DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H04-0084-26**	**Applicant:**	**Bear Guru Property Partners Ltd**
Proposal:	Conversion of an existing two-storey dwelling house into two self-contained residential units - Part Retrospective		
Location:	11a & B (Formally 11) Church Street Donington Spalding		
Terminal Date:	3rd April 2026		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
10	Meeting Assessed Housing Requirements
11	Distribution of New Housing
17	Providing a Mix of Housing
21	Houses in Multiple Occupation and the Sub-Division of Dwellings
29	The Historic Environment
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework December 2024

Section 2 - Achieving sustainable development
Section 4 - Decision-making
Section 5 - Delivering a sufficient supply of homes
Section 9 - Promoting sustainable transport
Section 11 - Making effective use of land
Section 12 - Achieving well-designed places
Section 16 - Conserving and enhancing the historic environment

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0

HIGHWAYS & SUDS SUPPORT	0	0	0	1
SHDC INTERNAL	0	0	1	1

CASE OFFICER ASSESSMENT

Proposal

The application seeks full planning permission for the conversion of a two-storey dwelling into two self-contained dwellings. The application is retrospective as according to the application form, the works were completed on 12 September 2024.

The current application follows the refusal of an application to convert the site into 3 dwellings that was refused in October 2025 (H04-0585-25).

Site Description

The site comprises land at 11 Church Street in Donington, which is an unlisted two-storey dwelling located within Donington Conservation Area. The dwelling faces towards Church Street, which is to the west of the site. There is a rear garden enclosed by timber fencing at the rear of the dwelling. The garden appears to have been reduced in size at some point since 2011 based on a review of street view images from this time. There is a gravelled area to the rear of the garden which serves as an area for parking.

The site is located within the settlement limit of Donington, as identified by the South East Lincolnshire Local Plan 2011-2036, and the accompanying policies map.

The site is within Flood Zone 1, as identified by the Environment Agency's flood risk maps.

Relevant Planning History

H04-0585-25: (Full Application) Conversion of two-storey single dwelling into three self-contained residential units including internal alterations - Retrospective - refused 06 October 2025

The following application partly overlaps the northern edge of the site.

H04-0955-81: (Full Application) Change of use of waste ground into car park at rear of Red C ow Hotel, High Street, Donington - approved 17 November 1981

Consultation Responses

The responses received from consultees during the consultation period are summarised below. The responses can be viewed in their entirety on South Holland District Council's website.

Lincolnshire County Council - Highways and SUDS: This is a resubmission; the previous application was for three units that was refused by the Local Planning Authority. This is a reduction in units to two - a 1 x 1 bed and 1 x 2 bed. There is a parking space to the rear for each unit as there was for the original dwelling. The original dwelling had three bedrooms so this will not result in an intensification of use. The proposal will not have an adverse impact on the public highway or surface water flood risk.

Environmental Protection: No comments or objections from Environmental Protection.

Conservation Officer: No objections. Only proposed alterations are internal, therefore, no risk is presented to the conservation area within which it is set.

Donington Parish Council: No response received.

Cllr H J W Bingham: No response received.

Cllr M A Geaney: No response received.

Cllr J L King: No response received.

Black Sluice Internal Drainage Board: No response received.

Ecology Officer: No response received.

Public Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no representations have been received from members of the public.

Key Planning Considerations

Development Plan

Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019 (SELLP), is the development plan for the district, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

The policies and provisions set out in the National Planning Policy Framework, December 2024 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

There are no adopted Neighbourhood Plans for the area within which the site is located.

The main issues and considerations in this case include the following:

-Principle of Development;
-Visual and Heritage Impact;
-Impact on Amenity;
-Highway Safety and Parking; and
-Biodiversity Net Gain.

These matters are assessed in turn below.

Principle of Development

Policy 1 of the Local Plan sets out the settlement hierarchy in respect of delivering sustainable development, which meets the social and economic needs of the area whilst protecting and enhancing the environment; in order to provide enough choice of land for housing to satisfy local need, whilst making more sustainable use of land, and to minimise the loss of high-quality agricultural plots by developing in sustainable locations and at appropriate densities.

Policy 1 expresses this sustainable hierarchy of settlements, ranking the settlements deemed to be most sustainable in descending order. The most sustainable locations for development are situated within the 'Sub-Regional Centres', followed by 'Main Service Centres'. Lower down the hierarchy are areas of limited development opportunity including Minor Service Centres, with areas of development constraint comprising 'Other Service Centres and Settlements'. The countryside is at the bottom of the settlement hierarchy and represents the least sustainable location.

