

Officers Report

Planning Application No: WL/2025/00206

PROPOSAL: Planning application to erect 1no. dwelling including the removal of the remains of existing building

LOCATION:

OLD BLACKSMITHS FORGE
17B BROOK STREET
HEMSWELL
GAINSBOROUGH
DN21 5UJ

WARD: HEMSWELL

WARD MEMBER(S): Cllr P Howitt- Cowan

APPLICANT NAME: Mr A Morris

TARGET DECISION DATE: 24/04/2025

CASE OFFICER: Danielle Peck

The application is referred to the Planning Committee as the Director of Planning, Regeneration and Communities and Development Management Team Manager consider that it is appropriate to do so having had regard to the planning history of the site, and outstanding concerns from third parties in relation to the effect on the character and appearance of the area.

Recommended Decision: Grant planning permission with conditions

Site Description: The application site, as existing, comprises a plot of land on the northern side of Brook Street, on the northern edge of the village of Hemswell. It is a residential environment with dwellings to the east and west. The plot measures c.15m in width by c.47m in length and is currently enclosed by post and rail fencing to the east and north, with high metal sheet security fencing to the south and west.

The eastern boundary is shared with 19 Brook Street, a two storey dwelling. A grass track runs along the western boundary, serving fields to the north. Beyond that is 17A Brook street, a two storey dwelling.

Until recently the plot had been occupied by two single storey buildings. To the front, south west corner of the site is the detached garage previously approved under reference M04/P/0684 in 2004, trenches/ foundations for the rear extension that was also approved under this application have also been dug out. In front of the foundations are the remains of a single-storey former forge building. The application refers to the "substantial collapse of the building between 2020 and 2024" and now only the south/ east wall of the building remain.

The site is located within the Hemswell Conservation Area, a Limestone Minerals Safeguarding Area and it is also within an Area of Great Landscape Value.

Public footpaths run to the north. and east of the site, refs: Hems/13/1 (north), Hems/15/2 (east)

The Proposal: The application seeks full planning permission for the erection of 1no. dwelling. The proposals also include the removal of the remains of the east wall and south east corner of the Blacksmiths Forge building, as shown in the photograph below (Taken March 2025 by Case Officer).

An amended Biodiversity Net Gain Metric and Biodiversity Net Gain Statement and internal elevations from inside the proposed courtyard area have been submitted during the application process on 8th April 2025.



Relevant Planning History

PRE/2024/00073- Pre-application enquiry to erect 1no. dwelling. Advice Given October 2024.

Advice given, in summary- *The principle of a dwelling here is considered likely to accord to the policies within the Development Plan. We are keen to carry on discussions regarding this site and would be happy to give comment on any amended plans in line with the design suggestions within this letter prior to the submission of a formal planning application.*

Subsequent amended plans were sent to the LPA following the issuing of the letter.

141128- Planning application to demolish existing main building and replace with 1no. dwelling including landscaping, ancillary works and installation of solar panels to

existing garage. Refused by Planning Committee on 04/03/2021 and dismissed on appeal (Reference: APP/N2535/W/21/3282132) on 19/05/2022.

Reasons for refusal, in summary:

1. Insufficient evidence has been submitted to the Local Planning Authority in order to justify the loss of the non-designated heritage asset and the impact of this loss on the wider Hemswell Conservation Area, a designated heritage asset.

2. The Old Blacksmith's Forge is considered to make an important contribution to the character and appearance of the Hemswell conservation area. Its loss would amount to substantial harm. By virtue of its scale and appearance the design of the proposed replacement dwelling would fail to preserve or enhance the character and appearance of the Conservation Area.

M04/P/0684- Convert buildings to dwelling and garage. GC 06/08/04

M03/P/0012- Convert Blacksmiths Forge to single dwelling and erect new two storey dwelling. Withdrawn by applicant.

M02/P/0186- Conservation Area Consent to Demolish Buildings (2no. Brick and stone stables adjoining west end of Blacksmiths Forge, 1no. tin Lean to shed adjoining rear or Blacksmiths Forge, Brick garage, partial brick enclosure and 3 tin and timber lean to sheds. Formal Conservation Area consent not required 07/08/02.

Representations

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

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

Hemswell Parish Council: While the PC identifies and acknowledges the public concerns and feedback from the residents of Hemswell regarding the aesthetic of the proposed building, it has no material grounds on which to object to Planning Application WL/2025/00206.

Local residents/Third Party Representations:

10 A Weldon Road, Hemswell- Objects- Summarised as follows:

1. The new construction would be totally out of context with the surrounding properties in this conservation area.
2. The planning permission which was granted in 2004 should be adhered to in order to be in keeping with the Village Plan.
3. The proposed flat roof would make a serious visible impact and would not be in keeping with the surrounding buildings as it would be akin to a carbuncle!
4. Any project on this site should conform with materials used in the construction of buildings in this conservation area.

5. If this project was allowed to be built in this form, does it mean that West Lindsey are setting a precedent for any future developments within this conservation area?

17 A Brook Street, Hemswell- Objects- Summarised as follows:

- My wife and I have lived in the village for over 30 years. Over those years we have witnessed the sad demise of this historic building. In 2004 planning permission was granted to convert the forge and add a modest rear extension to create a 3 bed dwelling. Building work started quickly and the shoeing house was rebuilt in it's present form;
- Initially, the new owners expressed their intention to complete the existing permission to "convert the forge". By 2020 the situation had changed and plans were submitted (141128) to demolish the forge and replace it with a completely new 2 story building. This planning application was refused by West Lindsey District Council. The decision was appealed and by May 2022 the Planning Inspector upheld this decision and rejected the appeal. The planning inspector made it clear that the forge building was a non-designated heritage asset;
- Within a few months of the appeal decision being made known, demolition of the forge commenced and only the east gable wall of the building now remains. At the same time footings were dug and concrete poured for the foundations of the rear extension as per the plans of the original extant permission;
- It is important to preserve the character of this part of the Hemswell conservation area. The planning inspector noted (see above) that the forge building has a "subordinate scale and mass" in relation to the former blacksmiths house. Which "helps to illustrate the architectural hierarchy of the former smithy complex". It is this characteristic which I believe is harmed by the scale and massing of the proposed new development. The eaves height of the new building is approx 600mm higher than the original forge building;
- The plans also show that new building will be positioned 1m away from the boundary with the former blacksmiths house. Presumably, a wall or fence will also be built on the boundary. These things will negatively affect the 'narrative' between the former blacksmiths house and the new 'forge' building. I would also like to point out that there are a number of other heritage buildings within the Hemswell conservation area which are built on the boundary with their adjacent property. This is the case at No.17 Brook Street, No.19 the former blacksmiths house and again at No.25 Brook Street.
- Additionally, the two 'flat roofed' rear extensions will create a +3m high wall approx 12m long extending from behind the new 'forge' building, which will dominate the former blacksmiths house. The flat roofs are also an 'alien feature' within the Hemswell conservation area.
- The rear of the property looks out onto an open grass paddock, beyond which is a public footpath. Views from this PROW looking back into the village will be

negatively affected due to the 'out of character' design of the flat roofed rear extensions.

