late C19 and modern shop front.*

*Nos 11 to 15 (odd); No 21A; Nos 23 to 33 (odd) and No 10 Silver Street form a group, Nos 29 to 33 (odd) being of local interest.*

*Listing NGR: SK8143989776*

**Relevant history:**

**147334** – Listed Building Consent for 2no. shopfronts to form 2no. retail units And 5no. residential flats including replacement windows and full internal and external refurbishments. Currently under consideration.

**Representations:**

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

**Gainsborough Town Council:** Support – *‘The Council supports the Shop Front Improvement Scheme and Town Centre living.’*

**Local Residents:** No representations received to date.

**LCC Archaeology:** Comments – *‘The renovation of the unused building and the reinstatement of a historic shopfront is welcomed. The West Lindsey Conservation Officer should also be contacted for comments regarding this proposal. Recommendation:*

*If planning permission is granted, I recommend that Historic Building Recording of the site is carried out prior to works. This is to have a record of the historic fabric of the building prior to any changes arising from the proposed alterations.’*

The suggested planning condition is a pre-commencement condition relating to the provision of a three part Written Scheme of Investigation.

**LCC Highways/Lead Local Flood Authority:** No objection – ‘The site is located in a central urban area where services and facilities are within a reasonable distance to be accessed via sustainable travel options such as walking, cycling and public transport. Future residents of the development will not be reliant on the private car and therefore parking is not essential for this proposal. The applicant should be advised that the projecting canopy will be subject to approval and permission from the County Council for an oversail licence.’

Two informative comments were included relating to the requirement for an oversail licence and a second comment relating to Section 50 notice requirements. These can be included on the decision notice for the full planning application.

**LCC Minerals & Waste:** No reply received to date.

**WLDC Conservation Officer:** *No objection (conditions) – ‘The proposal is to create two separate retail units at the bottom from one large one, and to create five residential units from the rear and upper floors.*

*27 Silver Street is a grade II listed townhouse built in the 18<sup>th</sup> century. It is a three-storey front in painted brick with a slate roof. Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. 27 Silver Street is located to the south of the Gainsborough Town Centre Conservation Area and is in the setting of the Gainsborough Riverside Conservation Area. Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Local Planning Authority shall have special regard to the desirability of preserving or enhancing the character or appearance of the conservation area.*

*Having viewed the site, the internals have been extremely neglected and have deteriorated to a large degree. Parts appear structurally unsound and urgent works have been requested to the asset manager. Internally the historic and architectural interest is within the structural fabric of the building as the internal have been stripped back, replaced, or damaged in the past. The structural timbers within the property are in a poor state with evidence of rot throughout.*

*The significance of the building comes from the principle elevation and the form of the property that still retains its architectural and historic merit. The shop front had been modernised and the right gable end has modern brick, but the front elevation still retains an 18<sup>th</sup> century elevation with the fenestration. The elevation, although negatively altered, offers a positive impact to the setting of the listed buildings and conservation area.*

*The proposal seeks to reinstate a Victorian style shop front. The design is appropriate for the setting and the listed building. This will enhance the heritage asset and the setting of the LBs and CA. The front windows are also to be lengthened back to their original size which will enhance and conserve the historic fenestration. The door and window details enhance the traditional design of the property. The internal alterations retain the historic form and reinstates the sealed-up stairwells which will enhance the historic form. The stairwell, although in a poor condition, has some historic and architectural interest. The proposal seeks to retain them which preserves the historic and architectural interest. The loft has a lime-ash/gypsum plaster floor which is in a reasonable condition. The retention of this preserves the historic fabric. The proposal seeks to retain the important historic fabric and form whilst enhancing the front elevation to positively impact upon the LB and setting within the CA.’*

The five suggested conditions relate to details of double glazing, details relating to the shopfronts/principal elevation, the protection of interior features (staircases, lime-ash loft door and second floor door at stairwell to the loft), interior finish/fixings and the completion of a full damp and timber survey.

**WLDC Strategic Housing:** No reply received to date.

**Environment Agency:** Comments – *‘The Environment Agency does not wish to make any comments on this application. It does not appear to fit any of the criteria on our consultation checklist, ‘When to consult the Environment Agency’*

**Historic England:** Comments – *‘Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.’*

**The Ramblers Association:** No reply received to date.

### **Relevant Planning Policies:**

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Here, the Development Plan comprises the provisions of the Central Lincolnshire Local Plan (adopted in April 2023) and the Gainsborough Neighbourhood Plan (adopted June 2021).

