

## OFFICERS REPORT

**PLANNING APPLICATION NO:** WL/2024/00585

**PROPOSAL:** Planning application for the demolition of the remaining Baltic Mill wall.

**LOCATION:** BALTIC MILL LAND  
BRIDGE STREET  
GAINSBOROUGH  
DN21 1LP

**WARD:** GAINSBOROUGH SOUTH WEST

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

**APPLICANT NAME:** West Lindsey District Council

**TARGET DECISION DATE:** 24/09/2024

**CASE OFFICER:** Danielle Peck

**Recommended Decision:** Grant planning permission with conditions

The application is presented to the planning committee for determination in line within the Councils constitution as West Lindsey District Council is the applicant.

The application is recommended for approval subject to the conditions at the end of this report. If the Planning Committee resolve to approve the application it is recommended to delegate back to officers to issue a decision once the re consultation period has expired on changes to the site location/ red line ownership plan.

**Site Description:** The application site comprises of an area of currently vacant land on the western side of Bridge Street within Gainsborough. Historically the site was occupied by Baltic Mill which was used as an oil mill, processing linseed imported from overseas, it is believed to have been built around 1830. The demolition of the building was carried out in 1995, leaving the south flank wall in place and the site has been vacant since. The site is adjoined by retail uses to the south, north and east with the Riverside Walk located to the west.

The site lies within the Gainsborough Riverside Conservation Area and is also within close proximity to a number of Grade II Listed Buildings, namely;

- No. 18 Bridge Street- c. 20m to the south;
- No. 18 Silver Street- c. 60m to the north;
- No. 27 Silver Street- c 55m to the north east.

The site is within Flood Zone 3 as defined by the Environment Agency's flood risk map for planning. It is also within a Sand and Minerals Safeguarding Area.

**The Proposal:** Planning permission is sought for the demolition of the remaining old Baltic Mill south flank wall, as shown on the photograph below. The wall is approximately 7.5m in height and 23.1m in length.



### 1. Relevant Planning History

Reference	Proposal	Decision
147536	Planning application for change of use of vacant Baltic Mill site into a landscaped area.	Granted time limit plus conditions 28/03/2024
WL/2024/00562	Request for confirmation of compliance with condition 7(artwork location) of planning permission 147536 granted 28 March 2024	Condition discharged 07/08/2024
124760	Planning application to change the use of a wasteland site to use as a pay and display car park for a temporary, 5 year period	Granted time limit plus conditions 29/09/2009

**Representations (In Summary)- Full versions of the comments received can be viewed using the following link: [West-Lindsey | Public Portal \(statmap.co.uk\)](https://www.statmap.co.uk)**

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

**Gainsborough Town Council:** No representations received to date.

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

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

Comments: Should it be deemed that the adjacent public footway on Bridge Street will be affected by the demolition works then please contact Lincolnshire County Council to arrange a temporary closure to protect pedestrians. Recommends an informative.

**Environment Agency:** No representations received to date.

**LCC Archaeology:** No archaeological input is required for the above application.

**Historic England:** No representations received to date.

**WLDC Conservation Officer:** The proposal is to remove the freestanding brick wall from the previously demolished building. The site is within the CA and in the setting of LBs. The removal of the brick wall would not alter the setting as it would leave the exposed brick wall of the neighbouring property. This would have a neutral impact. I have no objections to this application subject to the following condition:

1) Upon the demolition of the free standing wall, the exposed brickwork shall be assessed and a methodology providing repairs for making good with a time line for the works to be completed shall be submitted to and approved in writing by the Local Planning Authority.

**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), the Lincolnshire Minerals and Waste Local Plan (adopted June 2016) and Gainsborough Town Neighbourhood Plan

**Development Plan:**

- **Central Lincolnshire Local Plan 2023**

Relevant policies of the CLLP include:

Policy S1: The Spatial Strategy and Settlement Hierarchy

Policy S11: Embodied Carbon

Policy S21: Flood Risk and Water Resources

Policy S47: Accessibility and Transport

Policy S53: Design and Amenity

Policy S56: Development on Land Affected by Contamination

Policy S57: The Historic Environment

Policy S58: Protecting Lincoln, Gainsborough and Sleaford's Setting and Character

Policy S60: Protecting Biodiversity and Geodiversity

Policy S61: Biodiversity Opportunity and Delivering Measurable Net Gains

Policy NS73: Gainsborough Riverside Regeneration Area

[Homepage | Central Lincolnshire Local Plan \(n-kesteven.gov.uk\)](https://www.n-kesteven.gov.uk)

