

Planning Committee Dated: 28th January 2026

Summary List of Detailed Plans and Applications

Recommendation: Approved with Conditions

Item: 1

Application No: DM/0443/25/FUL

Application Type: Variation of condition

Application Site: Waltham Gateway Academy Sunningdale Waltham North East Lincolnshire

Proposal: Variation of Conditions 1 (Approved Plans) and 7 (Landscaping) following DM/0302/25/FUL including alterations to the nursery canopy to rear from solid roof projection to a freestanding structure, installation of additional classroom louvre and external chiller to front, installation of PV panels to front and side, alterations to ventilation plant to rear, erection of detached single storey sports store, sprinkler tank and pumphouse to side, minor alterations and planting of landscaping (amended plans - acoustic fencing/landscaping)

Applicant: Hobson & Porter

Case Officer: Lauren Birkwood

Recommendation: Approved with Conditions

Item: 2

Application No: DM/0944/25/FUL

Application Type: Full Application

Application Site: 36 The Drive Waltham North East Lincolnshire DN37 0FB

Proposal: Variation of Condition 2 (Approved Plans) following DM/0107/25/FUL to include revised access road and relocation of parking

Applicant: Mr Bryan And Mrs Eileen Blanchard

Case Officer: Lauren Birkwood

PLANNING COMMITTEE - 28th January 2026

ITEM: 1 RECOMMENDATION: Approved with Conditions

APPLICATION No: DM/0443/25/FUL

APPLICATION TYPE: Variation of condition

APPLICATION SITE: Waltham Gateway Academy, Sunningdale, Waltham, North East Lincolnshire,

PROPOSAL: Variation of Conditions 1 (Approved Plans) and 7 (Landscaping) following DM/0302/25/FUL including alterations to the nursery canopy to rear from solid roof projection to a freestanding structure, installation of additional classroom louvre and external chiller to front, installation of PV panels to front and side, alterations to ventilation plant to rear, erection of detached single storey sports store, sprinkler tank and pumphouse to side, minor alterations and planting of landscaping (amended plans - acoustic fencing/landscaping)

APPLICANT:

Hobson & Porter
Clifford House
Malmo Road
Sutton Fields Industrial Estate
Kingston Upon Hull
HU7 0YF

AGENT:

Watson Batty Architects Ltd (MB)
Shires House
Shires Road
Guiseley
Leeds
LS20 8EU

DEPOSITED: 27th May 2025

ACCEPTED: 25th June 2025

TARGET DATE: 3rd September 2025

PUBLICITY EXPIRY: 26th January 2026

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 25th July 2025

CASE OFFICER: Lauren Birkwood

PROPOSAL

This proposal is for the variation of condition 1 (Approved Plans) and 7 (Landscaping) of planning permission DM/0302/25/FUL.

The amendments relate to the following:

- Alterations to the nursery canopy to the rear from a solid roof projection to a freestanding structure;
- Installation of additional classroom louvre and external chiller to front of the building;
- Installation of solar panels to front and side of the building on the roof;
- Alterations to the ventilation plant to rear of the building;
- Erection of a detached single storey sports store, sprinkler tank and pumphouse to the side with associated acoustic fencing; and
- Minor alterations and planting of landscaping within the site.

The application is presented to planning committee due to objections received from neighbouring properties.

SITE

The school building and associated infrastructure has been built and the school is operating. The surrounding area is established as residential in nature. To the north are properties at Lindrick Walk and Woodhall Drive, to the west are properties at Lindrick Walk, Ashbourne and Sunningdale, to the south are properties at Sunningdale and to the east is the main school building and playing field that have been developed.

RELEVANT PLANNING HISTORY

DM/0776/25/CND - Details in Discharge of Condition 13 (Community Use) and Condition 15 (Travel Plan) pursuant to DM/0448/23/FUL - Pending Consideration.

DM/0517/25/CND - Details in Discharge of Condition 17 (External Ventilation/Extraction) pursuant to DM/0302/25/FUL - Pending Consideration.

DM/0302/25/FUL - Variation of Condition 5 (Hours of Construction) following DM/0448/23/FUL to amend working hours - Approved with Conditions 14th July 2025.

DM/0221/25/FUL - Erect temporary self-contained, relocatable mobile units for use as single storey, educational accommodation, for the use of a maximum of 75 school children (early years, KS1 and KS2) with 5 school staff members - Approved with Conditions 12th June 2025.

DM/0051/25/CND - Details in Discharge of Conditions 4 (Drainage) pursuant to DM/0448/23/FUL - Conditions Discharged 27th March 2025.

DM/0631/24/CND - Details in discharge of Condition 7 (Highway Access) and 18 (Traffic Regulation Order) pursuant to DM/0448/23/FUL- Conditions Discharged 16th August 2024.

DM/0618/24/CND - Details in Discharge of Conditions 3 (External Materials), 6 (CTMP), 10 (Piling) and 11 (Ecology) pursuant to DM/0448/23/FUL - Conditions Discharged 15th August 2024.

DM/0448/23/FUL - Provision of new Primary School, including erection of main school building, installation of ventilation system, erection of fencing/gates and associated landscaping. Creation of staff car parking, vehicular and pedestrian accesses from Sunningdale, pedestrian access from Archer Road, creation of playgrounds and playing pitch, athletics track, habitat area, cycle storage and associated works - Approved with Conditions 5th January 2024.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2023)

NPPF8 - Promoting healthy and safe communities

NPPF12 - Achieving well designed places

NPPF14 - Climate, flooding & coastal change

NPPF15 - Conserv. & enhance the natural environ.