#### Development Plan

- **Central Lincolnshire Local Plan 2023 (CLLP)**

Relevant policies of the CLLP include:

S1: Spatial Strategy & Settlement Hierarchy  
S3: Housing in the Lincoln Urban Area, Main Towns and Market Towns  
S13: Reducing Energy Consumption in Existing Buildings  
S21: Water Resources and Flood Risk  
S37: Gainsborough Town Centre and Primary Shopping Area  
S47: Accessibility and Transport  
S49: Parking Standards  
S53: Design and Amenity  
S57: The Historic Environment  
S60: Protecting Biodiversity and Geodiversity  
S61: Biodiversity Opportunity and Delivering Measurable Net Gains

- **Gainsborough Neighbourhood Plan**

The relevant policies are as follows:

Policy NPP1: Sustainable Development  
Policy NPP5: Protecting the Landscape Character  
Policy NPP6: Ensuring High Quality Design  
Policy NPP7: Ensuring High Quality Design in each Character Area  
Policy NPP18: Protecting and Enhancing Heritage Assets

## National Policy & Guidance (Material Consideration)

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

## Other- Statutory Duties

Sections 66 and 72 of the Town and Country Planning (Listed Building & Conservation Areas) Act 1990 (The Act).

## **Main issues**

- Principle of Development
- Impact on the host Listed Building/Manor House;
- Design, Visual Amenity & Conservation
- Residential Amenity
- Highways
- Flood Risk & Drainage
- Other Matters.

## **Assessment:**

### Principle of Development

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

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

Policy S2 outlines that 12% of the housing growth within Central Lincolnshire should be developed within Gainsborough subject to the principles in Policy S3 of the CLLP. The proposed development is located within close proximity to Gainsborough Town Centre and is considered to qualify as an appropriate location that is within the developed footprint of Gainsborough. It is also considered that the proposed change of use would comply with the overarching provisions of Policy S3.

Paragraph 86 of the NPPF (2023) states that Local Planning Authorities should “(f) recognise that residential development often plays an important

*role in ensuring the vitality of centres and encourage residential development on appropriate sites.”*

The proposed development relates to the change of use of the existing building to create two retail units (the principle of which has already been established) and five residential flats across the ground floor, first floor and second floors of the building. In respect to the requirements of Policy S3, the proposed development would be suitably served by existing infrastructure, would enhance the character and appearance of the landscape/townscape and would be subordinate in size and scale to surrounding built development.

In respect of the above, it is considered that the proposal is in accordance with Policies S1 and S3 of the CLLP.

### Design, Visual Amenity & Conservation

Policy S53 of the CLLP requires that all development proposals must take into consideration the character and local distinctiveness of the area (and enhance or reinforce it, as appropriate) and create a sense of place which demonstrates a sound understanding on their context. As such, and where applicable, proposals will be required to demonstrate, to a degree proportionate to the proposal, that they are well designed in relation to siting, height, scale, massing, and form. Important views into, out of and through a site should also be safeguarded.

The most significant works to the building are on the western (principal) elevation which would see the existing windows that are boarded up, reinstated with sash windows. There would be no alterations to the overall fenestration. The existing shopfront would be split into two sections to allow for the two proposed retail units to be accommodated. The overall character of the proposed shopfront would also represent a significant visual enhancement to the character and appearance of the area. This is due to the removal of the contemporary retail frontage and being replaced with new entrance doors, pillars, windows and brickwork, all of which would better complement the pastiche of the street scene.

On the eastern elevation, the boarded-up windows would also be reinstated, large air conditioning units removed with new windows installed on the wall, pitched roof and doors on the ground floor to facilitate access to the proposed residential dwellings. The proposed works to both external facades would represent a significant enhancement to both the front and rear of the building and would remove the visual signs of dereliction that the building currently has.

It is therefore considered that the proposed development would be appropriate in its context and would not result in an unacceptable harmful impact on the character and appearance of the area and would accord with Policy S53 of the CLLP, Policies NPP5, NPP6 and NPP7 of the Gainsborough Neighbourhood Plan and Section 12 of the NPPF.

