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TOWN AND COUNTRY PLANNING ACT 1990

SECTION 73A CONTINUATION

Reference: H09-0057-21 **Date of Decision:** 12th April 2021

Applicant: University of Lincoln
Campus Way
Lincoln
LN6 7TS

Location: Centre Of Excellence In Agri-Food Land Off A151 Food Enterprise Zone Holbeach

Description: Proposed centre of excellence in Agri-Food with associated roads, car parking & landscaping - approved under H09-0230-18. Modification of Condition 1 to allow amendments to previously approved plans.

South Holland District Council hereby give notice that this application has been GRANTED (or equivalent) subject to the following condition(s):

1 The development hereby permitted shall be carried out in accordance with the following approved plans:
H09-0057-21
LIN012-PEV-XX-XX-DR-A-9000 Rev P02;
M00439-ALA-00-XX-DR-L-0003 Rev C07;
M00439-PEV-V1-ZZ-DR-A-3100 Rev C06;

H09-0949-19
M00439-PEV-V1-ZZ-DR-A-9003 Rev P02;
M00439-PEV-V1-02-DR-A-9004 Rev P02;
M00439-PEV-V1-ZZ-DR-A-9006 Rev P02;

H09-0771-16
Flood Risk Assessment by JBA Consulting (Final V 3.0 dated 23 August 2016).

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

2 The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment and in particular the following mitigation measures:
· Finished floor levels shall be set no lower than 3.1m AOD;
· Flood resilient and resistant construction measures shall be incorporated throughout the development as stated within the FRA.
The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants.
This Condition is imposed in accordance with Policies 3 and 4 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2019.

3 The approved arrangements for the parking/turning/manoeuvring/loading/unloading of vehicles within the site shall be provided before the development is occupied and shall be kept permanently free for such use at all times thereafter.

Reason: To enable calling vehicles to wait clear of the carriageway of A151 and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety.
This Condition is imposed in accordance with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan, 2019.

4 The development shall be carried out in accordance with the approved drainage scheme accompanying application ref. H09-1147-19 and the building shall not be brought into use until the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full in accordance with the approved details.

Reason: To ensure that the site is adequately drained, to avoid pollution, and to prevent increased risk of flooding.
This Condition is imposed in accordance with Policies 2, 3, 4 and 30 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in the National Planning Policy Framework, 2019.

5 The approved landscaping scheme shall be carried out in its entirety within a period of twelve months beginning with the date on which development is commenced. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary.

Reason: To ensure that the development is adequately landscaped, in the interests of its visual amenity and that of the area in which it is set.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

6 Proposed site and floor levels of the buildings and hard surfaced areas shall be in accordance with details accompanying application ref. H09-1147-19, unless agreed otherwise in writing by the Local Planning Authority.

Reason: To reduce the risk of flooding of the development.
This Condition is imposed in accordance with Policy 4 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2019.

7 The construction process shall be carried out in accordance with the approved construction management plan accompanying application ref. H09-1147-19, unless agreed otherwise in writing with the Local Planning Authority.

Reason: In the interests of the amenity of local residents.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

8 During the construction of the development no tree or shrub felling, lopping or clearance shall take place between mid-February and the end of July.

Reason: To ensure that birds and their nests are protected during the nesting season.
This Condition is imposed in accordance with national guidance contained in Section 15 of the National Planning Policy Framework, 2019.

9 No part of the premises shall be brought into use until the foul water strategy has been fully implemented in accordance with details accompanying application ref. H09-1147-19, unless otherwise approved in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 15 of the National Planning Policy Framework, 2019.

Notes:

The Local Planning Authority has acted positively and proactively in determining this application by assessing it against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise, and subsequently determining to grant planning permission.

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

It is recommended that future occupiers of the building sign up to the Environment Agency's free Floodline Warnings Direct Service and that a Flood Warning and Evacuation Plan should be prepared for the site.

The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section

184 of the Highways Act. The works should be constructed in accordance with the Authority's specification that is current at the time of construction. Relocation of existing apparatus, underground services or street furniture will be the responsibility of the applicant, prior to application. For approval and specification details, please contact vehiclecrossings@lincolnshire.gov.uk

Your attention is drawn to advice from the South Holland Internal Drainage Board dated 1 February 2021 indicating that any alteration of a watercourse would require consent from the Board under Byelaw 4 and Section 23 of the Land Drainage Act, 1991.



Phil Norman
Planning and Building Control Manager
South Holland District Council

BUILDING REGULATIONS:
This decision refers only to planning permission as granted under the Town and Country Planning Act 1990. The works that you are proposing may also require Building Regulations and this planning permission does not give authority under Building Regulations to commence work. Please contact the Building Control section for further information on 01775 764557 or bcadmin@sholland.gov.uk

RIGHTS OF APPEAL

Appeals to the Secretary of State

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

Timescales for appealing

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

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

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

Enforcement Notices

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

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

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

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

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the

Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under the order.

Purchase Notices

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

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

Compensation

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

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