DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H09-0697-26**	**Applicant:**	**House of Barakah Ltd**
Proposal:	Change of Use of First and Second Floor Offices (Front Building) and Ground and First Floor Ancillary Retail Storage Space (Rear Building) to Residential Dwellings (Use Class C3) to provide a total of three one-bedroom flats		
Location:	9 - 11 High Street Holbeach Spalding		
Terminal Date:	18th September 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
24	The Retail Hierarchy
26	Primary Shopping Frontages
29	The Historic Environment
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework August 2026

Section 2 - Plan-making policies (PM1 - 17)
Section 3 - Decision-making policies (DM1 - 10)
Section 4 - Achieving sustainable development (S1 - S6)
Section 6 - Delivering a sufficient supply of homes (HO1 - 13)
Section 8 - Ensuring the vitality of town centres (TC1-4)
Section 12 - Making effective use of land (L1 - 3)
Section 14 - Achieving well-designed places (DP1 - 4)
Section 15 - Promoting sustainable transport (TR1 - 8)
Section 17 - Pollution, public protection and security (P1 - 6)
Section 18 - Managing flood risk and coastal change (F1 - 9)
Section 19 - Conserving and enhancing the natural environment (N1 - 9)
Section 20 - Conserving and enhancing the historic environment (HE1 - 10)

Representations:

	Object	Support	No Obj.	Comments

PARISH COUNCIL	1	0	0	0
WARD MEMBER	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	2	0
OTHER STATUTORY BODIES	0	0	0	2

CASE OFFICER ASSESSMENT

Proposal

The application seeks full planning permission to change the use of most of the site to form three 1-bedroom flats. The flats are proposed on the first and second floors of the building where there is currently office space, and within the rear part of the ground floor. No external alterations are proposed to facilitate the change of use.

Site Description

The site comprises 9 to 11 High Street in Holbeach which is part of a three-storey building located within the centre of the town.

The site is also located within Holbeach Conservation Area. The site does not feature a listed building; however, there are listed buildings located within the area.

The site is located within the settlement limit of Holbeach, 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

H09-0991-10: (Full Application) Change of use of first and second floor of newsagents to flat - approved 15th March 2011

H09-0346-20: (Full Application) Convert first and second floor of front building into residential and ground and first floor of rear building into residential - creating 3 one bed flats in total - approved 24th July 2020

Consultation Responses

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

Lincolnshire County Council - Highways and SUDS:

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.

Ecology Officer:

No objections.

Environmental Protection:

No comments.

Conservation Officer:

I have no objections to the proposal on built heritage grounds. The proposal seeks the change of use of the first and second floors, along with a rear section of the building, to residential accommodation in the form of flats. No alterations are proposed to the external elevations of the building. As a result, the proposal will not affect the character or appearance of the Holbeach Conservation Area and is therefore considered to preserve its significance and special interest. Consequently, no heritage concerns are raised in relation to the proposed development.

Holbeach Parish Council:

Concerns over the ground floor flat not having adequate space. Concerns that the study could be used as a bedroom.

Cllr S E Hutchinson:

I have no objection in principle to the conversion of vacant upper floor and ancillary commercial space to residential use. Bringing underused buildings back into occupation and increasing residential presence within the town centre is welcomed and can help support the long-term vitality of Holbeach town centre. My concern relates to the quality of accommodation being provided for future occupiers. Whilst the submitted statement notes that the proposed flats exceed nationally described space standards, I would ask officers to carefully consider whether the layouts provide a genuinely good standard of living accommodation, as required by Policy 3 of the South East Lincolnshire Local Plan. In particular, Flat 1 is shown as providing 48m of floorspace, however a significant proportion appears to comprise circulation and entrance space rather than usable living accommodation. The kitchen provision also appears limited and more akin to a kitchenette arrangement than would ordinarily be expected to serve a self-contained dwelling. I would also ask officers to consider the functionality of the proposed "home office" rooms within Flats 2 and 3. Whilst the application correctly describes these as one-bedroom flats, there is a realistic prospect that these rooms could be used as sleeping accommodation in practice. Officers should therefore be satisfied that the overall layout and room sizes would continue to provide suitable living conditions and residential amenity should those rooms be used more flexibly. More generally, I would encourage careful assessment of how usable the accommodation will be in practice rather than solely whether it meets minimum floorspace standards. Good housing design is about more than achieving minimum space requirements and should ensure future occupiers have comfortable, functional and attractive living environments. Subject to officers being satisfied on these matters, I would have no objection to the principle of the development.

