Planning Committee Dated: 25th November 2026

Summary List of Detailed Plans and Applications

Recommendation: Approved Conditions and signing of S106

Item: **1**

Application No: DM/0912/23/FUL

Application Type: Full Application

Application Site: Land To The South West Of Cheapside Waltham North East Lincolnshire

Proposal: Erect 154 dwellings with associated access, car parking, infrastructure, drainage, landscaping, public open space and amended driving range access. (amended site layout and access arrangements, house types, drainage scheme, landscaping, affordable housing scheme and Ecology Surveys January 2026)

Applicant: Strawson And Carr

Case Officer: Richard Limmer

Recommendation: Refused

Item: **2**

Application No: DM/0624/26/MDO

Application Type: Modify/Discharge Plan Obligation

Application Site: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Application to modify a planning obligation attached to planning permission DM/0285/22/FUL to allow eight affordable homes to be delivered and managed as almshouses by the Grimsby Sailors and Fishing Charity, alongside four first homes

Applicant: Mr Paul Snape

Case Officer: Lauren Stinson

Recommendation: Approved with Conditions

Item:	**3**
Application No:	DM/1052/24/FUL
Application Type:	Full Application
Application Site:	Humberston Park School St Thomas Close Humberston North East Lincolnshire
Proposal:	Demolition of existing modular units, erection of a single and two storey extensions to create a teaching and support building with roof lights and solar panels. Refurbishment of existing block to life skills, installation of air source heat pumps with acoustic screening, creation of horticulture area with polytunnel, landscaping and associated works - Drainage details provided 30-07-2026
Applicant:	Humberston Park School
Case Officer:	Lauren Stinson

PLANNING COMMITTEE - 25th November 2026

ITEM: 1 **RECOMMENDATION**: **Approved Conditions and signing of S106**

APPLICATION No: **DM/0912/23/FUL**

APPLICATION TYPE: **Full Application**

APPLICATION SITE: **Land To The South West Of, Cheapside, Waltham, North East Lincolnshire,**

PROPOSAL: **Erect 154 dwellings with associated access, car parking, infrastructure, drainage, landscaping, public open space and amended driving range access. (amended site layout and access arrangements, house types, drainage scheme, landscaping, affordable housing scheme and Ecology Surveys January 2026)**

APPLICANT:
Strawson And Carr
MF Strawson Ltd and Carr and Carr Builders Ltd
Pyewipe Farm
Aylesby Road
Grimsby
North East Lincolnshire
DN37 9NU

AGENT:
Adam Fulton
Hodson Architects
The Old Post Office
Yarra Road
Cleethorpes
DN35 8LS

DEPOSITED: 15th September 2023

ACCEPTED: 29th January 2026

TARGET DATE: 30th April 2026

PUBLICITY EXPIRY: 27th August 2026

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 5th November 2023

CASE OFFICER: Richard Limmer

PROPOSAL

The proposed development is to construct 154 dwellings with associated access, car parking, infrastructure, drainage, landscaping, public open space and amended access to the adjacent driving range. During the application process there has been amended site layout and access arrangements, house types, drainage scheme, landscaping, affordable housing scheme and Ecology Surveys.

The proposal includes a mixture of houses (114) and bungalows (40) with a mixture of bedroom numbers from 2 to 4. There would be 26 two bedroom properties, 72 three bedroom properties and 58 four bedroom properties. 20% of the proposed dwellings are detailed to be Affordable Houses secured through a s.106 legal agreement.

Under the National Scheme of Delegation this application is a Schedule 2 Application. The application was considered at the Gateway as the application is for large scale housing which is of significance to the local area in terms of social and economic impacts and should therefore be considered by Planning Committee.

SITE

The site is located to the south of the village of Waltham on the south west side of Cheapside. The overall site area is some 9.8ha. The site generally slopes up from Cheapside to the south west and west of the site. The site is currently made up of two grass paddocks, part of an arable field, a strip of woodland and part of the golf driving range associated with the Waltham Windmill Golf Club located on the opposite side of Cheapside.

There are various boundaries within the site which are demarcated by hedges, trees and ditches. There are currently two vehicular accesses off Cheapside into the site, the first provides access into the small central paddock area and the second serves as an agricultural access and vehicular access to the golf driving range.

To the north west of the site there is a public footpath that connects Cheapside with the Waltham Windmill site. Beyond the footpath there are residential properties that back onto the site on Mill View and Mill Close. The Waltham Windmill is a grade 2* listed building and is located approximately 130m from the north west corner of the site. There are views across the site from Cheapside to the Windmill. The nature of the windmill is that it is a tall structure and provides a visual landmark across the local landscape.

The north east boundary of the site is to Cheapside but it also wraps around existing residential properties that front on to Cheapside. The rear gardens of these properties abut the site and there are a mixture of boundary treatments including fencing and vegetation

RELEVANT PLANNING HISTORY

No relevant planning history

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS
National Planning Policy Framework (2026)

TR4 - Street design, access and parking
P3 - Living conditions and pollution

TR3 - Locating development-sustain locations
TR6 - Assessing transport impacts
N2 - Improving the natural environment
N3 - Trees in new development
HE4 - Secure conservation of heritage assets
HE5 - Assessing effects on heritage assets
F4 - Assessing flood risk for decision-making
F7 - Ensuring develop is safe from flooding
F8 - Sustainable drainage systems,watercourse

North East Lincolnshire Local Plan 2013-2032 (adopted 2018)
PO5 - Development boundaries
PO6 - Infrastructure
PO13 - Housing allocations
PO17 - Housing density
PO18 - Affordable housing
PO22 - Good design in new developments
PO33 - Flood risk
PO34 - Water management
PO39 - Conserve and enhance historic environ
PO41 - Biodiversity and Geodiversity
PO42 - Landscape
PO43 - Green space and recreation

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

Waltham Parish Council - recommends refusal of this application on grounds of inadequate infrastructure, concerns over additional traffic that the development would generate, loss of trees and green space, proximity to the Waltham Windmill, adverse effects on wildlife, and risk of flooding due to local drainage systems being already at capacity. The Parish Council wish to comment that if planning consent is granted by NELC, that Section 106 funding is made available to the Parish Council for improvements to leisure/recreation facilities within the village.

Anglian Water - following engagement between the applicant and Anglian Water over the amended details on the application, Anglian Water have confirmed that they have no

objections to the proposed development.

NELC Drainage - no objections to the proposed development, the final surface water drainage scheme can be secured by condition.

NELC Environmental Health - no objections to the proposed development and recommend conditions for construction management.

NELC Public Rights of Way - raise no objections to the proposed development and recommend conditions in regard to protecting the adjacent public right of way.

NELC Highways - have confirmed that following additional information and assessments being supplied that there would not be a severe impact on the public highway and the proposed development is considered acceptable. Conditions recommended.

Drainage Board - no objections to the proposed development.

Environment Agency - no objections.

Humberside Fire Brigade - no objections, provide standing advice on the provision of fire fighting.

Cadent Gas - no objections.

Active Travel England - standing advice for residential development.

Historic England - no comments.

NELC Tree Officer - no objections to the proposed development but recommend conditions for landscaping and tree protection.

NELC Heritage Officer - notes that the proposed development is in the setting of the Waltham Windmill which is a grade 2* listed building. The scheme has been well designed to preserve views to the Windmill and whilst there would be harm to the setting of the Windmill it would be less than substantial.

NELC Ecology Officer - no objections to the proposed development subject to conditions for ecological protection and enhancement as well as further survey work prior to development commencing.

Lincolnshire Wildlife Trust - originally objected to the proposed development as some information was not available. Following additional information being supplied the LWT has not replied to consultation.

NELC Education Officer - the proposed development will need to contribute towards both primary and secondary education in accordance with Policy 6 of the Local Plan.

NELC Housing Officer - The proposed development will need to provide 20% affordable housing in accordance with Policy 18 of the Local Plan

Neighbours and other representations

5, 11, 15, 17, 15, 17, 25, 37B, 38, 40, 50, 51, 52, 53, 56, 60, 62, 65, 70, 75, 77, 78, 78A, 79, 80, 81, 82, 84, 85, 86, 91A, Lancaster House, Stowford House, The Meadows, Lely House, St Davids, Albion House, Cheapside
1, 3, 4, 9, 16, 18, 20, 30, 36, 39, 40, 42, 43, 44, 46, 72 Mill View
2, 7, 14, 15 Mill Close
8 Cheesemans Close
16, 18 Cheesemans Lane
Grove Nursery, Highfield, Coach House Cottage, West Park House, Park House 1A, 3, 5, 11, 15, 17, 23 Grove Lane
2, 5, 11, 20 The Drive
Poplar Farm, 3, 8 Elm Road
21 Sleaford Road, Branston
10, 28, 30, 32, 42 Skinners Lane
1B, 28, 32, 41, 42, 52, 70, 76 Brigsley Road
1, 31, 37, 41, 49, 72, 84 Westfield Road
12 Summerfield Avenue
23, 44, 47, 54 Bradley Road
66 Station Road
10, 15, 32 Church Lane
8, 11 Chiltern Drive
6, 8 Ashbourne
36, 39, 100, 102 Woodhall Drive
4, 8 Green Way
29, 47, 57, 65, 75, 87, 106, 108, 112, 128, 130, 135 Fairway
2, 8, 10 Salisbury Avenue
The Limes, Antons Gowt
8, 19, 45, 91 Manor Drive
1, 7, 17, 42 Ings Lane
1, 21 Cotswold Drive
3, 16, 17, 24 Muirfield
9, 23 Kirkgate
10, 25, 14 Neville Turner Way
5, 14, 34, 42, 54, 73 Archer Road
5, 13, 27, 30 Glen Eagles
19, 39, 60, 62 Sunningdale
12, 87, 103, Barnoldby Road
11 Grimsby Road
12 Carnoustie
4 Dorothy Avenue
5, 21, 27, 28 Marian Way

