

# Officers Report

## Planning Application No: WL/2026/00025

## Listed Building Consent No: WL/2026/00026

### PROPOSAL

WL/2026/00025 – Planning application for stabilisation and repair works to a curtilage listed boundary wall.

WL/2026/00026 – Listed building consent for stabilisation and repair works to a curtilage listed boundary wall.

**LOCATION:** TRINITY ARTS CENTRE, TRINITY STREET,  
GAINSBOROUGH, DN21 2AL

**WARD:** GAINSBOROUGH, SOUTH WEST

**WARD MEMBER(S):** Cllr Trevor Young and Cllr Jeanette McGhee

**APPLICANT NAME:** Mr Luke Matthews on behalf of West Lindsey District Council

**TARGET DECISION DATE:** 4/03/2026

**AGREED EXTENSION OF TIME DATE:** 6/03/2026

**CASE OFFICER:** Owen Toop

**RECOMMENDED DECISION:** Grant planning permission and listed building consent subject to conditions.

### Description

This application has been referred to the planning committee as the applicant is an employee of West Lindsey District Council and is applying on behalf of West Lindsey District Council.

The application site is located in the town of Gainsborough, on the eastern side of Trinity Street and the western side of Sandsfield Lane. The boundary wall is curtilage listed in association with the listed Trinity Arts Centre. The site is bounded to the north by residential properties and their garden areas as well as a 'Kwik-Fit' garage and associated parking.

The Historic England record describes the site as follows:

*'The (former) church of Holy Trinity, Gainsborough is designated at Grade II for the following principal reasons: \* Redundant church of 1841-3 by T Johnson of Lichfield, ashlar faced in a plain, pre-archaeological Gothic style. \* Chancel enlarged in 1871, with further work in 1911 and in 1982-4 following conversion to an arts centre. \* Tall W tower and spire form an important landmark.'*

The applications seeks both planning permission, and listed building consent, to dismantle the unsafe section of walling, construct new foundations for the section, and rebuild the section of walling. The previous approvals contained

a number of conditions and this application includes detailed information to attempt to address some of the conditions to allow works to commence.

Adjacent to the wall are historic gravestones. These would need to be moved from their current positions to allow for the restoration works to take place. As part of the application information has been submitted detailing the gravestones affected and confirming they will be stored at the site for their protection.

### **Relevant History**

The application follows on from previous planning history, namely previously approved planning application: 145640 and listed building consent 145568. These applications related to the rebuilding of the same section of the boundary wall but they have expired due to the works not commencing within the 3-year time limit (the applications were approved on 2/12/2022).

### **Representations**

Chairman/Ward Members – No representations received.

Gainsborough Parish Council – Supports applications.

Conservation Officer – Provides comments with regard to conditions that are required and not required.

Archaeological Officer – No objection subject to conditions

*“The Trinity Arts Centre was formerly the Church of the Holy Trinity, which was built in the 1840s. The 1886 Ordnance Survey Town Plan of Gainsborough shows that the church had a graveyard at the time. The presence of a graveyard is further evidenced by the gravestones stacked up against the boundary wall. Given this, there will be human remains present on the wider site of the application. The works to the boundary wall include groundworks, as set out in section 5 of the Heritage, Design and Access Statement. If any human remains were to extend into these areas of groundworks, they would be impacted.*

*Recommendation: If permission is granted, I recommend that conditions are placed for an archaeological scheme of works. This would consist of archaeological monitoring and recording of all groundworks. This is to ensure that any human remains or any other remains of an archaeological nature which may be encountered during groundworks are adequately addressed.”*

Historic England – Defers to local Conservation Officer advice.

Local Highway Authority – No objections.

**Date Checked:** 17/02/2026

### **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 (adopted June 2021), and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016).

### **Development Plan**

#### Central Lincolnshire Local Plan 2023-2043 (CLLP)

Policy S53: Design and Amenity  
Policy S57: The Historic Environment

#### Gainsborough Neighbourhood Plan (2020-2036)

The following policies are considered relevant in the determination of this application:

NPP 1 Sustainable Development  
NPP 6 Ensuring High Quality Design  
NPP7 Ensuring High Quality Design in each Character Area  
NPP 18 Protecting and Enhancing Heritage Assets

#### Gainsborough Heritage and Character Assessment:

Character Area - TCA 06 Gainsborough Town Centre

#### Lincolnshire Minerals and Waste Local Plan (LMWLP)

The site is not within a Minerals Safeguarding Area, Minerals or Waste site / area.