South Holland Internal Drainage Board:

Byelaw 3 (Surface Water): The applicant proposes to discharge surface water to a sewer, which is the least sustainable method of surface water disposal within the drainage hierarchy. I recommend that you satisfy yourselves that this proposal is in line with the drainage hierarchy (as per best practice) and is viable in this location.

Byelaw 3 (Treated Foul Water): I note that the applicant intends to dispose of foul water to a main sewer. Should the applicant's proposals change to include the discharge of treated foul water to a watercourse, consent would be required under Byelaw 3.

Section 23, Land Drainage Act 1991: I am not aware of any riparian owned/maintained

watercourses within or adjacent to the site boundary, however this should be confirmed by the applicant. Should the applicant's proposals include works to alter a watercourse, or if works are proposed to alter a watercourse at any time in the future, consent would be required under the Land Drainage Act 1991 (and byelaw 4).

Byelaw 10: There are no Board arterial watercourses within or adjacent to the site boundary therefore Byelaw 10 does not apply.

Cllr T Carter: No response received.

Cllr N J Chapman: No response received.

Holbeach & District Civic Society: 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 from members of the public have been received.

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, August 2026 (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 Residential 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 defined settlement of Holbeach which is a Main Service Centre. Policy 1 sets

out that development in this type of settlement 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 S4 of the NPPF sets out that development within settlements "should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework".

In this case, the provision of three flats within the centre of Holbeach is considered to be a suitable form of development for the area. Furthermore, as set out previously, planning permission has previously been granted for the development under permission H09-0346-20. Whilst this permission is no longer extant as it appears not to have been implemented, this permission still forms a material consideration in the determination of the application. Some weight can be given to this permission, particularly as the permission was granted at a time when the same development plan was in place.

Some weight can also be given to the provision of 3 flats in this case as South Holland currently cannot demonstrate a 5 year supply of housing.

The site is within Holbeach town centre and a Primary Shopping Area, as defined by Policy 24 of the Local Plan. Whilst the site is within a Primary Shopping Area, the proposal seeks to retain the ground floor retail units. As such, the site would continue to feature ground floor retail units which accords with the aims of Policy 26.

Therefore, the principle of development is considered to be acceptable as the development accords with the aims of Policies 1 and 26 of the Local Plan. This is subject to an assessment of the proposals against other material considerations as considered in turn below.

Visual and Heritage Impact

Section 20 of the NPPF contains guidance as to how local planning authorities should assess proposals that could affect designated and non-designated heritage. For example, Policy HE5 (Assessing effects on heritage assets) requires proposals affecting heritage assets to be accompanied by an assessment of the significant of the assets affected.

Policy HE6 (Proposals affecting designated heritage assets) of the NPPF sets out that when considering the potential effect of a development proposal on the significance of a designated heritage asset, substantial 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 effect amounts to a positive effect, harm, substantial harm, or total loss of its significance.

Policy DP3 (Key principles for well-designed places) of the NPPF states that development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets.

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.

Policy 29 of the Local Plan (Part B) sets out 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, and the LPA's conservation officer has not raised any objections to the proposals in terms of their impact on Holbeach Conservation Area. It is considered that the proposal would have an acceptable impact on the Conservation Area and the setting of the nearest listed buildings.

