

Bear Guru Property Partners Limited
150 Nene Terrace
Crowland
Peterborough
PE6 0LH

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TOWN AND COUNTRY PLANNING ACT 1990 FULL

Reference: H04-0585-25 **Date of Decision:** 6th October 2025
Applicant: Bear Guru Property Partners Limited
150 Nene Terrace
Crowland
Peterborough
PE6 0LH
Location: 11 A, B & C Church Street (Formerly 11 Church Street) Donington Spalding
Description: Conversion of two-storey single dwelling into three self-contained residential units including internal alterations - Retrospective

South Holland District Council, in pursuance of the provisions of the Town and Country Planning Act 1990 (as amended), hereby give notice that permission has been REFUSED (or equivalent) for the development referred to above, for the following reason(s):

- 1 The development conflicts with criteria 1, 4, 7 and 8 of Policy 21 of the South East Lincolnshire Local Plan (2019) (SELLP). Policy 21 seeks to ensure that the subdivision of dwellings is only permitted if relevant criteria are met, such as ensuring that a suitable standard of residential accommodation is provided. The development represents an overdevelopment of the site, resulting in the loss of a family-sized dwelling that is unjustified in this case. Insufficient provision has been made for refuse storage and insufficient internal living space and external amenity space is proposed for the dwellings, thereby conflicting with Policies 2, 3 and 21 of the SELLP. It is considered that the development would result in a poor standard of living for occupants and there are insufficient material considerations to justify a departure from the Local Plan.

Notes:

The determined plans are:

Location Plan
Design and Access Statement
Covering Letter
Planning Statement
Heritage Statement
BNG Exemption Statement
BGPP/11CS/105A - General Location Map
BGPP/11CS/102A - Existing Site Plan
BGPP/11CS/102B - Proposed Site Plan - Flat 11A Only
BGPP/11CS/102C - Proposed Site Plan - Flat 11B only
BGPP/11CS/102D - Proposed Site Plan - Flat 11C Only
BGPP/11CS/100A - Existing Elevations
BGPP/11CS/100B - Proposed Elevations
BGPP/11CS/101A - Existing Floor Plans
BGPP/11CS/101B - Proposed Floor Plans/Combined
BGPP/11CS/101C - Proposed Floor Plans - Flat 11A Only
BGPP/11CS/101D - Proposed Floor Plans - Flat 11B Only
BGPP/11CS/101E - Proposed Floor Plans - Flat 11C Only
BGPP/11CS/104A - Flood Zone Map
BGPP/11CS/103A - Conservation Area Zone Map
BGPP/11CS/121A - Post Conversion Site Photos
Application Form

The Local Planning Authority has acted positively and proactively in determining this application by assessing it against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise. However, the issues are so fundamental to the proposal, due to the harm which has been clearly identified within the reason(s) for the refusal, that approval has not been possible.

This decision notice, the relevant accompanying report and the determined plans can be viewed online at <http://planning.sholland.gov.uk/OcellaWeb/planningSearch>



Phil Norman
Assistant Director - Planning and Strategic Infrastructure
South Holland District Council

RIGHTS OF APPEAL

Appeals to the Secretary of State

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or grant consent subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990 or Section 20 of the Planning (Listed Building and Conservation Areas) Act 1990.

Timescales for appealing

The deadlines for appeals are calculated from the **date of decision** and are as follows for the types of applications below:

| 12 Weeks | 6 Months | 8 Weeks |
|---|-----------------------------------|----------------------------|
| Householder Applications | Planning Permission | Consent to Display Adverts |
| Minor Commercial Development | Listed Building Consent | |
| Agricultural Determinations | Other Prior Approval Applications | |
| Householder Prior Approval Applications | | |

<https://www.gov.uk/appeal-householder-planning-decision>

<https://www.gov.uk/appeal-planning-decision>

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planning-inspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

Enforcement Notices

If an enforcement notice was served prior to the planning application being determined then the deadline for appealing is 28 days from the date of the **planning refusal**.

If an enforcement notice is served after the planning application is determined then the deadline for appealing is 28 days from the date of the **enforcement notice OR the timescales stated above for each application type** from the date of the planning refusal - whichever is sooner.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in

giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under the order.

Purchase Notices

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grant it subject to conditions the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of the Part VI of the Town and Country Planning Act 1990 or Section 32 of the Planning (Listed Building and Conservation Areas) Act 1990.

Compensation

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990 and Section 27 of the Planning (Listed Building and Conservation Areas) Act 1990.