### Impact on setting/significance of Manor House and Church of St Peter and St Lawrence

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

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

Paragraphs 194 and 195 of the NPPF require an applicant to describe the significance of any heritage asset that may be impacted. Paragraph 197 requires the Local Planning Authority to take account of the desirability of sustaining and enhancing the significance of heritage assets, the contribution that these assets can make to sustainable communities and the desirability of new development in making a positive contribution to the local character and distinctiveness of the area. Great weight should be given to the conservation of a designated heritage asset, regardless of the level of harm to its significance (paragraph 199) and in turn, any harm to, or loss of the significance of a designated heritage asset should require a clear and convincing justification under paragraph 200. Paragraph 202 allows for development that leads to a *less than substantial harm* to the significance of a designated heritage asset, this harm should be weighed against the public benefits of a proposal.

The proposed development would see the introduction of five residential flats and two retail units within 27 Silver Street which is currently vacant with disused Heron Foods signage and boarded up windows. It is considered that the proposed development would represent a significant enhancement to both the setting and significance of 27 Silver Street and the Gainsborough Town Conservation Area. It would also secure the future use of the Listed Building which is afforded significant weight in the planning balance.

This is subject to the imposition of the same conditions that have been justified and outlined in the previous section of this report with the exception of the conditions that relate solely to the Listed Building Consent (Conditions 7 and 8 on 147334). It is appreciated that there is a matter of urgency with

respect to some of the structural works to the Listed Building. However, the proposed development is not for the demolition of any aspect of the building but merely its conversion as has been discussed previously.

Any demolition of interior areas of the building should either be covered by an appropriate urgent works notice or with a separate application for Listed Building Consent.

The proposal is therefore considered to accord with the statutory obligation under Section 66 of the Planning (Listed Buildings and Conservations Act) 1990, Policy S57 of the CLLP and Section 16 of the NPPF subject to the imposition of the conditions that are outlined in the decision notice.

### Archaeology

Policy S57 of the CLLP requires that development proposals should take opportunities to protect and where possible, enhance the significance of heritage assets. Appropriate assessment proportional to the significance of a potential heritage asset should be submitted and where this is still sufficient, appropriate intrusive and non-intrusive mitigation should be undertaken. Similar guidance is also contained within paragraph 205 of the NPPF.

No objection was received from the Historic Environment Officer at Lincolnshire County Council subject to the imposition of a three-part condition requiring the submission of a Written Scheme of Investigation (WSI). However, due to the comments received from the Conservation Officer regarding the lack of significance of the interior of the building, that a full WSI to be completed prior to the commencement of any internal works would not be a reasonable request.

Following informal discussions with the Historic Environment Officer, it has been agreed to change the wording of the condition to a written specification to allow exterior works and non-intrusive interior works to take place prior to the submission. It was also confirmed that the scope of the works would not have to be as detailed and would not require a qualified archaeologist to be on site at all times.

Subject to the imposition of this condition, it is considered that the proposed development is in accordance with Policy S57 of the CLLP and paragraph 205 of the NPPF.

### Residential Amenity

Policy S53 of the CLLP requires that development proposals do not have an unacceptable impact on residential amenity. This includes considerations such as compatibility with neighbouring land uses, noise, vibration, odour, and the creation of safe environments amongst other things. Furthermore, paragraph 130 f) of the NPPF requires that development proposals provide a high standard of residential amenity for both existing and future users.



The proposed development is considered to be acceptable from the perspective of residential amenity. All of the flats would be organised in a manner that would not unacceptably harm the residential amenity any future occupiers in terms of noise, loss of privacy, sunlight or an overbearing form of development. All windows on both the east and west elevations would retain their existing fenestration in a linear arrangement which preserves their privacy and the new windows would mimic the existing fenestration.

The proposed development would largely comply with the national technical space standards. The two-bedroom flat would measure 64 square metres which exceeds the requirements for a three-person flat but would not exceed the requirements for a four person/two bedroom flat. This is the same for all four one-bedroom flats which would all measures between 40-41 square metres. This would exceed the minimum threshold of 39 square metres for a single occupancy flat but would be below the threshold for a two-person one bedroom flat.

Whilst the proposed development would potentially be in conflict with the standards, the future level of occupancy for each flat cannot be guaranteed. The national technical space standards are a material planning consideration but do not form part of any specific policy in the Development Plan. The individual rooms within each individual flat are considered to be of a sufficient size to avoid unacceptable levels of overcrowding which would have a detrimental impact on the living conditions of any future occupiers.

There is also the matter of ensuring the viability of the proposed development i.e. ensuring that a sufficient number of flats can be provided to ensure that the proposal can proceed. The collective benefits of securing the future use of a Listed Building and supporting the viability and vitality of the Town Centre are also sufficient to outweigh any technocratic conflict with the national technical space standards.

