

# Officers Report

## Planning Application No: WL/2025/01067

**PROPOSAL:** Planning application for the creation of 8no. apartments, various façade works, and the renovation of the existing commercial unit.

**LOCATION:**

SHIP COURT  
SILVER STREET  
GAINSBOROUGH  
DN21 2DW

**WARD:** GAINSBOROUGH SOUTH WEST

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

**APPLICANT NAME:** Mr R Eadington

**TARGET DECISION DATE:** 22/12/2025 (Extension of time agreed until 30<sup>th</sup> April 2026)

**CASE OFFICER:** Danielle Peck

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

**The application is referred to the Planning Committee for determination in line with the Councils constitution as the proposals would be a departure from Policy S49: Parking Standards of the Central Lincolnshire Local Plan.**

**Site Description:** The application site comprises of a Grade II Listed building known as Ship Court within Gainsborough Town Centre. The building fronts onto Silver Street and then extends west towards Caskgate Street and faces into the Ship Court car park. Most recently the building was used by a law firm, it has now been vacant for some time. The site is adjoined by other commercial units and pubs to all boundaries.

The Historic England Listing Description<sup>1</sup> describes the building as follows;

*“ 2. C18. 3 storeys in brick with new pantile roof. Parapet and moulded cornice. 3 windows, hung sashes with glazing bars, cills on tabs. Ground floor has bowed C19 shop front with fascia and cornice. Segmental carriage archway to right with keystone. Nos 16, 18 and 22 form a group, No 22 being of local interest.”*

**The Proposal:** The application seeks planning permission for the conversion of the existing building into 8no. apartments, set out over three floors. 7no. apartments will

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<sup>1</sup> [18. SILVER STREET, Gainsborough - 1307047 | Historic England](#)

be one bed with 1no. being a two-bedroom apartment (Unit 7). The commercial unit which faces onto Silver Street would remain in commercial use.

Externally works are listed on the proposed plans and are to comprise of the following:

- Re roofing to change the concrete tiles to unweathered clay Pantiles;
- Replacement of bricks in poor condition and making good (re- pointing) areas of external brickwork;
- Existing top hung casement windows to be replaced with timber sliding sash windows and painted in Monarch Red on north elevation;
- Window replacement on west elevation;
- Repair and repainting of windows where in good condition;
- Areas of red paint to be stripped and re painted where in poor condition;
- Re painting of cast iron guttering;
- Reinststate historic doorway with timber 6 panel door (north elevation) and painted in Monarch Red;
- Existing paintwork/ render to be removed as far as practicably possible and brickwork to be repainted in Earles Masonry Paint in Linen Colour.
- Re render of front elevation;
- Minor works to shop front, replacement of single glazing for like for like glazing and replacement and re painting of some timber beading.

Internal works are proposed to facilitate the conversion, the internal works mainly consist of the demolition of existing walling and the installation of new walls and doors to allow for the separation of units. Walls to be re lined using battens spacers off the walls, this will then be boarded and skimmed. Floors are to be retained where possible and will be sanded and varnished. Where floorboards are rotten on the ground floor these are to be replaced using matching boards. Historic features such as cornicing and old fireplaces are to be retained where stated.

This application for planning permission is accompanied by a tandem Listed Building Consent under reference WL/2025/01068.

### **Relevant Planning History**

**WL/2025/01068**- Listed building consent for the creation of 8no. apartments, various façade works, and the renovation of the existing commercial unit. Under consideration in tandem with this application.

No other planning history post 1993.

### **Representations**

**Comments have been summarised, full versions of the representations received can be viewed on the Councils Website using the following link:**  
[West-Lindsey | Public Portal](#)

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

Gainsborough Town Council: Support the application.

Local residents/ Third Party Representations: No representations received to date.

LCC Highways and Lead Local Flood Authority: No objections.

Lincolnshire County Council does not have adopted parking standards and considers each application on its own merits. This proposal has 5 spaces, and whilst it is possible that the development may result in more parking demand than these spaces, there is parking available in the vicinity. The site is also located in a sustainable urban area and future residents would not be reliant on private car. It is therefore not considered that this proposal would result in an unacceptable impact on highway safety. To enhance the sustainable location and encourage sustainable travel options in the area, it would be beneficial if secure cycle parking was provided within the site.