- The Hemswell and Harpswell Neighbourhood Plan supports the development of the forge, but this is not at the expense of the character of this part of the conservation area. The 'Hemswell Village Design Principles' is a supporting document to the Neighbourhood Plan. Its purpose is to provide design guidance to influence new housing development. It says that "architectural style is one of the main features that define character and appearance, as well as reflecting the history of a place". And that "new development should respect and enhance the character of the village with preference given to a more traditional architectural style". It also says that "Hemswell's roofscape consists of double pitched roofs and gable ends predominately two storey structures". Roofs are predominately covered with red interlocking pantiles and constructed in a double pitched manner with gable ends";
- My own preference for the site would be to see the former forge building rebuilt as near as possible to the exact same dimensions and on the same footprint as the original forge.

Grooms Cottage, 2 Bunkers Hill- Comments/Observations- Summarised as follows:

I note from the structural survey carried out by Ward and Cole in 2020 that the original forge was in a precarious state and beyond economic repair. It was also stated from a H&S viewpoint that the building was in a dangerous condition.

I therefore unfortunately understand the reason to remove the original building.

However...regarding the proposed new building in my opinion it is a terrible design. The proposed front elevation does seem to be a little in keeping with the buildings in the area but the back is atrocious.

The western side elevation can only be described as a downsized crematorium it is absolutely not in keeping whatsoever with any of the buildings within the conservation area.

The flat roof is also not in keeping within the area of predominately red clay pan tiled roofs.

In my opinion this proposed building design is not acceptable in this conservation area and planning should not pass this application and plans should be redrawn similar to the 2004 design plans.

LCC Highways and Lead Local Flood Authority: No objections. The proposal is for a single dwelling, and it does not have an unacceptable impact on the Public Highway.

Planning Conditions- No highway related conditions required, footway on the opposite side of the carriageway can serve the dwelling.

LCC Archaeology: The applicant has submitted a thorough Assessment of Significance & Heritage Impact Assessment which paints a detailed picture of the site's post-medieval and modern history.

The West Lindsey District Council Conservation Officer should be consulted on any potential impacts on the Conservation Area and on what remains of the historic forge building (Historic Environment Record reference: MLI126000).

As for potential impacts on below-ground archaeological remains. The site is located in a landscape of archaeological potential, particularly for medieval and post-medieval settlement activity, as well as potential for prehistoric and Roman archaeological remains. The Heritage Impact Assessment illustrates recent groundworks on the site. Any unauthorised works on the site should cease immediately until relevant permission is granted, as these can have an impact on any potentially surviving below-ground archaeological remains.

Despite the works apparently undertaken on the site, we cannot know the depth or state of preservation of any potential archaeological remains and if these have been affected, furthermore, the proposed development would entail more extensive works than those apparently undertaken so far. The groundworks associated with the proposed development will include foundations, drainage and landscaping, and these works are likely to impact any surviving below-ground archaeological remains on the site.

Recommendation: If permission is granted, I recommend that conditions are placed for an archaeological scheme of works. This will ensure that any archaeological remains that could be impacted by the proposed development are recorded prior to their destruction. This recommendation is in line with paragraph 218 of the NPPF and Policy S57 of the CLLP.

WLDC Conservation Officer:

08/04/2025- In response to agents comments and internal elevations being provided- The character of the proposed building is in a similar scale and material to the existing ruined building but with the total loss of all the historic character and distinctiveness of the existing building. These features illustrate a phased development and historic context of the settlement of Hemswell. These are considered minor alterations but provide a large context of centuries of development. This loss would harm the CA by not retaining the architectural details that positively contribute to the character and appearance of the area as described in Policy S57 part N.

This is a finely balanced proposal with clear harm proposed in the total loss of the historic building with a rebuild and modern extension to the rear. To enable a neutral outcome from the harm (Please note, it would not be a positive one) a strong finish in the design including the reintroduction of the lost features must be put forward to preserve the CA. A modern design ignoring the historic features does not preserve the CA and creates a visually modern building with no respect to the historic environment.

03/04/2025- The Heritage Statement (HS) is very detailed and informative, I welcome the high level of information provided in this application.

The former Smithy is located on the north side of Brooke Street within the settlement of Hemswell. The property is located to the north of the Hemswell Conservation Area (CA).

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 former Smithy is identified in the Conservation Area Appraisal (CAA) as an important building within the CA. The building also found within the HER (ML126000) with a good amount of detail on the historic significance and the development of the building. Due to the identification of this building being a locally important building, it is considered to be a Non-Designated Heritage Asset (NDHA) by the Local Planning Authority.

The former Smithy is illustrated through the HS and Her record to be of early 19th century origin. The Hemswell CAA describes this building as being 17th century but there is no evidence provided. I agree with the HS and HER record rather than the CAA for the correct dating of this building as there is clear evidence from the illustrated map regression in the HS. This provides a short period of time for the former Smithy buildings to have been erected – between 1794 and 1824.

Although the date is inaccurate in the CAA, the identification and importance of the former Smithy within the CA is still historically and architecturally significant which offers a positive impact upon the CA.

Unfortunately, the current condition of the site is exceptionally bad due to poor maintenance and repairs leading to the collapse of the remaining historic structure on the site structure. The “conversion” of the other building on site has not been undertaken as detailed in the previous application, rather a full rebuilt has happened leaving the site with much-weakened heritage assets. If this was proposed as an application for demolition and rebuild then it would be considered substantial harm within the NPPF. This illustrates the harm and loss of significance through the loss of the two traditional buildings on the site.

However, as the structure has not been maintained and repaired sufficiently, the building has unfortunately collapsed and is now creating a negative impact upon the CA.

The setting of the former Smithy contains other NDHA's identified in the CAA and modern dwellings. The NDHA's are all located on the northern side of Brooke Street.

Policy S57 of the Central Lincolnshire Local Plan (CLLP,2023) seeks to conserve or enhance conservation areas.

The proposal seeks to rebuild the collapsed building and add a contemporary rear extension to enable a dwelling space.

The original rebuilt area is proposed to be built in the same scale, material, and detail with the same fenestrations on the traditional building. There are two key elevations significant for the character of the CA - the southern and eastern elevations. I would expect these elevations to be in the same character as the existing to preserve the character of the CA. There is some detail changes required: South elevation: Righthand anchor/pattress plate is in the wrong place, the header of the large lefthand window is the wrong detail, the opening alteration below the righthand window is not shown, East elevation: the reveal of the door is not shown.

These changes would retain the architectural details required to meet part n of Policy S57.

The internal elevations are missing. Please can these be added.

The proposed extension to the rear is flat roofed with a contemporary design illustrating a clear modern addition to the older element whilst using traditional materials in character to the CA. This is designed to be lower than the front roofline and reducing visuals of the rear addition. Views of the rear would negatively impact upon the setting of the CA but these are mitigated through the design which will only be visible from certain angles at either side of the property.

By rebuilding the collapsed former Smithy this would enhance the current derelict site which is currently a negative feature from. The extension would be visibly modern with a flat roof and not in character with the surrounding traditional properties, however, this would visibly discern the old from the new. Ensuring the features of the former Smithy are retained would help to preserve the traditional character.

Overall, it would appear that the proposal would preserve the CA having a neutral impact but I would need to view the full elevation details and see the changes made first.

Central Lincolnshire Ecologist:

08/04/2025- No concerns with the amended baseline. BNG and landscaping can be secured by conditions. The applicant is reminded that they will be required to evidence 10% gain across area habitat and hedgerow units prior to commencement as per the statutory General Biodiversity Gain condition which will be present on the decision notice as an informative.