The approach to achieving an acceptable level of internal floorspace has been taken on several other applications (146074, 146254 etc) and there is no reason to conclude that the proposed development would not provide a high standard of amenity to existing and future users as required by paragraph 130 f) of the NPPF.

It is therefore considered that the proposed development is in accordance with Policy S53 of the CLLP and paragraph 130 f) of the NPPF with respect to residential amenity.

### Highways

Policies S47, S48 and S49 collectively require that development proposals do not have an unacceptable impact on highway safety or a severe cumulative impact on the wider highway network. Policy S48 requires that development proposals should facilitate active travel. It also requires that first priority should be given to pedestrians, cyclists, and people with impaired mobility. Policy

S49 of the CLLP sets out minimum parking standards that are required for residential and non-residential development within Central Lincolnshire.

Paragraph 92 of the NPPF supports development proposals that allow for the creation of healthy and safe places. This is reinforced by paragraph 110 of the NPPF which requires that development proposals provide safe and suitable access to all users. Paragraph 111 of the NPPF in turn states that development proposals can only be refused on highways grounds where there is an unacceptable impact on highway safety, or the wider cumulative impact would be severe.

The proposed development would see the existing building (which is currently vacant) converted to accommodate five residential flats and two retail units on the ground floor. No objection has been received from the Local Highway Authority in relation to highway safety or the cumulative impact of the proposed development. Previous uses of the site have encompassed both retail and other commercial uses, all of which would generate a notable number of vehicular movements. Furthermore, the front entrance of the building is largely pedestrianised and therefore there would be no access requirements from the front of the site.

The rear entrance to the site would be primarily for residential access. It is presumed that there would be vehicular access requirements for deliveries to the site. However, it is not considered that this would result in a material increase in vehicular movements compared to the previous use. It should also be noted that ground floor already has an existing permitted use that falls within Class E. The aspects that require consent therefore only relate to the alterations to the building, the subdivision of the ground floor to form a second unit and the requirement for Listed Building Consent. It is presumed that access requirements for deliveries would not unacceptably harm highway safety and would not be materially different in planning terms when compared to both the previous use and access requirements for other existing businesses on Silver Street. The spatial constraints of the site are not unique and are an expectation of a Town Centre location.

In terms of parking requirements, this is set out within Policy S49 of the CLLP. With regard to retail units, the policy gives a degree of flexibility and states the following:

*All other types of development should incorporate a level of car parking that is suitable for the proposed development taking into account its location, its size and its proposed use, including the expected number of employees, customers or visitors.*

Considering the central location of the site and the spatial constraints of Silver Street and the site being in a Primary Shopping Area, it is considered that a lack of dedicated parking access would not be unacceptable. The closest pay and display car park is directly to the north at the Ship Court Car Park. Given the site-specific material considerations, the lack of commercial parking in this location is not considered to be unacceptable.

In contrast, Policy S49 does outline residential parking standards. The proposed development is for the creation of five residential flats, four of which are one-bedroom flats and one flats having two bedrooms. In accordance with the requirements of Appendix 2, this would equate to a total residential parking demand of six parking spaces. It is noted that the proposed development is not offering any dedicated parking provision. The proposed development is therefore in conflict with Policy S49 of the CLLP.

However, Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 require that planning applications should be determined in accordance with the relevant policies in Development Plan unless material considerations indicate otherwise. In this instance, no objection to has been received from the Local Highway Authority with respect to the proposed development stating that future residents would not require access to a private car due to the central urban location.

Whilst it is not possible to make blanket assumptions regarding the requirements of future residents, specific consideration should be given to the nature of the location in which the proposed development should be made. Future residents who live in such a central location are more likely to be younger and either live alone or not have dependent children which reduces the average number of cars. The central location also reduces the need to travel longer distances but if this is required, public transport is a much more viable option when compared to isolated rural areas within the District. It is therefore reasonable to assume that the parking demand would be much lower than a typical suburban development.

The above partially mitigates the conflict with Policy S49 but not all of it. Ship Court Car Park is also less than five minutes' walk from the site and it is possible to purchase parking permits for the publicly owned car parks in Gainsborough. This would further help to mitigate the impact that results from a lack of dedicated parking provision.