North East Lincolnshire Local Plan 2013-2032 (adopted 2018)

PO5 - Development boundaries

PO6 - Infrastructure

PO22 - Good design in new developments

PO33 - Flood risk

PO34 - Water management

PO41 - Biodiversity and Geodiversity

PO42 - Landscape

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise". This is recognised in paragraph 11 of the NPPF, with paragraph 12 stating that the framework does not change the statutory status of the development plan as the starting point for decision making. The development plan for the area is comprised of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

REPRESENTATIONS RECEIVED

Council's Environmental Health Officer - No comments.

Council's Highways Officer - No objections.

Council's Heritage Officer - No objections.

Council's Ecology Officer - No comments.

Council's Drainage Officer - No objections.

Council's Tree Officer - No objections. Condition recommended.

Sport England - No objections.

Humberside Fire and Rescue - No objections. Informative recommended.

Environment Agency - No comments.

Anglian Water - No comments.

Waltham Parish Council - Supports the proposal.

Neighbour Representations

41 Woodhall Drive, Waltham
1 Wray Close, Waltham
20, 21, 23, 25, 27, 46 Sunningdale, Waltham
3 and 6 Ashbourne, Waltham
5, 11 and 16 Turnberry Approach, Waltham
53 and 55 Archer Road, Waltham

Objects with regards to the following:

- Noise issues
- Loss of amenity and green space
- Sprinkler tank and air source heat pumps out of keeping in area and dominant
- Highways safety and parking issues
- Flooding issues
- Ecology and landscaping concerns
- Infrastructure installed without planning permission
- Conflicts with planning policy
- Affects value of properties

APPRAISAL

Appraisal

The key planning material considerations are:

- Principle of Development
- Revisions and Visual Impact
- Neighbouring Amenity
- Landscaping
- Other Matters

Principle of Development

The principle of development on this site has been well established through previous approvals on the site, namely DM/0448/23/FUL and DM/0302/25/FUL. This proposal seeks to vary the previously approved plans and landscaping. It is therefore considered, in principle, to be acceptable provided that the proposal does not give rise to significant issues in terms of visual and residential amenity, and landscaping impacts in accordance with Policies 5, 22 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

S.73 of the Town and Country Planning Act 1990 allows for applications for amendments to be made to an existing planning permission, and the application is then considered against the relevant Policies of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Revisions and Visual Impact

The amendments to the previous permission include:

Alterations to the nursery canopy to the rear of the school building from a solid roof projection to a freestanding structure. The structure is timber framed and simulates a pergola and has been completed. It is not directly viewable from the street scene due to the structures position to the rear of the building and there are no adverse visual impacts

Installation of additional classroom louvre and external chiller to front of the building. The louvre provides further ventilation for the specialist teaching space, and the additional chiller is for the server room. Works have been completed. This is minor in scale and visually acceptable.

Installation of solar panels to front and side of the building on the roof. These have been installed. Solar panels are common installations on community buildings and are acceptable in this case in relation to the design of the building.

Alterations to the ventilation plant to rear of the building. The location of the ventilation plant has remained unchanged. This now includes pipework and 2.4-metre-high mesh fencing has been erected around the plant for security purposes and has been completed. Due to the position of the ventilation plant and fencing, to the rear of the school building, it is considered that the impact on the character and visual amenity of the area would be minimal.

The sprinkler tank and pumphouse to the side. The sprinkler tank is approximately 5 metres in height with an associated pumphouse. The works have been completed. The applicants have confirmed that the sprinkler tank is to store water in case of a fire and is to meet safety requirements for the site. Surrounding the structures would be a 3-metre-high closed boarded acoustic fence. In terms of the sprinkler tank and associated pump

house, it is noted that concerns have been raised from neighbouring properties in terms of character and appearance within the residential area. The structures have been installed to the side of the school building. Significant consultation has been undertaken with the applicant to provide visual mitigation of these structures. This includes the erection of a 3-metre-high closed boarded acoustic fence and further landscaping to the side adjacent to properties on Sunningdale. When implemented it is considered that this will provide sufficient visual mitigation to ensure the character and appearance of the area is maintained. For a school building such plant and equipment is considered to be usual and when assimilated into the site in the manner proposed it would not be visually harmful.

Erection of a detached single storey sports store which has not yet been constructed and would be approximately 2 metres in height and built in brickwork. This would be situated to the side of the school building and would be detached. It is considered that the sports store would be minor in nature and is also a typical structure for a site such as this. Although it would be viewable from the street scene, it would not impact visually.

Minor alterations and planting of landscaping within the site. Further planting would be to all boundaries, particularly to boundaries of neighbouring properties on Sunningdale and Woodhall Drive. Further planting would also be proposed to the side of the sprinkler tank as noted. The landscaping is discussed further below.

In overall terms, it is considered that the amendments would not adversely impact on the character and visual amenity of the area, and therefore the proposal is considered to be acceptable in accordance with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Neighbouring Amenity

It is necessary to give due regard on neighbouring land uses, particularly for the immediate neighbours of the site. It is noted that concerns have been raised by neighbours with particular regard to noise, loss of amenity and dominance.

