

# Officers Report

## Planning Application No: 148059

**PROPOSAL:** Planning application for the creation of 3no. flats to the upper three storeys with internal modifications including the erection of timber stud partitions the addition of 2no. internal stair cases, 5no. skylights & the widening & replacement of the South West elevation access door.

**LOCATION:** 16 Silver Street Gainsborough Lincolnshire DN21 2DP

**WARD:** Gainsborough South West

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

**APPLICANT NAME:** Mr J Gale

**TARGET DECISION DATE:** 02/05/2024 (Extension of time agreed until 24<sup>th</sup> May 2024)

**DEVELOPMENT TYPE:** Minor - all others

**CASE OFFICER:** Danielle Peck

**RECOMMENDED DECISION:** Grant planning permission with conditions.

---

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

---

**Site Description:** The site is a Grade II listed building within Gainsborough Town Centre and the Town Centre Conservation Area. The property is a four storey building that fronts the northern side of Silver Street, one of the main pedestrian thoroughfares in Gainsborough town centre. The building also has a two storey wing to the rear which is attached to the 8 Jolly Brewers Public House.

The site is located within the Gainsborough Primary Shopping Area, it is within the Gainsborough Town Conservation Area and is within close proximity to a number of other Listed Buildings, namely;

- 18,21A, 23-25 and 27 Silver Street- Grade II Listed;
- Elswitha Hall, Caskgate Street- Grade II\* Listed.

**The Proposal:** The application seeks planning permission for the conversion of the first, second and third floors of 16 Silver Street into 3no. flats. Flat 1, will occupy the first floor of the building and will have a floor space of 60.2m<sup>2</sup>. Flat 2 will occupy the second floor and will have a floor space of 38.4m<sup>2</sup> and Flat 3 will span part of the second floor and the whole of the third floor and will have a floor space of 76.4m<sup>2</sup>.

Other external alterations are to include the insertion of roof lights on the north roof slope and one on the south roof slope, widening of an external access door and alterations to windows. Internally, 2no new staircases will be installed and insertion of a number of timber stud walls. Amended plans were received on 1<sup>st</sup> May, the plans

include the removal of 4no. rooflights from the south west roof slope and a plan to show car parking spaces. This application for planning permission is accompanied by a tandem Listed Building Consent application reference 148060.

**Relevant history:**

**140810** Planning application to create flat in upper floors - resubmission of planning permission 135144. Granted with conditions 06/05/2020.

**140811** Listed Building Consent to create flat in upper floors- resubmission of listed building consent 135145. Granted with conditions 06/05/2020.

**135144** – Planning application to create flat in upper floors. Granted April 2017.

**135145** – Listed Building Consent application to create flat in upper floors. Granted April 2017.

**W/A/1/87** – Display illuminating box sign granted 17/02/87 (whole of ship court including range of buildings to the north west of present 16 Silver Street).

**W33/LB/39/86** – Extend the building granted 16/12/86 at 16 Silver Street (whole of ship court including range of buildings to the north west of present 16 Silver Street).

**W33/850/86** – Extend office accommodation 15/12/86 (whole of ship court including range of buildings to the north west of present 16 Silver Street).

**W33/135/83** – Extend building to form store granted 14/09/83 (whole of ship court including range of buildings to the north west of present 16 Silver Street).

**W33/776/80** – Extension to offices granted 19/08/80 (whole of ship court including range of buildings to the north west of present 16 Silver Street).

**W33/408/75** – Conversion into offices (including toilet and kitchen) granted 21/07/75 (16 Silver Street). **W33/153/75** – Change of use of estate agents office with accommodation above granted 17/04/75 (16 Silver Street).

**Representations:**

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

**Gainsborough Town Council:** The Committee raised concerns regarding the lack of emergency fire escapes.

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

**LCC Highways/Lead Local Flood Authority:** No objections. The site is located in a central urban area where services and facilities are within a reasonable distance to be accessed via sustainable travel options such as walking, cycling and public transport. Future residents of the development will not be reliant on the private car and therefore parking is not essential for this proposal.