5 Strawberry Hill
4, 7 Nunnerley Place
4, 14, 26, 37 Chadwell Springs
20 Alderley Edge
29, 77 Danesfield Avenue
6 William Mews
4, 9 Birkdale
9, 20 Laburnham Avenue
3 Harvest Crescent
3, 12, 16 Wheatfield Drive
3, 17 Home Paddock
1 Longhorn Court
10 Frances Court
2 Chestnut Close
11, 31, 33, 41 Chestnut Road
5, 8, 11 Turnberry Approach
2 Anita Grove
5 Belraith Mews
5 Brian Avenue
10, 11 Lytham Drive
8, 11A, 20, 24, 31 Golf Course Lane
15 Elsham Drive
5, 20 Sunningdale
5, 7, 8, 14 Chiltern Drive
40 Stirling Crescent
13 The Green
2 Ludgate Close
31, 41, 74, 82 Westfield Road
8, 17 Summerfield Avenue
1B, 1C Blacksmith Cottages
4 Meadow Croft
3 All Saints Close
7 Kingsfield Farm
2, 6, 8, 12 Mayfair Crescent
52 Claremont Road
6 Wickenby Close
5 Kemeshame Court
2 Atkinson Lane
32 Speedy Cheval Street
35 Park Avenue
4 Greenway
152 Rutland Street
69 Faulding Way
92 Chapel Street
19 Elsham Drive
Topaz, Grimsby Road

18 Gloucester Avenue

Representations have raised concerns over the following matters:

- Impact on the character and appearance of the area;
- The houses are not required;
- Impact on ecology and biodiversity;
- Impact on the highway network;
- Impact on local services such as schools, doctors, dentists;
- Impact on residential amenities;
- Drainage and flood risk;
- Impact on heritage;

Civic Society - raise concerns over the overall quantity of development in the borough

APPRAISAL

Planning Considerations

1. Principle of Development

2. Impact on the Highway Network

3. Impact on Neighbours

4. Impact on the Character of the Area and Heritage Assets

5. Ecology and Biodiversity Net Gain

6. Drainage and Flood Risk

7. S.106 Matters and other considerations

1. Principle of Development

The site is allocated for housing in the NELLP under ref: HOU110 and HOU129 and within the defined development area boundary for Waltham.

The National Planning Policy Framework 2026 (NPPF) sets out the Governments requirements for planning and in particular relevance for this proposal, the requirements for housing delivery and delivering a sufficient supply of housing. Section 6 of the NPPF (Delivering a sufficient supply of homes) sets the requirements for Local Planning Authorities to identify sufficient land in their Local Plan to demonstrate a 5-year supply of housing land throughout the plan period.

Policy 2 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) (NELLP

2018) sets out the housing requirement for the borough over the plan period and establishes the basis of the Councils 5-year supply of housing. Strategic Objective 4 sets out the Councils aim to significantly boost the housing supply in the Borough to meet the existing and future housing needs of the whole community. Policy 3 of the NELLP 2018 sets out the settlement hierarchy and identifies Waltham as being a Local Service Settlement and identifies these settlements as being suitable for housing developments and acknowledges that these would principally be on greenfield sites adjacent to but within the defined settlement development boundary. Policy 4 of the NELLP 2018 in turn then sets out the distribution of housing growth in the Borough and identifies the proportion of housing for Western and Southern Arc Settlements (30-35%) such as Waltham. To this end the site has been allocated in Policy 13 of the NELLP 2018 for residential development. Sites HOU110 and 129. It should also be noted that the site is included in the Preferred Housing Sites for the Local Plan review identified in the proposed Pre-Submission Draft Local Plan

The site is within the Development Area Boundary for Waltham and allocated for residential development, thus in principle, is considered to be acceptable subject to the site-specific impacts set out in Policy 5 of the NELLP 2018 and the other relevant Policies set out in the NELLP 2018. National Decision-Making Policy S4 also sets out the principle of development proposals within defined settlement boundaries as being acceptable unless the benefits of doing so are substantially outweighed by the adverse effects of doing so when considered against the relevant National Decision-Making Policies.

It is noted that the allocations in the Local Plan, HOU110 and HOU129 give an indicative number of properties on the site as 230. However, this figure is based on the generic calculation in the Local Plan and doesn't accommodate site specific constraints. Policy 17 of the NELLP specifically deals with housing density and Policy 22 deals with good design in new developments. In this instance the proximity of the site to the Grade 2* listed windmill means that the design of the site needs to respond to this heritage feature and its location on the edge of the settlement. This has resulted in the proposal being for 154 dwellings but with generous areas of green space and a higher quality of design generally. This is considered to respond to the requirements of Policies 5, 17 and 22 of the NELLP.

It is noted that there have been a large number of comments from the public and Parish Councils that raise concerns over the lack of services in the area such as doctors and dentists and the impact that this development would have on them. There is no Policy requirement in the NELLP to provide such additional services and so there is no basis to ask for such contributions. There is however a requirement to support education, and this is secured through Policy 6 of the NELLP and is discussed later in the report.

2. Impact on the Highway Network

Policies 5 and 36 of the NELLP and National Decision-Making Policies TR3, TR4 and TR6 in the NPPF require due consideration to be given to the potential impacts of development proposals on highway amenity, safety and promote the use of sustainable

transport. National Decision-Making Policy TR6 is clear that development proposals that generate significant amounts of travel movements should be supported by a suitable Transport Assessment and those that have a severe impact on highway amenity or safety should be refused.

This application has been submitted with a detailed Transport Assessment. Following detailed consideration of the proposed development and potential impacts on the highway network the Highways Officer requested that further information be provided to further assess the potential impacts on the local highway network and in particular key junctions within Waltham village. It is important to note that only junctions that would have an increase of 30 or more trips in the peak hour are modelled, this is the standard approach taken by the Highways Officer. This additional information was supplied during the application process and given due consideration. It is noted that the proposed development would add additional traffic movements onto the local highway network and as part of the submitted Transport Assessment several junctions have been assessed in detail, this includes the additional traffic flows through the double mini roundabouts at Brigsley Road/Cheapside and High St/Barnoldby Road/Brigsley Road.

These junctions along with the others assessed remain within capacity despite the proposed development and the other committed development in the area. The Highways Officer has confirmed that following this additional information the development would not have a severe impact on the highway network and is acceptable both in terms of the NELLP and the NPPF.

3. Impact on Neighbours

Policy 5 of the NELLP and National Decision-Making Policy P3 require that development proposals do not have an unduly detrimental impact on neighbouring residential properties amenities. The proposed development has been set out so as to minimise the potential impacts on the neighbouring residents on both Cheapside, Mill View and Mill Close.

Nos.60 to 86 Cheapside back onto the site with one of the site accesses proposed to sit between no.70 and 78 Cheapside. The site layout allows for the access to run between these properties with reasonable space either side to allow for landscaping, the existing site boundaries either side are strong boundary fences. It is considered that whilst the proposed development would introduce vehicular traffic and pedestrians through the space between no.70 and 78 Cheapside there is sufficient space for this to occur with additional landscaping and there would not be an adverse impact on the residential amenities of the adjacent neighbours so as to justify a planning objection.

The proposed development has been designed so that where the site abuts a residential neighbour the proposed adjoining property would predominantly be a bungalow, plots 86, 87, 105 and 106 have rooms in the roof but the openings face away from the neighbours. Plots 89 and 90 have rooms in the roof and a single roof light to a stairwell on the rear roof slope but the neighbours are very well seperated and would not be unduly affected

by the proposed roof light. In general a good level of separation is provided for where properties back onto each other. Plot 65 sits alongside no.78 Cheapside, which has a blank side elevation facing the site, the proposed arrangement would see these properties sit side by side with a relatively narrow gap between them. However, this arrangement is not unusual, and it would not present an undue impact on the neighbour's residential amenities.

The neighbours on Mill View and Mill Lane are separated from the site by the public right of way which runs along an agricultural field access. The proposed properties along this boundary of the site are again bungalows with plots 119 to 122 fronting onto the public right of way to provide natural surveillance. The design of the proposed properties and separation means that they would not cause an adverse impact to the neighbouring properties residential amenities.

The site layout and dwelling design reduces the potential for overlooking, loss of privacy and dominance to the neighbouring properties. It is acknowledged that neighbours would realise a change in outlook from their properties and gardens but that does not justify a planning objection. To ensure that neighbours amenities are protected in the future it is considered reasonable to remove permitted development rights for plots 65, 80 to 90,105 to 112, 119 to 126 and 154 to alterations and additions to the roofs.

It is therefore considered that the proposed development would not cause undue harm to the neighbouring properties residential amenities in accordance with Policy 5 of the NELLP and National Decision-Making Policy P3.

4. Impact on the character of the Area and Heritage Assets

Policies 5 and 42 of the NELLP and National Decision-Making Policy N2 require due consideration to be given to the protection and enhancement of the landscape and character of the area through new development proposals.

The site is allocated for housing in the NELLP and as such the principle of development on the site has been accepted through that process. The impact on the landscape character of the area is therefore considered to come down to the specifics of the proposed development. The submitted Design and Access Statement has gone through a detailed site appraisal and design strategy to respond to the site's context. The proposal includes a mixture of house type, size and design, with design themes having been taken from the local area including the Waltham Conservation Area. The design and layout of the site is considered to be good and well devised. Existing landscape features such as ditches, hedgerows and trees have been retained where suitable and practical which has had a direct impact on the site layout. Overall, whilst it is acknowledged that there would be a change to the landscape as a result of the proposed development and views from the public domain would change, it is considered that the proposed development responds well to its setting and the surrounding landscape in accordance with Policies 5, 22 and 42 of the NELLP.