The development is located within an established residential area. The site is bounded by residential properties on all sides; there are residential properties to the east at Archer Road, to the north at Woodhall Drive, to the south at Sunningdale and Turnberry Approach and to the west at Lindrick Walk.

In terms of the physical alterations to the building including the installation of the freestanding wooden structure to the nursery, the additional louvre and chiller, the installation of the solar panels and the alterations to the ventilation plant with associated fencing, it is considered these are separated from neighbouring properties and are relatively minor works in relation to the overall development. It is therefore considered that there are no adverse impacts on residential amenity in terms of massing, overshadowing or noise issues.

With regard to the proposed sports store, this would be located to the southern end of the site, adjacent to the boundary shared with 24 Sunningdale. However, due to the single storey nature of the store, and the presence of proposed landscaping, it is considered that issues in terms of dominance and overshadowing would not be adverse.

In terms of the sprinkler tank and pumphouse, this is also situated to the southern end of the site. As the sprinkler tank is approximately 5 metres in height, adjacent to the front entrance of the site on Sunningdale, the structures are viewable to neighbours. Again, significant consultation has been undertaken with the applicant to provide visual mitigation of these structures. This includes the erection of a 3-metre-high closed boarded acoustic fence and further landscaping to the side adjacent to properties on Sunningdale. Having regard to the separation from neighbours it is not considered that the structure causes adverse massing or dominance and in terms of outlook from neighbouring property its assimilation into the site as works progress will further mitigate its impact.

The 3-metre-high closed boarded fencing is also proposed to mitigate noise issues arising from the air source heat pumps (pump house). It is considered that this is typical of fencing for schools and fencing at this height and will not be detrimental to neighbouring residential amenity. The Environmental Health Officer raises no objections to the proposed amendments.

Subject to safeguarding conditions, it is therefore considered that the proposed amendments would not have an unacceptable impact on neighbouring amenity and the development accords with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Landscaping

The proposal includes amendments to the previously approved landscaping scheme. There would be minor alterations and planting of landscaping within the site. Further planting would be to all boundaries, particularly to boundaries of neighbouring properties on Sunningdale and Woodhall Drive. Further planting is also proposed to the side of the sprinkler tank. The species and types of planting have also been included along with details of planting, aftercare and maintenance. The Council's Tree Officer has reviewed the details and has confirmed that the associated details are acceptable. It is therefore considered that the proposal accords with Policy 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Other Matters

The Council's Highways Officer, Ecology Officer and Drainage Officers have confirmed they have no objections to the amendments.

All relevant conditions are reiterated when their requirements still apply.

CONCLUSION

The proposal is for the variation of condition 1 (Approved Plans) and 7 (Landscaping) following DM/0302/25/FUL at Waltham Gateway Academy in Waltham. This proposal does not give rise to adverse issues in terms of visual and neighbour amenity, and landscaping impacts. As such, the proposal accords with Policies 5, 22 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018), and Sections 12 and 15 of the NPPF, subject to safeguarding conditions.

RECOMMENDATION

Approved with Conditions

(1) Condition

The development will be carried out in accordance with the following plans:

Proposed Floor Plan - TD034-22-WBA-XX-F00-D-A-PL_501 P4

Proposed Elevations and Roof Plan - TD034-22-WBA-XX-XX-D-A-PL_500 P4

Landscaping Plan - 20909 SFH XX XX DR L 0001 REV N

Combined External Services - TD034-22-RID-XX-F00-DR-ME-12001 C04

Sprinkler Tank Plan and Elevations - TD034-22-AP-XX-F00-D-X-00007 C4

Sports Store Floor Plans and Elevations - K16X09-1

And as approved under DM/0302/25/FUL:

Proposed Fences and Gates - TD034-22 A012 B

Proposed Site Plan Drainage Strategy - TD034-22 A007 A

Exterior Lighting - ASD-DN-MR-0523-030 R00

Site Location Plan - TD034 - A001 A

Reason

For the avoidance of doubt in the interests of proper planning and in accordance with Policies 5, 22 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(2) Condition

All external materials to be used in construction of the buildings shall be constructed in accordance with the approved details under application DM/0618/24/CND and drawings:

K16X09-1 (Sports Store Floor Plans and Elevations).

TD034-22-AP-XX-F00-D-X-00007 C4 (Sprinkler Tank Plan and Elevations)

TD034-22-WBA-XX-XX-D-A-PL_500 P4 (Proposed Elevations and Roof Plan)

Reason

To ensure the development has an acceptable external appearance and is in keeping with the visual amenity and character of the area in accordance with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(3) Condition

All drainage of the development shall be constructed in accordance with the approved details under application DM/0051/25/CND and all drainage of the development shall be retained as approved unless otherwise approved in writing by the Local Planning Authority.

Reason

To prevent an increased risk of flooding by ensuring the provision of a satisfactory means of surface and foul water disposal in accordance with Policies 5, 33 and 34 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(4) Condition

Construction work shall only be carried out between the following hours and as stated:

Monday to Friday - 08:00 - 18:00

Saturday - 08:00 - 16:30 (No external works permitted after 13:00).

Sundays and Bank Holidays - No construction work permitted.

Reason

To protect the amenities of nearby residents in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(5) Condition

Notwithstanding condition 4 of this application, the development shall be built out as per the approved details under application: DM/0618/24/CND in respect of construction traffic management. The approved details shall be adhered to at all times during construction.

