

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H04-0358-25 **Applicant:** Cowley Academy
Proposal: Internal & external works to gymnasium building
Location: Cowley Academy School Lane Donington
Terminal Date: 5th June 2025

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
28	The Natural Environment
29	The Historic Environment

National Guidance

National Planning Policy Framework December 2024

Section 12: Achieving Well-designed Places
Section 14: Meeting the Challenge of Climate Change, Flooding and Coastal Change
Section 15: Conserving and Enhancing the Natural Environment
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	0

CASE OFFICER ASSESSMENT

Proposal

Planning permission is sought for alterations to a mid-20th century built Gymnasium including internal alterations, new entrance doors to form a new waiting area and the installation of a new accessible ramp.

A separate application seeking listed building consent for the works has been submitted under application reference H04-0320-25 and is being considered concurrently.

The proposed works comprise:

- 1) Enclosing the existing covered space with new entrance doors to form new waiting room area.
- 2) Re-organisation of internal walls to form a new fitness suite, with new access formed to the north elevation.
- 3) Re-organisation of internal walls to the ground floor to form improved office and meeting rooms.
- 4) Installation of a new accessible ramp.
- 5) New fire door to existing Gymnasium.

A Design and Heritage Statement has been submitted as part of the application.

Site Description

The application site is Cowley Academy (formerly The Thomas Cowley High School), located on School Lane, and within the Donington Conservation Area. The main access to the school is taken from High Street, with a secondary access onto Church Lane.

The former Grammar School was converted to a modern secondary school in 1949, with three of its buildings subsequently listed, the Old School Building and North Wing were granted Grade II listed status in 1951 with the Junior School listed in 1988 (listed as the 'Village Youth Centre').

The list description for the buildings read:

Old School Building - Grade II Listed - List Entry Number: 1064457

G.V. II School. Founded by Thomas Cowley in 1719, partly rebuilt after a fire in 1812, altered C19 and C20. Red brown brick in English bond, ashlar and stucco dressings. Machine plain tiled roof with reused stone coped gables and decorative knops. Wooden bellcote with shaped lead roof. To the rear a tall wall stack. 2 storey, 6 bay front with ashlar plinth, first floor band and quoins. Timber dentillated eaves cornice. Central C19 lead roofed stucco porch with angle pilasters, plain frieze, moulded cornice to segmental pediment. Double half glazed doors with bordered lights. To left 3 and to right 2 large cross mullioned windows. To right a doorway with moulded ashlar surround and cornice, beyond a narrow C19 fixed light. To first floor are 6 two light casement windows. All windows have flat splayed brick arched heads with keyblocks and moulded ashlar cills. Above the door a C18 oval sundial, with inscription above. Beneath it a tablet records the foundation of the school by T. Cowley in 1719 and its rebuilding in AD 1812. On the quoins are many graffiti inscriptions, including a footprint dated 1795.

Village Youth Centre on the Site of Cowleys School - Grade II Listed - List Entry Number: 1064458

G.V. II Former schoolroom block, now Youth centre. c.1861. Red brick in Flemish bond, ashlar dressings, tiled roof, stone coped gables, one circular cast iron louvred vent, one ashlar stack. L-plan. Single storey, 6 bay front, the right hand bay is advanced and separately gabled. In the angle 2 Tudor arched doorways with ashlar surrounds, leaf decoration in the spandrels, covered by a porch across the angle, with tiled roof supported on braced timber posts. To the left 4 ashlar cross mullioned windows, subdivided by raked buttresses. To the right a 3 light similar window and in the gable a rectangular leaded light. Built as an addition to T. Cowley's original foundation of 1719, as a Junior School.

North Wing of Cowleys School - Grade II Listed - List Entry Number: 1166210

G.V. II School hall and classroom. 1861. Red brick with ashlar dressings, plain tile roof, with raised stone coped gables, finials and kneelers, one ashlar stack. L-plan. Single storey, 6 bay front, the

right hand bay advanced and gabled. Plinth, stone bracketed chamfered eaves. Buttresses with raked tops. To right a Tudor arched door with moulded ashlar reveals, above a stepped ashlar panel containing foliage, inscription and date 1861. Above is a 3 light mullioned and transomed window. To left are 4 two light and a single 3 light similar window. All windows have chamfered ashlar surrounds. In the gables are 2 small square lights with diamond set.

The application relates to a 20th century built Gymnasium, which is not listed in its own right but is physically connected to the Grade II listed The Old School building by a single storey corridor built as part of the development works undertaken in the mid 20th century. The Gymnasium is a two storey red brick building, with a single ply butterfly roof, the structure was constructed as a purpose built physical education building and has been subsequently extended at ground floor to provide additional office space.