The site is within the settlement boundary of Donington which is a Main Service Centre. Policy 1 sets out that within this type of settlement, development will be permitted that supports their role as

a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities.

Policy 21 of the Local Plan is also relevant in this case as the policy relates to the sub-division of dwellings. The policy sets out that proposals for the sub-division of dwellings will be permitted provided that:

"1. it would not result in the loss of family-sized dwellings in high density residential streets of predominantly terraced and/or semi-detached properties;
2. it would not significantly harm the amenities of the occupiers of adjoining or neighbouring properties by way of noise, overlooking, general disturbance or impact on visual amenity;
3. it would not have a significant adverse impact on the character and appearance of the area, including the historic and natural environment;
4. adequate provision is made for the storage and disposal of refuse and recycling;
5. it would not have a significant adverse impact on the surrounding area by way of increased on-street parking, impaired highway safety or by impeding proper access to the area;
6. the site has good access - by walking and cycling - to community facilities, services, public transport and local employment;
7. an adequate standard of residential accommodation and residential amenity is provided for future occupiers; and
8. adequate provision is made for the communal gardens and amenity areas.

Where all of the above criteria are satisfied, the Nationally Described Space Standards10 (or any successor) will be applied to ensure that the occupiers have adequate floor space."

In terms of the above referenced criteria, the proposal results in the loss of a family-sized dwelling in a high density residential street. The supporting text for Policy 1 references the importance of retaining family-sized dwellings (dwellings with 3 or more bedrooms) as the Strategic Housing Market Assessments found that the greatest demand in the future will be for three bedroom homes. The supporting test further sets out that "high density residential streets" should be taken as meaning streets of predominantly terraced and / or semi-detached properties (Paragraph 5.13.4). Church Street features mostly terraced and semi-detached dwellings. As such, the proposal does not strictly accord with part 1.

In terms of part 2, it is not considered that the proposed conversion would significantly harm the amenities of neighbouring dwellings. For example, the development has not resulted in any extensions to the property, nor have any additional windows been inserted. As such, the development has not worsened any degree of overlooking with neighbouring dwellings. No external changes are proposed to the building within the site and as such, the visual impact of the proposed change of use would not be significant. The change of use from one dwelling to two dwellings could potentially result in more occupants living within the site than previously. The comings and goings resulting from two households rather than one household could result in more disturbance to neighbouring properties; however, it is not considered that this disturbance would significantly harm the amenity of neighbours. As such, the proposal is considered to accord with part 2.

In terms of part 3, no external changes are proposed to the building within the site. Fencing has been installed at the rear of the site; however, this fencing is considered to comprise permitted development. Furthermore, the council's conservation officer has raised no objections to the proposals in terms of the impact on Donington Conservation Area. As such, the development is considered to accord with part 3 as the development would not have a significant adverse impact on the character and appearance of the area, including the historic and natural environment.

In terms of part 4, the submitted plans indicate that a refuse storage area is proposed at the side of the dwelling, behind close boarded fencing. It is considered that this area would be sufficient to accommodate the proposed dwellings and as such, the proposal accords with part 4.

In terms of part 5, the submitted plans show two parking spaces towards the rear of the site, one for each of the dwellings. Lincolnshire County Council's Highways Team have not raised objections to the proposals in terms of highway safety. As such, the proposal is considered to accord with part 5.

Part 6 of the policy requires sites to have good access to community facilities, services, public transport and local employment. The supporting policy text sets out that a distance of 400m in generally accepted as an appropriate walking distance to key services, facilities and public transport (Paragraph 5.13.8). The site is located less than 400m from some key services such as shops and

restaurants. Therefore, the proposal is considered to accord with part 6.

In terms of parts 7 and 8, it is considered that occupants would be provided with sufficient internal and external living space. Application H04-0585-25 was refused due to concerns with the lack of internal and external living space; however, these concerns have been addressed by the revised proposals. For example, the two flats would now accord with the nationally described space standard as Flat 11A would be provided with 58sqm of internal floorspace, and Flat 11B would be provided with 73sqm of internal floorspace. More external amenity space is also proposed for each of the flats than previously. As such, the proposal accords with parts 7 and 8.