Reason

To ensure adequate access facilities are provided during construction, and for highway safety reasons and in order to protect residential amenity to accord with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(6) Condition

The access for the development shall be built out per the approved details under application: DM/0631/24/CND and retained once completed.

Reason

To ensure adequate parking and turning facilities are provided within the site for highway safety reasons and in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(7) Condition

The landscaping shall be carried out in strict accordance with the details on drawing 20909 SFH XX XX DR L 0001 REV N (Landscaping Plan). All planting shall be carried out in accordance with the approved details within 6 months of the date of commencement of the use of the development or within such longer time as agreed in writing with the Local Planning Authority and all planting shall thereafter be maintained for a period of 5 years with all losses in that period replaced with the same plant and standard.

Reason

To ensure a satisfactory appearance and setting for the development and protection of existing features in the interests of local amenity in accordance with Policies 5 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(8) Condition

If during development contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately, and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the Local Planning Authority. Remediation shall be carried out in accordance with the details agreed.

Reason

To ensure that any previously unconsidered contamination is dealt with appropriately and in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(9) Condition

The development shall proceed in strict accordance with the recommendations set out in the Preliminary Ecological Appraisal dated 30th November 2022, as approved under DM/0448/23/FUL, and occupied as per the approved details under application: DM/0618/24/CND for swift boxes, bat boxes and the future habitat area.

Reason

In the interests of ecology and to accord with Policy 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(10) Condition

The development hereby permitted shall operate in accordance with the submitted Ball Strike Assessment dated 20/07/2023, as approved under DM/0448/23/FUL, unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interests of local amenity to accord with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(11) Condition

Within 6 months of the date of this permission, a Community Use Scheme shall be submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England. The scheme shall include details of pricing policy, hours of use, access by non-school users/non-members, management responsibilities and include a mechanism for review, all of which shall follow the hazard controls stated within the submitted Ball Strike Risk Assessment. The approved scheme once implemented shall be retained throughout the lifetime of the development.

Reason

In the interest of providing a community use in accordance with Policies 5 and 43 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(12) Condition

Within one month of this approval, the acoustic fencing shown on drawings TD034-22-WBA-XX-XX-D-A-PL_500 P4 (Proposed Elevations and Roof Plan) shall be installed unless otherwise agreed in writing by the Local Planning Authority. Once installed, the fencing shall be retained throughout the lifetime of the development.

Reason

In the interest of protecting neighbouring residential in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(13) Condition

Within 6 months of the date of this permission, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The school hereby permitted shall then be used in accordance with the measures approved.

Reason

In the interest of promoting sustainable transport in accordance with Policy 36 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(14) Condition

The hours of operation of the outdoor sports pitches shall be restricted to:08:00hrs to 16:30hrs - Monday to Friday
10:00hrs to 16:00hrs - Saturday and Sunday

Reason

To protect the amenities of nearby residents and in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(15) Condition

Within 6 months of the date of this permission, a scheme for Closed-circuit television (CCTV), shall be submitted to and agreed in writing by the Local Planning Authority. The CCTV agreed shall be implemented in accordance with the details approved prior to any part of the school being used.

Reason

In the interest of the designing out crime in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(16) Condition

Within one month of this approval, the Traffic Regulation Order shall be implemented in accordance with the details approved under application: DM/0631/24/CND.

Reason

In the interests of highway safety reasons and in accordance with Policies 5 and 36 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(17) Condition

Within one month of this approval, final details shall be submitted to and approved in writing by the Local Planning Authority of all external ventilation and extraction equipment and air source heat pumps including their acoustic performance. Such a scheme as approved shall be implemented in accordance with the details approved within 3 months of said approval and shall thereafter be so retained.

Reason

To protect the amenities of nearby residents and to accord with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(18) Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to

have been granted subject to the condition "(the biodiversity gain condition") that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission, would be North East Lincolnshire Council, or the Secretary of State (where they have determined under sections 62A, 76A or 77 of the Town and Country Planning Act 1990 (as amended) that such applications must be made to them) or the Planning Inspectorate or Secretary of state where they have so specified in determining an appeal under s 78 of the Town and Country Planning Act 1990 (as amended).

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. It is the applicant or developers responsibility to make sure that they are complying with the requirements of this legislation.

Where this permission has the effect of requiring or permitting the development to proceed in phases, the modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

In Summary: Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements in the list below is/are considered to apply. It is considered that exemption number 4.1 applies.

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition can be found at <https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>.

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
 - (i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or
 - (ii) the application for the original planning permission to which the section 73 planning permission relates was made before 12 February 2024.

4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

- i) the application for planning permission was made before 2 April 2024;
- ii) planning permission is granted which has effect before 2 April 2024; or
- iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

* "original planning permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

4.2 Development below the de minimis threshold, meaning development which:

- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

- i) consists of no more than 9 dwellings;
- ii) is carried out on a site which has an area no larger than 0.5 hectares; and
- iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.5 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the

transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

Informatics

1 Reason for Approval

The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would not harm the area character or residential amenity and is acceptable under all other planning considerations including landscaping. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018), in particular Policies 5, 6, 22, 33, 34, 41 and 42.

2 Added Value Statement

Article 31(1)(cc) Statement - Positive and Proactive Approach

In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by requesting additional information to overcome concerns.

3 Informative

Please note that you may also require Building Regulations. You are advised to contact them in advance of work on site commencing (Tel: 01472 326289 - Option 2).

4 Informative

The applicant's attention is drawn to the comments made by Northern Powergrid received and Humberside Fire & Rescue received on the application and the original applications.