Concerns with the baseline being inaccurate. Maps show that there has been a degradation in the on-site habitats since January 2020. It is recommended that the applicant amends the baseline to accurately reflect the habitat baseline.

Relevant Planning Policies and Legislation:

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

Local Plan (adopted June 2016) and the Hemswell and Harpswell Neighbourhood Plan (Made 2022).

Development Plan

- **Central Lincolnshire Local Plan 2023 –**

Relevant policies of the CLLP include:

- S1 The Spatial Strategy and Settlement Hierarchy
- S4 Housing Development in or Adjacent to Villages
- S6 Design Principles for Efficient Buildings
- S7 Reducing Energy Consumption –Residential Development
- S12 Water Efficiency and Sustainable Water Management
- S20 Resilient and Adaptable Design
- S21 Flood Risk and Water Resources
- S47 Accessibility and Transport
- S49 Parking Provision
- S53 Design and Amenity
- S57 The Historic Environment
- S60 Protecting Biodiversity and Geodiversity
- S61 Biodiversity Opportunity and Delivering Measurable Net Gains
- S62 Area of Outstanding Natural Beauty and Areas of Great Landscape Value
- S66 Trees, Woodland and Hedgerows

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

- **Hemswell and Harpswell Neighbourhood Plan (NP)**

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

Relevant policies of the NP include:

- Policy 3- Windfall Development (in Hemswell only)
- Policy 5: Protecting the Wider Landscape Character and Setting of Neighbourhood Plan Area
- Policy 6: Design Principles
- Policy 7: Protecting Non- Designated Heritage Assets

Hemswell Character Assessment Hemswell Village Design Principles

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

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

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)

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

The most recent iteration of the NPPF was published in December 2024. Paragraph 232 states:

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

National Planning Policy Framework

- National Planning Practice Guidance

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

- National Design Guide (2019)

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

- National Model Design Code (2021)

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

Other:

Conservation Area Statutory Duty

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

[Planning \(Listed Buildings and Conservation Areas\) Act 1990](#)

Hemswell Conservation Area Appraisal- [Hemswell Conservation Area Appraisal.pdf](#)

Draft Local Plan/Neighbourhood Plan (Material Consideration)

NPPF paragraph 49 states that Local planning authorities may give weight to relevant policies in emerging plans according to:

- a. the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*
- b. the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- c. the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).*

- **Draft Minerals and Waste Local Plan (DMWLP)**

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

The Draft Plan has not been adopted as yet but once adopted will cover the period to 2041. The consulted draft plan includes the following relevant policy:

SM15: Safeguarding of Mineral Resources

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

Main Considerations:

- Preliminary Matters
- Principle of Development
- Visual Amenity and the Impact upon the Hemswell Conservation Area
- Archaeology
- Residential Amenity
- Highway Safety, Parking Provision and Access
- Energy Efficiency
- Biodiversity Net Gain, Ecology and Landscaping
- Drainage
- Minerals Safeguarding Area
- Water Efficiency

Assessment:

Preliminary Matters

In 2020, planning permission was sought to demolish the forge building and erect a new dwelling. Permission was refused (04/03/2021), and a subsequent appeal was dismissed for the following reasons (In summary)-

"The proposal would harm the significance of heritage assets. Paragraph 199 of the Framework establishes that when considering the impact of proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. As set out above, I have determined that the public benefits of the proposal are insufficient to outweigh the less than substantial harm that would be caused to the significance of the designated heritage asset."

Since the dismissed appeal, there has been on going, significant deterioration of the former forge building. At the time of writing this report the only now remaining element is the east end wall with part of the south/east corner. The Local Planning Authority had their own structural report carried out on the remaining elements of the building on 15th January 2024 by ECSL which concluded the following:

"3.1 In conclusion, it is recommended that the building is demolished, the materials retained and prepared for re-use and a new building constructed incorporating as much of that material as possible in line with Historic England's guidance on sustainable conservation principals.

There is precedence of this process already occurring within the Hemswell Conservation Area.

Rebuilding The Forge in the original style whilst incorporating the original building materials will be in keeping with the character of the conservation area whilst providing modern, sustainable housing."

The conclusions of the structural report are acknowledged, and the full loss of the building is disappointing. The application now seeks full planning permission for the removal of the remaining south and east corner/ wall of the building and the erection of 1no. dwellinghouse. Nevertheless, the site still holds historical value within the Hemswell Conservation Area given its historic use as a Blacksmiths forge and associated outbuildings.

Principle of the Development

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

Policy S1 of the Central Lincolnshire Local Plan sets out a spatial hierarchy for the central Lincolnshire authorities. The spatial strategy will focus on delivering sustainable growth for Central Lincolnshire that meets the needs for homes and jobs, regenerates places and communities, and supports necessary improvements to facilities, services and infrastructure.

Hemswell is defined as a small village (tier 6) within S1. The policy states that; *Beyond site allocations made in this plan or any applicable neighbourhood plan, development will be limited to that which accords with Policy S4: Housing Development in or Adjacent to Villages or other policies relating to non-residential development in this plan as relevant.*

Policy S4 states that:

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

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

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

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

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

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

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

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

- individual buildings or groups of dispersed buildings which are clearly detached from the continuous built up area of the settlement;*
- gardens, paddocks and other undeveloped land within the curtilage of buildings on the edge of the settlement where land relates more to the surrounding countryside than to the built up area of the settlement;*

The application site is considered to be within the developed footprint of Hemswell being adjoined to the east west and south (beyond the highway) by other residential properties. The proposal would include the demolition of the remaining south/ east corner/wall of the previous forge building and the erection of 1no. dwelling.

It is considered that the principle of a single dwelling in this location would accord with S1 and S4 of the Local Plan.

Policy 3 of the Hemswell and Harpswell NP relates to windfall development proposals within the NP area and prioritises the development of the allocated housing sites identified in the plan. Any schemes proposing additional residential development outside of these allocated sites or propose a net increase in dwellings that exceed the specified capacity for the allocated sites will be judged primarily against CLLP [2017] policies LP2 and LP4: they will need to be in appropriate locations (LP2) and a preference will be given to brownfield sites inside the developed footprint of the settlement (LP4); and b. demonstrate that they have gained demonstrable support from the local community within Hemswell parish.

It should be noted that policy 3 of the Neighbourhood Plan cross-references to policies contained in the previous iteration of the Central Lincolnshire Local Plan that was

adopted in 2017, and superseded in April 2023 by the current adopted version of the Local Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that *“where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise.”*

Section 38 (5) of the Planning and Compulsory Purchase Act 2004 states that; *“If to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan.”*

Paragraph 31 of the National Planning Policy Framework sets out that:

“Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently”

However, policies S1 and S4 are strategic policies within the CLLP and were adopted after the Neighbourhood Plan.

Policies LP2 and LP4 referred to in the NP policies were in the 2017 Local Plan and have been subsequently superseded by policies contained in the most recent development plan which is the CLLP adopted in April 2023. The proposal has been assessed against the most up to date plan and the principle is considered to accord to the relevant principle policies of the CLLP 2023, namely S1 and S4.

Visual Amenity and the Impact upon the Hemswell Conservation Area

Section 72 of the 'Listed Buildings Act' places a legislative requirement on Local Planning Authorities to pay special attention to desirability of preserving or enhancing the character or appearance of a conservation area.

