

Officers Report

Planning Application No: 147202

PROPOSAL: Planning application to change the use from 1no. shop, 3no. dwelling houses and 1no. flat to 1no. shop, 3no. dwellings and 2no. flats

LOCATION: 80-82 Church Street Gainsborough Lincolnshire DN21 2JR
WARD: Gainsborough South West
WARD MEMBER(S): Cllr T V Young & Cllr J S McGhee
APPLICANT NAME: Mr M Gregory 'Watson Homes Ltd'

TARGET DECISION DATE: 05/01/2024
DEVELOPMENT TYPE: Change of Use
CASE OFFICER: Richard Green

RECOMMENDED DECISION: Grant with conditions attached.

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

Description:

The site is a Grade II listed building within Gainsborough Town Centre. The property is a 3-storey building that fronts Church Street to the west, with an extensive range of buildings to the rear which extends to north street. The attached neighbouring buildings to the north and south are also listed.

The site is within the Gainsborough Town Centre Conservation Area and the site is attached to other commercial properties some of which have accommodation on the upper floors. To the west of the site on the other side of Church Street is the Grade I Listed Church of All Saints and to the east on the other side of North Street are residential and commercial properties. The majority of site is located within Flood Zone 2 & 3 but is in an area benefiting from flood defences.

The application proposes to change the use of the building from 1no. shop, 3no. dwelling houses and 1no. flat to 1no. shop, 3no. dwellings and 2no. flats. The existing ground floor shop unit fronting Church Street will be retained and above on the first floor a one bed flat (Unit 4) is proposed. Above this flat on the second floor another one bed flat (Unit 5) is proposed. To the north in the attached range a one bed dwelling over two floors (Unit 3) is proposed and further to the north in this range a 2-bed dwelling (Unit 2) is proposed. Finally, in the detached two storey building that fronts onto North Street a 2 bed dwelling over two floors is proposed (Unit 1). In the rear courtyard a limited amount of outside amenity space is provided, a bin storage area and a cycle storage area.

Work has started on a previous planning permission (M06/P/1192) and Listed building Consent (M06/P/1202). Therefore, this permission is extant.

Departure Procedure: The application has been advertised as a departure from the local plan in line with Section 15 (2) of the TCPA Development Management Procedure Order 2015¹ a site notice was displayed on 06/11/2023 and a notice has been placed in the local newspaper on 13/12/2023. The advertisement of the departure therefore meets the provisions of Section 15 of the DMPO.

Relevant history:

147359 - Listed building consent to change the use from 1no. shop, 2no. flats and a dance hall to 1no. shop, 3no. dwellings and 2no. Flats. To be determined in tandem with this application.

M06/P/1192 - Planning Application to change the use from 1no. shop, 2no. flats and a dance hall to 1no. shop, 3no. dwelling houses and 1no. flat. Granted 24/01/2007.

M06/P/1202 - Listed Building Consent to change the use from 1no. shop, 2no. flats and a dancehall to 1no. shop, 3no. dwelling houses and 1no. flat. Granted 24/01/2007.

97/P/0171 - Planning application to alter existing shop front. Granted 10/04/97.

97/P/0172 – Listed Building Consent to alter existing shop front. Granted 10/04/97.

Representations:

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

Town Council: No comments or objections to make.

Local residents/Occupiers: 25-27 Lord Street, Gainsborough: Excellent proposal for this disused building. The building in question is currently having a negative impact on Church Street, these proposals will smarten the building up and give it a new lease of life and enable the building to contribute positively to the area. Good work.

LCC Highways and Lead Local Flood Authority: 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 and the applicant is providing cycle parking to facilitate sustainable options. Future residents of the development will not be

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

reliant on the private car and therefore parking is not essential for this proposal. The site already has an existing use including residential, there is no change to the structure of the building which abuts the highway and therefore it would not have an unacceptable impact on highway safety. One informative is suggested.

LCC Archaeology: No representations received to date.