5 Informative

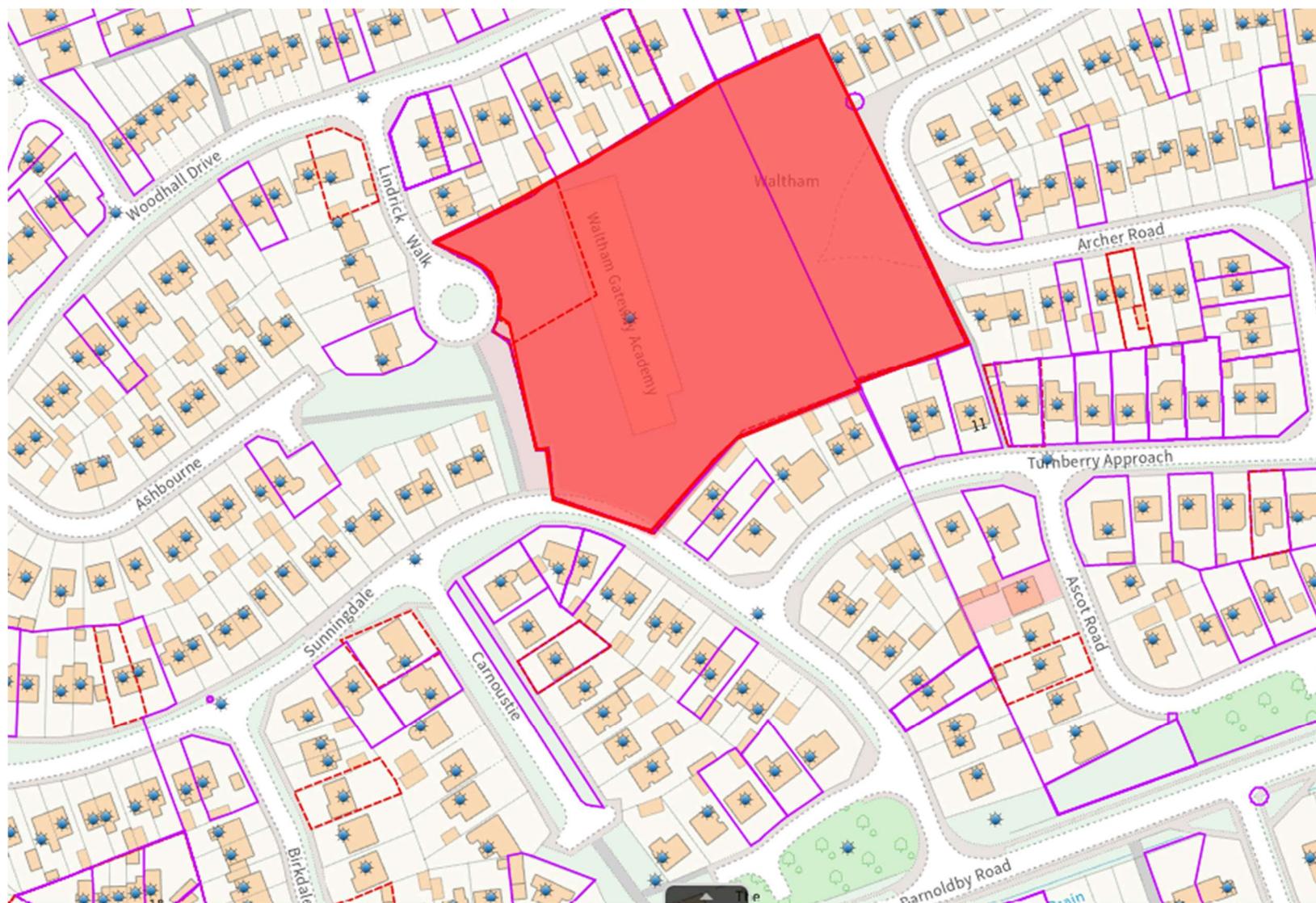
The applicant's attention is drawn to the comments made by Sport England on the original applications.

6 Informative

The applicant's attention is drawn to the following guidance New_Schools_2014.pdf (securedbydesign.com)

https://www.securedbydesign.com/images/SBD_New_Schools_Application_Form_V2.docx relating to secured by design.

DM/0443/25/FUL – WALTHAM GATEWAY ACADEMY, SUNNINGDALE, WALTHAM



DM/0443/25/FUL – WALTHAM GATEWAY ACADEMY, SUNNINGDALE, WALTHAM



PLANNING COMMITTEE - 28th January 2026

ITEM: 2 RECOMMENDATION: Approved with Conditions

APPLICATION No: DM/0944/25/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: 36 The Drive, Waltham, North East Lincolnshire, DN37 0FB

PROPOSAL: Variation of Condition 2 (Approved Plans) following DM/0107/25/FUL to include revised access road and relocation of parking

APPLICANT:

Mr Bryan And Mrs Eileen Blanchard
2 Abbey Park Road
Grimsby
North East Lincolnshire
DN32 0HR

AGENT:

Georgina Walker
Hodson Architects
The Old Post Office
Yarra Road
Cleethorpes
North East Lincolnshire
DN35 8LS

DEPOSITED: 5th November 2025

ACCEPTED: 17th November 2025

TARGET DATE: 12th January 2026

PUBLICITY EXPIRY: 14th December 2025

AGREED EXTENSION OF TIME DATE: 30th January 2026

CONSULTATION EXPIRY: 14th December 2025

CASE OFFICER: Lauren Birkwood

PROPOSAL

The application seeks to vary condition 2 (Approved Plans) pursuant to DM/0107/25/FUL, which was for the erection of two dwellings. This amendment relates to alterations to the access road and relocation of the parking associated with the overall site at 36 The Drive, Waltham.