Policy S53 of the Local Plan states that development proposals will; *Contribute positively to the sense of place, reflecting and enhancing existing character and distinctiveness; and reflect or improve on the original architectural style of the local surroundings, or embrace opportunities for innovative design and new technologies which sympathetically complement or contrast with the local architectural style.*

Within Conservation Areas, Policy S57 states the following: *Development within, affecting the setting of, or affecting views into or out of, a Conservation Area should conserve, or where appropriate enhance, features that contribute positively to the area’s special character, appearance and setting, including as identified in any adopted Conservation Area appraisal. Proposals should:*

n) retain buildings/groups of buildings, existing street patterns, historic building lines and ground surfaces and architectural details that contribute to the character and appearance of the area;

- o) where relevant and practical, remove features which have a negative impact on the character and appearance of the Conservation Area;*
- p) retain and reinforce local distinctiveness with reference to height, massing, scale, form, materials and plot widths of the existing built environment;*
- q) assess, and mitigate against, any negative impact the proposal might have on the townscape, roofscape, skyline and landscape; and*
- r) aim to protect trees, or where losses are proposed, demonstrate how such losses are appropriately mitigated against*

There is reference to the previous forge building throughout the Neighbourhood Plan, it has been noted as a 'building of interest' and as a Non- Designated Heritage Asset under Policy 7 of the NP. The policies within the NP also refer to there being support for the re use/conversion of the building, securing its long-term protection.

As discussed in the preliminary matters section of this report, it is acknowledged that the building is beyond repair and retention and it is accepted that the building can no longer be converted. Nevertheless, consideration should be given to the design principles contained within Policy 6 of the NP. The design principles include the following:

development proposals within the Parishes of Hemswell & Harpswell should:

a. recognise and seek to reinforce the distinct local character in relation to the height, scale, spacing, layout and orientation of new buildings;

f. demonstrate within the planning proposals how the development has taken into consideration the Hemswell & Harpswell Character Assessment 2018 and the Hemswell Village Design Principles 2019;

Part 2 of the Policy also details more design principles for residential development in Hemswell only.

The site is within the Brook Street Character Area within the Character Assessment, para 3.45 states that;

Development along Brook Street is arranged in a linear fashion, with development following a broadly similar building line and spaced at relatively regular intervals. In this regard, Brook Street represents one of Hemswell's most uniform and coherent parts of the village. However, the actual aesthetic of those buildings that occupy Brook Street is less consistent, and there is a particularly stark contrast between the northern and southern edge of this street.

The site is also within an Area of Great Landscape Value. Policy S62 states that;

Development proposals within, or within the setting of, AGLV shall:

e) conserve and enhance the qualities, character and distinctiveness of locally important landscapes; and

f) protect, and where possible enhance, specific landscape, wildlife and historic features which contribute to local character and landscape quality; and

*g) maintain landscape quality and minimise adverse visual impacts through high quality building and landscape design; and
h) demonstrate how proposals have responded positively to the landscape character in relation to siting, design, scale and massing and where appropriate have retained or enhanced important views, and natural, historic and cultural features of the landscape; and i) where appropriate, restore positive landscape character and quality.*

The application seeks permission for the removal of the remains of the historic Blacksmiths Forge building and the erection of 1no. dwelling. A detached double garage already exists to the front (south) of the site which was approved in 2004, under application reference M04/P/0684. Foundations are also in place which are in the place of the proposed extension as approved in application M04/P/0684. As detailed within the preliminary matters section of this report, there has been significant deterioration of the building over recent years and it is accepted that conversion is now not possible.

The application has been submitted with an Assessment of Significance and Heritage Impact Assessment by Austin Heritage Consultants. The statement thoroughly details the historical development of the site, which in summary is as follows;

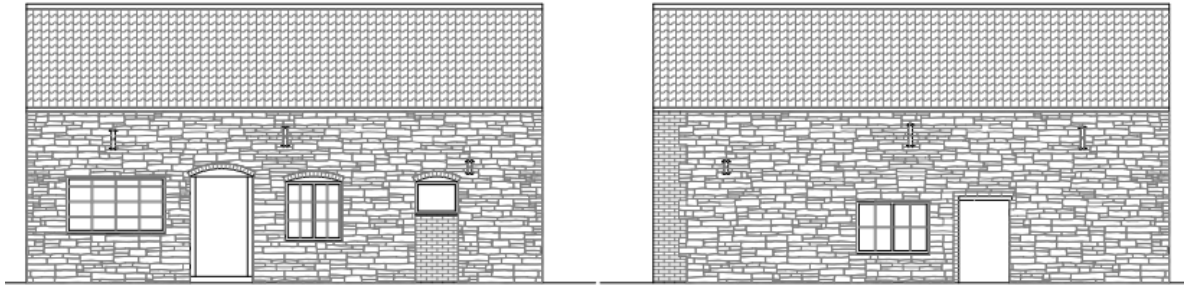
In summary, four main phases of development were noted in historical documents:

- Presumed Early-Mid 19th Century – Original construction post-1794 to pre-1886.*
- 1886-1905 – Additions to north and south sides of the north range forge building.*
- 1948-1978 – Loss of buildings on west side of north and south ranges leaving the forge and its west addition, and the shoe house building standing.*
- c.2004-2006 – Demolition and construction of garage in the location of the former possible shoeing house and loss of wall remnants at west end of north range.*
- 2020-2024 – Loss of all but the east end of the old forge building.*

The research within the statement shows that the original building did have extensions/buildings to its west and north sides. These extensions/buildings were removed (see planning history section of this report).

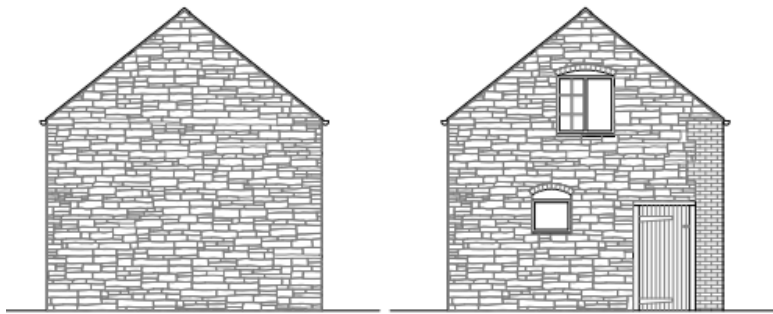
The main frontage (south) of the proposed dwelling seeks to reflect the historic Blacksmiths Forge building which has now been lost. The below plans show the original building in comparison with what is proposed in this application.