#### 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:

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

- National Planning Practice Guidance
- National Design Guide (2019)

- National Model Design Code (2021)

## **Main Issues**

- Design and Heritage Impact
- Other Matters

## **Assessment:**

### **Design and Heritage Impact**

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when considering whether to grant listed building consent for any works, the local planning authority shall have *"special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses"*.

Section 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."*

Paragraph 212 of the NPPF states that *"when considering the impact of a proposed development in the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of Grade II Listed Buildings...should be exceptional"*.

With regard to Listed Buildings, Policy S57 of the CLLP 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"*.

In relation to design and visual impact, the NPPF makes clear that the creation of high-quality places is fundamental to what the planning and

development process should achieve. Policies S53 and S57 of the CLLP seek to ensure development respects the landscape character and identity, and relates well to the site and surroundings and achieve high quality design.

Policy NPP 18 of the Gainsborough Neighbourhood Plan states that *"restoration projects will be supported where the proposal better reveals the significance of heritage assets including their settings."*

The proposal seeks permission for the partial dismantling and rebuilding of the northern boundary wall to the Trinity Arts Centre. The rebuilt wall would use retained bricks using the bonder patten, pointing and mortar to match the existing wall. Underpinning would also be required to both ends of the original wall either side of the opening created by the removal of the failing section of brickwork.

Visually, as confirmed by the structural survey, *"the wall is inherently unstable, the lean of 100mm (2 degrees) is beyond that which is considered acceptable for a wall of this width and height."*

A ground investigation with trial pits has been carried out and findings submitted. This was to identify the underlying present wall foundations and how the existing soil relates to its support. This confirms that the existing foundations to the wall are not adequately supported by underlying soils, confirming the ground conditions surrounding the wall and highlighting the need for repair works.

The applications submitted are resubmissions of previously approved applications. As part of this application the Authority's Conversation Officer has been consulted and has provided comments with regards to the development.

As the new applications have resubmitted similar details as the originally approved applications, it is considered that the approach taken within the previous application would be acceptable to be applied again. In this regard, it is considered that the proposal may again be supported subject to methods to repair the wall being acceptable. In particular, it is considered that the development requires the wall to be carefully removed, allowing for foundations and under-pinning of the retained wall. This would retain the historic character of the boundary, preserve the setting of the host listed building and offer the opportunity to enhance remove/replace the inappropriate modern interventions.

The Conservation Officer has reviewed the information and provided comments on the conditions that are instructionally required in relation to the method of dismantling and repairing the wall. In addition, as part of this new application, information has been submitted upfront to alleviate the need for some of the conditions. This includes the following detail:

- a detailed photographic record of the wall to be taken down.
- a detailed photographic record of gravestones and their conditions.

- a location for the safe storage during the duration of the works.
- a detailed survey of defective material for the bricks, copings, and mortar of the wall.
- a mortar sample analysis and proposed mortar for the repair works.

The Conservation Officer has confirmed the details provided are acceptable.

Overall, the proposed works are required to avoid the potential partial collapse of the historic boundary wall. The proposed works would preserve the special character and significance of the listed building and its setting by retaining the important historic wall and that features it possesses.

It is considered that the proposed works are in accordance with policies S53 and S57 of the CLLP 2023-2043, policy NPP6, NPP7 and NPP18 of the NP, the guidance contained within the National Planning Policy Framework and the statutory duties set out in the Planning (Listed Buildings and Conservation Areas) Act 1990.

### Other Matters

As part of the applications' consultations, comments have been received from the Archaeology Officer. These have recommended a condition for archaeological investigation to be carried out. Paragraph 57 of the National Planning Policy Framework makes clear that planning conditions should be kept to a minimum, and only used where they satisfy the following tests:

1. necessary;
2. relevant to planning;
3. relevant to the development to be permitted;
4. enforceable;
5. precise; and
6. reasonable in all other respects.