Conservation Officer: 80-82 Church Street is a grade II listed building built in the 18th or early 19th century. The building is built with brick walls and pantile roof. The front elevation is three storey and a two-bay front.

The building is listed as part of a group with 62-90 church street which compile a collection of seven grade II listed buildings all in a row. All these buildings are from the 18th century built in different shapes and sizes with brick walls and slate or pantile roofs.

The grouping of this row is focused on the grade I listed Parish Church of All Saints. The church has a 11th century tower with the remainder being 18th century. Built in limestone ashlar walls, and with its size and scale, this building illustrates its hierarchical dominance over the street scene has a strong significance for the setting within the historic environment.

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.

The property is to the north of the Gainsborough Town Centre Conservation Area. The conservation area appraisal also highlights the group value of the Church and the row of listed buildings on Church Street.

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.

The proposal to convert the building seeks to retain the whole historic form including vernacular openings intact. Due to the group value of buildings on Church Street, the principle elevation offers a strong significance, with the brick walls, vertical sash windows, and shop front. The proposal does not seek to alter the vernacular details of this.

The only alteration to an opening consists of the door opening to a window on the ground floor of the Living/Dining Room in unit 3. With this alteration I would like to request the opening is retained in its size or is made readable as partly infilled. A fully glazed unit or a timber cladding infill to the bottom half would retain the opening whilst allowing for the readable adaptation for modern living.

Outside of this individual alteration, the proposal will not alter the historic fabric to the listed building. The alterations are either to the modern partition walls or additional walls within the existing fabric. This will protect and conserve the listed building with its original form and use.

Within the buildings there are many items of historic or architectural interest. There are original doors, windows, architraves, skirting boards, beams, roof trusses, fireplaces that need to be considered for retention for the internal works. There is no detail for the internal works in terms of materials or finishes so this will be required within a condition.

Some of the historic timbers and trusses are vulnerable due to the weathering and some of the modern structural supports are loosely positioned and not secure. This will need to be fully assessed prior to any work to ensure the best outcome for the historic fabric.

The windows to the front are vertical sashes but appear to be 20th century replacements due to the horns and thick glazing bars. These have little historic interest but the vertical sashes offer architectural interest to the front elevation.

The retention of the shop front is a positive approach, although in need of some repair, this is a positive feature of the principle elevation and is a strong feature in the grouping and setting with Church Street and the church located directly opposite. The repairs and improvements will need more detail which can be conditioned.

The retention of the historic stairs is also a positive approach, although these have been harmed with the loss of the banisters and other decorative details, this approach will conserve the historic form and layout with the steps remaining.

The dancehall converted area appears to be a rebuilt section or has extreme loss that there was no historic or architectural interest visible here. The significance of this building comes in its historic layout that highlights the evolution of this listed building.

67 North Street is mentioned in the Heritage Statement as not part of the listed building but is sited within the courtyard of 80-82 Church Street.

When reviewing the three key factors of determining curtilage listed structures, this meets all three points.

Therefore, I disagree with the Heritage Statement that suggests this property is not part of this group of buildings and I consider that the dwelling known as 67 North Street is curtilage listed as part of the historic group.

The historic mapping indicates that North Street was previously known as Back Street and these buildings that face North Street were historically

associated as ancillary buildings to the main dwellings facing onto Church Street.

67 North Street must take the same approach and consider the internal and external alterations within this building through the Listed Building Consent. In this case the floor plans show a similar approach with no alterations to the existing vernacular openings or floor plans with only additional partition walls being added. Any works internally must be submitted along with the listed building.

There is one exception to this with one new window being added to the ground floor at the rear (west elevation).

This is a minimal alteration to the building and the size and scale of the opening is in keeping with the character of the building.

The proposal protects the significance of the listed building through its historic character, townscape feature, design, layout and views. This will conserve the listed buildings special architectural and historic interest and setting. This proposal is supported by Policy S57 of the CLLP.

I have no objections to this proposal subject to the following conditions:

Environment Agency: 06/10/2023: In the absence of a flood risk assessment (FRA), we object to this application and recommend that planning permission is refused.