Building as Existing as shown in Planning Application 141128:



Existing Barn Front Elevation

Existing Barn Rear Elevation

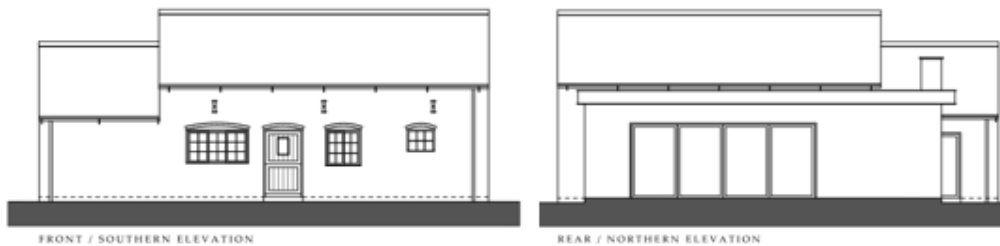


Existing Barn Gable Elevation

Existing Barn Gable 2 Elevation

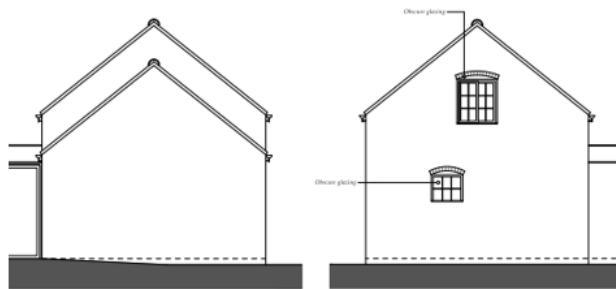
Approximate measurements; *Width 9.7m, depth 4.7m, max eaves height 3.2m and total height of 5.3m.*

Proposed Main Frontage Building Proposed in this application:



FRONT / SOUTHERN ELEVATION

REAR / NORTHERN ELEVATION



SIDE / EASTERN ELEVATION

Approximate measurements; *Width 9.5m, depth 5.5m, max eaves height 3.5m and total height of 6m.*

Negotiations and suggested design changes were discussed with the applicant's agent in pre application discussions, suggested design changes on the submitted plans included;

- *A reduction in the eaves and total height;*
- *Omission of rooflights to the rear roof slope;*
- *Alterations to front windows;*
- *Alterations to the link;*
- *Increase in size of courtyard garden.*

Further plans were submitted for comment during the pre-application and the LPA confirmed they were happy for the agent to proceed to submit a formal application based on the suggested alterations. It should however be noted that pre application advice is not binding nor does it mean that a grant of planning permission is guaranteed, the LPA also still has the right to request further amendments once an application is received.

With the above in mind, and following initial comment from the Conservation Officer (as detailed within the representations section of this report) further minor architectural detailing was requested by the case officer during the formal application process (email sent 04/04/2025), as follows;

- *On the south elevation of the main building please can the header be removed from the left hand window;*
- *On the south elevation of the main building please can the far-right metal anchor/patress be moved slightly downwards - I believe this was shown on the original submitted pre application drawings;*
- *On the south elevation of the main building can the stonework underneath the small right-hand window be slightly recessed to reflect the previously bricked up element;*
- *Next to the ground floor window on the east elevation can the stonework be slightly recessed to show that there was a door here previously.*

The agent for the application responded by email on 08/04/2025 as follows;

We made a lot of changes to the plans prior to submission of the planning application and in relation to the windows and doors you stated that you were happy with these in your email dated 29.11.2024. We were fully under the impression that the plans were acceptable at the time of submission and are therefore surprised to be asked to make further changes. I have discussed your suggested changes with my client, and we both agree that these are unnecessary and go against advice which has been given in the past.

I trust that leaving the plans as they are will not be detrimental to our application given our extensive pre application discussions and the fact that you are only raising these very minor tweaks at a late stage.

The following assessment is therefore based on the originally submitted plans.

The proposals, have been reviewed by the Councils Conservation Officer who, in summary, has stated the following:

The original rebuilt area is proposed to be built in the same scale, material, and detail with the same fenestrations on the traditional building. There are two key elevations significant for the character of the CA - the southern and eastern elevations. I would expect these elevations to be in the same character as the existing to preserve the character of the CA.

The proposed extension to the rear is flat roofed with a contemporary design illustrating a clear modern addition to the older element whilst using traditional materials in character to the CA. This is designed to be lower than the front roofline and reducing visuals of the rear addition. Views of the rear would negatively impact upon the setting of the CA but these are mitigated through the design which will only be visible from certain angles at either side of the property.

By rebuilding the collapsed former Smithy this would enhance the current derelict site which is currently a negative feature from.

Comments on email from agent regarding the requested amendments;

This is a finely balanced proposal with clear harm proposed in the total loss of the historic building with a rebuild and modern extension to the rear. To enable a neutral outcome from the harm (Please note, it would not be a positive one) a strong finish in the design including the reintroduction of the lost features must be put forward to preserve the CA.

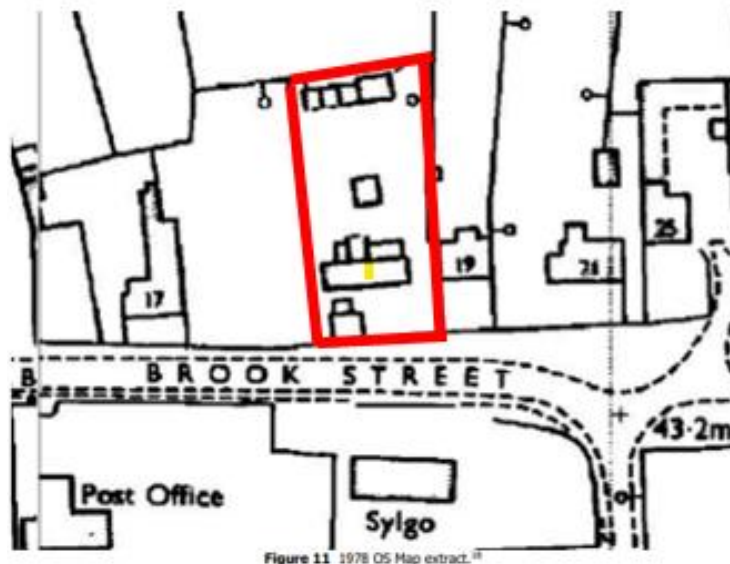
It is acknowledged that there are some differences in the original building and what it is now proposed. Ultimately this is now a new build proposal and as much as it would be preferable to see a replicate of what was here originally, the LPA has to assess what has been submitted for consideration.

The proposals do broadly reflect what was here historically, in terms of the front range. The south elevation of the new dwelling would broadly reflect the fenestration of the south elevation as it existed in 2020 (prior to deterioration), including pargetting/tie plate details and an interpretation of three windows and one door in a similar arrangement. The east wall would be set back slightly further to the west, away from the boundary line. The roof would be gabled and clad in traditional pantile as was existing and a step down at the western end as it did originally for the western part of the building.

The main frontage of the building is set back into the site, to the north east of the detached garage. It would have a slightly lower overall height (6m) than neighbouring true two storey dwellings. It would be constructed from stone and pantiles. It is considered that its design, massing and proposed use of materials would preserve the setting of the Conservation Area.

As well as the frontage element, to the rear of the site, extending north, there would be a single storey element with a link from the main building. There is historic precedence of built form to the rear of the Forge building. The original building did

have rear off shoots and outbuildings as detailed within the assessment of significance- as shown on the image below.



The proposed link is more contemporary in its appearance, it is narrow in comparison to the elements that it adjoins to at the north and south and it would be fully glazed to its western side. The link then leads to a living kitchen area where the built form widens. The comments from nearby residents in relation to the design of this rear element are noted, main concerns cite that it is not appropriate for the Conservation Area nor is the flat roof appropriate.

This part of the site is not readily prominent within the main street scene, it is also considered that due to the step down in the gabled roof form of the front building much of the single storey element would be concealed from public view. This element is flat roofed in its design with a glazed link from the main frontage and the proposed facing material is stone. The link gives a clear delineation between the main front building and the rear protrusion. It is acknowledged that views would not be fully concealed, and some views may still be seen however the views are not considered to be harmful due to its siting, overall height and proposed materials.