The expired permission/consent (145640/145568) did not seek any archaeological conditions, as recommended by the Archaeology Officer. Whilst the comments of the Archaeology Officer are acknowledged it is considered not to be necessary or reasonable in all other respects to apply a condition in this instance.

However, and as with the previous approvals, an advisory note would be added to the decision notice in regards to the Burial Act 1853 on the occurrence of human remains being revealed during the course of the works. It is therefore considered that the proposal would accord with policy S57 of the CLLP.

### Conclusion and Planning Balance Planning Application 145640:

The proposal has been considered against policies, and Section 66 of the Planning (Listed Building & Conservation Areas) act 1990 as well as the Gainsborough Neighbourhood Plan in the first instance, and guidance

contained within the National Planning Policy Framework, National Planning Practice Guidance, National Design Guide, National Model Design Code and the Central Lincolnshire Local Plan 2023-2043 has also been taken into consideration.

In light of this assessment, it is considered that subject to the recommended conditions, the proposal will respect the character and appearance of the historic fabric of the curtilage listed wall as well as the Trinity Arts Centre. The proposal will therefore preserve the special character and significance of the listed building, its setting and the special architectural features or historic interest they possesses. It will not harm the character and appearance of the street-scene or have an unacceptable impact on the living conditions of the residents of neighbouring properties.

**Listed Building Consent 145568:**

The proposed works have been considered against the duty contained within Section 16 of the Planning (Listed Building and Conservation Areas) Act 1990 (as amended), and the advice given in Section 16 of the National Planning Policy Framework. In light of this assessment, it is considered that subject to the recommended conditions, the proposed works will respect the character and appearance of the historic fabric of the Listed Building. The proposal will therefore preserve the special character and significance of the listed building, its setting and the special architectural features or historic interest it possesses. With the information provided and the conditions recommended, the historic wall and its features would be preserved. Accordingly, a grant of Listed Building Consent is considered acceptable.

**Recommended Planning Permission 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. The works shall follow the "Preparation" and "Stabilisation and Repair Works" as noted in the plans J000605-A-DR-0003 Rev 3, unless otherwise approved in writing by the Local Planning Authority.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under policies NPP6, NPP7 and NPP18 of the Gainsborough Neighbourhood Plan (Made 2021), Local Policy S57 of the Central Lincolnshire Local Plan 2023-2043, the provisions of the National Planning Policy Framework and Section 66 of the Planning (Listed Building & Conservation Areas) Act 1990

3. Repair works to the wall shall be completed in strict accordance with the findings of the "Trinity Arts Centre Northern Boundary Wall Detailed Survey of Defected Material: 19.12.24 Rev 0".

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under NPP6, NPP7 and NPP18 of the Gainsborough Neighbourhood Plan (Made 2021), Local Policy S57 of the Central Lincolnshire Local Plan 2023-2043, the provisions of the National Planning Policy Framework and Section 66 of the Planning (Listed Building & Conservation Areas) Act 1990.

4. The rebuilt brickwork shall match the existing brickwork of the wall identified through the "Trinity Arts Centre Northern Boundary Wall Photographic Record of Wall: 19.12.24 Rev 0" in respect of dimensions, colour, texture, face bond, and pointing and the rebuilt brickwork shall be constructed as stated within the "Stabilisation and Repair Works", unless otherwise approved in writing by the Local Planning Authority.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under NPP6, NPP7 and NPP18 of the Gainsborough Neighbourhood Plan (Made 2021), Local Policy S57 of the Central Lincolnshire Local Plan 2023-2043, the provisions of the National Planning Policy Framework and Section 66 of the Planning (Listed Building & Conservation Areas) Act 1990.

5. Following the partial demolition as shown on drawing J000605-A-DR-0003 Rev 3, any new materials to be used for repairs, replacements or as part of the rebuild shall be submitted to and approved in writing by the Local Planning Authority. Works shall be completed in strict accordance with the approved details.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under NPP6, NPP7 and NPP18 of the Gainsborough Neighbourhood Plan (Made 2021), Local Policy S57 of the Central Lincolnshire Local Plan 2023-2043, the provisions of the National Planning Policy Framework and Section 66 of the Planning (Listed Building & Conservation Areas) Act 1990.

