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TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference: H12-0529-22 **Date of Decision:** 15th July 2022

Applicant: University Academy Long Sutton
University Academy Holbeach
Park Road
Holbeach
Spalding
PE12 7PU

Location: University Academy Long Sutton 84 Little London Long Sutton Spalding

Description: Demolition of existing modular classrooms and replace with double single storey modular classroom

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

1 The building hereby permitted shall be removed from the site at or before 15 July 2027 and the site restored to its former condition before that date.

Reason: The structures are of a temporary design and materials of construction and are only permitted to provide short term facilities to serve the needs of the applicant. The retention of the structures beyond this date would be harmful to the visual amenity and character of the locality by virtue of its temporary nature and the potential for its fabric to become dilapidated.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

2 The development hereby permitted shall be carried out in accordance with the following approved plans:

18737.003

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

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 noted that the applicant has indicated that they intend to dispose of surface water via infiltration, however no drainage strategy or plan has been provided therefore it is recommended that the proposed strategy is supported by ground investigation to determine the infiltration potential of the site and the depth to groundwater. If on-site material were to be considered favourable then we would advise infiltration testing in line with BRE Digest 365 (or equivalent) to be undertaken to determine its efficiency. If (following testing) a strategy wholly reliant on infiltration is not viable and a surface water discharge is proposed to a watercourse, then the proposed development will require land drainage consent in line with the Board's byelaws (specifically byelaw 3). Any consent granted will likely be conditional, pending the payment of a Surface Water Development Contribution fee, calculated in line with the Board's charging policy.

Whilst not currently proposed, should the applicant's proposals change to include works within 9 metres of the Board Maintained watercourse DRN201G4403 (K44 Monmouth) adjacent to the site boundary, consent would be required to relax Byelaw 10 (no works within 9 metres of the edge of drainage or flood risk management infrastructure).

Whilst not currently proposed, should the applicant's proposals change to include works to alter the Board Maintained watercourse, consent will be required under the Land Drainage Act 1991 (and byelaw 4).

Whilst not currently proposed, should the applicant's proposals change to include works to alter the riparian watercourse, consent will be required under the Land Drainage Act 1991 (and byelaw 4).



Phil Norman
Planning 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.