LCC Archaeology: There are no photographs included with the Heritage Impact Statement to evidence what is expressed in the text of the document. The Heritage Impact Statement should include photographs which are referenced and located in a plan of the building with a particular focus on areas of impact from the proposed development, as well as photographs of the interior generally. There is currently insufficient evidence to provide an informed recommendation regarding the potential impact on any historic fabric of the building.

Historic England: We refer you to the following published advice which you may find helpful in determining the applications. Traditional Windows: Their Care, Repair and Upgrading (Historic England, 2017)

<https://historicengland.org.uk/images-books/publications/traditional-windows-care-repair-upgrading/>

We also suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant. It is not necessary for us to be consulted on these applications again, unless there are material changes to the proposals.

WLDC Conservation Officer:

**19/03/2026-** Having investigate the interior, the only area of significance that is affected by the development is in Unit 7 on the second floor. This retains much of the historic fabric and has disappointingly been damaged in the soft strip of the property. There will also be some requirement of works undertaken to make the walls structurally sound which would have resulted in some harm anyway. This area will require more specified works, but this can be conditioned to enable works to start.

The proposal for a full re-roof is acceptable. The existing clay tiles are repurposed and near to the end of life and the replacement of the concrete tiles for clay tiles is an improvement on the character. The roof works have the detailed materials, and I have no concerns with this section.

The use of lime mortar and repair of the brickwork is supported. This would require a sample for brick replacement and a mortar mix given. The proposal will provide and

optimum viable use for the property which is in an increasingly poor state. The proposal would have an impact on significant historic features as mentioned in the updated Heritage Statement. This will meet Policy S57 but more defined approaches in the areas of Unit 7 and 8 will need to be given.

The heritage statement notes new 14mm double glazed windows to the front elevation. This would not be accepted as these can have the existing retrofitted with a 4mm double glazing for a slimline approach. This can be control through a condition which must meet this requirement.

Recommends conditions.

**16/12/2025-** The Heritage Statement is not sufficient for the internal works. It is vague on the approach and does not directly identify the key features or offer any understanding on them. This needs to be fleshed out with more information. Including the impact of the proposed works in each room and how it will protect the historic and architectural interest. There has been some clear harm to the historic fabric without consent and this needs to be taken into account in the new heritage statement with a strict methodology being proposed to maintain and repair the existing fabric. No historic fabric will be removed due to this damage and repairs or protective measures must be put in place.

#### **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 Gainsborough Neighbourhood Plan made 2021.

#### Development Plan

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

Relevant policies of the CLLP include:

Policy S1: The Spatial Strategy and Settlement Hierarchy

Policy S2: Growth Levels and Distribution

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

S6: Design Principles for Efficient Buildings

Policy S13: Reducing Energy Consumption in Existing Buildings

Policy S20: Resilient and Adaptable Design

Policy S21: Flood Risk and Water Resources

Policy S23: Meeting Accommodation Needs

Policy S35: Network and Hierarchy of Centres

Policy S37: Gainsborough Town Centre and Primary Shopping Area

Policy NS41: City and Town Centre Frontages

Policy S47: Accessibility and Transport

Policy S49: Parking Provision

Policy S53: Design and Amenity

Policy S57: The Historic Environment

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

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

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

Relevant policies of the NP include:

NPP 1 Sustainable Development  
NPP 6 Ensuring High Quality Design  
NPP 7 Ensuring High Quality Design in each Character Area  
NPP 8 A Mix of Housing Types  
NPP 18 Protecting and Enhancing Heritage Assets  
NPP 19 Improving the Vitality of the Town Centre

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

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

The 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).*

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

- National Planning Practice Guidance

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

- National Design Guide (2019)

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

- National Model Design Code (2021)

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

**Other:**

- Section 66 of the Planning (Listed Building & Conservation Areas) act 1990- The 'Act
- Section 72 of the Planning (Listed Building & Conservation Areas) act 1990.
- Gainsborough Town Conservation Area Appraisal

**Main Considerations:**

- Principle of Development;
- Impact on Listed Building, Conservation Area and Setting of Listed Buildings;
- Character and Visual Impact;
- Residential Amenity;
- Energy Efficiency;
- Parking Provision;
- Minerals Safeguarding Area;
- Drainage.