A final consideration are the other benefits that are associated with Town Centre development which include improving the vitality of the Gainsborough Town Centre/Primary Shopping Area and also helping to secure the future use of a Grade II Listed Building which in principle, should enhance the character and appearance of the Conservation Area. The benefit to the viability and vitality of Gainsborough Town Centre also stems from the inherent benefit associated with increasing the number of people who live in or within a close proximity to Gainsborough Town Centre. Such development is actively supported by paragraph 86 of the NPPF.

At present, the principal elevation is redundant and all the windows are boarded up which detracts from both the character and appearance of the Conservation Area but also more generally, the character and appearance of the area.

These benefits collectively are afforded significant weight in favour of the proposed development and are sufficient to outweigh the conflict with Policy S49 (which in itself is limited due to the mitigating factors outlined above). The proposed development is also considered to be in accordance with Policies S47 and paragraphs 92, 110 and 111 of the NPPF. The central location of the site would also accord with Policy S48 as it is an ideal location for modes of active travel such as walking and cycling.

### **Flood Risk & Drainage**

The site is located within Flood Zone 1 which is considered to be at the lowest risk of flooding. It is not proposed to increase the impermeable area of the building and therefore there is no concern with respect to surface water drainage.

However, the method of both foul sewage and surface water drainage is 'unknown'. Rainwater goods have existing on the external façade of the building. It is important however to ensure that the disposal of foul sewage is acceptable. Therefore, it is considered that the proposed development would accord with Policy S21 of the CLLP and Section 14 of the NPPF subject to one condition requiring a scheme of foul sewage disposal to be agreed and submitted in writing to the Local Planning Authority for approval.

### **Other Matters**

#### **Ecology and Biodiversity**

Policies S60 and S61 of the CLLP requires that development proposals do not have an unacceptable impact on ecology or biodiversity and should take opportunities to provide a net gain in biodiversity wherever possible. These requirements are also contained within paragraph 174 of the NPPF. Given that the requirements of Policies S60 and S61 are consistent with the NPPF, they are afforded full weight. Paragraph 180 states further that some harm to biodiversity is permitted but where there is significant harm, planning permission should be refused.

The proposed development is for the change of use to an existing building within Gainsborough Town Centre. As such, due to the nature and scale of the proposed development it is not considered that there would be any unacceptable impact on biodiversity. It is not proposed to increase the total footprint of the building and the only works are either internal work or works to the external façade of the buildings. Therefore, it is not considered reasonable or necessary to impose the requirements of Policy S61 of the CLLP.

It is therefore considered that the proposed development is in accordance with S60 and S61 of the CLLP and paragraph 174 of the NPPF.

#### **Climate Change**

The requirements of Policy S13 are noted. However, the specific wording of this policy merely encourages applicants to take opportunities to improve the energy efficiency of existing buildings. It is not a mandatory requirement, and therefore weight can only be afforded in favour of a proposal rather than against it.

### Mineral Safeguarding

The proposed development relates to the change of use of an existing building within the developed footprint of Gainsborough. It is therefore not considered that the proposed development is exempt from safeguarding considerations and in any instance would not unacceptably sterilise any mineral reserves. This is by virtue of the high density of development already effectively sterilising any sub-surface mineral resources that may exist in-situ.

It is therefore considered that the proposed development is in accordance with Policy M11 of the LMWLP and Section 17 of the NPPF.

### **Conclusion and reasons for decisions**

The proposal has been considered in light of relevant development plan policies namely S1: The Spatial Strategy and Settlement Hierarchy, S3: Housing in the Lincoln Urban Area, Main Towns and Market Towns, S13: Reducing Energy Consumption in Existing Buildings, S21: Water Resources and Flood Risk, S37: Gainsborough Town Centre and Primary Shopping Area, S47: Accessibility and Transport, S49: Parking Standards, S53: Design and Amenity and S57: The Historic Environment. S60: Protecting Biodiversity and Geodiversity and Biodiversity Opportunity and Delivering Measurable Net Gains of the Central Lincolnshire Local Plan. Policies NPP1, NPP5, NPP6, NPP7 and NPP18 of the Gainsborough Neighbourhood Plan and relevant guidance in the NPPF has also been considered.

In light of this assessment it is considered that although the proposed development would be in conflict with Policy S49 of the CLLP with respect to residential parking standards, no objection has been received from the Local Highway Authority. This is due to the urbanised location of the site and a lower reliance on private transportation. It is also possible to purchase parking permits for nearby car parks.

This limited policy conflict is also outweighed by the benefits of improving the vitality and viability of Gainsborough Town Centre and securing the future use of a Listed Building.