The application site lies within Flood Zone 2 and 3, which is land defined by the planning practice guidance as having a medium and high probability of flooding. The National Planning Policy Framework (paragraph 167, footnote 55) states that an FRA must be submitted when development is proposed in such locations. An FRA is vital to making informed planning decisions. In its absence, the flood risks posed by the development are unknown. This is sufficient reason for refusing planning permission.

To overcome our objection, the applicant should submit an FRA which demonstrates that the development is safe without increasing risk elsewhere. Where possible, it should reduce flood risk overall.

Further comments received 21/12/2023: We have received the amended drawing 'Location Plan, Existing Floor Plans and Elevations', dated December 2023 and are consider that it satisfactorily addresses our earlier concerns regarding flood risk. As there will be no increase in residential accommodation on the ground floor, we withdraw our previous objection, dated 06 October 2023,

Joint Committee of National Amenity Societies: No representations received to date.

Historic England: Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not

be interpreted as comment on the merits of the application. We suggest that you seek the views of your specialist conservation and archaeological advisers.

Building Control: Confirmation that work started but then came to a halt in 2011 with the last site inspection on the 22 June 2011 (071797) in relation to planning permission M06/P/1192 & listed building consent M06/P/1202 (see relevant planning history above).

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

Development Plan:

The following policies are particularly relevant:

Central Lincolnshire Local Plan adopted 2023 (CLLP):

Policy S1: The Spatial Strategy and Settlement Hierarchy

Policy S2: Growth Levels and Distribution

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

Policy S6: Design Principles for Efficient Buildings

Policy S13: Reducing Energy Consumption in Existing Buildings

Policy S20: Resilient and Adaptable Design

Policy S21: Flood Risk and Water Resources

Policy S23: Meeting Accommodation Needs

Policy S35: Network and Hierarchy of Centres

Policy S37: Gainsborough Town Centre and Primary Shopping Area

Policy S47: Accessibility and Transport

Policy S49: Parking Provision

Policy S53: Design and Amenity

Policy S57: The Historic Environment

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

Gainsborough Neighbourhood Plan

NPP 1 Sustainable Development

NPP 6 Ensuring High Quality Design

NPP 7 Ensuring High Quality Design in each Character Area

NPP 8 A Mix of Housing Types

NPP 18 Protecting and Enhancing Heritage Assets

NPP 19 Improving the Vitality of the Town Centre

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

Lincolnshire Minerals and Waste Plan

The Core Strategy & Development Management policies (CSDMP) were adopted in June 2016 and form part of the Development Plan. The application site is within a Mineral Safeguarding Area (MSA). Policy M11 applies.

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

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.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf

- **National Planning Practice Guidance**
<https://www.gov.uk/government/collections/planning-practice-guidance>
- **National Design Guide (2019)**
<https://www.gov.uk/government/publications/national-design-guide>
- **National Design Code (2021)**
<https://www.gov.uk/government/publications/national-model-design-code>

Listed Building Legal Duty

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

<https://www.legislation.gov.uk/ukpga/1990/9/section/66>

CA Legal Duty

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

<https://www.legislation.gov.uk/ukpga/1990/9/section/72>

Main issues

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

Assessment:

Principle of Development

It is proposed to create five flats/dwellings on the upper storey's of this three storey building located within the town centre of Gainsborough and within the extensive range of buildings attached/located to the rear (east) of the building fronting Church Street. The Central Lincolnshire Local Plan contains a suite of policies to guide development within the Town Centre.

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

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

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

The Gainsborough Town Centre section of Policy S37 of the CLLP states that; *'Development proposals within Gainsborough Town Centre, not in E Use Class will be considered on their merits subject to satisfying the criteria in a)-e) where relevant and providing that they will:*
f) not result in large gaps between town centre uses in frontages;
g) not detract from or otherwise harm or conflict with town centre uses; and
h) be compatible with maintaining or enhancing Gainsborough Town Centre as a sub-regional shopping destination.