There is a Public Right of Way beyond the north boundary of the site (approx. 180m away) ref; Hems/13/1 and another PROW located to the east ref: Hems/15/2. Some views of this flat roof element would be seen at various points along the PROW' s, however these are not considered to be detrimental to the character of the Area of Great Landscape Value or the Conservation Area where the rear of other more modern dwellings and their associated outbuildings are also visible.

Proposed materials to be used in the development would mainly consist of the salvaged stone from the original building, these materials have been retained on site for use in the new dwelling. It is likely that more stone will be required for the new dwelling, in the event permission is granted it is recommended that a condition would

secure all new materials (to include roof tiles, windows, doors and glazing to be approved by the Local Planning Authority prior to their installation.

In terms of proposed boundary treatments, the submitted application form states that there will be new timber post and rail/ picket fencing to all boundaries, as shown on the site plan. This is an acceptable treatment within a conservation area and would be an improvement to the large metal fencing that currently surrounds the site.

Due to the sensitivity of the site, it is considered necessary to restrict permitted development rights for any new extensions, alterations to the roof and for any new outbuildings within the curtilage of the dwelling. This would enable the Local Planning Authority to first assess any new additions to ensure the setting of the Hemswell Conservation Area would be preserved/enhanced.

In conclusion, the loss of the previous historic building is considered detrimental to the character of the CA, and the proposals now show a new build property with some reflection of what was here previously in terms of overall form and design. Whilst there might be some architectural elements that would have further improved the look of the building, the applicant has been unwilling to make these changes. However, It is not considered reasonable to refuse permission on the basis of not including the further detailing requested.

Overall, the proposals, subject to conditions would accord to the aims of Policies S53, S57 and S62 of the CLLP, the policies within the Neighbourhood Plan and would be deemed to generally preserve the setting of Conservation Area, subject to conditions, in accordance with the Statutory Duty under Section 72 of the 1990 'Act'.

Impact upon Residential Amenity

Point 8, criteria d) of Policy S53 of the CLLP states that the development proposals must:

d) Not result in harm to people's amenity either within the proposed development or neighbouring it through overlooking, overshadowing, loss of light or increase in artificial light or glare;

The application site is adjoined by no. 19 Brook Street to the east, with no. 17 A Brook Street to the west, beyond the intervening field access. The driveway area of no. 19 runs adjacent to the east boundary of the site which leads to a detached single garage. The rear flat roofed element together with the link of the proposed dwelling would be sited approximately 1.5m away from the shared boundary. There are two windows with the eastern gable end of the frontage building located approximately 1m away from the shared boundary, these are labelled as being obscurely glazed, a condition will ensure that this remains the case for lifetime of the development. It is not considered that the dwelling would be unduly dominant for these neighbouring occupiers given the driveway area that it would be situated adjacent to.

There are no other amenity concerns arising from the development in terms of overlooking, there are large separation distances between the proposal and the neighbours to the west and south.

The dwelling itself has an appropriate amount of indoor and outdoor amenity space. The proposal would accord to the aims of Policy S53 of the CLLP.

Archaeology

With regard to Archaeology Policy S57 of the Central Lincolnshire Local Plan states that; *Development affecting archaeological remains, whether known or potential, designated or undesignated, should take every practical and reasonable step to protect and, where possible, enhance their significance. Planning applications for such development should be accompanied by an appropriate and proportionate assessment to understand the potential for and significance of remains, and the impact of development upon them.*

The Historic Environment Officer at Lincolnshire County Council has advised the following:

It is acknowledged that there are existing foundations in place for the extension that was approved under planning application M04/P/0684, it is however anticipated that further ground works will need to be undertaken to implement the proposed plans. It is therefore recommended that a scheme of archaeology works is secured as a pre commencement condition.

Highway Safety, Parking Provision and Access

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

Vehicular access to the site is taken from the south- east off Brook Street, there is an existing dropped kerb in place. It is not anticipated that the proposal would bring a significant increase in traffic movements to and from the site. The highways authority has no objections on highway safety grounds.

Policy S49 and Appendix 2 of the CLLP sets parking standards for new residential developments within the central Lincolnshire districts. It details that for 3 bed dwellings in villages, 3 parking spaces should be included. The proposed site plan shows that at least two cars can be parked within the site, given the size of the garage, this could also be utilised for parking.

Overall, the proposal would not cause any detrimental highway safety issues, and it would provide an adequate amount of off-road parking provision. The proposal accords to the aims of policies S47 and S49 of the CLLP.

Energy Efficiency

Policy S6 of the CLLP states a set of design expectations that should be considered when formulating development proposals. This includes the orientations of buildings, form of buildings, fabric of buildings, heat supply and renewable energy generated.

In addition to this Policy S7 of the CLLP requires that all new residential development proposals must include an Energy Statement which confirms that in addition to the requirements of Policy S6 that all such residential development proposals, *can generate at least the same amount of renewable electricity on-site and to help achieve this point, target achieving a site average space heating demand of around 15-20kWh/m²/yr and a site average total energy demand of 35 kWh/m²/yr, achieved through a ‘fabric first’ approach to construction. No single dwelling unit to have a total energy demand in excess of 60 kWh/m²/yr, irrespective of amount of on-site renewable energy production.*

The application has been accompanied by with an Energy Statement. The statement details that a fabric- first approach to construction has been taken. This approach allows the fabric of the building to help contribute towards a reduction in the dwelling’s energy demand. This is done by reducing the U-Values for the thermal elements, reducing the effects of thermal bridging and effective air tightness together with consideration of other service improvements. Table 1 below details the fabric first approach proposed in this case;

TABLE 1: PROPOSED FABRIC FIRST APPROACH		
Item	Target U-Value	Specification
Walls	0.18 W/m ² K	TBC - 150mm stone outer leaf; 150mm cavity with 150mm Knauf Supafil 34 full fill (0.034 W/mK); 100mm aircrete Blockwork (0.15 W/mK, 600 kg/m ³); 12.5mm plasterboard on mortar dabs
Roof (ceiling)	0.08 W/m ² K	12.5mm plasterboard; 500mm insulation consisting of 100mm Knauf Loft Roll 40 between ceiling joists; 150mm + 150mm Knauf Loft Roll 40 over ceiling joists; ventilated roof void
Ground Floor	0.11 Wm ² K	75mm screed; Vapour control layer; 150mm PIR Insulation (0.022 W/mK); DPM; Beam & block Floor
Windows & Glazed doors	1.30 W/m ² K	Double glazed ‘g’ value = 0.66
Front door	1.30 W/ m ² K	
Air test	3.00 m ³ /hr/m ²	

Table 2 shows the comparison between the proposed dwelling and the Policy S7 targets.

TABLE 2: U VALUE COMPARISON		
Item	Standard	Policy Target
	W/m ² .K	W/m ² .K
Walls (cavity)	0.18	0.13
Roof (Ceiling)	0.08	0.1
Ground Floor	0.11	0.1
Windows	1.3	0.8
Front Door	1.3	0.8
Air test (m ³ /hr/m ²)	3	1

The statement also details that an Air Source Heat Pump is to be installed which will help to provide space heating and hot water. The use of solar panels has not been encouraged as an option for renewable energy in this case. The use of solar panels

on the front roof slope of the old Forge building has been previously discussed in the appeal decision, stating the following:

“16. Furthermore, the rooflights in the street-facing pitch of the new house, and the addition of solar panels to the street-facing roof pitch of the garage would intensify modernity within the street scene.”