The development proposals will generate a reduction in vehicle movements to that of its former use as business/office. It is therefore not possible to raise an objection to the proposals based on traffic impact, in accordance with NPPF.

**Archaeology:** The development is proposed to be carried out on the Grade II listed 16 Silver Street, Gainsborough, which is also located in Gainsborough Conservation Area. The introduction of a new staircase, part-demolition of internal walls and introduction of new partition walls will necessarily have an impact on the existing internal fabric of the building and its layout. The West Lindsey District Council Conservation Officer should also be consulted due to the nature of the application. Recommendation: I recommend that an Historic Building Recording of 16 Silver Street, Gainsborough, is provided prior to any works commencing. This is to ensure there is a record of the heritage asset prior to its alteration.

The Historic Building Recording can be agreed pre-determination or placed as a condition if planning permission is granted. If placed as a condition, the Historic Building Recording should be carried out pre-commencement. This recommendation is in line with paragraph 211 of the National Planning Policy Framework (NPPF).

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

**WLDC Conservation Officer:**

**Following the receipt of amended plans- Verbal-** Happy with the proposed amendments subject to conditions.

**Verbal-** Objects to the number of roof lights proposed on the south roof slope. No objections to the internal alterations which I have previously been in discussions about.

**Relevant Planning Policies:**

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Here, the Development Plan comprises the provisions of the Central Lincolnshire Local Plan (adopted in April 2023); the Gainsborough Neighbourhood Plan (made 2021); and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016).

Development Plan

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

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>

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

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

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

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

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

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

National policy & guidance (Material Consideration)

- **National Planning Policy Framework (NPPF)**

[https://assets.publishing.service.gov.uk/media/65a11af7e8f5ec000f1f8c46/NPPF\\_December\\_2023.pdf](https://assets.publishing.service.gov.uk/media/65a11af7e8f5ec000f1f8c46/NPPF_December_2023.pdf)

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

The most recent iteration of the NPPF was published in December 2023. Paragraph 225 states:

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

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

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

### **Assessment:**

#### Principle of Development

The application seeks planning permission for the conversion of the upper floors to 3no. flats along with 2no. new internal staircases, insertion of roof lights and alterations to windows. The Central Lincolnshire Local Plan contains a suite of policies to guide development within the Town Centre.

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

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

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 proposal will maintain the Barber Shop use on the ground floor, with the upper floors being converted to 3no. flats. 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 proposal will maintain a retail use on its ground floor level and would therefore meet within criteria f-h of Policy S37.

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.

#### 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;

- 18,21A, 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.*

Internally the proposals will comprise of timber stud partition walls to separate the floors into the flats, 2no. new internal staircases will also be installed, as well as alterations to windows. The proposed works have been reviewed by the Councils Conservation Officer who has confirmed that they have no objections to these alterations. Discussions and a site meeting with the applicant and conservation officer took place prior to the submission of the applications.

The request from the Historic Environment Officer at Lincolnshire County council regarding the submission of a Historic Building Record is noted. There have been many previous applications at this site for the conversion of the upper floors to flats. This recording has not been previously requested and it is therefore considered unreasonable to secure this by condition.

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.

### 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 repairs to the roof and alterations to a limited amount of windows and the widening of an external access door, further details of which are located on the proposed drawings. The original submission included 5no. roof lights on the south west roof slope, through negotiations during the application these roof lights have been reduced to one single roof light, 4no. roof lights and a sun tunnel (roof tile size) are still proposed in the north roof slope, given their concealed location, they would not be particularly visible within the street scene and are considered to be acceptable. They are also indicated to be

conservation style roof lights which are considered to be appropriate on Listed Buildings.