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:

- J000605-A-DR-0002 Rev 3
- J000605-A-DR-0003 Rev 3
- PP-14571085v1

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 policies NPP6, NPP7 and NPP18 of the Gainsborough Neighbourhood Plan (Made 2021), Local Policy S57 of the Central Lincolnshire Local Plan 2023-2043, the provisions of the National Planning Policy Framework and Section 66 of the Planning (Listed Building & Conservation Areas) Act 1990.

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

None

**Recommended Listed Building Consent 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 18(1) of the Planning (Listed Buildings and Conservation Areas) 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:**

3. The works shall follow the "Preparation" and "Stabilisation and Repair Works" as noted in the plans: J000605-A-DR-0003 Rev 3, unless otherwise approved in writing by the Local Planning Authority.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4. The gravestones to be removed, as identified within the "Trinity Arts Centre Northern Boundary Wall Photographic Record of Gravestones: 19.12.2024 Rev 0" shall be stored at the location identified on approved site plan: J000605-A-DR-0002 for the duration of the construction works.

Following the completion of the 'Stabilisation and Repair Works' (as stated on drawing: J000605-A-DR-0003 Rev 3) the removed gravestones, shall be reinstated to their previous recorded positions, as identified within the "Trinity Arts Centre Northern Boundary Wall Photographic Record of Gravestones: 19/12/24 Rev 0"

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

5. Repair works to the wall shall be completed in strict accordance with the findings of the Trinity Arts Centre Northern Boundary Wall Detailed Survey of Defected Material: 19.12.24 Rev 0

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

6. Dismantling and repair works for the wall shall completed in strict accordance with the findings of the analysis and the mortar mix as detailed within the Mortar Analysis sheet dated 14.09.2024

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

7. The rebuilt brickwork shall match the existing brickwork of the wall as detailed within the "Trinity Arts Centre Northern Boundary Wall Photographic Record of Wall: 19.12.24 Rev 0", in respect of dimensions, colour, texture, face bond, and pointing unless otherwise approved in writing by the Local Planning Authority.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

10. The following sound materials/features/fixtures forming part of the boundary as shown in the findings within the "Trinity Arts Centre Northern Boundary Wall Photographic Record of Wall: 19.12.24 Rev 0" and "Trinity Arts Centre Northern Boundary Wall Detailed Survey of Defected Material: 19.12.24 Rev 0". shall be carefully taken down, protected and securely stored for later re-erection/ re-use or disposal.

- Bricks

- Coping stones
- Pier cappings
- Gravestones

Where damage has occurred (for example, from unauthorised works, vandalism or fire), it is important to ensure that any loose historic items are identified and retained on site in a secure place pending their reinstatement.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

11. Demolition work shall be carried out only by hand or by tools held in the hand and not by any power-driven tools.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

12. Following the partial demolition of the wall as shown on drawing: J000605-A-DR-0003 Rev 3, a 1 one square metre sample panel of brickwork demonstrating the quality, materials, bond, mortar, coursing, colour and texture shall be constructed on site for inspection. The Local Planning Authority shall approve the above details of the brickwork in writing prior to the rebuild commencing. The development shall be carried out in accordance with the approved details. The sample panel shall be retained on site until the development is completed.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

13. Following the partial demolition as shown on drawing: J000605-A-DR-0003 Rev 3, any new materials to be used for repairs, replacements or as part of the rebuild shall be submitted to and approved in writing by the Local Planning Authority. Works shall be completed in strict accordance with the approved details.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

14. No cleaning of masonry, other than low pressure (20-100 psi) surface cleaning using a nebulous water spray is authorised by this consent without the prior approval of the Local Planning Authority. Before work begins, any other cleaning proposals must be approved in writing and carried out strictly in accordance with those details. At the commencement of the

cleaning, a test panel shall be undertaken in an inconspicuous position and the method recorded to the approval of the Local Planning Authority.

**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

15. 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:

- J000605-A-DR-0002 Rev 3
- J000605-A-DR-0003 Rev 3
- PP-14571085v1

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 work proceeds in accordance with the approved plans in accordance with section 17 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

#### **Notes to Applicant**

If, during the course of the works, human remains are revealed all work should halt as under the Burial Act 1853 it is an offence to disturb a burial without a license from the Ministry of Justice