The proposal includes extensive areas of public open space (POS). Under Policy 43 of the NELLP the proposed development would require approximately 0.33ha of POS but the scheme delivers approximately 1.5ha of POS and 0.9ha of private green space associated with the adjacent golf driving range. The proposed POS and green space provision reflects the site edge of settlement location and proximity to heritage assets.

Policies 5 and 39 of the NELLP and Decision-Making Policies HE4 and HE5 seek to preserve and enhance heritage assets, this includes their setting. The proposed development sits close to and within the setting of the Waltham Windmill which is a Grade 2* listed building. The nature of the building, i.e being a tall windmill, it is visible in the wider landscape and has an extensive setting. The application site sits approximately 135m to the west of the site. The application has been submitted with a detailed Heritage Assessment which details and considers the potential impacts on the setting of the listed building. The Heritage Officer has reviewed the proposal and has concluded that whilst the proposal would further enclose the windmill it has been carefully designed with framed views retained from Cheapside. Whilst there would be a degree of harm due to the further enclosure of the windmill the harm would be less than substantial. This must then be balanced against the other planning matters including that the site is allocated for housing in the Local Plan.

It is considered that the proposed development has responded to the location of the site and its context with the adjacent listed windmill. The framing of views from Cheapside to the windmill and the creation of a public green space in the corner of the site closest to it, with properties then facing towards it, are positive design features. The potential harm to the setting of the windmill is considered to be less than substantial and the proposed development is in accordance with Policies 5 and 39 of the NELLP and National Decision-Making Policies HE4 and HE5.

5. Ecology and Biodiversity Net Gain

Policies 5 and 41 of the NELLP and National Decision-Making Policies N2 and N3 require that development proposals consider and where appropriate mitigate the ecological impacts of the proposed development. It is noted that local residents have raised detailed concerns regards the ecological impacts of the development and the presence of protected species on the site.

The application has been submitted with Ecological surveys and assessments which have also been updated throughout the consideration of the application. These assessments have been considered by the Council Ecologist and Lincs Wildlife Trust. Lincs Wildlife Trust objected to the initial consultation due to missing information but following further consultation have not replied.

The submitted information highlights that there are protected species on the site but also set out strategies for dealing with their presence through the development. The Council Ecology Team have considered all of the submitted information and have no objection to the proposed development subject to conditions for ecological protection measures

through construction and enhancement measures as part of the development. The landscaped areas should be managed in way that promotes ecological enhancement. It is also recommended that prior to development commencing further species-specific survey work is undertaken and the result inform specific mitigation measures. This will ensure that the appropriate up to date mitigation measures are secured.

With the inclusion of conditions to secure final landscaping, habitat creation and up to date surveys to inform final mitigation strategies it is considered that the proposed development accords with Policies 5 and 41 of the NELLP and National Decision-Making Policies N 2 and N3.

The application was submitted prior to the statutory Biodiversity Net Gain and so it is not statutorily required to deliver a 10% biodiversity net gain. However, as demonstrated on the proposed site plan and landscaping plan the overall development strategy proposes high-quality public open space and landscaping.

6. Drainage and Flood Risk

Policies 5 and 33 of the NELLP and National Decision-Making Policy F4, F7 and F8 seek to ensure that development proposals are located in areas of the lowest risk of flooding and do not increase the risk of flooding elsewhere. This application has been submitted with a detailed Flood Risk Assessment and Drainage Strategy. The site is located in Flood Zone 1 on both the Environment Agency Flood Maps and the Strategic Flood Risk Assessment.

It is noted that residents have raised concerns over flooding and flood risk on the site and towards neighbours' properties. The submitted Flood Risk Assessment and Drainage Strategy has been reviewed by Anglian Water and the Council Drainage Team and no objections have been raised. The strategy includes a sustainable surface water strategy which ensures that the surface water runoff from the site is managed in regard to discharge rates and water quality through physical features such as swales and attenuation ponds. The Drainage Engineer has confirmed that the overall Drainage Strategy proposed is acceptable and that the final details of the surface water scheme can be secured by condition.

In regard to foul water drainage the proposal includes a sewer system to be adopted by Anglian Water. There is a stretch of existing sewer that is required to be relocated outside of proposed dwellings gardens and into a street, this has been discussed between the applicant and Anglian Water and agreed.

It is therefore considered that the proposed development is acceptable in terms of drainage and flood risk in accordance with Policies 5 and 33 of the NELLP and National Decision-Making Policy F4, F7 and F8.

7. S.106 Matters and infrastructure provision.

Policy 18 of the NELLP sets out the requirement for Affordable Housing in new major residential developments. The site is located in a high value area of the borough and as such is required to deliver 20% affordable housing and the applicant has provided an indicative affordable housing plan which demonstrates how the required 20% could be delivered. The final details would be secured through a s.106 legal agreement.

Policy 6 of the NELLP sets out that all major housing developments should consider the financial contribution towards the provision of primary and secondary education. The applicant recognises this and has agreed to Heads of terms that secure the necessary education contributions.

Under Policy 43 of the NELLP as well as the provision of green space the scale of the development means that it is required to deliver childrens play equipment as well. There is sufficient space within the green areas on the proposed site plan that could accommodate an equipped play area and this has been indicated but there is also the potential to deliver the play equipment off site which may be of wider community benefit but it would require agreement with a third party. The final detail of the design and provision of the play equipment can be reasonably secured through the s.106 legal agreement and a planning condition. With the play equipment secured it is considered that the proposal accords with Policy 43 of the NELLP.

The proposal includes a new access for the golf driving range off Cheapside. This has been considered by the Highways team, and they have confirmed that they have no objections to it. The existing woodland belt has been retained in the scheme, and an additional landscaping strip has been included to bolster the separation between the driving range and the proposed housing to ensure that there is no conflict between the two. It is considered that this is in accordance with Policies 5, 22 and 41 of the NELLP.

CONCLUSION

In conclusion, whilst it is noted that the application has attracted a significant number of comments from neighbours and the wider community in objection to the development it is considered to accord with Policies 2, 3, 4, 5, 13, 22, 33, 34, 41, 42 and 43 of the NELLP and the National Decision Making Policies of the NPPF. This is in specific regard to the impact on neighbours, the character of the area, drainage and flood risk. Also highway amenity and safety, ecology and provision of infrastructure. The site will provide for a significant number of dwellings on an allocated housing site in the North East Lincolnshire Local Plan supporting the Councils strategic objective of meeting existing and future housing needs of the whole community and meeting the Councils housing supply which only sits at 3.6 years currently. It is therefore recommended that the application is approved subject to conditions and the signing of the Section 106 legal agreement.

RECOMMENDATION

Approved Conditions and signing of S106

(1) Condition
The development hereby permitted shall begin within three years of the date of this permission.

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:

1274 001 h landscape strategy plan
2305/11 existing aws foul sewer - proposed diver
2305/11 existing aws foul sewer - proposed diver.
230509 rev a cross section through pond at plots 62-72
2454.p001.2 proposed site plan
2454.p001.3 rev c proposed site plan - fence lines
2454.p002_revp02 proposed site plan extract 1
2454.p003_revp02 proposed site plan extract 2
2454.p004_revp02 proposed site plan extract 3
2454.p005_revp02 proposed site plan extract 4
254.p001.4_rev c proposed site plan - public open space
2454.e000 a site location plan
2454.e001 a existing block plan
2454 p511 rev p01 house type e1 - floor plans as proposed
2454 p512 rev p01 house type e1 - elevations as proposed
2454-p1702 rev p02 double garage and home office
2454.p1401 house type p - proposed plans
2454.p106 house type a.1 - proposed elevations
2454.p1502 house type q - proposed elevations
2454.p412 house type d1 - proposed elevations
2454.p1201 house type n - proposed floor plans and
2454.p1202 house type n.1 - proposed floor plans
2454.p1301 house type o - proposed floor plan
2454.p1302 house type o (s) - proposed floor plans
2454.p1601 house type r - proposed floor plans
2454.p601 house type f - proposed floor plans
2454.p601 house type f1 - proposed floor plans

2454.p701 house type g - proposed floor plans
2454.p901 house type k - proposed floor plans
2454.p1002 house type l - proposed elevations
2454.p1004 house type l1 - proposed elevations
2454.p1006 house type l.1 - proposed elevation
2454.p102 house type a - proposed elevations
2454.p104 house type a1 - proposed elevations
2454.p108 house type a1.1 - proposed elevations
2454.p1102 house type m - proposed elevations
2454.p1403 house type p1 - proposed elevations
2454.p202 house type b - proposed elevations
2454.p204 house type b1 - proposed elevations
2454.p206 house type b.1 - proposed elevations
2454.p210 house type b1.2 - proposed elevations
2454.p304 house type c1 - proposed elevations
2454.p308 house type c3 - proposed elevations
2454.p310 house type c1.1 - proposed elevations
2454.p310 house type c4 - proposed elevations
2454.p312 house type c4.1 - proposed elevations
2454.p402 house type d - proposed elevations
2454.p502 house type e - proposed elevations
2454.p802 house type h - proposed elevations
2454.p804 house type h1 - proposed elevations
2454.p1001 house type l - proposed floor plans
2454.p1003 house type l1 - proposed floor plans
2454.p1005 house type l.1 - proposed floor plans
2454.p101 house type a - proposed floor plans
2454.p103 house type a1 - proposed floor plans
2454.p105 house type a.1 - proposed floor plans
2454.p107 house type a1.1 - proposed floor plans
2454.p1101 house type m - proposed floor plans
2454.p1402 house type p1 - proposed floor plans
2454.p1501 house type q - proposed floor plans
2454.p201 house type b - proposed floor plans
2454.p203 house type b1 - proposed plans
2454.p205 house type b.1 - proposed floor plans
2454.p207 house type b1.1 - proposed floor plans
2454.p209 house type b1.2 - proposed floor plans
2454.p307 house type c3 - proposed floor plans
2454.p309 house type c1.1 - proposed floor plans
2454.p309 house type c4 - proposed floor plans
2454.p310 house type c1 - proposed floor plans
2454.p311 house type c4.1 - proposed floor plans
2454.p401 house type d - proposed floor plans
2454.p411 house type d1 - proposed floor plans
2454.p501 house type e - proposed floor plans

2454.p801 house type h - proposed floor plans
2454.p803 house type h1 - proposed floor plans

Reason
For the avoidance of doubt and in the interests of proper planning.

