From: Dev_PlanningSupport <Dev_PlanningSupport@lincolnshire.gov.uk>
Sent: 16 December 2024 11:40
To: _planningadvice
Subject: Planning Application Decision Notification - University of Lincoln Holbeach Campus, National Centre For Food Manufacturing, Park Road, Holbeach
Attachments: PL_0048_24 Decision Notice.pdf

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Dear Sir/Madam

PLANNING APPLICATION NUMBER: H09-0484-24

LCC REFERENCE NUMBER: PL/0048/24

DEVELOPMENT: FOR CHANGE OF USE OF MINERVA HOUSE TO CREATE CHILDREN'S SERVICES HUB WITH EARLY YEARS PROVISION, CHILDREN'S CENTRE, AND SIXTH FORM ACCOMMODATION, INCLUDING THE CREATION OF FENCED EXTERNAL PLAY AREAS

LOCATION: UNIVERSITY OF LINCOLN HOLBEACH CAMPUS, NATIONAL CENTRE FOR FOOD MANUFACTURING, PARK ROAD, HOLBEACH

Lincolnshire County Council has granted permission for the development referred to above. A copy of the Decision Notice is attached which should be placed on your Council's Statutory Planning Register.

Yours faithfully

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Lincolnshire COUNTY COUNCIL Working for a better future

Lincolnshire County Council
Planning Permission

Town and Country Planning Act 1990

Town and Country Planning General Regulations 1992

Date of Proposal: 9 May 2024

Application No. H09-0484-24

LCC Ref. No. PL/0048/24

Part 1 Planning Permission

1. On 13 December 2024 Lincolnshire County Council, for the purposes of Regulation 3 of the Town and Country Planning General Regulations 1992, granted Planning Permission for change of use of Minerva House to create Children's Services hub with Early Years provision, Children's Centre, and Sixth Form accommodation, including the creation of fenced external play areas at University of Lincoln Holbeach Campus, National Centre For Food Manufacturing, Park Road, Holbeach.

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

Biodiversity Gain Information

Biodiversity Gain Plan

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

Signed Neil McBride
Head of Planning
Lincolnshire County Council

Date 13 December 2024

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.

(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. The proposed development would be 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 2005); 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 2005); 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 permission, 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, the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including an arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

Schedule of Conditions

Commencement

1. The development must be begun no later than the expiration of three years beginning with the date of this permission.

   Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

Approved Documents and Drawings

2. The development hereby permitted shall only be carried out in accordance with the following documents and plans unless otherwise modified by the conditions attached to this planning permission or details subsequently approved pursuant to those conditions. The approved documents and plans are as follows:

- Planning Application Form (received 09 May 2024)
- Construction Phase Plan (received 09 May 2024)
- Design & Access Statement (received 09 May 2024)
- Flood Risk Assessment (received 09 May 2024)
- Travel Plan (received 09 May 2024)
- Transport Statement (received 13 August 2024)
- Flood Evacuation Plan (received 12 August 2024)
- Drawing No. EX01 rev 01 – Site Location Plan (received 21 May 2024)
- Drawing No. EX200 rev 01 – Elevations (Existing) (received 21 May 2024)
- Drawing No. EX101 – First Floor Plan (Existing) (received 09 May 2024)
- Drawing No. EX100 rev 01 – Ground Floor Plan (Existing) (received 21 May 2024)
- Drawing No. GA200 rev 02 – Proposed Elevations (received 21 May 2024)
- Drawing No. GA114 rev 04 – Proposed Ground Floor Plan Room Zones (received 21 May 2024)
- Drawing No. GA115 rev 02 – Proposed First Floor Plan Room Zones (received 09 May 2024)
- Drawing No. GA001 rev 09 – Proposed Site Layout (received 13 August 2024)
- Drawing No. EX300 – Sections A-A & B-B (received 09 May 2024)
- Drawing No. EX100 – Site Plan (Existing) (received 09 May 2024)
- Drawing No. GA002 rev 05 – Proposed External Works (received 09 May 2024)

Reason: To ensure the development is undertaken in strict accordance with the approved details

Construction Phase

3. With the exception of internal building works such as plastering, decorating, floor covering, fitting of plumbing and electrics and the installation of internal fixtures and fittings, all vehicle movements and the operation of plant and machinery during the construction/building phase shall only be carried out between 07:30 and 18:00 hours Monday to Friday and between 09:00 and 12:00 hours Saturdays. No such operations or activities shall take place on Sundays, Bank or Public Holidays.

Reason: In the interest of the general amenity of the area.

Hours of operation/Use

4. The site shall only be open for public access between the following hours:

07:30 - 18:00 Monday to Friday

The site shall not be open for public access on Saturdays, Sundays and public holidays.

Reason: To define the opening hours in the interests of limiting the effects of the development on local amenity.

Travel Plan

5. The Travel Plan (received 09 May 2024) hereby approved, shall be implemented and monitored throughout the lifetime of the development to ensure that it is working effectively. In the event that the monitoring indicates that a review of the Travel Plan is required, an updated Travel Plan shall be submitted to and approved in writing by the County Planning Authority and shall thereafter be implemented and monitored for the lifetime of the development. Associated records will be made available to the County Planning Authority and Highway and Lead Local Flood Authority upon request.

Reason: To measure the effectiveness of the travel plan and in the interest of the general amenity of the area.

Fire Hydrant

6. Prior to occupancy, one fire hydrant conforming to BS750-2012 within 90m of the premises entrance shall be installed in accordance with Lincolnshire Fire and Rescue's (LFR) recommendations. Following installation, the applicant will provide the County Planning Authority with confirmation from LFR that the installation meets their required standards.

Reason: In the interest of fire safety for the proposed use.

Floods

7. The mitigation measures in the Flood Risk Assessment (received 09 May 2024) hereby approved, shall be implemented in full for the lifetime of the development.

Reason: To minimise the risk of flooding.

Informative

Attention is drawn to:-

(i) Sections 7 and 8 of the Chronically Sick and Disabled Persons Act 1970;

(ii) 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

(iii) In dealing with this application the County Planning Authority has worked with the applicant in a positive and proactive manner by processing the application 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.