

Lincolnshire County Council

Planning Permission

Town and Country Planning Act 1990

Town and Country Planning General Regulations 1992

Date of Proposal: 26 August 2025

Application No. H16-0907-25

LCC Ref. No. PL/0070/25

Part 1 Planning Permission

1. On 11 December 2025 Lincolnshire County Council, for the purposes of Regulation 3 of the Town and Country Planning General Regulations 1992, granted Planning Permission for a proposed new drama studio at Spalding Academy, Neville Avenue, Spalding.
2. Take notice that the development hereby granted Planning Permission shall be carried out in accordance with the application and plans submitted subject to the following Biodiversity Gain Information and Schedule of Conditions.

Part 2 Conditions

Schedule of Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. Written notification of the date of commencement shall be sent to the County Planning Authority within seven days of such commencement.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development and operations hereby permitted shall be carried out in strict accordance with the following documents and plans except where modified by conditions attached to this notice or details subsequently approved pursuant to those conditions. The approved documents are as follows:

Signed *Neil McBride*
Head of Planning
Lincolnshire County Council

Date 11 December 2025

NOTES:

1. This permission must be entered in the statutory register of planning decisions maintained by the District Council (as required by the Town and Country Planning General Regulations 1992). In addition the District Council is requested to make an entry in the Land Charges Register of any conditions attached to this permission.
2. This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation.

- Planning Application Form (received 26 August 2025)
- Design and Access Statement (received 26 August 2025)
- Biodiversity Net Gain Statement (received 26 August 2025)
- Email from applicant to County Planning Authority dated 27 October 2025
- Travel Plan and Associated Objectives July 2025 (received 26 August 2025)

And the following plans:

- Drawing No 12894-WMS-ZZ-ZZ-D-A 10001-S8 Rev P3 – Location Plan (received 10 September 2025)
- Drawing No 12894-WMS-XX-XX-D-A 10903-S8 Rev P3 – Existing Site Plan (received 9 September 2025)
- Drawing No 12894-WMS-ZZ-ZZ-D-A 10002-S8 Rev P1 – Proposed Site Plan (received 26 August 2025)
- Drawing No 12894-WMS-XX-XX-D-A 10905-S8 Rev P2 – Proposed Site Plan –Expanded to show car park 2 (received 9 September 2025)
- Drawing No 12894-WMS-XX-XX-D-A 10904-S8 Rev P6 – Proposed Site Plan –Option 3 (received 9 September 2025)
- Drawing No 12894-WMS-ZZ-XX-D-C 39001-S8 Rev P1- Levels Layout (received 26 August 2025)
- Drawing No 12894-WMS-ZZ-ZZ-D-A 39201-S8 Rev P3- Drainage Layout (received 26 August 2025)
- Drawing No SPAL-WMS-XX-XX-D-A-10602-S8 Rev P1 - Proposed 3D Views (received 26 August 2025)
- Drawing No SPAL-WMS-XX-XX-D-A-10501-S8 Rev P1- Proposed GA Sections and Roof Plan (received 26 August 2025)
- Drawing No SPAL-WMS-XX-XX-D-A-10608-S8- Rev P2 – Elevations (received 9 September 2025)
- Drawing No 12894-WMS-XX-XX-D-A-10607-S8- Rev P3 – Proposed Plan and Elevations (received 10 September 2025)
- Tree Constraints Plan (received 26 August 2025)

Reason: To ensure the development is carried out in accordance with the approved Details.

3. The development hereby permitted shall be carried out in accordance with the recommendations set out under Section 6 of the Flood Risk Assessment and Drainage Strategy dated July 2025 and received by the County Planning Authority on

Reason: To protect the facility in the event of flooding at the site.

4. Prior to the development being brought into use, the means of securing the delivery of the fees associated with monitoring the effectiveness of the Travel Plan shall be agreed in writing with the County Planning Authority following consultation with the Highways Authority.

Reason: To ensure the development is carried out in accordance with the aims and objectives of the Travel Plan.

Informative

Attention is drawn to:

- (i) Biodiversity Gain Information

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

granted subject to the condition (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 Lincolnshire County Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

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.

In this case, development is 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).

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.

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).
- 4.2 Development below the de minimis threshold, meaning development which:
- (i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
 - (ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).
- 4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A “householder application” means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.
- 4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).
- 4.5 Self and Custom Build Development, meaning development which:
- (i) consists of no more than 9 dwellings;
 - (ii) is carried out on a site which has an area no larger than 0.5 hectares; and
 - (iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

- 4.6 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.

* “original planning permission means the 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.

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 73(2D) 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;
- (ii) Letter from Anglian Water Services dated 15 October 2025;
- (iii) Letter from Environment Agency dated 13 October 2025;

- (iv) Sections 7 and 8 of the Chronically Sick and Disabled Persons Act 1970;
- (v) Design Note 18 "Access for Disabled People to Educational Buildings", published in 1984 on behalf of the Secretary of State for the Environment, or any prescribed document replacing that note; and
- (vi) In dealing with this application the County Planning Authority has worked with the applicant in a positive and proactive manner by seeking further information to address issues identified so that the application is processed efficiently so as to prevent any unnecessary delay. This approach ensures the application is handled in a positive way to foster the delivery of sustainable development which is consistent with the requirements of the National Planning Policy Framework and as required by Article 35(2) of the Town & Country Planning (Development Management Procedure)(England) Order 2015.



Planning Application – Anglian Water Report

If you would like to discuss any of the points in this document please
contact us on 03450263912 or email
planningliaison@anglianwater.co.uk.