(3) Condition
Development shall not begin until details of the materials for the exterior construction materials have been submitted to and approved in writing by the Local Planning Authority. The development shall then be built out in accordance with the approved details.

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).

(4) Condition
No development shall commence until the final sustainable scheme for the provision of surface water and foul water drainage has been submitted to and approved in writing by the Local Planning Authority. The development shall then be built out in accordance with the approved details and no dwelling shall be occupied until the drainage systems serving it have been fully constructed and made operational.

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

(5) Condition
No development shall commence until:

(a) A scheme of landscaping showing the details of the number, species, sizes and planting positions of all trees and shrubs to be planted and how all green spaces shall be planted out;
(b) A plan including details of all trees to be retained, any to be felled, hedgerows to be retained, any sections of hedgerow or trees to be removed;
(c) Measures for the protection of all trees and hedges, to be retained, during construction work and how the protection measures will be retained in place throughout the construction of the development;
(d) A detailed plan for the implementation of the approved landscaping scheme;

have been submitted to and approved in writing by the Local Planning Authority. The

development shall then be built out in accordance with the approved details.

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, 22 and 41 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(6) Condition
Prior to development commencing a detailed Landscape and Public Open Space Management and Maintenance Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Landscape and Public Open Space Management and Maintenance Plan shall then be fully implemented throughout the lifetime of the development.

Reason
To ensure that the site is properly managed and maintained in the interest of visual amenity and biodiversity protection in accordance with Policies 5, 22 and 41 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(7) Condition
No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate and include the following matters,

- details of dust and noise suppression methods to be employed during the construction period,
- construction working hours and 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.
- the routing of construction traffic,
- the parking of vehicles by site operatives and visitors,
- the storage of plant and materials used in the construction of the development,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway,
- details of public engagement both prior to and during construction works,
- the hours of vehicle movements associated with the construction of the development.
- details of the protection of the adjacent public right of way.
- Ecological protection in accordance with the recommendations set out within the Preliminary Ecological Appraisal dated December 2022 and Addendum dated October 2025.

Reason
In the interests of highways safety and the amenities of the area to accord with Policy 5 of the North East Lincolnshire Local Plan 2013-2032.

(8) Condition
Prior to development commencing a detailed plan for the planting and management of the Driving Range landscaping area and the management of the existing woodland strip on the site shall be submitted to and approved in writing by the Local Planning Authority. The approved Landscaping Scheme shall then be fully planted out prior to the 15th dwelling being occupied on the site and this area alongside the woodland strip shall thereafter be managed and maintained in accordance with the approved Management Plan.

Reason
In the interest of amenity and ecological protection in accordance with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(9) 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 occupied in strict accordance with the agreed details.

Reason
In the interests of sustainable water use in accordance with Policy 34 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(10) Condition
Prior to development commencing on the site full details of the implementation of Childrens Play Equipment and a Management Plan for its future maintenance, repair and replacement shall be submitted to and approved in writing by the Local Planning Authority. The Childrens Play Equipment shall be installed in accordance with the details approved.

Reason
In the interests of local amenity in accordance with Policy 43 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(11) Condition
Prior to development commencing final details of the garden levels of all plots shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be built out in accordance with the approved details.

Reason
In the interest of amenity in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(12) Condition
Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any statutory amendment thereto), no development under Schedule 2 Part 1, Class B and C shall be permitted on plots 65, 80 to 90,105 to 112, 119 to 126 and 154.

Reason
To protect residential amenity in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(13) Condition
Prior to development commencing full details of Street Trees to be planted including species, sizing, position, planting infrastructure, maintenance and a scheme for the implementation of the planting shall be submitted to an approved in writing by the Local Planning Authority. The street trees shall then be planted out and maintain in accordance with the approved details.

Reason
To protect the amenities of nearby residents in accordance with Policy 5, 22 and 42 of the North East Lincolnshire Local Plan 2013-2023 (adopted 2018).

(14) Condition
Prior to development commencing final details of all of the boundary treatments with in the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be built out in accordance with the approved details.

Reason
In the interest of visual amenity in accordance with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(15) Condition
Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any statutory amendment thereto), no development under Schedule 2 Part 2, Class A shall be permitted on plots 2, 55 to 64, 71 to 79, 95, 96 and 145 to 148.

Reason
To protect residential amenity in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(16) Condition
Development shall not begin until the following details have been submitted to and approved in writing by the Local Planning Authority.
(i) Detailed plans to a scale of at least 1/500 showing:-

(a) the proposed layout of the carriageways and footways on the development;
(b) the wearing course materials proposed for the carriageways and footways;
(c) cross sections;
(d) the highway drainage system;
(e) the proposed locations of street lighting columns, all services and ducts for services, within the carriageways and footways;
(f) confirmation of adopted roads and management arrangements for any carriageways, footways and/or landscaped areas not to be adopted by the local authority;
(g) Full details of any proposed construction access;
(h) Full details of the new crossings on Cheapside and when they will be constructed.

(ii) A Stage 1 and 2 Road Safety Audit (RSA) must be provided. The Road Safety Audit must be undertaken by a fully qualified independent Road Safety Auditor.

The development shall then be built out in accordance with the approved details.

Reason
To ensure that the proposed access roads are made up as soon as possible and in the interests of public safety in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(17) 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. All remediation shall be carried out in accordance with the details approved.

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

(18) Condition
Prior to development commencing a final scheme for Secure By Design shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be built out in accordance with the approved details.

Reason
In the interests of amenity in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(19) Condition
No dwelling shall be first occupied until the vehicular access serving it has been constructed in accordance with the details to be approved under condition 16 of this Planning Permission.

Reason
In the interests of amenity in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(20) Condition
Prior to development commencing updated Ecological surveys shall be undertaken on the site and a scheme of Ecological Mitigation and Enhancement, along with a scheme for its implementation and future management shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be built out and maintained in accordance with the approved details.

Reason
In the interest of ecological protection and enhancement in accordance with Policy 41 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(21) Condition
Prior to the occupation of any dwelling on the site a detailed Residential Travel Plan, written in accordance with the NELC Travel Plan Guidance, shall be submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall then be implemented in accordance with the approved details.

Reason
In the interests of sustainable travel in accordance with Policy 36 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(22) 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 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 From 6 August 2026, BNG does not apply to planning applications for developments where the site area within the red line boundary is 0.2 hectares or below, provided the development does not have an adverse impact on an onsite priority habitat.

4.6 From 6 August 2026, BNG does not apply to short-term developments, provided the development does not adversely effect onsite priority habitat, if:

- the whole development is temporary

- planning permission is granted for 5 years or less

4.7 Self and Custom Build Development within an application received before 6th August 2026 applies, consisting of 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).

4.8 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.

Informatives

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 would significantly boost housing supply 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, 6, 13, 17, 18, 22, 33, 34, 39, 41, 42 and 43 and the National Decision Making Policies set out in the National Planning Policy Framework 2026.

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 working with the applicant as issues arose through the planning application process.

3 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.