The application is brought to planning committee following an objection from Waltham Parish Council.

SITE

The site consists of a vacant plot, surrounded by existing residential development, located on the southeast side of The Drive in Waltham. To the south of the site is Waltham Windmill Golf Club, mainly the associated golf course grounds and tees. To the north, east and west lies residential properties.

RELEVANT PLANNING HISTORY

DC/259/98/WOL - Erect detached house - Approved with Conditions.

DM/0107/25/FUL - Erection of two dwellings with shared access road, parking spaces, landscaping and associated works (Preliminary Ecological Appraisal received 27th May 2025) - Approved with Conditions.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2023)

NPPF5 - Delivering a sufficient supply of homes

NPPF12 - Achieving well designed places

NPPF14 - Climate, flooding & coastal change

NPPF15 - Conserv. & enhance the natural environ.

North East Lincolnshire Local Plan 2013-2032 (adopted 2018)

PO5 - Development boundaries

PO22 - Good design in new developments

PO33 - Flood risk

PO34 - Water management

PO41 - Biodiversity and Geodiversity

PO42 - Landscape

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise". This is recognised in paragraph 11 of the NPPF, with paragraph 12 stating that the framework does not change the statutory status of the development plan as the starting point for decision making. The development plan for the area is comprised of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

REPRESENTATIONS RECEIVED

Trees and Woodlands Officer - Content with amendments, landscaping plan condition required.

Drainage Officer - Previous drainage comments still apply.

Highways Officer - Amendments secured and now acceptable. S184 license and access condition required.

Waltham Parish Council - Recommends refusal due to tree removal and changes to landscaping.

Environmental Health - No comment.

Heritage Officer - No input required.

Neighbour Representations

No neighbour representations received.

APPRAISAL

The material planning considerations are:

1. Principle of Development
2. Revisions and Landscaping
3. Impact to Neighbours
4. Highways

1. Principle of Development

The application seeks to vary condition 2 (approved plans) of the earlier approval to allow for amendments to the access road and relocation of the parking.

The principle of the development has already been established under the original permission and the considerations of this application are merely those relating to the impacts arising from the proposed amendments.

2. Revisions and Landscaping

The amendments include alterations to the access road into the development area. Most significantly this would see the access moved further north to follow the line of the northern boundary. The access would be retained at 5 metres in width dropping to 4 metres within the site specifically at the access into the eastern plot. This would result in the removal of some existing landscaping features towards the front of the site mainly that of three trees. However, some additional landscaping has been included in and around each plot and their individual parking areas and the hawthorn hedge along the northern boundary would also be retained. The parking areas would also be relocated however the amount would remain as originally approved, at three per dwelling.

The objection from Waltham Parish Council has been noted and largely relates to the loss of trees. The Trees and Woodlands Officer has reviewed the details and concluded that the removal of the trees can be offset by a detailed landscaping scheme. Some indicative details have been provided within this application however a condition relating to a detailed landscaping scheme has been included to ensure that species, location and number can be reviewed and agreed to ensure visual amenity is maintained.

Visually, the proposal would alter the design concept; given the proposed changes. The alterations would be minor in nature however in the context of the overall development. It is considered that the site can accommodate the nature of these changes comfortably. It is considered that the scheme can be achieved and visual amenity protected by means of an appropriate condition.

Having regard to the above, the amendment is acceptable under Policies 5, 22 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

3. Impact to Neighbours

The main impact of the amendment would be to 38 The Drive, to the east, and the most significant alteration would be that of the access road. The amendment would result in the access road moving closer toward the access road of the neighbour. It is not unusual to have access roads adjacent to one another and the dwelling itself is set back within its own grounds therefore minimising any adverse impacts of the revised location of the access or parking areas.

Additionally, in relation to no. 27 the access would remain adequately separated to ensure no adverse impacts.

The changes are considered to be minor in nature and in the context of the scheme and therefore it is not considered the overall works are considered to present any adverse impacts to neighbours. Equally, no objections from neighbours to the changes have been received.

Having regard to the above, the amendment is acceptable under Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

4. Highways

The amendment in the layout is considered to provide an appropriate access to serve the two dwellings. As such the Highways Officer confirms there are no objections. The numbers of parking spaces remain unchanged and are still considered to be adequate for this proposal.

Having regard to the above, the amendment is acceptable under Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

CONCLUSION

This application seeks to modify an earlier approval, which was for the erection of two dwellings. The modifications proposed in this application are considered to be of an acceptable scale and nature and do not fundamentally alter the original design concept or create any significant additional impacts to the character of the area or to neighbours. It is therefore recommended for approval.

RECOMMENDATION

Approved with Conditions

(1) Condition

The development hereby permitted shall begin by 11th July 2028.

Reason

To comply with S.91 of the Town and Country Planning Act 1990.