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

Point 4 of Policy NPP19 of the GNP states that; *Development proposals for the use of upper floors of commercial premises within the town centre for residential use will be supported where it can be demonstrated.*

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 Church Street.

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

Conservation Area and Listed Buildings

The site is a Grade II listed 3 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 north and south. To the west of the site on the other side of Church Street is the Grade I Listed Church of All Saints. The building was built in the early 18th or early 19th 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 205 of the NPPF states that *'great weight should be given to the [designated] asset's conservation'*. Paragraph 206 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 207 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'*.

Existing openings will be utilised (including the retention of the Church Street shopfront) apart from one new small ground floor window on the rear (east) elevation of the detached building which fronts onto North Street and one ground floor window is proposed where a door currently exists on the north elevation of the rear range. In terms of floor plans no alterations to the existing vernacular floor plans are proposed with only additional partition walls being proposed.

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

The full scope of the works shown on the proposed plans have been reviewed by the councils Conservation Officer and have been found to be acceptable subject to suggested conditions in terms of the impact on historic fabric and that they would preserve the special historic interest of the host building.

It is considered that the proposed approach to development (subject to conditions) would achieve the key heritage aims of the NPPF in that it would put an existing deteriorating Heritage Asset into a viable use to enable its ongoing conservation. It is considered that the proposal would not harm the special architectural or historic interest of the Listed Building or its setting. The proposal will also preserve the character and appearance of the Conservation Area. The proposal would accord to Statutory Duties, the policies within the Development Plan and Section 16 of the NPPF.

Residential Amenity

The proposal will bring back into use a vacant Grade II Listed Historic building. National and Local Planning Policy seeks to bring back to use vacant 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.

Existing openings will be utilised apart from one new small ground floor window on the rear (east) elevation of the detached building which fronts onto North Street and one ground floor window is proposed where a door currently exists on the north elevation of the rear range. Any subsequent building regulations application would work within the constraints of the Listed Building to upgrade the sound proofing if necessary between the ground floor shop unit and between the proposed self-contained residential units.

There are no concerns in relation to overlooking, over dominance or loss of light over adjoining properties. All five of the units meet with the nationally described space standards. The main living areas of the flats and bedrooms would all be served by windows, allowing adequate light to enter the rooms. 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 west around All Saints Church and Gainsborough Old Hall and along the Riverside Walk.

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 130(f).

Visual Impact

Local Plan Policy S53 states that all development *'must achieve high quality sustainable design that contributes positively to local character, landscape and townscape, and supports diversity, equality and access for all.'* Development must *'relate well to the site, its local and wider context and existing characteristics including the retention of existing natural and historic features wherever possible and including appropriate landscape and boundary treatments to ensure that the development can be satisfactorily assimilated into the surrounding area'*. It further states that development should *'contribute positively to the sense of place, reflecting and enhancing existing character and distinctiveness'*, and should *'be appropriate for its context and its future use in terms of its building types, street layout, development block type and size, siting, height, scale, massing, form, rhythm, plot widths, gaps between buildings, and the ratio of developed to undeveloped space both within a plot and within a scheme.'* In addition, development must *'achieve a density not only appropriate for its context but also taking into account its accessibility.'*

Existing openings will be utilised apart from one new small ground floor window on the rear (east) elevation of the detached building which fronts onto North Street and one ground floor window is proposed where a door currently exists on the north elevation of the rear range.

It is therefore considered that the proposal will not harm the character and appearance of the street-scene in accordance with the NPPF and Policy S53 of the Central Lincolnshire Local Plan.

Foul and Surface Water Drainage

The site benefits from existing foul and surface water drainage connections which the proposed flats will link into. The proposals will not increase the external floor space of the existing building. Given the existing drainage connections at the site it is not considered necessary to request any further details to be submitted in this respect.

The proposal therefore accords with the NPPF and Policy S21 of the Central Lincolnshire Local Plan.