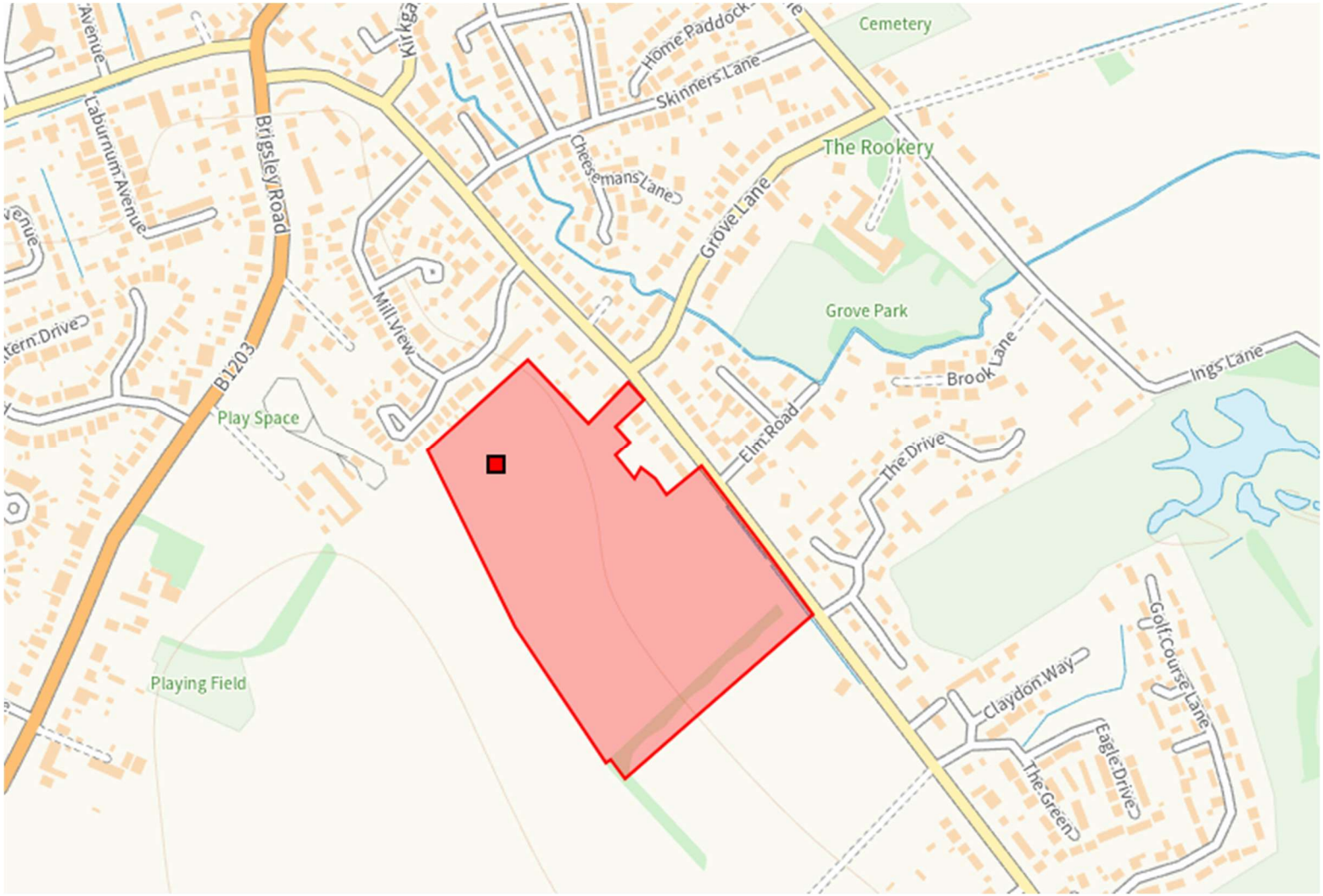
4 Informative
Please note that you may also require Building Regulations. You are advised to contact them in advance of work on site commencing (Tel: 01472 326289 - Option 2).

5 Informatives:

If the footway or carriageway is damaged as a consequence of any excavation or any other operations relating to the development, the Highway Authority may make good the damage and recover expenses reasonably incurred. You are required to contact the Highway Management Team at least 4 weeks prior to commencement of works to arrange for a highway pre-condition inspection (Tel: 01472 324431)

As works are required within the existing highway, in accordance with Section 278, Highways Act 1980, in order to enable the development to take place, please contact the Highway Management Team at least 6 months in advance of the commencement of works (Tel: 01472 324505). If the highways within the site are to be adopted by the Council, in accordance with Section 38 of the Highways Act 1980, please contact the Highway Management Team six months in advance of the commencement of works. (Tel: 01472 324505).

DM/0912/23/FUL – LAND TO THE SOUTH WEST OF CHEAPSIDE, WALTHAM



DM/0912/23/FUL – LAND TO THE SOUTH WEST OF CHEAPSIDE, WALTHAM



PLANNING COMMITTEE - 25th November 2026

ITEM: **2** **RECOMMENDATION**: **Refused**

APPLICATION No: **DM/0624/26/MDO**

APPLICATION TYPE: **Modify/Discharge Plan Obligation**

APPLICATION SITE: **Land Off Torbay Drive, Waltham, North East Lincolnshire,**

PROPOSAL: **Application to modify a planning obligation attached to planning permission DM/0285/22/FUL to allow eight affordable homes to be delivered and managed as almshouses by the Grimsby Sailors and Fishing Charity, alongside four first homes.**

APPLICANT:
Mr Paul Snape
Snape Properties Ltd
Thornlea
Ashby Cum Fenby
Lincolnshire
DN37 0QW

AGENT:
Mr Richie Tutill
RT Architects
45 Aspen Drive
Barnoldby Le Beck
DN37 0ZA

DEPOSITED: 27th July 2026

ACCEPTED: 27th July 2026

TARGET DATE: 21st September 2026

PUBLICITY EXPIRY: 12th September 2026

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 5th September 2026

CASE OFFICER: Lauren Stinson

PROPOSAL

This application supports the proposal to modify the sealed Section 106 Agreement attached to planning permission DM/0864/24/FUL (original permission DM/0285/22/FUL) to modify the affordable housing provision from:

- 3 First Homes; and
- 9 Affordable Dwellings, comprising a mix of Social Rented, Affordable Rented, and Intermediate Affordable Housing.

To:

- 4 First Homes; and
- 8 social rented housing in the form of Alms Houses managed by a Charity.

The application constitutes a Schedule 2 development and, in accordance with the National Scheme of Delegation, a Gateway Screening Assessment has been undertaken. As it raises potential significant social issues, the application has been brought to planning committee for determination.

SITE

This 4.55 hectare site is to the south west of Scartho and within the Parish of Waltham. The northern boundary to the site comprises of boundary treatments serving those existing properties at Emfield Road. To the east beyond the Public Right of Way are the residential streets of Torbay Drive and Boundary Road from where access is achieved. Those dwellings which are typically found to the north and east are bungalows or dormer bungalows. South and west are open fields in agricultural use. There is an existing landscape strip towards the south of the site. Construction on the site has commenced with dwellings now occupied.

RELEVANT PLANNING HISTORY

DM/0551/17/OUT - Outline application to erect 59 dwellings and garaging with access, scale, appearance and layout to be considered (Amended layout, relocation of open space and Plot 7 and amended road widths - Amended Plans of October 2017). Withdrawn.

DM/0033/18/OUT - Outline application for the erection of 51 dwellings and garaging with access, scale, appearance and layout to be considered. Refused.

DM/0777/21/FUL - Change of use to create new agricultural access with associated works. Withdrawn.

DM/0285/22/FUL - Erect 64 dwellings with associated access and landscaping (Amended/Additional Information - Plans and Ecology Spreadsheet (May), Planning Statement (June), Landscaping and Landscaping Management (June), Developers Statement (July), Tracking and Internal Road Layout (July), Landscape Character Assessment (August), Design and Access Statement; including play area information and land classification (September) and New Certificate (September)). Appeal allowed with conditions - 15th November 2023.

DM/0292/24/CND - Details in discharge of Condition 3 (Construction Management & Traffic Plan), Condition 4 (Roads & Footways), Condition 5 (Materials), Condition 6 (Air Quality), Condition 7 (Finished Levels), Condition 8 (Great Crested Newt Survey), Condition 9 (Ecological Enhancement), Condition 10 (Surface Water Drainage),

Condition 11 (Management of Open Space), Condition 14 (Phasing and Implementation of Landscaping) and Condition 17 (Residential Travel Plan) pursuant to APP/B2002/W/22/3311282 (our ref DM/0285/22/FUL) - Conditions Complied With - 19th July 2024.

DM/0864/24/FUL - Variation of Condition 2 (Approved Plans) following DM/0285/22/FUL to revise layout for plots including dwellings, garages, roads and landscaping and revise house types for plots 3, 6, 7, 10, 11, 13-17, 20-27, 42-45 and 57-63 - Approved with Conditions - 28th February 2025.

DM/0068/26/FUL - Variation of Condition 1 (Approved Plans) as granted on DM/0864/24/FUL to revise house types for Plots 13, 14, 46-50 and 53-56, removal of garages from Plots 11, 12 and 51, erection of garage to Plot 52 and revise layout for Plot 62 - Approved with Conditions 29th June 2026.

DM/0258/26/MDOR - Request to modify a planning obligation under Section 106 attached to planning permission DM/0864/24/FUL (original permission DM/0285/22/FUL) to modify affordable housing provision to 8 social rented housing in the form of Alms Houses and 4 First Homes - Determined 28th April 2026.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2026)

HO8 - Providing affordable homes
DM6 - Use of planning conds and obligations

North East Lincolnshire Local Plan 2013-2032 (adopted 2018)
PO18 - Affordable housing

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 Legal Officer - Advises that as the 5 year period under section 106A(3) of the Town and Country Planning Act 1990 has not expired, the request is for a voluntary modification under section 106A(1)(a). The Council has discretion to agree to the modification, having regard to whether the existing obligation continues to serve a useful

planning purpose and whether the proposed arrangements would secure the purpose to an equivalent standard. Concerns are identified regarding the differences between the proposed almshouse arrangements and Registered Provider housing, and that the almshouses would not provide an equivalent form of affordable housing to that currently secured.

Council's Housing Officer - Objects to the proposed modification and advises that the proposed almshouse provision would not provide the same regulatory safeguards as affordable housing delivered through a "Registered Provider". There remains an identified need for affordable rented housing within the Borough and the increase in First Homes at the expense of rented provision is not supported. The provision of accessible bungalows is welcomed, subject to appropriate accessibility standards.

Other Representations Received

43 Emfield Road, Grimsby - Objected to housing being built with concerns that the development effects wildlife and resources in the area such as doctors and schools. Withdrew objections.

The Limes, Antons Gowt, Boston - Advises swift boxes are required within the development.

APPRAISAL

Planning Considerations

Policy 18 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) seeks the provision of affordable housing on qualifying residential developments.

Planning permission DM/0285/22/FUL was granted on appeal for the erection of 64 dwellings with associated access and landscaping. A Section 106 Agreement was subsequently completed which secured 3 First Homes and 9 Affordable Dwellings comprising a mix of Social Rented, Affordable Rented and Intermediate Affordable Housing.

The applicant seeks to modify this provision to 4 First Homes and 8 affordable dwellings in the form of alms houses managed by the Grimsby Sailors and Fishing Charity.