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

Relevant policies of the NP include:

NPP 1 Sustainable Development

NPP 2 Protecting the Natural Environment and Enhancing Biodiversity

NPP 6 Ensuring High Quality Design

NPP 7 Ensuring High Quality Design in each Character Area

NPP 12 Western part of CL 4687, Baltic Mill, Area A on Map 21

NPP 18 Protecting and Enhancing Heritage Assets Gainsborough Heritage and Character Assessment dated 28th February 2018

Character Area TCA 06: Gainsborough Town Centre

[Gainsborough Town Neighbourhood Plan | West Lindsey District Council \(west-lindsey.gov.uk\)](https://www.west-lindsey.gov.uk)

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

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

### **National policy & guidance (Material Consideration)**

- National Planning Policy Framework (NPPF)

[National Planning Policy Framework \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk)

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).

- **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 Model Code (2021)**  
<https://www.gov.uk/government/publications/national-model-design-code>

#### Other

- Statutory Duties contained within Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990- The 'Act'.

#### [Planning \(Listed Buildings and Conservation Areas\) Act 1990 \(legislation.gov.uk\)](#)

- Gainsborough Town Centre Conservation Appraisal  
[https://www.west-lindsey.gov.uk/sites/default/files/2022-02/Gainsborough%20Town%20Centre%20CA%20Appraisal\\_0.pdf](https://www.west-lindsey.gov.uk/sites/default/files/2022-02/Gainsborough%20Town%20Centre%20CA%20Appraisal_0.pdf)

- Gainsborough Town Centre Heritage Masterplan  
<https://www.west-lindsey.gov.uk/sites/default/files/2022-02/Gainsborough%20Town%20Centre%20Heritage%20Masterplan.pdf>

#### **Main Considerations:**

- Principle of Development;  
*Policy S11 Assessment  
Flood Risk.*
- Visual Amenity including the Historic Environment:
- Highway Safety;
- Demolition Safety;
- Residential Amenity.

#### **Assessment:**

##### Principle of Development

Policy S1 of the Central Lincolnshire Local Plan designates Gainsborough as a Main Town (Tier 2). The Policy 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.”*

The site is located within the designated Gainsborough Riverside Regeneration Zone (ROA6) as defined on the CLLP Policies Map. The site-specific policy, NS73 of the CLLP states that;

*'Development proposals within the Gainsborough Riverside Regeneration Area, shown on the Policies Map as ROA6, will be supported in principle. This in principle support will apply to existing uses and a range of uses which are appropriate in this location including office, leisure, or residential uses. Proposals should not undermine the achievement of the ambitions for this regeneration area, as set out in a)-g) below. Proposals will be viewed particularly favourably where they:*

- a) Protect, enhance or restore the historic identity of the town;*
- b) Strengthen the connection between the river and the town;*
- c) Make the most of the riverside location enhancing;*
- d) Deliver innovative design or design excellence which provides visual interest;*
- e) Contribute positively to the Conservation Area;*
- f) Expand leisure opportunities related to the riverside; and/or*
- g) Enhance public spaces and green infrastructure.'*

Policy 1 of The Gainsborough Neighbourhood Plan states that; *'Development in the Gainsborough Neighbourhood Plan area should be located so that it can make a positive contribution towards the achievement of sustainable development. Development should assist in meeting the economic, social and environmental regeneration of the Town in accordance with CLLP policies and, as appropriate to its scale and nature, subject to complying with a set of criteria'*

Baltic Mill is also noted as an Opportunity Site within the Gainsborough Town Centre Heritage Masterplan.

This application to demolish the wall arises from structural reports that have been carried out at the site following the grant of planning permission for the landscaping scheme (147536). Investigations have shown that the works required for the landscaping scheme could cause the wall to collapse if not removed.

In principle the demolition of the wall is considered to be acceptable, the main consideration in this application is the impact upon the surrounding heritage assets.

#### *Policy S11- Presumption against Demolition*

Policy S11 of the CLLP states that; Proposals that result in the demolition of a building (in whole or a significant part) should be accompanied by a full justification for the demolition.