Flood Risk

The case officer has contacted the Environment Agency setting out the following:

"In regards to your attached comments, the site is within Flood Zone 2 & 3, apart from No.67 North Street at the eastern end of the site (see figures 1 & 2 below). However, the site is within an area benefiting from flood defences. The site also benefits from the following planning consent which has been enacted (please see attached approved proposed floor plans). M06/P/1192 - Planning Application to change the use from 1no. shop, 2no. flats and a dance hall to 1no. shop, 3no. dwelling houses and 1no. flat. The current application(s) if you look at the attached proposed plans does not propose any more accommodation on the ground floor level and each of the five units proposed has accommodation on the first or second floors in addition to the

ground floor accommodation which provides a safe place of refuge in the event of flooding. The site is not within a dry island and in a nearby flood event a safe egress route can be found by travelling east through the external passageway proposed to Unit 1 away from the River Trent onto North Street.'

The Environment Agency have now confirmed that the further information provided to them satisfactorily addresses their concerns in regards to flood risk and as there will be no increase in residential accommodation on the ground floor they withdraw their objection.

Overall, matters of flood risk are considered to be acceptable in accordance with the NPPF and Policy S21 of the Central Lincolnshire Local Plan.

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 and 2 bed dwellings 2 parking spaces plus visitor spaces. The proposal does not include any dedicated parking provision for the flats/dwellings proposed. It is noted that no parking provision has been requested by the highway's authority, stating that the development is in a highly sustainable location. The Gainsborough Neighbourhood Plan does not contain any specific figures with regard to parking provision for new dwellings within the town.

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

Other matters:

Household waste

Bins for the proposed flats will be kept in the rear courtyard which is surrounded by high walls to the east of the building which fronts Church Street.

Minerals Safeguarding Area

Changes of use to existing buildings and listed building consent applications are considered to be exempt from safeguarding considerations. In any case, due to the development being within the continuous developed footprint of Gainsborough it is not considered that safeguarding considerations are engaged in this case.

Energy Policies

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.

Conclusions and reasons for decision

The decision has been considered against policies Policy S1: The Spatial Strategy and Settlement Hierarchy, Policy S2: Growth Levels and Distribution, Policy S3: Housing in the Lincoln Urban Area, Main Towns and Market Towns, Policy S6: Design Principles for Efficient Buildings, Policy S13: Reducing Energy Consumption in Existing Buildings, Policy S20: Resilient and Adaptable Design, Policy S21: Flood Risk and Water Resources, Policy S23: Meeting Accommodation Needs, Policy S37: Gainsborough Town Centre and Primary Shopping Area, Policy S47: Accessibility and Transport, Policy S49: Parking Provision, Policy S53: Design and Amenity and Policy 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, flood risk and drainage are also considered to be acceptable. The proposal does represent a departure from the provisions of Policy S49, however as detailed in the above report, the heritage benefits that the scheme would bring is considered to outweigh the lack of proposed parking provision in this case.

RECOMMENDATION- Grant planning permission with the following conditions:

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

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

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

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

None.

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

2. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings: 002 (Proposed Floor Plans and Elevations) dated 21/11/2023. 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.

3. Where any repair/replacement is required on the pantile roof, the roof tiles to be used shall match the existing pantiles exactly in terms of size, shape and colour unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and the character and appearance of the site and the Gainsborough Conservation Area. To preserve the fabric and appearance of the host listed building and setting of the nearby listed buildings to accord with the National Planning Policy Framework and local policies S53 and S57 of the Central Lincolnshire Local Plan and NPP6, NPP7 and NPP18 of the Gainsborough Neighbourhood Plan and Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4. All new external and internal works and finishes and works of making good to the retained fabric, shall match the existing original work adjacent in respect of methods, detailed execution and finished appearance unless otherwise approved in writing by the Local Planning Authority.

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

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

None.

Notes to the Applicant

Listed Building Consent 147359

See conditions on the decision notice for Listed Building Consent 147359 also.

Highways

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

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