A previous request was considered by Planning Committee on 22nd April 2026 under DM/0258/26/MDOR. Officers did not support the proposed modification. Planning Committee resolved that the applicant could proceed with a formal application to modify the Section 106 Agreement. This application is therefore considered in light of the further information submitted and consultation responses received.

The Council's Legal Officer advises that, as the 5 year period in section 106A(3) of the Town and Country Planning Act 1990 has not expired, this is a request for the Council

voluntarily to agree a modification under section 106A(1)(a), rather than a statutory application under section 106A(3). The Council has discretion as to whether to agree the modification, which must be exercised rationally and for proper planning purposes. In considering that request, it is appropriate to consider whether the existing obligation continues to serve a useful planning purpose and whether the proposed arrangements would secure that purpose to an equivalent standard. The existing obligation continues to serve the useful purpose of securing affordable housing to meet identified need within the Borough, including enforceable controls relating to the amount and tenure of affordable housing, affordability, allocation, management and its continued availability as affordable housing. It is therefore necessary to consider whether the proposed alms house provision, along with the amendments to the First Homes, would fulfil that purpose equally well.

Alms Houses

The applicant has provided further information regarding the operation of the Grimsby Sailors and Fishing Charity in support of the planning application, including its regulation by the Charity Commission, membership of the Almshouse Association, management arrangements and existing housing provision. The applicant has also stated that they would accept requirements through an amended Section 106 agreement securing the alms house for a period of 50 years with any proceeds from sale going to re provision within the Borough and that the affordable dwellings would be equivalent in terms to social rented housing. Examples have also been provided of alms house developments elsewhere which have been secured through Section 106 Agreements. These matters have been considered and the positive role of the Charity in providing accommodation for those in need is acknowledged.

However, it is considered that the charity is not a "Registered Provider" of social housing and the proposed alms houses would not be regulated by the Regulator of Social Housing. As advised by the Council's Housing Officer, this does not provide the same level of assurance in relation to matters including governance, financial viability, consumer standards, asset management, rent setting, nominations and the long-term retention of affordability.

It is acknowledged that the existing Section 106 Agreement allows another body proposed by the Owner to be approved by the Council. However, this does not place an obligation on the Council to accept an alternative provider, and it remains necessary for the Council to be satisfied that the proposed arrangements would appropriately deliver the affordable housing requirement.

The submitted information also confirms that occupants of the alms houses would be beneficiaries of the Charity rather than tenants and would occupy the properties under licence, paying a weekly maintenance contribution. The Charity's allocation arrangements also differ from the Council's housing allocation arrangements, with priority given to people with specified local and fishing-industry connections.

Whilst the benefits of the proposed accommodation are recognised, these arrangements are materially different from the affordable housing currently secured through the Section 106 Agreement. The Council's Housing Officer therefore maintains their objection and advises that the existing affordable housing provision should be delivered through a "Registered Provider".

The examples provided from Great Shelford and Southwark are noted. However, these relate to separate developments and Section 106 Agreements considered against their own circumstances and local requirements. The Legal Officer also notes that the Great Shelford example relates to a 100% affordable housing scheme and is therefore materially different to the circumstances of this application.

Accessible Bungalows

The applicant proposes that the 8 alms houses would be provided as accessible bungalows. There is an identified need for wheelchair accessible accommodation within the Borough and this provision is supported in principle. The Council's Housing Officer advises that, should accessibility be relied upon as justification for the modification, the dwellings should as a minimum meet Building Regulations Approved Document M Category M4(3) standards. Nevertheless, the provision of accessible accommodation does not replace the requirement to provide policy compliant affordable housing. Accessibility and affordability are separate considerations.

First Homes

The proposal would also increase the First Homes provision from 3 to 4 dwellings. The Council's Housing Officer advises that the Council is not currently promoting First Homes as its preferred affordable home ownership product and that there remains a significant need for rented affordable housing across the Borough. An increase in First Homes at the expense of affordable rented housing is therefore not supported.

CONCLUSION

The further information submitted in support of the application has been considered, including the governance and management arrangements of the Grimsby Sailors and Fishing Charity and examples of alms house provision elsewhere.

Whilst the benefits of the proposed alms houses and accessible accommodation are acknowledged, the charity is not a "Registered Provider" of Social Housing and the proposed arrangements would not provide the same regulatory safeguards as the affordable housing currently secured. Furthermore, the proposed increase in First Homes would be at the expense of affordable rented housing for which there remains an identified local need.

The additional information therefore does not overcome the concerns previously identified. The proposed modification would not satisfactorily deliver the affordable

housing requirements for the development and would conflict with Policy 18 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) and advice in the National Planning Policy Framework 2026. It is therefore recommended that the application to modify the Section 106 Agreement be refused.

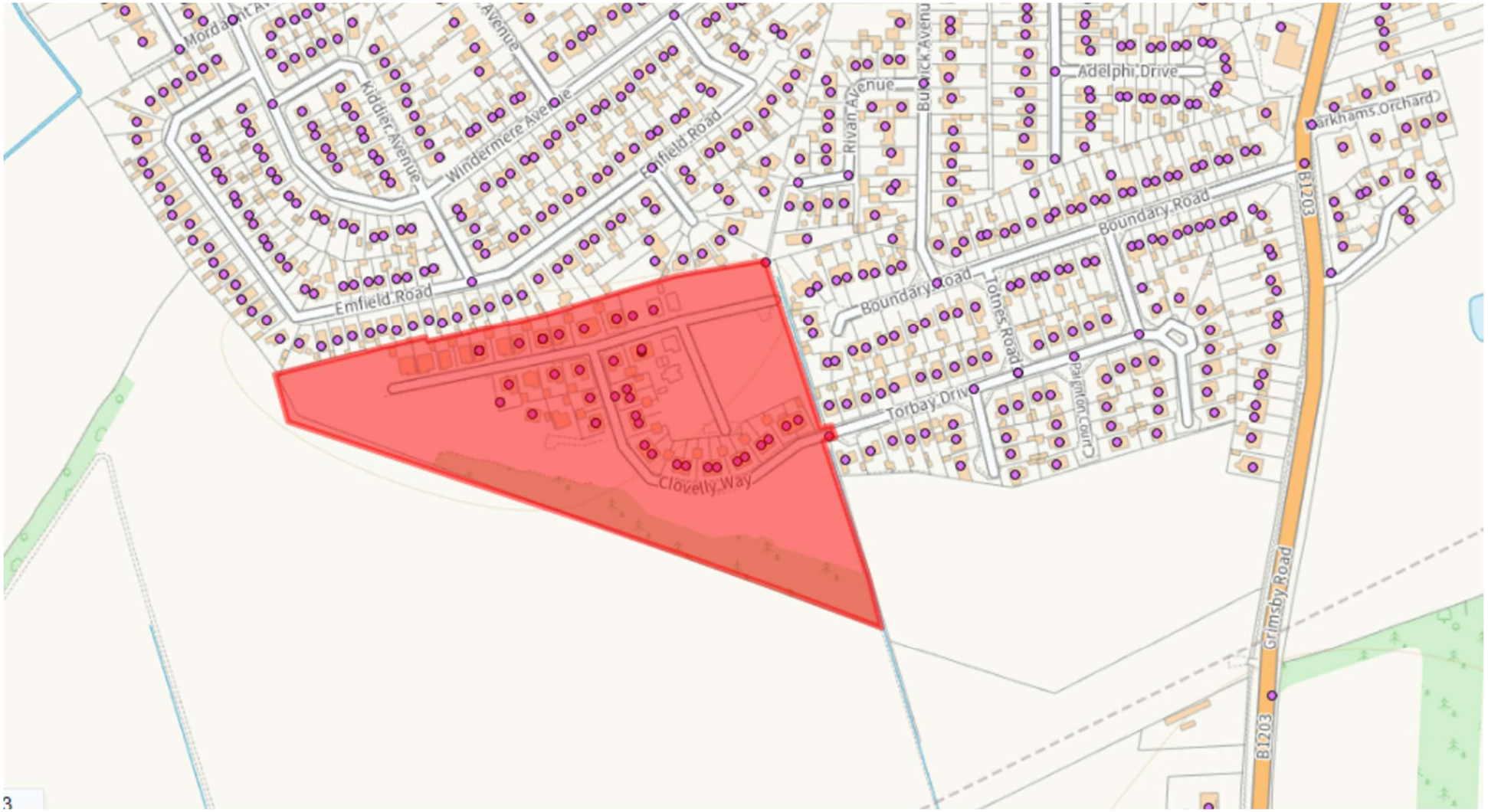
It should be noted that as this request is being considered under section 106A(1)(a), rather than as a statutory application under section 106A(3), refusal to agree the modification does not give rise to a right of appeal under section 106b of the Town and Country Planning Act 1990.

RECOMMENDATION

Refused

(1) The proposed modification would not satisfactorily secure the delivery the affordable housing requirements for the development and would therefore be contrary to Policy 18 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) and advice in the National Planning Policy Framework 2026.