### **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 documents:

- Existing Ground Floor Plan 2431-EX01;
- Existing First Floor Plan 2431-EX02;
- Existing Second Floor Plan 2431-EX03;
- Existing Third Floor Plan 2431-EX04;
- Existing Roof Plan 2431-EX05;
- Existing (West) Front Elevation 2431-EX06;
- Existing East Elevation 2431-EX07;
- Existing South Elevation/Section D-D2431-EX08;
- Existing Section B-B 2431-EX09;
- Site Location Plan & Block Plan 2431-0S;
- Proposed Door A & B Details 2431-D01;
- Proposed Door C Details 2431-D02;
- Proposed Interior Door D Details 2431-D03;
- Proposed Ground Floor Plan 2431-PP01;
- Proposed First Floor Plan 2431-PP02;
- Proposed Second Floor Plan 2431-PP03;
- Proposed Third Floor Plan 2431-PP04;
- Proposed Roof Plan 2431-PP05;
- Proposed (West) Front Elevation 2431-PP06;
- Proposed (West) Front Elevation (with canopy open) 2431-PP07;
- Proposed East Elevation 2431-PP08;
- Proposed North & South Elevations 2431-PP09;
- Proposed Section A-A, B-B, C-C 2431-PP10;
- Proposed Sash Window A Details (windows W01-W04) 2431-W01
- Proposed Sash Window B Details (windows 5-8) 2431-W02
- Proposed Sash Window C Details (window W09) 2431-W03
- Proposed Sash Window D Details (windows W10-W11) 2431-W04
- Proposed Sash Window E Details (windows W12) 2431-W05
- Proposed Sash Window F Details (window W13) 2431-W06
- Proposed Sash Window G Details (windows W14) 2431-W07
- Proposed Sash Window H Details (windows W15) 2431-W08
- Proposed Sash Window I Details (windows W16) 2431-W09
- Proposed Sash Window J Details (windows W17) 2431-W10
- Proposed Rooflight Details 2431-W11

Documents all received 18<sup>th</sup> September 2023.

- Proposed Shopfront Details 2431-PP11 REV A;
- 2431-PP12;

Documents received 13<sup>th</sup> November 2023.

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

Reason: To ensure the development proceeds in accordance with the approved plans to safeguard the fabric and setting of the Grade II Listed Building in accordance with Policy S57 of the Central Lincolnshire Local Plan, Policy NPP18 of the Gainsborough Neighbourhood Plan and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

3. Prior to any intrusive works which would alter the historic or architectural fabric of the building a written specification has been submitted to and approved by the Local Planning Authority. This shall be submitted should 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;

## **Part 2**

The archaeological site work must be undertaken only in full accordance with the approved written scheme referred to in the above Condition. 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.

## **Part 3**

A report of the findings shall be submitted to the Local Planning Authority and the Historic Environment Record Officer at Lincolnshire County Council within three months of the works hereby given consent being commenced unless otherwise agreed in writing by the Local Planning Authority; and the condition shall not be discharged until the archive of all work undertaken hitherto has been deposited with the County Museum Service, or another public depository willing to receive it.

Reason: To preserve the special historic and architectural significance of 27 Silver Street in accordance with Policy S57 of the Central Lincolnshire Local Plan, Policy NPP18 of the Gainsborough Neighbourhood Plan and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4. Prior to installation the exact detail of the proposed double glazing for the windows and shop front shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To preserve the special historic and architectural significance of 27 Silver Street in accordance with Policy S57 of the Central Lincolnshire Local Plan, Policy NPP18 of the Gainsborough Neighbourhood Plan and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

5. Prior to installation the following shop front details shall be submitted to and approved in writing by the Local Planning Authority:

- Details of Retail unit 1 shop front at a scale of 1:20
- Awning product details
- Shop front and awning colour
- Tiled stall riser details

Reason: To preserve the special historic and architectural significance of 27 Silver Street in accordance with Policy S57 of the Central Lincolnshire Local Plan, Policy NPP18 of the Gainsborough Neighbourhood Plan and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

6. Prior to the occupation of the development hereby permitted, a scheme for the disposal of foul sewage shall be submitted in writing to the Local Planning Authority for approval. The scheme shall thereafter be implemented in strict accordance with the approved details.

Reason: To ensure that the development hereby permitted has sufficient disposal of foul sewage in accordance with Policy S21 of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

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

None.

**Human Rights Implications:**

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



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

**Legal Implications:**

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

**Decision Level**

- ✓ Committee