Clause 1 of Policy S7 (technical or policy reasons), states the following: *Where, on an exceptional basis, points 1-2 cannot be met for technical (e.g. overshadowing) or other policy reasons (e.g. heritage), then the Energy Statement must demonstrate both why they cannot be met, and the degree to which each of points 1-2 are proposed to be met. A lack of financial viability will not be deemed either a technical or policy reason to trigger this exceptional basis clause.*

Whilst the application now proposes a new dwelling, the use of solar panels on the south roof slope would not contribute positively to the Conservation Area. It is however clear that steps have been taken in a fabric first approach to development to broadly accord with the aims of Policies S6 and S7. It is considered that due to the history of the site, taking into account the appeal decision together with its sensitive siting within the Conservation Area the exceptional clause 1 has been met in this case.

Biodiversity Net Gain (BNG), Ecology and Landscaping

In England, BNG is now mandatory under Section 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%. Development will result in a better-quality natural habitat than there was before development. The 10% gain is reinforced by Policies S60 and S61 of the CLLP.

The application has been submitted with the Natural England's small sites biodiversity metric and a Biodiversity Net Gain Statement.

The baseline has been amended throughout the application process to include the degradation of the site from January 2020. The Local Planning Authority is now satisfied with the biodiversity baseline of the site as shown in the amended metric received on the 08/04/2025.

The metric details that the existing site has a baseline of 0.39 units for habitats and 0.07 units for hedgerows, which results in a -90% and -100% loss respectively.

It is recognised that the 10% on site gain is more difficult to achieve for minor development proposals, given that tree and hedge planting within private gardens cannot be counted toward the 10% gain as it is not possible to secure its maintenance for the period of 30 years. The red line of the application site is drawn so tight to the site boundary and associated private garden area that there is no opportunity for an on-site gain. Therefore, following the hierarchy, the developer will need to purchase off site units to provide the 10% Gain.

The application would be subject to the Biodiversity Net Gain condition in law. This is a pre commencement condition that would need to be discharged prior to any development on site, evidence of the buying of credits/ units will need to be provided.

Ecology

This application has not been submitted with a Preliminary Ecological Assessment (PEA). Given the poor state that the site is in and now that there is now no building to convert there are no anticipated concerns in relation to protected species and a PEA has not been requested by the case officer.

Landscaping

The proposals include some planting within the rear garden area of the site which would help contribute to the biodiversity of the site. A landscaping condition will ensure that a detailed scheme is submitted for approval.

Drainage

Policy S21 of the Central Lincolnshire Local Plan states that development proposals adequate mains foul water treatment and disposal already exists or can be provided in time to serve the development, and that proposed surface water disposal should follow the surface water hierarchy.

The application site is located within Flood Zone 1 and is not at risk of surface water flooding as shown on the Environment Agency's flood risk maps. The site is therefore within a sequentially preferable location for development.

It is evident, after visiting the site that there is some standing water within the foundations that have been dug out. This is likely due to there being currently no system for the disposal of surface water in place. The application proposes soakaways. No percolation test details have been provided as part of the application and a full drainage scheme will be secured via condition. Proposed foul drainage is detailed as connecting to the mains system which is the sequentially preferable option. The proposal would accord to the aims of Policy S21, subject to conditions.

Minerals Safeguarding Area

The application site is located within a Limestone Minerals Safeguarding Area and therefore Policy M11 of the Minerals and Waste local plan applies. In this case, the site is within a residential area which is unlikely to be used for any mineral extraction due to potential noise and blast vibration. It is not considered that the proposal would sterilise mineral resource within the area.

Water Efficiency

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

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

A condition should be added to the permission to ensure that the dwelling has a rainwater harvesting water butt.

Conclusion and Planning Balance: The application has been assessed against S1 The Spatial Strategy and Settlement Hierarchy, S4 Housing Development in or Adjacent to Villages, S6 Design Principles for Efficient Buildings, S7 Reducing Energy Consumption –Residential Development, Policy S12 Water Efficiency and Sustainable Water Management, S20 Resilient and Adaptable Design, S21 Flood Risk and Water Resources, S47 Accessibility and Transport, S49 Parking Provision, S53 Design and Amenity, S57 The Historic Environment, S60 Protecting Biodiversity and Geodiversity, S61 Biodiversity Opportunity and Delivering Measurable Net Gains, S62 Area of Outstanding Natural Beauty and Areas of Great Landscape Value and S66 Trees, Woodland and Hedgerows of the Central Lincolnshire Local Plan and Policy 3- Windfall Development (in Hemswell only), Policy 5: Protecting the Wider Landscape Character and Setting of Neighbourhood Plan Area, Policy 6: Design Principles, Policy 7: Protecting Non- Designated Heritage Assets of the Hemswell and Harpswell Neighbourhood Plan, the Statutory Duty Under Section 72 of the ‘Act’ and Policy M11 in the first instance. Consideration has also been given to the NPPF and guidance within the NPPG.

In light of this assessment, it is acknowledged that the total loss of the historic Forge building is detrimental to the conservation area. The site is located within the developed footprint and is appropriate for development. The proposal would preserve the Hemswell Conservation Area, subject to conditions securing that appropriate materials are used. No harm has been found in relation to highway, safety, residential amenity and drainage, subject to conditions. It is recommended that permission is granted with the following recommended conditions.

Decision Level: Committee

RECOMMENDATION: Grant planning permission subject to the following conditions.

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

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

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

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

2. No further ground works shall take place until a written scheme of archaeological investigation has been submitted to and approved in writing by the local planning authority. This scheme shall include the following:

1. An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements).
2. A methodology and timetable of site investigation and recording.
3. Provision for site analysis.
4. Provision for publication and dissemination of analysis and records.
5. Provision for archive deposition.
6. Nomination of a competent person/organisation to undertake the work.
7. The scheme to be in accordance with the Lincolnshire Archaeological Handbook.

Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation and in accordance with the National Planning Policy Framework and policy S57 of the Central Lincolnshire Local Plan.

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

3. The archaeological site work shall be undertaken only in full accordance with the written scheme required by condition 2.

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

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

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

5. The Biodiversity Gain Plan shall be prepared in accordance with the Statutory Biodiversity Metric dated 4th April 2025 and prepared by Ryan Clark.

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

6. 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 66624-101 dated 03/02/2025

Proposed Site Plan 66624-104 dated 03/02/2025
Proposed Floor Plans 66624-102 dated 03/02/2025
Proposed Elevations 66624-103 dated 03/02/2025
Proposed Elevations 66624-103_Rev A dated 10/04/2025

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

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

7. No development, other than the removal of the remaining east and southeast wall/gable end, shall take place until details of the external materials listed below have been submitted to, inspected on site and agreed in writing by the Local Planning Authority. This shall include:

- a. A scheme for the retention and reuse of stone within the former building along with details of any new stone;
- b. Specifications of all roofing materials, including tiles and flat roof covering type;
- c. Specifications of all new rainwater goods and downpipes including colour;
- d. brick to be used in window headers;
- e. Specifications of all new frames and glazing to be used in the link and rear single storey element.