DM/0624/26/MDO – LAND OFF TORBAY DRIVE, WALTHAM



DM/0624/26/MDO – LAND OFF TORBAY DRIVE, WALTHAM



PLANNING COMMITTEE - 25th November 2026

ITEM: **3** **RECOMMENDATION**: **Approved with Conditions**

APPLICATION No: **DM/1052/24/FUL**

APPLICATION TYPE: **Full Application**

APPLICATION SITE: **Humberston Park School , St Thomas Close, Humberston, North East Lincolnshire, DN36 4HS**

PROPOSAL: **Demolition of existing modular units, erection of a single and two storey extensions to create a teaching and support building with roof lights and solar panels. Refurbishment of existing block to life skills, installation of air source heat pumps with acoustic screening, creation of horticulture area with polytunnel, landscaping and associated works - DRAINAGE DETAILS PROVIDED 30-07-2026**

APPLICANT:
Humberston Park School
St Thomas Close
Humberston
North East Lincolnshire
DN36 4HS

AGENT:
Lucy Butler
Lytle Associates Architects
20 Quarry Street
Guildford
Surrey
GU1 3UY

DEPOSITED: 18th December 2024

ACCEPTED: 14th January 2025

TARGET DATE: 11th March 2025

PUBLICITY EXPIRY: 29th August 2026

AGREED EXTENSION OF TIME DATE: 27th November 2026

CONSULTATION EXPIRY: 7th March 2025

CASE OFFICER: Lauren Stinson

PROPOSAL

The proposal is for the demolition of existing modular units and the erection of single and two storey extensions to create a teaching and support building with roof lights and solar panels at Humberston Park School on St Thomas Close in Humberston. It also includes the refurbishment of an existing block to life skills, installation of air source heat pumps with acoustic screening, and the creation of a horticulture area with polytunnel, landscaping and associated works.

The application constitutes a Schedule 2 development and, in accordance with the National Scheme of Delegation, an initial Gateway Screening Assessment has been undertaken. As it raises potential significant social issues, the application has been brought to planning committee for determination.

SITE

The site is accessed from St Thomas Close, the residential properties provide the eastern boundary to the site. The properties of St Christopher's Road provide the northern boundary, with the southern and western being open toward the schools at Humberston Cloverfields Academy and Humberston Academy.

RELEVANT PLANNING HISTORY

No relevant planning history, though various planning history on the site.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2026)

DM3 - Determining development proposals
DM6 - Use of planning conds and obligations
S4 - Principle of develop-within settlements
DP3 - Key principles for well-designed places
TR4 - Street design, access and parking
P3 - Living conditions and pollution
P4 - Impact of development on exist activity
P5 - Maintaining public safety and security
F4 - Assessing flood risk for decision-making
F8 - Sustainable drainage systems,watercourse
N2 - Improving the natural environment

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
PO38 - Parking
PO41 - Biodiversity and Geodiversity

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 objections. Conditions recommended.

Council's Highways Officer - No objections.

Council's Tree Officer - No comments.

Council's Drainage Officer - No objections, details acceptable. Condition recommended to secure details.

Anglian Water - Raised concerns regarding surface water drainage. Mitigation provided and confirmed verbally information is acceptable.

Council's Heritage Officer - No comments.

Council's Ecology Officer - No objections. Conditions recommended.

Crime Reduction Officer - No objections. Informative recommended.

Sport England - No comments.

Humberston Village Council - Objects to the development due to car parking and traffic management issues and also due to the impact to residents in terms of loss of privacy.

Neighbour Representations

The following neighbours object to the application:

21, 25, 27 and 29 St Christophers Road, Humberston

Broadly on the following grounds:

- Privacy issues
- Overshadowing issues
- Noise and air pollution
- Disturbance

APPRAISAL

The key planning material considerations are:

- Principle of Development
- Visual Amenity
- Impact on Neighbouring Amenity
- Highways Impacts and Parking
- Drainage and Flood Risk
- Ecology

Principle of Development

The proposal is located within the development boundary of Humberston as defined within Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) and is an allocated education site. The proposal relates to extensions and alterations to an existing school building with associated works. There are no 'in principle' issues with this type of development under Policy 5, but it does require a site-specific assessment of the impacts to be undertaken. These will be considered below.

Additionally, Policy 6 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) relates to infrastructure and provides support in principle for proposals which create, expand or alter facilities and services for schools.

Visual Amenity

The proposed development would be located predominantly to the rear of the existing school complex, set within the established built form of the site. As a result of this siting and the presence of existing development, the building would be largely screened from wider public views and would not form a prominent feature within the surrounding street scene.

In terms of its form, the development comprises single and two storey elements to the existing school buildings which assist in breaking down its overall scale and mass. The articulation of the elevations, together with the arrangement of openings and detailing, further helps to provide visual interest and avoid an overly large appearance. Its form is considered appropriate to its function as a modern educational building and to its context within the wider school campus.

The extensions to the school would adopt a contemporary appearance, which is considered appropriate in this location. The proposed external materials complement the form and design of the building, providing variation and visual interest to the elevations and reinforcing its contemporary character. Whilst clearly a modern addition, the building would be read as part of the wider school site rather than as an isolated or incongruous form of development.

The proposal also includes the refurbishment of an existing building within the site for life skills provision. The retention and refurbishment of this building would make effective use of the existing built fabric and, alongside the proposed new building, would contribute

positively to the overall appearance and functionality of the school site. The refurbished building would remain recognisable as part of the established school complex, providing an appropriate balance between the existing built form and the more contemporary character of the new development.

Given the developments siting to the rear of the site, the screening afforded by the existing built form, its articulated single and two storey appearance, contemporary design and appropriate use of materials, the proposal would not result in an unacceptable impact upon the character or appearance of the site or the wider area. The proposal is therefore considered acceptable in terms of visual amenity and design and accords with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Impact on Neighbouring Amenity

The proposed development is located within the existing school site; however, there are residential properties adjoining the site, particularly along St Christophers Road. Representations have been received from neighbouring residents raising concerns regarding the impact of the development on residential amenity, including the scale and proximity of the proposed building, overlooking and loss of privacy, overshadowing and noise associated with the proposed air source heat pumps.

The relationship between the development and neighbouring residential properties has been carefully considered. The scheme has been designed to reduce its impact upon those properties, including through the provision of a single storey element along the boundary with St Christophers Road. This reduces the scale and mass of the building closest to the neighbouring dwellings and provides an appropriate transition between the new development and the residential properties beyond the site boundary.

Consideration has also been given to the potential for overlooking and loss of privacy. Windows facing towards neighbouring residential properties at the relevant elevations are positioned at high level. This would allow natural light into the building whilst preventing direct views towards neighbouring properties and their private amenity areas. The proposal is therefore not considered to result in an unacceptable loss of privacy or overlooking.

Concerns have also been raised regarding the potential for the development to result in overshadowing and loss of light. A shadow study has been submitted which considers the relationship between the proposed building and adjoining residential properties. Having regard to the single storey form closest to the residential boundaries and the findings of the submitted shadow study, the proposal is not considered to result in a level of overshadowing or loss of light that would cause unacceptable harm to the living conditions of neighbouring occupiers.

It is acknowledged that the development would alter the outlook currently experienced by some neighbouring residents. However, a change in outlook does not in itself amount to unacceptable harm. Taking account of the scale and form of the development closest to

the residential boundaries, the use of high level windows, and the conclusions of the shadow study, it is considered that an acceptable relationship would be maintained between the development and surrounding residential properties.

The proposed solar panels have also been positioned away from the neighbouring residential properties. Given their location within the development and their relationship with surrounding dwellings, they are not considered to give rise to any unacceptable impacts upon the residential amenities of neighbouring occupiers.

The development also includes air source heat pumps. The potential noise impact of this equipment upon nearby residential properties has been considered, with acoustic fencing proposed around the plant to mitigate noise. The Council's Environmental Health Officer has considered the development and raises no objection in respect of residential amenity, subject to appropriate conditions. Such conditions would ensure that relevant mitigation measures are secured and that the development operates without causing unacceptable noise or disturbance to neighbouring occupiers.

Devaluation of property, as mentioned in a representation, is not a material planning consideration.

It is noted that construction can create temporary disturbance impacts for neighbours and conditions are recommended by the Environmental Health Officer to mitigate these.

Accordingly, whilst the concerns raised by neighbouring residents are noted and have been carefully considered, the proposal is considered acceptable in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) subject to conditions.

Additionally, the relationship with the neighbouring schools is also considered acceptable given the scale and placement of the extensions on the site in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Highways Impacts and Parking

The facility would be used by pupils and staff of the school. It has been identified that the existing access and parking arrangements would remain unchanged.

The comments from Humberston Village Council are noted with concerns regarding parking and highways impacts. The supporting information provided highlights that the development is required to replace substandard accommodation for current pupils and there would be no increase in pupil numbers, and therefore there would be no impacts on the existing access and car parking provision. The Highway Officer acknowledges this information. On this basis, the Council's Highways Officer has no objections.

It is therefore considered to be in accordance with Policies 5 and 38 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Drainage and Flood Risk

The site is not located within a flood risk area and so there are no flood risk issues relating to the development.

Considerable consultation has been undertaken with the Council's Drainage Officer and Anglian Water in relation to the proposal surface water mitigation arrangements. Following concerns raised during the consultation process, amendments have been made to the drainage proposals to address concerns and provide further mitigation. These include the installation of planters to the proposed extensions and the existing school buildings. The Council's Drainage Officer has confirmed they are content with this approach. Furthermore, the Planning Manager at Anglian Water has verbally confirmed their agreement with the proposed approach. Written confirmation from Anglian Water is awaited, and once received, the Planning Committee will be updated accordingly.

Taking into account the mitigation measures and the comments received through consultation, it is considered that the proposed development accords with Policies 33 and 34 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) in relation to flood risk and drainage, subject to safeguarding conditions.

Ecology

The development is subject to Biodiversity Net Gain (BNG) requirements. The Biodiversity Net Gain Report provided, and metric provided states that 18.9% gains can be achieved and these will be delivered on site. This exceeds the 10% requirement. The Council's Ecologist has reviewed the details and has confirmed that the details are acceptable, subject to conditions.

A Preliminary Ecological Assessment has also been provided, outlining recommendations including suggested biodiversity enhancements. The Council's Ecology Officer has agreed with the assessment provided, and subject to conditions, has no objections.

The proposal therefore accords with Policy 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018), subject to safeguarding conditions.