**Assessment:**

Principle of the Development

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

The application seeks planning permission for the conversion of the Ship Court building into 8no. apartments with the retention of the commercial unit at ground floor level where the building fronts onto Silver Street.

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

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

The Gainsborough Town Centre section of Policy S37 of the CLLP states that; *'Development proposals within Gainsborough Town Centre, not in E Use Class will be*

*considered on their merits subject to satisfying the criteria in a)-e) where relevant and providing that they will:*

*f) not result in large gaps between town centre uses in frontages;*

*g) not detract from or otherwise harm or conflict with town centre uses; and*

*h) be compatible with maintaining or enhancing Gainsborough Town Centre as a sub-regional shopping destination.*

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

Point 4 of Policy NPP19 of the GNP states that; *Development proposals for the use of upper floors of commercial premises within the town centre for residential use will be supported where it can be demonstrated that the residential use will not create unacceptable harm to the wider retail offer of the Town Centre.*

CLLP policy S37 and GNP policy NPP19 are consistent with the NPPF which states at paragraph 90(f) that planning policies should *“recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.”*

The site is located within the developed footprint of Gainsborough, being within the defined town centre and is therefore considered an acceptable location for residential development. The residential development element of the proposals is supported by the development plan and the NPPF as this would complement the existing uses ensuring the continued vitality of the town centre. In principle it is considered that the proposal accords to policies S1, S3, S35, S37 and NS41 of the CLLP and policy NPP19 of the NP.

The proposal would result in a loss of office space within the Town Centre, Primary Shopping Area, which would be Class E. This change of use to residential would be a departure from criteria a of Policy S37 as this states that;

*Within the Primary Shopping Area, identified on the Policies Map, proposals for non-retail use on ground floors will only be supported if they: a) are a recognised main town centre use under E Use Class; and*

The apartments are to be in the rear of the building (at ground, first and second floors) which extends into the Ship Court car park. Nevertheless, the application would retain the ground commercial unit which faces onto Silver Street, the main thoroughfare in Gainsborough Town Centre. The proposal will maintain a retail use on its ground floor level on Silver Street and the facade works would have a positive impact upon the area and would therefore otherwise meet with the rest of the other criteria b-h of Policy S37. It is not considered that the Primary Shopping Area would be undermined by these proposals.

Impact on Listed Building, Conservation Area and Setting of Listed Buildings

The host building is Grade II Listed, it is located within the Gainsborough Town Conservation Area and is within the setting of numerous other Listed Buildings namely;

- No.s 16, 21A, 23-25 and 27 Silver Street- Grade II Listed;
- Elswitha Hall, Caskgate Street- Grade II\* Listed.

Section 66 of the Planning (Listed Building & Conservation Areas) act 1990 places a legislative requirement that when considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Setting is more than views, it is how the building is experienced. In addition to this, the site is located within Gainsborough Town Conservation area and therefore Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

Policy S57 states that development proposals should protect, conserve and seek opportunities to enhance the historic environment of Central Lincolnshire. This aim is echoed within policy NPP18 of the NP.

In relation to listed buildings Policy S57 states that; *Permission to change the use of a Listed Building or to alter or extend such a building will be granted where the local planning authority is satisfied that the proposal is in the interest of the building's conservation and does not involve activities or alterations prejudicial to the special architectural or historic interest of the Listed Building or its setting. Development proposals that affect the setting of a Listed Building will, in principle, be supported where they make a positive contribution to, or better reveal the significance of the Listed Building.*

Additional detail in the form of an amended heritage statement was requested and received during the application process. The statement further details the internal works proposed as part of the application.

Internally, works are to comprise of the demolition of existing walls and insertion of new walls. The proposed works have been reviewed by the Council's Conservation Officer in relation to the impacts on the historic fabric of the building. They have carried out a site visit with the applicant and have inspected the building internally and are satisfied that the proposed alterations would be acceptable.

Further information is however required in relation to the works to Unit 7, there is more historic fabric in this unit and more detail on how this will be area will be converted is required to be submitted for review by the Conservation Officer. This information will be secured by condition which will be worded as such to state that no works shall be done to this unit until this information has been provided and approved.

The proposed external alterations comprise of replacement windows and doors as well as general re painting, re rendering and making good of brick work. The external works will significantly improve the current look of the building within the Conservation Area.