AW Site Reference:	215117/1/0233155
Local Planning Authority:	South Holland District
Site:	Spalding Academy, Neville Avenue, Spalding
Proposal:	For a proposed new drama studio
Planning application:	PL/0070/25

Prepared by: Pre-Development Team

Date: 15 October 2025

ASSETS

Section 1 - Assets Affected

Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

WASTEWATER SERVICES

Section 2 - Wastewater Treatment

This site is within the catchment of Spalding Water Recycling Centre (WRC), which currently can accommodate the additional flows generated by the proposed development. Spalding WRC is included within our Business Plan as a named growth scheme with investment delivery planned between 2025-2030. To ensure there is no pollution or deterioration in the receiving watercourse due to the additional foul flows that would arise from the development, we recommend a planning condition is applied if permission is granted.

Condition: Prior to occupation written confirmation from Anglian Water must be submitted confirming there is sufficient headroom at the water recycling centre to accommodate the foul flows from the development site. This condition shall cease to have effect if the development is first occupied after April 2030.

Reason: To protect water quality, prevent pollution and secure sustainable development having regard to paragraphs 7/8 and 187 of the National Planning Policy Framework

Section 3 - Used Water Network

This response has been based on the following submitted documents: Flood Risk Assessment and Drainage Strategy 12894-WMS-ZZ-XX-T-39301-S8-P1 July 2025 and Drainage Layout 12894 - WMS - ZZ - XX - D - C - 39201 - S8 - P3 The sewerage network at present has available capacity for the anticipated foul flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

1. INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087 Option 2. 2. INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water. 3. INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087 Option 2. 4. INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 Option 2 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

Section 4 - Surface Water Disposal

From the Flood Risk Assessment and Drainage Strategy 12894-WMS-ZZ-XX-T-39301-S8-P1 July 2025 and Drainage Layout 12894 - WMS - ZZ - XX - D - C - 39201 - S8 - P3 submitted to support the planning application the proposed method of surface water management is via IDB Drain and does not relate to Anglian Water operated assets. Anglian Water has no designated surface water sewers in the area of the proposed development. As such, we are unable to provide comments on the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board.

The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. If planning permission is granted, the strategy should be listed within the decision notice with any approved plans.



FAO: Sandra Barron
Lincolnshire County Council
Development Control, Planning &
Conservation
County Offices Newland
Lincoln
LN1 1YL

Our ref: AN/2025/137078/01-L01
Your ref: PL/0070/25
Date: 13 October 2025

Dear Sandra Barron

**For a proposed new drama studio
Spalding Academy, Neville Avenue, Spalding**

Thank you for consulting us on the above application, on 23 September 2025.

Environment Agency position

We have no objection to the proposed development. Whilst we have no objection, we would like to draw your Local Planning Authority's and the Applicants attention to the following information.

Flood resistance and resilience

As outlined in the submitted flood risk assessment (FRA), the site could experience flood depths exceeding 2.0 metres arising from a breach in the defences during a flood that has a 1%/0.1% chance of occurring in any one year up to 2115.

We support the recommendation of the submitted FRA that flood resilience measures are incorporated into the development to a level of 5.40 metres above Ordnance Datum. We advise that the proposed flood risk mitigation measures are fully implemented.

To find out which measures will be effective for this development, please contact your building control department. In the meantime, if you'd like to find out more about reducing flood damage, visit the flood risk and coastal change pages of the planning practice guidance. The following documents may also be useful:

Government guidance on flood resilient construction

<https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>

CIRIA Code of Practice for property flood resilience

https://www.ciria.org/CIRIA/Resources/Free_publications/CoP_for_PFR_resource.aspx

British Standard 85500 – Flood resistant and resilient construction

<https://shop.bsigroup.com/ProductDetail/?pid=000000000030299686>

Flood issues outside of EA remit

The following issues are not within our direct remit or expertise, but nevertheless are important considerations for managing flood risk for this development. Prior to deciding this application we recommend that consideration is given to the issues below. Where necessary, the advice of relevant experts should be sought.

- Adequacy of rescue or evacuation arrangements
- Details and adequacy of an emergency plan
- Provision of and adequacy of a temporary refuge
- Details and calculations relating to the structural stability of buildings during a flood

Flood warning and emergency response

We do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/ users covered by our flood warning network.

Planning practice guidance (PPG) to the National Planning Policy Framework (NPPF) states that, in determining whether a development is safe, the ability of residents and users to safely access and exit a building during a [design flood](#) and to evacuate before an extreme flood needs to be considered. One of the key considerations to ensure that any new development is safe is whether adequate flood warnings would be available to people using the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions. As such, we recommend you refer to '[Flood risk emergency plans for new development](#)' and undertake appropriate consultation with your emergency planners and the emergency services to determine whether the proposals are safe in accordance with paragraph 181 of the NPPF and the guiding principles of the PPG.

We have considered the findings of the flood risk assessment in relation to the likely duration, depths, velocities and flood hazard rating against the design flood for the proposal. This indicates that there will be a danger for all people (e.g. there will be danger of loss of life for the general public and the emergency services).

This does not mean we consider that the access is safe, or the proposals acceptable in this regard. We remind you to consult with your emergency planners and the emergency services to confirm the adequacy of the evacuation proposals.

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me on the number below.

Yours sincerely

Danielle Maclean-Spencer
Sustainable Places Planning Advisor

Direct dial: 07826 875888

Direct e-mail: danielle.maclean-spencer@environment-agency.gov.uk

Team e-mail: LNplanning@environment-agency.gov.uk