Impact on Residential Amenity

Policy P3 (Living conditions and pollution) of the NPPF sets out that development should provide healthy living conditions for occupiers and users in terms of adequate access to light and avoiding exposure to levels of air, noise, artificial light or other sources of pollution. The policy also sets out that proposals should not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers, or unacceptable levels of air, noise, artificial light, water, soil or other forms of pollution on or beyond the site.

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.

Flat 2 is proposed to be located on the first floor of the building and Flat 3 is proposed to be located on the second floor. Both flats would feature approximately 60sqm of internal floorspace. The amount of internal floorspace is considered to be sufficient as the nationally described space standard requires between 37sqm and 50sqm for a 1-bedroom flat.

Flats 2 and 3 are each shown to contain one bedroom and a separate room as a home office. Concerns have been raised by Councillor Hutchinson that the second room might be used as a bedroom instead of a home office. The description of development is for 1-bedroom flats and although the home office rooms might be used as bedrooms in future, it is considered that there would still be sufficient internal living space even if these rooms were used as bedrooms. For example, the nationally described space standard (NDSS) requires between 61sqm and 70sqm of internal floorspace for single storey 2-bedroom dwellings. Therefore, the proposed flats would only be 1sqm smaller than recommended by the NDSS and this is considered to be acceptable on balance.

Flat 1 is proposed towards the rear of the site and is proposed to be spread over two floors. The flat is proposed to feature 48sqm of internal floorspace which would not accord with the NDSS which recommends 58sqm of internal floorspace. The layout of the flat is also not ideal as the flat would contain a long narrow kitchen area and the ground floor bedroom and lounge would have a relatively limited outlook onto a concrete yard and blank elevations. Notwithstanding this, the NDSS is not specifically required for proposals within the Local Plan, and it is recognised that permission has been granted for the flat previously under permission H09-0346-20. The proposed flat would be provided with sufficient natural light and on balance, it is considered that the proposal would result in an acceptable amenity impact on future occupants.

No external amenity space is proposed for future occupants; however, it is recognised that the proposal is for flats and for the re-use of a currently vacant building. Carters Park is within walking distance of the site and future occupants could, therefore, access this park for access to green space.

The proposed development would not result in significant detrimental impact on the amenity of future occupants or the neighbouring properties. Therefore, the development would accord with the Section 17 of the NPPF and Policies 2 and 3 of the Local Plan.

Highway Safety and Parking

Policy TR6 (Assessing transport impacts) of the NPPF sets out that development proposals should only be refused on highways grounds if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement.

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 details 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 33 further reinforces the need for developments to be accessible via sustainable modes of

transport.

Policy 36 of the Local Plan, in conjunction with Appendix 6, sets out minimum vehicle parking standards.

No parking provision is currently available within the curtilage of the site. Lincolnshire County Council's highways team have set out that they have no objections to the lack of parking provision as the site is within an 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 are not expected to not be reliant private cars and, therefore, parking is not essential for the proposed development. Therefore, the highways team consider that the proposed development would not have an adverse impact on the public highway.

Therefore, the proposed development would have an acceptable impact in terms of highway safety and as such would accord with Policies 2, 3, 33 and 36 of the Local Plan, as well as Section 15 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 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 represents appropriate development within the defined settlement boundary of Holbeach. The development hereby proposed does not materially harm the character or appearance of the locality including Holbeach Conservation Area. Whilst the internal layout and amount of internal floorspace within Flat 1 is not ideal, it is not considered that the impact on the amenity of future occupants would be adverse. Furthermore, some weight is given to the approval of the same proposals under permission H09-0346-20 and weight is also given to the provision of 3 flats as a contribution towards the area's housing land supply given that there is currently a shortfall.

Therefore, it is considered that the development accords with the Local Plan and the NPPF. In this

instance, there are no material considerations that weigh significantly against the proposal and as such, the planning balance is in favour of the development.

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, 24, 26, 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.