Further detail in relation to new joinery will be secured by condition as this information has not been provided as part of the application.

The comments from LCC Archaeology are noted. However as stated above, the Councils Conservation officer has been to site to inspect the building internally to help with the assessment of this application.

It is considered that the proposed works are in accordance with the Statutory Duties contained within the 'Act', Policy S57 of the CLLP, Policy NPP18 of the NP as well as the provisions of the NPPF. The development would preserve the setting of nearby Listed Buildings and the Conservation Area.

### Character and Visual Impact

Policy S53 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.*

The proposal contains alterations to the exterior of the building consisting of replacing the roof covering with clay pantiles which is a significant improvement to the existing concrete tiles. Brick work in poor condition will be replaced where needed as will the external painted areas. Many of the windows will also be replaced with timber sash openings. On the doors and windows that are to be retained the poor paintwork will be stripped and repainted.

Overall, the external works to the building which predominantly comprise of making good of facing materials and replacement of windows and doors will improve the visual appearance of the building which is in a prominent position.

Overall, the proposals would accord to the aims of Policies S53 and S57 of the CLLP and would not have a harmful impact on the street scene or character of the area, and would likely be an enhancement.

### Residential Amenity

Policy S53 of the CLLP requires that development proposals do not have an unacceptable impact on residential amenity. This includes considerations such as compatibility with neighbouring land uses, noise, vibration, odour, and the creation of safe environments amongst other things.

The application site lies within a town centre location, with the Eight Jolly Brewers and the Sweyn Forkbeard Wetherspoons public houses within close proximity to the application site. It is inevitable that any residential use within a town centre location would be subject to some noise and disturbance given the nature of the location. Therefore, there is an element of buyer beware for any future occupants. Nevertheless, it is considered that these uses can run alongside each other and not be at such a detriment to residential amenity to warrant a refusal and is considered to be acceptable.

All of the flats meet with the Nationally Described Space Standards<sup>2</sup> for the 1 storey dwellings as well as the relevant person and bed numbers. The lack of outside amenity space is noted; however, this is not an unusual situation for town centre flats, other grassed amenity areas are available within the town centre area, notably the recently developed Baltic Mill area and the Riverside Walk, to the south and south west of the site.

Overall, the development would therefore not have an unacceptable harmful impact on the living conditions of the future occupiers and is acceptable with regard to the impact on existing neighbouring uses and would accord with policy S53 and the provisions of the NPPF, particularly paragraph 135 (f).

### Energy Efficiency

It is noted that Policy S13 of the CLLP encourages applicants to consider all opportunities to improve energy efficiency and where such efforts achieve an improved EPC rating would be supported in principle. Notwithstanding that the wording of Policy S13 only encourages applicants to consider improving energy efficiency, in this instance, it is not considered necessary to request that any amendments are made to the proposals given that the site comprises of a listed building, in a conservation area and within the setting of other listed buildings where such new internal materials, solar panels and air source heat pumps, for example would likely not be supported.

Therefore, the absence of any proposed energy efficiency measures is acceptable in this case.

### Parking Provision

Appendix 2 of the CLLP which is referred to in Policy S49 states that 1 bed dwellings in main towns should provide 1 parking space per dwelling plus visitor spaces. The Gainsborough NP does not contain any specific figures with regard to parking provision for new dwellings within the town.

Based on the requirements of Policy S49 and Appendix 2 of the CLLP, the development should therefore provide 9no. parking spaces as well as visitor spaces, to accord with the CLLP. The application proposes 5no. parking spaces, falling short of the standards set out within Appendix 2 of the CLLP. With consideration to the town centre location with close walking proximity to numerous facilities/services and siting close to public transport links, including the bus station, it is considered that the parking provision is acceptable in this case. It is also considered that the benefits of restoring and bringing this Grade II listed building back into use greatly outweighs any harm caused by the lack of parking provision and the departure from local policy S49 of the CLLP.

It can also be noted that the Local Highways Authority recognise the shortfall in parking spaces, but recognise it is in an otherwise sustainable location and raise no objections.

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<sup>2</sup> [Technical housing standards – nationally described space standard](#)

Taking this into account it is not considered reasonable to withhold permission on this ground alone and on balance the lack of parking can be justified in this instance.