Overall, the proposals would accord to the aims of Policy S53 of the CLLP and would not have a harmful impact on the street scene or character of the area.

### 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 site is located within a town centre location and directly above a barbers shop. Any residential use within a town centre location will 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. The consideration of the potential impact on residential amenity has not changed since the determination of applications 140810 and 135144 which were also for flats at this site.

All of the flats meet with the Nationally Described Space Standards<sup>1</sup> for the relevant person and bed no.s. 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 along the Riverside Walk, to the 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.

It has been noted that the submitted Design and Access Statement has considered the design principles contained within S6 and will maximise opportunities for energy efficiency measures to be incorporated into the proposals where possible.

### Parking Provision

---

<sup>1</sup> <https://www.gov.uk/government/publications/technical-housing-standards-nationally-described-space-standard>



No objection has been received from the Local Highway Authority relating to the proposed development. Appendix 2 of the CLLP which is referred to in Policy S49 states that 1 bed dwellings in market towns should provide 1 parking space per dwelling plus visitor spaces. It is noted that no parking provision has been requested by the highway's authority, stating that the development is within a central urban area where services and facilities are within a reasonable distance. The Gainsborough NP does not contain any specific figures with regard to parking provision for new dwellings within the town.

The application does include 2no. parking spaces as part of the proposals, however this still falls 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 non-inclusion of parking provision is acceptable in this case. It is also considered that the benefits of restoring and bringing the upper floors of this Grade II listed building back into use greatly outweighs the harm caused by the lack of parking provision and the departure from local policy S49 of the CLLP. Taking this into account it is not considered reasonable to withhold permission on this ground alone and on balance the lack of parking is justified in this instance.

### 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

Comments from Gainsborough Town Council- It has been noted that the town council are concerned with the number of fire escapes proposed. Fire escapes are covered

separately by Building Regulations and are a separate consideration from this planning decision, however, the Regulations have been taken into account when producing the proposed floor plans and elevations.

**Conclusion and reasons 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 the lack of proposed parking provision in this case. The application is therefore recommended for approval, subject to conditions.

### **RECOMMENDATION- Grant planning permission with 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 2752-A2-01a received 01/05/2024;
- Proposed Floor Plans 2752- A2 04b received 01/05/2024;
- Proposed Elevations 2752- A2 05b received 01/05/2024;
- Window Details 2752-A2- 06a received 01/05/2024;
- Proposed Roof Plan 2752-A2-07a received 01/05/2024;
- Design and Access Statement- Heritage Impact Assessment- Energy Statement Rev B received 01/05/2024;

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 the installation of any new or replacement windows, doors and surrounds drawings to a scale of 1:20 shall be submitted to and approved in writing by the Local Planning Authority, the drawings shall also include the below details. The development must be completed in strict accordance with the approved details.

- materials;
- decorative/ protective finish;
- cross sections for glazing bars, sills, and headers;
- method of opening;
- method of glazing.
- colour scheme.

**Reason:** To ensure the appropriate methods are used to preserve the fabric and appearance of the host listed building and setting of the nearby listed buildings and the conservation area to accord with the National Planning Policy Framework and local policies S57 of the Central Lincolnshire Local Plan 2023 and NPP6, NPP7 and NPP18 of the Gainsborough Neighbourhood Plan and Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4. Prior to the installation of the new roof lights and any new or replacement rainwater goods, details including specifications and manufacturer information shall be to and approved in writing by the Local Planning Authority, the drawings shall also include the below details. The development must be completed in strict accordance with the approved details.

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

5. Prior to the installation of the new internal staircases for the second and third floors, details shall be submitted to and approved in writing by the Local Planning Authority. This detail will include section drawings for all details of the stairs including but not limited to:

- Balusters
- Newel Posts
- Handrails
- Risers/Treads
- Stringers
- Mouldings
- Nosing

The development must be completed in strict 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.

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

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

**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 22<sup>nd</sup> 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.

### **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