CONCLUSION

In conclusion, it is considered that the proposed development would not unduly harm the character and appearance of the area or neighbours amenities. There are no issues in terms of highways safety, parking, drainage and ecology. Subject to conditions, the proposal is considered to accord with Policies 5, 6, 22, 33, 34, 38 and 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) and it is recommended for approval.

RECOMMENDATION

Approved with Conditions

(1) Condition
The development hereby permitted shall begin within three years of the date of this permission.

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 and details:

Site Location Plan - 2101_001
Proposed Site Plan - A2101_012 REV A
Proposed Ground Floor Plan - 2101_015 REV G
Proposed First Floor Plan - A2101_016 REV D
Proposed Elevations - A2101_020 REV B
Proposed Elevations - A2101_021 REV B
Proposed Elevations - A2101_022 REV B
Proposed Drainage Plan - 15754 BKP XX XX DR C 0500
Proposed Drainage Details - Sheet 1 - 15754 BKP XX XX DR C 0510
Proposed Drainage Details - Sheet 2 - 15754 BKP XX XX DR C 0511
Drainage Strategy Report - 15754-BKP-ZZ-XX-RP-C-0001 P03
Acoustic Fencing - J7/04177
Acoustic Fencing Specifications - received 14th January 2025

Reason
For the avoidance of doubt in the interests of proper planning and in accordance with Policies 5, 6, 22, 33, 34, 38 and 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(3) Condition
No demolition or 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 in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(4) Condition
No development shall take place until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall include details of the control measures that will be employed to control the impact of noise, vibration and dust during the construction phase (inclusive of operating hours). The approved CMP and control measures it contains shall be implemented throughout the construction phase. The noise assessment must comply with the requirements of British Standard 5228 unless otherwise approved. No burning of demolition/construction waste material shall take place on site. The measures shall be applied as agreed.

Reason
In the interests of public health and 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
Prior to the commencement of any demolition works, a detailed method statement outlining the method of demolition and measures to prevent pollution to the environment and nuisance from noise and dust to surrounding occupiers shall be submitted in writing to the local authority for its written approval. Demolition shall only thereafter be undertaken in accordance with the approved method statement.

Reason
In the interests of public health and to protect the amenities of nearby residents in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(6) Condition
Prior to the operation of the air source heat pumps hereby approved, the acoustic fencing shall be installed in full accordance with the details shown on drawing J7/04177 (Fencing Details) and the submitted acoustic fencing specifications (received 14th January 2025). The acoustic fencing shall thereafter be retained and maintained for the lifetime of the operation of the air source heat pumps.

Reason
To protect the residential amenities of neighbouring occupiers from noise and disturbance in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(7) Condition
All foul and surface water drainage shall be implemented in accordance with drawing

2101_015 REV G (Proposed Ground Floor Plan), 15754 BKP XX XX DR C 0500 (Proposed Drainage Plan), Proposed Drainage Details - Sheet 1 (15754 BKP XX XX DR C 0510), Proposed Drainage Details - Sheet 2 (15754 BKP XX XX DR C 0511) and the Drainage Strategy Report (15754-BKP-ZZ-XX-RP-C-0001 P03), prior to occupation of the extensions unless otherwise agreed in writing with the Local Planning Authority. It shall be retained as approved 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).

(8) Condition
The development shall accord with, and be implemented in line with the mitigation and precautionary measures and ecology enhancements outlined in the Preliminary Ecological Appraisal (dated November 2024 by Arbtech). All enhancement measures shall be implemented before occupation of the extensions, unless otherwise agreed in writing by the Local Planning Authority.

Reason
In the interest of protecting and enhancing ecology in accordance with Policies 5 and 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(9) Condition
Should any external lighting be required, final details of its location, specification and external lighting pools shall be submitted to and approved in writing by the Local Planning Authority. Once approved, all lighting shall be installed in strict accordance with the approved details.

Reason
In the interests of residential amenity and ecology and in accordance with Policies 5 and 41 of the North East Lincolnshire Local Plan 2013 - 2032 (Adopted 2018).

(10) Condition
The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:

(a) A non-technical summary;
(b) The roles and responsibilities of the people or organisation(s) delivering the HMMP;
(c) The planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain

Plan;
(d) The management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and;
(e) The monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the Local Planning Authority

has been submitted to, and approved in writing by, the Local Planning Authority.

Additionally, notice in writing shall be given to the Local Planning Authority when the:

(a) HMMP has been implemented; and;
(b) Habitat creation and enhancement works as set out in the HMMP have been completed.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP. Monitoring reports shall be submitted to the Local Planning Authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

Reason
To ensure the development delivers biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policies 5 and 41 of the North East Lincolnshire Local Plan 2013 - 2032 (Adopted 2018).

(11) 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 require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

Informatives

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 and local 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, 6, 22, 33, 34, 38 and 41.

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 amendments and additional information to overcome concerns.

3 Informative
The applicant's attention is drawn to the fact that the requirements of the Party Wall Act may apply and you should seek advice from your agent or suitably qualified person.

4 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).

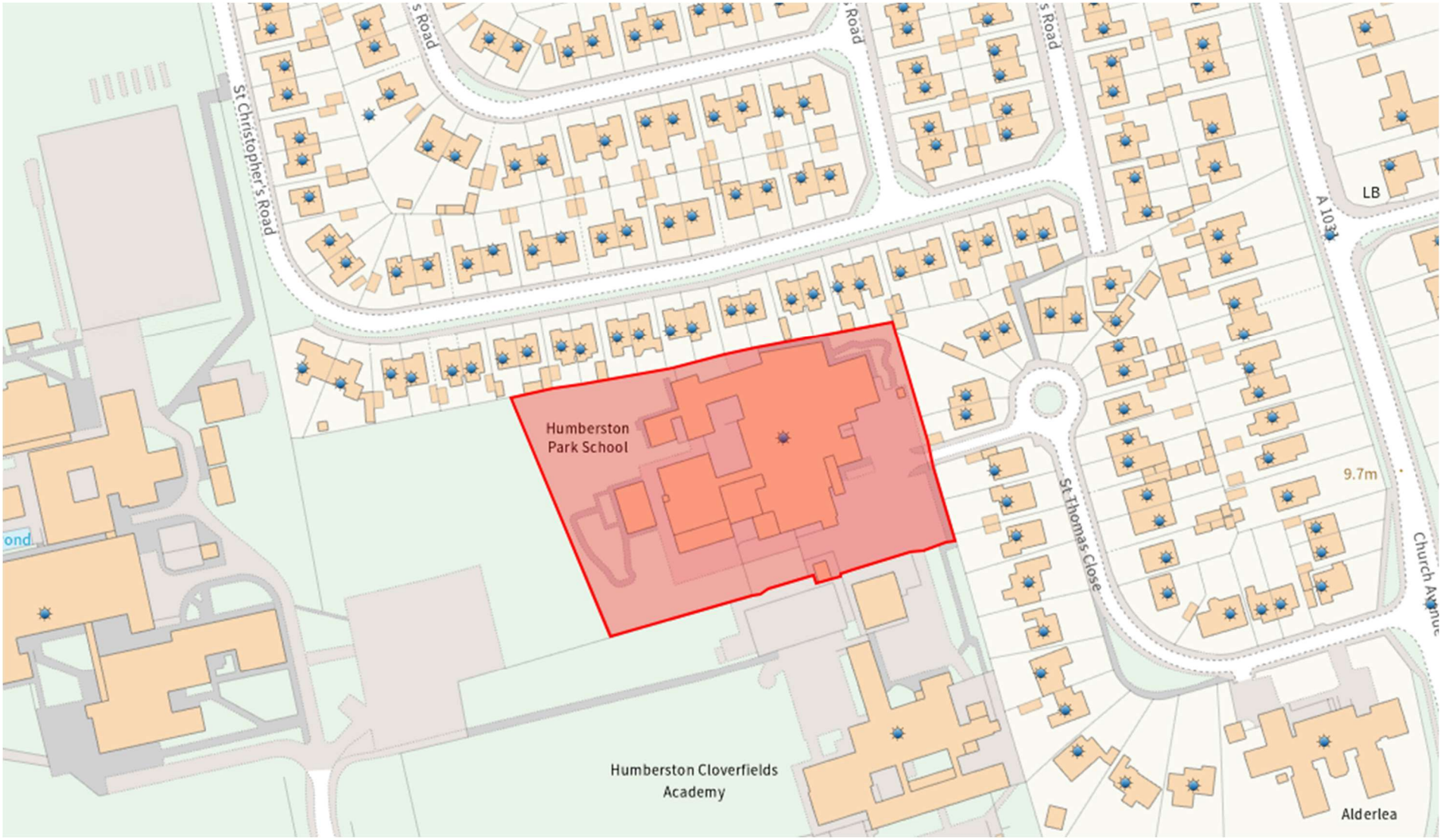
5 Informative

Where there may be the possibility of asbestos in the buildings the applicant, developer, and future occupier are reminded of the duties under Control of Asbestos Regulations 2012, or the more general duties under the Health and Safety at Work Act 1974 in relation to any presence of asbestos in the building(s). The Health and Safety Executive can be contacted for further advice and a copy of the Approved Code of Practice is available from their website at http://www.hse.gov.uk/pubns/books/l143.htm.

6 Informative

The applicant's attention is drawn to the comments received from the Crime Reduction Officer and Council's Ecology Officer. Please go to www.nelincs.gov.uk to view the comments.

DM/1052/24/FUL – HUMBERSTON PARK SCHOOL, ST THOMAS CLOSE, HUMBERSTON



DM/1052/24/FUL – HUMBERSTON PARK SCHOOL, ST THOMAS CLOSE, HUMBERSTON