It is noted that the Highways Authority requested that covered cycle storage is provided. Given the sensitivity of the building and surrounding area it is not considered that an external covered structure would preserve the setting of the host listed building or conservation area.

The plans do show internal store areas, it is likely that future occupiers could store cycles in this area if required.

### Minerals Safeguarding Area

The Lincolnshire Minerals and Waste Local Plan (Core Strategy & Development Management policies) were adopted in June 2016 and form part of the Development Plan. The application site is within a Mineral Safeguarding Area. The site is not within an allocated Minerals Site or Waste Site/Area. Policy M11 of the Minerals and Waste Local Plan seeks to ensure that developments do not prevent the exploitation of mineral deposits as an economic resource within identified Minerals Safeguarding Areas (MSAs) without adequate justification. Within MSAs proposals for non-minerals development should be accompanied by a Minerals Assessment, unless the development falls within one of the exemptions to the Policy.

In accordance with policy M11, a change of use application (where there is no intensification) is exempt from being applied to the policy therefore there is no requirement to supply a minerals assessment or assess the developments impact on mineral resources.

### Drainage

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

### Other matters:

**Biodiversity Net Gain-** Some applications are exempt from providing the 10% BNG, this is as follows<sup>3</sup>;

*A development that does not impact a priority habitat and impacts less than:*

- 25 square metres (5m by 5m) of on-site habitat
- 5 metres of on-site linear habitats such as hedgerows

*A development 'impacts' a habitat if it [decreases the biodiversity value](#).*

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<sup>3</sup> [Biodiversity net gain: exempt developments - GOV.UK](#)

The application form indicates that the proposals would be exempt from the condition in law. Given that the proposal only comprises of works to an existing building where no habitats are present, it is considered that the proposal is exempt from providing the 10% Gain.

**Refuse Collections-** Given the town centre location there is no outside space for the storage of wheelie bins. Upon speaking with the WLDC waste services team, it has been confirmed that this site would have a sack service.

**Conclusion and reason for decision:** The application has been considered against policies Policy S1: The Spatial Strategy and Settlement Hierarchy, Policy S2: Growth Levels and Distribution, Policy S3: Housing in the Lincoln Urban Area, Main Towns and Market Towns, Policy S6: Design Principles for Efficient Buildings, Policy S13: Reducing Energy Consumption in Existing Buildings, Policy S20: Resilient and Adaptable Design, Policy S21: Flood Risk and Water Resources, Policy S23: Meeting Accommodation Needs, Policy S37: Gainsborough Town Centre and Primary Shopping Area, Policy NS41: City and Town Centre Frontages, Policy S47: Accessibility and Transport, Policy S49: Parking Provision, Policy S53: Design and Amenity, Policy S57: The Historic Environment of the Central Lincolnshire Local Plan and the policies contained within the Gainsborough Neighbourhood Plan and the statutory duties contained within the 'Act' in the first instance as well as the provisions of the NPPF and guidance contained within the NPPG.

In light of this assessment, it is considered that the principle of development in this location can be supported. The proposals would enhance the host listed building and the impacts on this historic fabric have been found to be acceptable. Matters of highway safety, residential amenity and drainage are also considered to be acceptable. The proposal does represent a departure from the provisions of Policy S49, however as detailed in the above report, the heritage benefits that the scheme would bring is considered to outweigh non-policy compliant parking provision in this case.

The application is therefore recommended for approval, subject to conditions.

**Decision Level: Committee**

### **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 plans and documents:

Site Location Plan PA-001-A-0-SLP  
Site Block Plan PA-002-A-0-SBP  
Proposed Elevations PA-101-A-0-GA-PP  
Proposed Floor Plans PA-201-A-0-GA-PE

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

**Reason:** To ensure the development proceeds in accordance with the approved plans to safeguard the fabric and setting of the Grade II Listed Building to accord with the National Planning Policy Framework.

3. Prior to installation, drawings to a scale of 1:20 fully detailing the following new or replacement windows, doors, surrounds, bays, or any other timberwork, including that on the east elevation (shop frontage) must be submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the approved details.