History

H04-0568-23: Proposed replacement of fencing to western boundary. Refused 15.08.2023

H04-0537-24: Re-surfacing of sports court and replace existing fencing. Approved 16.09.2024

H04-0529-24: Installation of new fence to western boundary and replacement of existing fencing; re-submission of H04-0568-23: Approved 28.11.2024.

Consultation Responses

Responses Received (consultation period between 23rd April 2025 and 15th May 2025)

Donington Parish Council

No response received.

Senior Ecologist

No response received.

Environmental Protection Officer

No comments regarding land contamination or environmental protection.

Highway and Lead Local Flood Authority

No objections.

Public Representation

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

Planning Considerations

The main issues and considerations in this case are:

Principle of Development and Sustainability.

Heritage Considerations.

Impact on Neighbouring Residents.

Flood Risk Considerations.

Biodiversity Net Gain.

Evaluation

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.

In this case, the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019, forms 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 (updated December 2024) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Furthermore, where a Neighbourhood Plan has been adopted, this alongside the adopted Local Plan, forms part of the Development Plan for the District, and must be considered when assessing development proposals. In this instance, no relevant neighbourhood plans have been adopted.

Section 66(1) of the Planning (Listed Buildings and Conservation Areas Act) 1990, concerns whether to grant planning permission for development which affects a listed building or its setting and requires special regard to be had to the desirability of preserving the building or its setting or any features of special or architectural interest which it possesses.

Within Conservation Areas, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, requires that special attention is paid in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

Principle of Development and Sustainability

The National Planning Policy Framework (Framework) December 2024 sets out the Government's planning policies for England and how they should be applied. It advises that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives; an economic objective, a social objective, and an environmental objective, which are interdependent and should be pursued in mutually supportive ways.

The South East Lincolnshire Local Plan (2019) sets out the settlement hierarchy in respect of delivering sustainable development that meets the social and economic needs of the area whilst protecting and enhancing the environment.

Policy 1 of the South East Lincolnshire Local Plan (2019) sets out a spatial strategy for delivering sustainable development across South East Lincolnshire to 2036. Policy 1 (Spatial Strategy) expresses this sustainable framework of settlements, ranking the settlements deemed to be most sustainable in descending order.

The application site is located within Donington, defined under Policy 1 (Spatial Strategy) as a 'Main Service Centre'. The Policy advises that within the settlement boundaries of the Main Service Centres 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.

Cowley Academy is located within the settlement boundary and has functioned as an educational facility, serving the needs of the community and wider area for some considerable time. The proposal seeks to improve the existing facilities at the Gymnasium, extending the lifespan of the building by increasing its functionality. The Academy provides an important facility within the settlement, supporting its role as a service centre and serving the needs of the community of Donington and surrounding areas.

The principle of the proposal therefore accords with the requirements of Policy 1 of the South East Lincolnshire Local Plan (2019) subject to the consideration of all other material factors which are assessed in the sections below.

Heritage Considerations

The Effect of the Proposal on the Special Interest, including the setting of the Listed Building

The Framework, at paragraph 202, advises heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Further stating, at paragraph 212, "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."

Policy 29 of the South East Lincolnshire Local Plan (2019) advises that to respect the historic legacy, varied character and appearance of South East Lincolnshire's historic environment,

development proposals are required to conserve and enhance the character and appearance of designated and non-designated heritage assets.

Policy 29(A1) states:

Proposals to change the use of a listed building or alter or extend such a building will be granted where the Local Planning Authority is satisfied that the proposal is in the interests of the building's preservation and does not involve activities or alterations prejudicial to the special architectural interest or its setting

The significance of the three listed buildings at Cowley Academy is in their architectural and historic merit. Architecturally, their merit is the cluster of early to mid 19th century original red-brick, of which much of the exterior fabric is surviving from the early to mid-19th century with little major physical change from the original design and external layout. Historically, the merit of the buildings is in their continued use as a school and the key position the site has maintained as an important amenity within the local community.

The Gymnasium building, to which the application relates, is a modern 20th century structure adjoining The Old School Building. It has little architectural or visual merit and is insignificant in its status, scale and design when viewed in the context of the other historic buildings on the site. The majority of the proposed works are confined to the internal fabric of the building with the construction of internal walls, along with new aluminium sliding doors enclosing an existing covered space to form a new waiting area. A small section of the existing entrance area will be raised by approximately 250mm to match the adjacent roof height, and an external ramp with a metal handrail is proposed providing access to the waiting area.

The modest additions to the Gymnasium building will have limited visibility and would preserve the architectural and historic interest of the listed buildings, nor would the development cause detriment to their setting. The proposal would therefore satisfy the requirements of section 66 (1) of the Act and the provisions within the Framework which seeks to conserve and enhance the historic environment. The proposal would also accord with Policy 29 of the South East Lincolnshire Local Plan (2019) which requires development proposals to conserve and enhance the character and appearance of designated heritage assets.