(2) Condition

The development shall be carried out in accordance with the following plans:

Proposed Site Plan - 2546-P001_P06

As approved under DM/0107/25/FUL;

Site Location Plan - 2546.E001_P01

Proposed Ground Floor Plan for House Type A - 2546.P100_P03

Proposed First Floor Plan for House Type A - 2546-P101_P02

Proposed Roof Plan for House Type A - 2546-P102_P01

Proposed Front and Rear Elevations for House Type A - 2546-P103_P02

Proposed Side Elevations for House Type A - 2546-P104_P02

Proposed Ground Floor Plan for House Type B - 2546-P200_P03

Proposed First Floor Plan for House Type B - 2546-P201_P01

Proposed Roof Plan for House Type B - 2546-P202_P01

Proposed Front and Rear Elevations for House Type B - 2546-P203_P02

Proposed Side Elevations for House Type B - 2546-P204_P02

Reason

For the avoidance of doubt and in the interests of proper planning and in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(3) Condition

The proposed development shall be erected in strict accordance with the materials specified within the application form (received 14th February 2025) and as stated on drawing nos. 2546-P103_P02, 2546-P104_P02, 2546-P203_P02 and 2546-P204_P02, as approved under DM/0107/25/FUL, unless otherwise approved in writing by the Local Planning Authority.

Reason

To ensure a suitable finish to the development and in accordance with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(4) Condition

No development shall commence until a final scheme for the sustainable provision of foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. Included shall be confirmation of existing and proposed ground levels and finished floor levels. The development shall then be built out in accordance with the approved details and the drainage implemented prior to occupation of each dwelling. It shall be retained thereafter.

Reason

To prevent an increased risk of flooding by ensuring the provision of a satisfactory means of foul and surface water disposal in accordance with Policies 5, 33 and 34 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(5) Condition

No dwelling shall be occupied until a scheme for water re-use to achieve an efficiency standard of 110 litres per person per day has been submitted to and approved in writing by the Local Planning Authority. Once approved, the dwellings shall be completed and occupied in strict accordance with the agreed details.

Reason

In the interests of efficient water management and to accord with Policies 5 and 34 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(6) Condition

No construction work shall be carried out on or before 08:00 or after 18:00 Mondays to Fridays inclusive, before 08:00 or after 13:00 on Saturdays and at any time on Sundays or Bank Holidays.

Reason

To protect the amenities of nearby residents and ecology and in accordance with Policies 5 and 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(7) Condition

No works related to the development hereby approved shall begin until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP should include, but not be limited to the following:

1. Contact details of the person with responsibility for the implementation of the CTMP;
2. The expected number, types and size of vehicles during the entire construction period;
3. The proposed daily hours of operation during the construction period;
4. Details of on-site parking provision for construction related vehicles;
5. Details of on-site storage areas for materials, if required;
6. Details of expected delivery schedules and how this will be managed to eliminate waiting on the public highway (i.e. call ahead or pre-booking scheduling system), if required; and
7. Details of wheel washing facilities (locations, types etc.).

Once approved, the CTMP shall be adhered to at all times during construction.

Reason

To ensure adequate access facilities are provided during construction, and for highway safety reasons and to accord with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(8) Condition

Development shall not begin until details showing the location, layout, design and method of construction of the altered vehicular access, driveway, parking and manoeuvring space, including any necessary piping or culverting of any ditch or watercourse, have been submitted to and approved in writing by the Local Planning Authority, and before any part of the development hereby permitted is brought into use the vehicular access, driveway, parking and manoeuvring space shall be constructed in accordance with those approved details and shall thereafter be so retained.

Reason

To ensure adequate parking and turning facilities are provided within the site for highway safety reasons in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(9) Condition

No part of the development hereby permitted shall be brought into use until all drives and any parking or turning areas are surfaced in a hard bound material (not loose gravel) for a minimum of 10m behind the Highway boundary. They shall then be maintained in such hard bound material for the life of the development.

Reason

To reduce the possibility of deleterious material being deposited on the public highway (loose stones, etc.) in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(10) Condition

No development shall commence until a scheme of landscaping, to accord with the principles as shown on drawing no. 2546-P001_P06, showing the details of the number, species, sizes, planting positions and maintenance schedules of all trees and shrubs to be planted have been submitted to and approved in writing by the Local Planning Authority. All planting shall be carried out in accordance with the approved details within 12 months of the date of commencement of the development or within such longer time as agreed in writing with the Local Planning Authority and all planting shall thereafter be maintained for a period of 5 years with all losses in that period replaced with the same plant and standard.

Reason

In the interest of visual amenity to accord to Policies 5, 22 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(11) Condition

The development must be carried out in line with the recommendations identified in Paragraph 5 of the Preliminary Ecological Appraisal (dated May 2025) submitted, as approved under DM/0107/25/FUL, unless otherwise agreed in writing with the Local Planning Authority.

Reason

In the interests of ecology and to accord with Policy 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(12) Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission, would be North East Lincolnshire Council, or the Secretary of State (where they have determined under

sections 62A, 76A or 77 of the Town and Country Planning Act 1990 (as amended) that such applications must be made to them) or the Planning Inspectorate or Secretary of state where they have so specified in determining an appeal under s 78 of the Town and Country Planning Act 1990 (as amended).

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. It is the applicant or developers responsibility to make sure that they are complying with the requirements of this legislation.

Where this permission has the effect of requiring or permitting the development to proceed in phases, the modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

In Summary: Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements in the list below is/are considered to apply. It is considered that exemption number 4.5 applies.

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition can be found at <https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>.