Whilst the proposal does not strictly accord with part 1 of Policy 21 of the Local Plan as the proposal would result in the loss of a 3-bedroom dwelling, the proposal would provide two flats in its place. As the proposal accords with all other parts of the policy, resulting in an acceptable living situation for future occupants, it is considered that the proposal is acceptable in principle and accords with Policies 2, 3 and 21 of the Local Plan.

Visual and Heritage Impact

Paragraph 135 of the NPPF states that new development should function well and add to the overall quality of the area and should be visually attractive as a result of good architecture and appropriate landscaping.

Policy 2 of the Local Plan outlines sustainable development considerations for development proposals, providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals.

Policy 3 accords with the provisions of Section 12 of the NPPF, in that it requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically-designated or undesignated townscape or landscape surroundings.

The site is within Donington Conservation Area. The NPPF expresses the importance of considering the impact of development on the significance of designated heritage assets; advising that development and alterations to designated assets and their settings can cause harm. These policies ensure the protection and enhancement of the historic buildings and environments. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance should be treated favourably.

Paragraph 212 of the NPPF sets out the following:

"When considering the impact of a proposed development on 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). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance".

Policy 29 sets out that proposals within a Conservation Area should preserve (and enhance or reinforce, as appropriate) features that contribute positively to the area's character, appearance and setting.

No external changes are proposed to the building within the site. Fencing has been erected at the rear of the site; however, it is considered that this fencing has been installed using permitted development rights.

The subdivision of the dwelling into two dwellings might have altered the character of the site to an extent, resulting in more comings and goings than the previous use as a single dwelling. It is not considered that this would have an unacceptable impact on the character or appearance of the area, including Donington Conservation Area.

The proposed development would not cause an adverse impact to the character or appearance of Donington Conservation Area in accordance with Policies 2, 3 and 29 of the Local Plan and Sections 12 and 16 of the NPPF.

Impact on Amenity

Paragraph 135 of the NPPF states that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policies 2 and 3 of Local Plan set out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

As set out previously, it is considered that the development would provide sufficient living space and external amenity space for occupants. As such, the development accords with Policies 2 and 3 of the Local Plan and Section 12 of the NPPF.

Highway Safety and Parking

Paragraph 116 of the NPPF sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe, following mitigation.

Policy 2 of the Local Plan sets out that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation. Policy 3 sets out that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal.

Policy 36 and Appendix 6 of the Local Plan, set out minimum vehicle parking standards. The standards require at least two spaces for dwellings of up to three bedrooms, and three spaces for dwellings with four or more bedrooms.

As set out previously, Lincolnshire County Council's Highways Team have not raised objections to the proposals in terms of highway safety. Therefore, the proposal would be acceptable in terms of highway safety, in accordance with Policies 2, 3 and 36 of the Local Plan, and Section 9 of the NPPF.

Biodiversity Net Gain

Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021) requires developers to deliver a minimum of 10% Biodiversity Net Gain using standardized biodiversity units measured by statutory biodiversity metrics. This is often referred to as the mandatory requirements for Biodiversity Net Gain.

"Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits".

The biodiversity gain condition is a pre-commencement condition. This relates to a condition that seeks, once planning permission has been granted, a Biodiversity Gain Plan that must be submitted and approved by the planning authority before commencement of the development, alongside the need to submit a Habitat Management and Monitoring Plan.

The effect of Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission is deemed to have been granted subject to the "biodiversity gain condition".

The effect of this "biodiversity gain condition" is that development granted by this notice must not begin unless:
(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan, or
(c) the development is exempt from the biodiversity gain condition.

When taking the above into account, the development in this instance the application is exempt from the statutory 10% Biodiversity Net Gain requirements as it is considered that the proposal falls under the de minimis exemption.

Planning Balance

As detailed above, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The proposed development is appropriate and would not materially harm the character or appearance of the locality including Donington Conservation Area. The development is also acceptable in terms of highway safety and its impact on the amenity of future occupants and neighbouring dwellings. Overall, the proposed development accords with the Local Plan and the NPPF.

Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:

A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.

B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).

C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

Conclusion

Taking the above considerations into account, the proposal is considered to accord with Policies 1, 2, 3, 11, 17, 21, 29, 30 and 36 of the Local Plan, along with the identified sections contained within the NPPF. There are no significant factors in this case that indicate against the proposal and outweigh the consideration in favour of the proposal and the policies referred to above.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be approved under delegated authority.