- materials;
- decorative/ protective finish;
- cross sections for glazing bars, cills and headers at a scale of 1:10; method of opening;
- method of glazing;
- Notwithstanding the paint specification as shown on the proposed plans- The colour scheme and paint specification to be used on the timber- (See notes to Applicant)

**Reason:** To ensure that the proposed windows and doors are acceptable for the Grade II Listed building in accordance the Statutory Duty and, Policy S57 of the Central Lincolnshire Local Plan and the NPPF.

4. Prior to works any internal or external works to the commercial unit, details shall be approved in writing by the Local Planning Authority to ensure that precautions are taken to secure and protect the interior and exterior shop front and its features during the building work. The agreed measures shall be carried out in full.

No such features shall be disturbed or removed temporarily or permanently except as indicated on the approved drawings or without the prior approval in writing of the Local Planning Authority.

**Reason:** To ensure that the host listed building is preserved during construction works in accordance with the Statutory Duty the Statutory Duty and, Policy S57 of the Central Lincolnshire Local Plan and the NPPF.

5.Any demolition work shall be carried out by handheld tools. No power-driven tools shall be used.

**Reason:** To avoid any unnecessary damage to the host listed building in accordance with the Statutory Duty the Statutory Duty and, Policy S57 of the Central Lincolnshire Local Plan and the NPPF.

6.The roof tile to be used in the replacement roof shall be Sandtoft Old Hollow 451 un-weathered pantile with a wet lime mortar finish (no cement in the mix) with Tyvek Supro Roofing Membrane as detailed within the updated Heritage Statement.

**Reason:** The materials are considered appropriate for use on the Listed Building in accordance with the Statutory Duty and, Policy S57 of the Central Lincolnshire Local Plan and the NPPF.

7.Prior to installation, a specification for the external render to be used shall be approved in writing by the Local Planning Authority to define:

- mortar mix;
- the number of coats;
- finish and backing material;
- and, relationship to existing finishes and openings.

**Reason:** To ensure the proposed render is acceptable for the Grade II Listed building in accordance the Statutory Duty and, Policy S57 of the Central Lincolnshire Local Plan and the NPPF.

8.Prior to any bricks being replaced, a sample of the new brick to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details.

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

9. Prior to any other works than beyond the required structural repairs to Unit 7 a detailed methodology of the repairs and proposals to protect and conserve the historic fabric shall be submitted to and approved in writing by the Local planning Authority. This shall include photographs detailing the exact extent of fabric impacted and sectional details of the proposed works.

**Reason:** To allow the Local Planning Authority to ensure that the works are acceptable in relation to the historic fabric of the host listed building to accord with the National Planning Policy Framework and local policies S53 and S57 of the Central Lincolnshire

Local Plan and NPP6, NPP7 and NPP18 of the Gainsborough Neighbourhood Plan and Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

10. Prior to internal works beyond the structural repairs, the position, type and method of installation of all new and relocated services and related fixtures (for the avoidance of doubt this includes communications and information technology servicing), shall be specified and agreed in writing with the Local Planning Authority wherever these installations are to be visible, or where ducts or other methods of concealment are proposed. The works shall be implemented only in accordance with such approval.

**Reason:** To preserve the fabric and appearance of the host listed building and setting of the nearby listed buildings to accord with the National Planning Policy Framework and local policies S53 and S57 of the Central Lincolnshire Local Plan and NPP6, NPP7 and NPP18 of the Gainsborough Neighbourhood Plan and Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

11. Full details of 'making good' exposed areas revealed by demolitions are to be submitted and approved in writing by the Local Planning Authority.

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

12. Any new or replacement guttering to be used in the development hereby permitted shall be black cast iron unless otherwise agreed in writing with the Local Planning Authority.

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

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

None.

**Notes to the 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](http://www.west-lindsey.gov.uk/cilforms) and West Lindsey District Council's own website [www.west-lindsey.gov.uk/CIL](http://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.

**External paint to be used on timber-** A linseed oil-based paint should be used on all new timber.

## **Biodiversity Net Gain**

### **Biodiversity Net Gain**

Unless an exception or a transitional arrangement applies<sup>1</sup>, 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 Plan<sup>2</sup> 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 by<sup>3</sup>:

- (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 habitat<sup>4</sup> present within the onsite baseline.
- (h) any additional information requirements stipulated by the secretary of state<sup>5</sup>.

### **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.

<sup>1</sup> 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.

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

<sup>3</sup> 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)

<sup>4</sup> 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>

<sup>5</sup> 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.