Only the approved materials shall be used in the development.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and to protect the character and appearance of the Conservation Area to accord with the National Planning Policy Framework and Local Policies S53 and S57 of the Central Lincolnshire Local Plan and Policy 6 of the NP.

8. No development, other than the removal of the remaining east and southeast wall/gable end, until a 1m square sample panel of the proposed stonework, showing the coursing of the stone, colour, style and texture of the mortar have been provided on site for the inspection and approval in writing by the Local Planning Authority (the sample shall be retained on site, for reference until the new development is completed). The development shall thereafter be constructed in accordance with the approved sample panel.

Reason: To ensure the use of appropriate materials to safeguard the character and appearance of the locality and the Conservation Area in accordance with the NPPF and Local Policies S53 and S57 of the Central Lincolnshire Local Plan and Policy 6 of the NP.

9. Prior to the installation of any windows and doors joinery details to a scale of not less than 1:20 shall be submitted to and approved in writing by the Local Planning Authority. The drawings shall include the method of opening, glazing bar details, cills and headers and finish and colour. The development shall only proceed in accordance with the approved drawings.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and to protect the character and appearance of the Conservation Area to accord with the National Planning Policy Framework and Local Policies S53 and S57 of the Central Lincolnshire Local Plan and Policy 6 of the NP.

10. No development, other than the removal of the remaining east and southeast wall/gable end, shall take place until a scheme for the disposal of foul and surface waters (including the results of soakaway/percolation tests) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Reason: To ensure adequate drainage facilities are provided to serve the development in accordance with Policy S21 of the Central Lincolnshire Local Plan.

11. No occupation of the dwelling shall take place until a scheme of ecological enhancements including the provision of Bat and Bird boxes within the site, have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of nature conservation and to enhance the biodiversity of the site in accordance with Policy S60 CLLP and the NPPF.

12. The development hereby permitted shall be carried out in full accordance with the details set out in the submitted Energy Statement (contained within the Design and Access Statement) received on 03/02/2025 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development takes place in accordance with the approved details and in accordance with the provisions of policies S6 and S7 of the Central Lincolnshire Local Plan (2023).

13. Prior to occupation of the approved dwelling evidence must be submitted to the local planning authority that a rainwater harvesting butt of a minimum 100 litres has been installed.

Reason: In the interests of sustainable water management in accordance with policy S12 of the Central Lincolnshire Local Plan

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

14. The ground and first floor windows on the eastern gable end of the dwelling shall be obscurely glazed and shall be retained for the lifetime of the development.

Reason: In the interests of protecting neighbouring amenity in accordance with Policy S53 of the CLLP and the NPPF.

15. Notwithstanding the provisions of Class A, AA, B, C, D and E of Schedule 2 Part 1 and Class A of Schedule 2 Part 14 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking

and re-enacting that Order), following the commencement of the development hereby permitted, there shall be no further alterations, additions or enlargement to the dwelling, or additional buildings within its curtilage, or solar panels unless planning permission has first been granted by the local planning authority.

Reason: To safeguard the residential amenity of adjoining dwellings and to safeguard the character and appearance of the Hemswell Conservation Area, in accordance with the National Planning Policy Framework and Policies S53, S57 and S62 of the Central Lincolnshire Local Plan and Policies 5 and 6 of the Neighbourhood Plan.

16. Prior to the first occupation of the development, a detailed scheme of landscaping including the size, species and position or density of all trees and hedges, shrubs to be planted, shall be submitted to and approved in writing by the Local Planning Authority. All planting comprised in the approved details of landscaping shall at the latest be carried out in the first planting season following the occupation of the dwelling. Any landscaping which within a period of 5 years from the completion of the development dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the visual impact of the development on the area is minimised and in the interests of providing biodiversity enhancements in accordance with the requirements of Policy S53 and Policy S60 of the Central Lincolnshire Local Plan.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and reenacting that Order with or without modification) no domestic oil tanks or domestic gas tanks shall be placed within the curtilage of the dwelling hereby approved. Without express planning permission from the Local Planning Authority.

Reason: In the interests of energy efficiency to accord with policies S6 and S7 of the Central Lincolnshire Local Plan 2023.

Notes to Applicant

COMMUNITY INFRASTRUCTURE LEVY

Please be aware that as of the 22nd January 2018 West Lindsey District Council implemented a Community Infrastructure Levy and that eligible development granted on or after this date will be subject to this charge. The development subject to this Decision Notice could fall within the definitions held within the adopted charging schedule and as such may be liable to pay the levy. For further information on CIL, processes, calculating the levy and associated forms please visit the Planning Portal www.west-lindsey.gov.uk/cilforms and West Lindsey District Council's own website www.west-lindsey.gov.uk/CIL Please note that CIL liable development cannot commence until all forms and necessary fees have been submitted and paid. Failure to do so will result in surcharges and penalties.

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>

Biodiversity Net Gain

Unless an exception or a transitional arrangement applies¹, the effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition”) that development may not begin unless:

- (a) a Biodiversity Gain Plan² has been submitted to the planning authority, and
- (b) the planning authority has approved the plan. The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan in respect of this permission would be West Lindsey District Council.

Biodiversity Gain Plan

The biodiversity gain plan must include/accompanied by³:

- (a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat.
- (b) the pre-development biodiversity value of the onsite habitat.
- (c) the post-development biodiversity value of the onsite habitat.
- (d) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development.
- (e) any biodiversity credits purchased for the development.
- (f) any information relating to irreplaceable habitat making up onsite habitat
- (g) information about steps taken or to be taken to minimise any adverse effect of the development on, and arrangements for compensation for any impact the development has on the biodiversity of, any irreplaceable habitat⁴ present within the onsite baseline.
- (h) any additional information requirements stipulated by the secretary of state⁵.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission (“the earlier Biodiversity Gain Plan”) there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i. do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii. in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

¹ listed exemptions from Statutory BNG and transitional arrangements can be found at [Biodiversity net gain: exempt developments - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/biodiversity-net-gain-exempt-developments).

The LPA advises that all perceived exempt applications complete a Statutory Metric Baseline Assessment prior to commencement. Should the relevant exemption cease to apply following commencement, a higher value precautionary assessment will be required if an appropriate pre-commencement baseline was not conducted.

² The Statutory Biodiversity Gain Plan template can be found at <https://www.gov.uk/government/publications/biodiversity-gain-plan>

³ Minimum legal requirements for the Biodiversity Gain plan can be found at [https://www.legislation.gov.uk/ukpga/2021/30/schedule/14#:~:text=paragraph%2015\).-,Biodiversity%20gain%20plan,-14](https://www.legislation.gov.uk/ukpga/2021/30/schedule/14#:~:text=paragraph%2015).-,Biodiversity%20gain%20plan,-14)

⁴ Irreplaceable habitats for the purposes of Biodiversity Net Gain are defined by Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024. A full list of irreplaceable habitats can be found at <https://www.legislation.gov.uk/uksi/2024/48/schedule/made>

⁵ Additional information required is outlined by Articles 37C(2) [Non Phased] 37C(4) [Phased] of The Town and Country Planning (Development management Procedure) (England) Order 2015 and may be subject to the nature of your application <https://www.legislation.gov.uk/uksi/2015/595#:~:text=Additional%20content%20of%20plan>

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