Whether the Proposal would Preserve or Enhance the Character or Appearance of the Donington Conservation Area

Policy 29B) of the South East Lincolnshire Local Plan (2019) states:

Proposals within, affecting the setting of, or affecting views into or out of a Conservation Area should preserve (and enhance or reinforce, as appropriate) features that contribute positively to an area's character, appearance and setting.

The Gymnasium building, although visible from School Lane, is set back from the highway and lower in height than the adjacent steeply pitched listed buildings. The design and proposed use of materials of the alterations reflect the palette of materials used in the existing building. The scale of development proposed will have limited visibility within the Conservation Area and will not detract from the overall character and appearance of the school complex or surrounding area..

The proposal will serve to safeguard the character of the Conservation Area and in this regard accord with the requirements of Section 72 of the Act and Policy 29 of the South East Lincolnshire Local Plan (2019).

Impact on Neighbouring Residents

The Framework advises, at paragraph 135, development should create places with a high standard of amenity for existing and future users.

Policies 2 and 3 of South East Lincolnshire Local Plan (2019) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

The proposed alterations are confined to the school complex, with existing buildings between the Gymnasium and boundary of the site. The development will not affect the level of amenity currently

afforded to the occupants of nearby residential properties and in this regard accords with the provision of the Framework and Policies 2 and 3 of the South East Lincolnshire Local Plan (2019).

Flood Risk Considerations

Paragraph 170 of the Framework advises that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Further stating, where development is necessary in such areas the development should be made safe for its lifetime without increasing flood risk elsewhere.

Policy 4 of the South East Lincolnshire Local Plan (2019) is clear in that "Development proposed within an area at risk of flooding (Flood Zones 2 and 3 of the Environment Agency's flood map or at risk during a breach or overtopping scenario as shown on the flood hazard and depths maps in the Strategic Flood Risk Assessment) will be permitted" in instances where specific criteria is met.

A Flood Risk Assessment has been submitted as part of the application which states the site falls within Flood Zone 1 on the Environment Agency Flood Map.

The site therefore comprises land assessed to be at low risk of flooding and appropriate for development. The area on which the external alterations are proposed is already hard surfaced and as such there will be no increase in surface water runoff.

The proposal will therefore be made safe for the lifetime of the development and not increase the risk of flooding elsewhere and as such accords with Policies 2,3 and 4 of the South East Lincolnshire Local Plan (2019) and the intentions of the National Planning Policy Framework (2024) in this regard.

Biodiversity Net Gain

Biodiversity Net Gain (BNG) is required under a statutory framework introduced under Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021) and 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.

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.

For applications that are submitted prior to the introduction of this requirement, the development would exempt from the mandatory 10% requirement and as such, the Biodiversity Gain Condition would not apply. However, this application was submitted following the introduction of this legislation. As such, unless comprising development that is exempt from this mandatory Biodiversity Net Gain (10%), a condition would be required, as mandatorily set.

A Biodiversity Net Gain Exemption Statement has been submitted as part of the application. This states the development is below the threshold and is subject to the 'de minimis exemption' as the development:

- a) does not impact a priority habitat and
- b) impacts less than 25square metres (5m by 5m)of on-site habitat that has a biodiversity value greater than zero, and less than 5m of on-site linear habitat.

In justifying the exemption the applicant states:

In response to the first condition; it is not expected that the Site represents any habitat defined on the list of 'Habitats of Principle Importance in England' under Section 41 of the Natural Environment and Rural Communities Act 2006.

In response to the second condition; the footprint of the proposals are extended by 16.5m² and is to occupy an area consisting of existing tarmac playground. Given nature of the surrounding landscaping, the proposed increase in development footprint will not encroach upon 25m² of on-site habitat and no on-site linear habitat will be affected.

It is considered the development meets the requirements of exempt development and is not required to provide Biodiversity Net Gain.

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 proposal seeks to improve the existing facilities at the school Gymnasium, extending the lifespan of the building by increasing its functionality. The Academy provides an important facility within the settlement, serving the needs of the community of Donington and surrounding area, to which substantial weight is attached.

The proposal will not cause detriment to the setting, historic value or architectural integrity of the listed buildings, and will preserve the character and appearance of the Donington Conservation Area. Existing levels of residential amenity will be safeguarded and the proposal will not increase the risk of flooding elsewhere.

The proposal accords with the South East Lincolnshire Local Plan (2019) and the provisions of the National Planning Policy Framework (December 2024) when viewed as a whole. In this instance there are no material considerations that weigh against the proposal and as such the planning balance is in favour of the development.

Conclusion

Taking the above considerations into account, the proposal is considered to be in accordance with policies 1, 2, 3, 4, and 29 of the South East Lincolnshire Local Plan (2019), along with the identified sections contained within the National Planning Policy Framework (December 2024). 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.

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.

Recommendation

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