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
 - (i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or
 - (ii) the application for the original planning permission to which the section 73 planning permission relates was made before 12 February 2024.
4. The permission which has been granted is for development which is exempt being:
 - 4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:
 - i) the application for planning permission was made before 2 April 2024;
 - ii) planning permission is granted which has effect before 2 April 2024; or

iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

* "original planning permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

4.2 Development below the de minimis threshold, meaning development which:

- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

- i) consists of no more than 9 dwellings;
- ii) is carried out on a site which has an area no larger than 0.5 hectares; and
- iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.5 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on

arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

Informatics

1 Reason for Approval

The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal, as amended, would not harm the area character or residential amenity and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 5, 22, 33, 34, 41 and 42.

2 Informative

Article 31(1)(cc) Statement - Positive and Proactive Approach

In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner by determining the application in a timely manner.

3 Informative

Please note that you may also require Building Regulations. You are advised to contact them in advance of work on site commencing (Tel: 01472 326289 - Option 2).

4 Informative

This application will require the creation of new postal addresses. You are advised to contact the Street Naming & Numbering Team on 01472 323579 or via email at snn@nelincs.gov.uk to discuss the creation of new addresses.

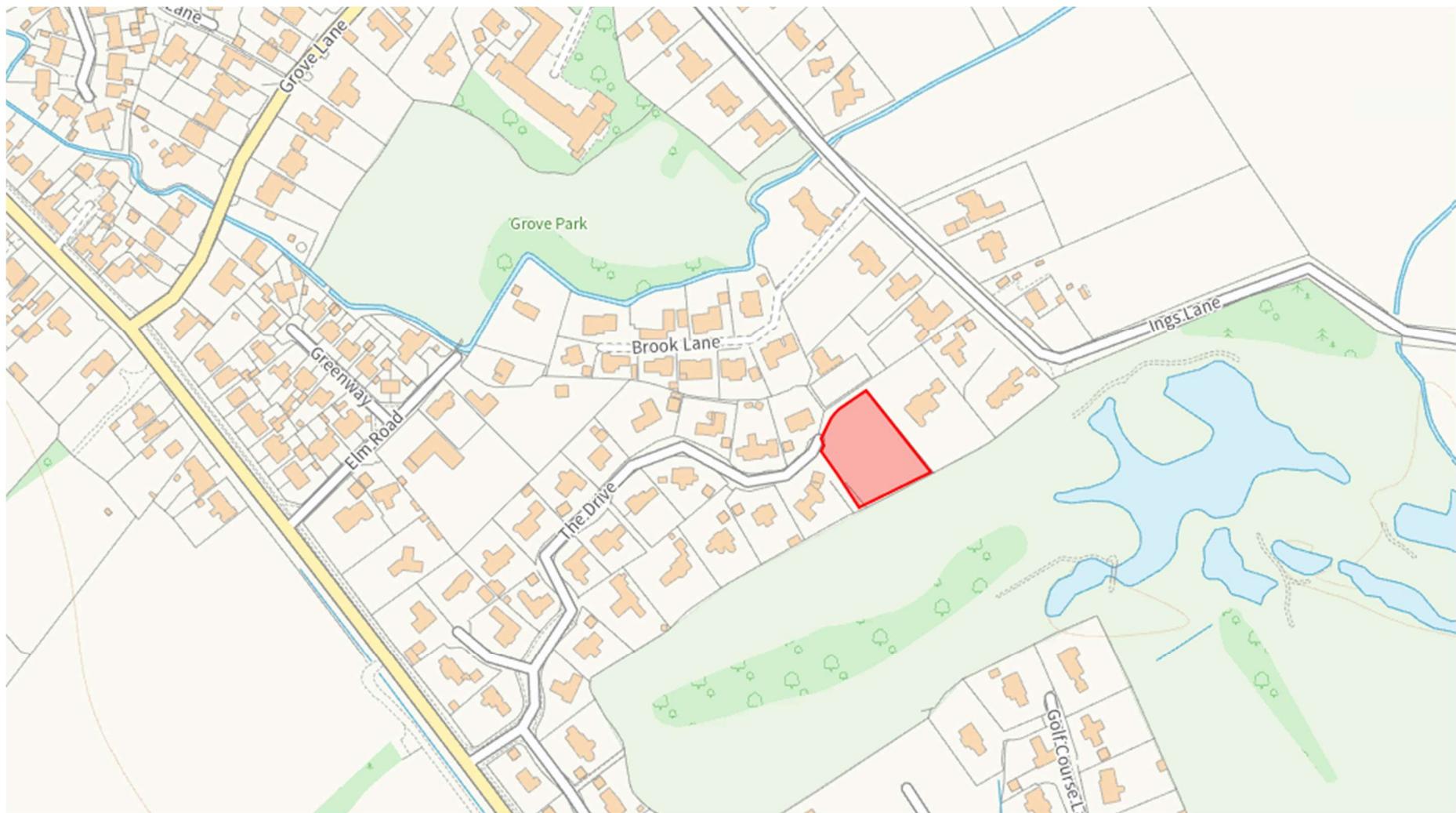
5 Informative

There shall be no raising of the ground levels.

6 Informative

At least 6 months before works begin on site, you must contact Highways Management Team on 01472-324532 about forming a vehicular access within the existing highway.

DM/0944/25/FUL – 36 THE DRIVE, WALTHAM



DM/0944/25/FUL – 36 THE DRIVE, WALTHAM