The policy requires submissions for demolition to satisfy one of the following criteria;

- 1. the building proposed for demolition is in a state of such disrepair that it is not practical or viable to be repaired, refurbished, re-used, or re-purposed; or***
- 2. repairing, refurbishing, re-using, or re-purposing the building would likely result in similar or higher newly generated embodied carbon than if the building is demolished and a new building is constructed; or*
- 3. repairing, refurbishing, re-using, or re-purposing the building would create a building with such poor thermal efficiency that on a whole life cycle basis (i.e. embodied carbon*

and in-use carbon emissions) would mean a lower net carbon solution would arise from demolition and re-build; or

4. demolition of the building and construction of a new building would, on an exceptional basis, deliver other significant public benefits that outweigh the carbon savings which would arise from the building being repaired, refurbished, re-used, or re-purposed

The application has been accompanied with justification for the demolition of the wall and states the following;

*"The main area of concern for the flank wall is at the western end adjacent to the projecting wall stub. Here, there is cracking to the upper section of wall and a large crack that extends across the intermediate concrete floor. There is no evidence that these cracks have occurred recently or that there is relative movement occurring across the cracks, although no specific monitoring has been undertaken. It is possible that demolition of the Baltic Mill structure and removal of the cellar arches and infilling could have led to ground movements and the cracking exhibited in the flank wall.*

*As part of the site works to create a new green space the site will be excavated to allow for a build up of soils for planting. There is a potential that the excavations may impact the stability of the wall and increase the likelihood of collapse."*

The impact of leaving the wall as it is would cause serious safety concerns in delivering the previously approved public landscaping scheme. Alternatives to the demolition of the wall have also been explored, however there were concerns with the visual impact propping would have (discussed in the following section of this report). To conclude the demolition would meet point 1 of Policy S11.

### *Flood Risk*

The site lies within flood zone 3. The proposed works would not cause any additional flood risk and would not increase in vulnerability. The removal of the wall would not increase the risk of flooding in the area and would not put the occupants of adjoining properties at additional risk from flood water. The proposal would accord with S21 of the CLLP and the provisions of the NPPF.

### Visual Amenity including the Historic Environment

The application site lies within the Gainsborough Riverside Conservation Area as well as being within close proximity to a number of Grade II Listed Buildings, namely;

- No. 18 Bridge Street- c. 20m to the south;
- No. 18 Silver Street- c. 60m to the north;
- No. 27 Silver Street- c 55m to the north east.

The Statutory Duties contained within Sections 66 and 72 the 'Act' place a legislative requirement on the Local Planning Authority to pay 'special regard' to the desirability of preserving the setting of listed buildings. With regard to conservation areas, Section 72 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. This is also reflected within Policy S57 of the CLLP.

Criteria d and e of Policy NS73 state that redevelopment projects within this area will be viewed favourable where they;

- 'd) Deliver innovative design or design excellence which provides visual interest;*
- e) Contribute positively to the Conservation Area;'*

Criteria a) of Policy NPP 12 of the Gainsborough Town NP states that development proposals should incorporate: *'A design that reflects the prominence of the location along the Riverside and within the Riverside Conservation Area and linkages with the nearby historic core of the Town when viewed from Silver Street;'*

The site is within the Gainsborough Town Centre character area (TCA 06) of the Gainsborough Heritage and Character Assessment. Page 65 lists the *"historic industrial character of the Riverside Conservation Area"* as a key characteristic of the character area. Page 75 states that *"the significance of the area as an industrial inland port town has led to the desire to preserve this declining element of the town's character and architectural and historic interest and its designation as a conservation area"*.

The existing remaining flank wall of Baltic Mill, measuring c. 23.1m in length with a height of c. 7.5m is not considered to be of any historic merit nor does it positively contribute to the street scene or the Gainsborough Riverside Conservation Area.

Alternatives to demolition have been investigated by the Applicant and discussed with the Councils Conservation Officer prior to submission. However the amount of steel structural propping that would be required to make the wall stable through the landscaping works is unlikely to preserve or enhance the character of the Conservation Area or the setting of the nearby listed buildings.

The Councils Conservation Officer has no objections to the proposals subject to a condition to ensure the wall behind is repointed and repaired appropriately where necessary, the amount of repair work will not be known until the wall is removed. It is considered that there would be a neutral impact upon the street scene through the removal of the wall.

Overall, the proposal, subject to a condition, would preserve the Riverside Conservation Area and the setting of the nearby Listed Buildings, in accordance with the Statutory duties and the policies within the Development Plan.

### Highway Safety

Policy S47 of the Central Lincolnshire Local Plan 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.*

The proposals have been reviewed by the Highways Authority who have confirmed they have no objections to the proposals. The site is enclosed by high fencing, it is not considered that the proposal, due to its nature, would impact upon highway safety. Pedestrian safety through the demolition process is discussed further in the following demolition section of this report.



## Demolition Safety

The statement submitted with the application details the proposed demolition methodology. In summary, it states the following;

*The structure will be demolished using hand demolition techniques to ensure structural stability and eliminate the risk of damage.*

*The brickwork will be removed via hand demolition techniques, where operatives using handheld mechanical tools will physically remove the brickwork. The brickwork will be removed into manageable section and will then be released into a designated drop zone allocated by the Site Supervisor. Drop zones are to be fenced off and secured with no access until authorised by Site Supervisor. As works progress the drop zone will move accordingly.*

Appended to the statement (Appendix 1) is a full Method Statement and Risk Assessment by a demolition contractor.

The site is not publicly accessible, the wall is however located adjacent to the footpath along Bridge Street to the east. Within the comments received from the Highways department they have advised that the applicant needs to contact them to organise any potential closure of the Bridge Street footpath, this will be added as a note to the applicant in the event permission is granted.

In the event permission is granted a condition will be added to ensure the works are carried out in accordance with the method statement.

## Residential Amenity

The site is adjoined by commercial premises directly to the south. Due to the nature of the proposals there would be no unacceptable impacts upon residential amenity.

## Biodiversity Net Gain

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 that there was before development.

There are some exemptions to this requirement, one of which is development proposals meeting with the de- minimis exemption (ticked on the application form), the NPPG details this as follows<sup>1</sup>;

- *the development must not impact on any onsite priority habitat; and*
- *if there is an impact on other onsite habitat, that impact must be on less than 25 square metres (e.g. less than a 5m by 5m square) of onsite habitat with a biodiversity value greater than zero and on less than 5 metres of onsite linear habitat (such as a hedgerow)*

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<sup>1</sup> [Biodiversity net gain - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

As the proposal does not impact any onsite priority habitat, it is considered that this proposal meets with the de-minimis definition and is exempt from being subject to the biodiversity net gain condition.

**Conclusion and reason for decision:** The application has been assessed against policies Policy S1: The Spatial Strategy and Settlement Hierarchy, Policy S47: Accessibility and Transport, Policy S48: Walking and Cycling Infrastructure, Policy S53: Design and Amenity, Policy S57: The Historic Environment, Policy S58: Protecting Lincoln, Gainsborough and Sleaford's Setting and Character, Policy S60: Protecting Biodiversity and Geodiversity, Policy S61: Biodiversity Opportunity and Delivering Measurable Net Gains and Policy NS73: Gainsborough Riverside Regeneration Area of the Central Lincolnshire Local Plan, the policies within the Gainsborough Town Neighbourhood Plan and the Statutory duties contained within the 'Act' and Policy M11 of the Core Strategy in the first instance as well as the provisions of the NPPF and guidance contained within the NPPG.

In light of this assessment the proposal would have a neutral impact upon the street scene, Riverside Conservation Area and the setting of nearby Listed Buildings. Matters of safety have been addressed and the repair works to the exposed wall will be secured by condition. The application is recommended for approval subject to the following conditions.

### **RECOMMENDED CONDITIONS:**

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

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

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

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

None.

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

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

- Site Location Plan 1000008345-4-BM-01 Rev 01;
- Demolition of Existing Brickwork Flank Wall- Site Plan 1000008345-4-BM-02 Rev 1;
- Existing and Proposed Elevation- 1000008345-4-BM-03 Rev 0.

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

3. The development hereby permitted shall proceed in accordance with the Method Statement and Risk Assessment produced by GBM Demolition dated July 2024.

**Reason:** In the interests of public safety and to ensure the damage to the walls behind remains minimal through using hand demolition techniques.

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

4. Following the demolition of the southern wall of the former Baltic Mill, the exposed brickwork shall be assessed and a methodology providing repairs for making good, together with a time line for the works to be completed, shall be submitted to and approved in writing by the Local Planning Authority.

**Reason:** In the interests of visual amenity and preserving the setting of nearby listed buildings and Conservation Area in accordance with Policies S53 and S57 of the Central Lincolnshire Local Plan.

**Notes to Applicant**

You are advised to contact Lincolnshire County Council to arrange a temporary closure to protect pedestrians, if the adjacent public footway on Bridge Street will be affected by the demolition works.

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