From: Dev_PlanningSupport <Dev_PlanningSupport@lincolnshire.gov.uk>
Sent: 04 September 2026 15:53
To: _planningadvice
Subject: Planning Application Decision Notification - Moulton Chapel Primary School, Eaugate Road, Moulton Chapel
Attachments: PL_0055_26 Decision Notice.pdf

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Dear Sir/Madam

PLANNING APPLICATION NUMBER: H13-0648-26
LCC REFERENCE NUMBER: PL/0055/26
DEVELOPMENT: TO VARY CONDITION 2 (FIVE YEAR TIME LIMIT) OF PLANNING PERMISSION H13-1044-21; RETROSPECTIVE APPLICATION TO RETAIN EXISTING MOBILE CLASSROOM FOR 3 YEARS (GRANTED BY PERMISSION H13/1077/13 AND AS PREVIOUSLY AMENDED BY H13-1265-16 AND H13-1044-21)
LOCATION: MOULTON CHAPEL PRIMARY SCHOOL, EAUGATE ROAD, MOULTON CHAPEL

Lincolnshire County Council has granted permission for the development referred to above. The Decision Notice is attached for your statutory register.

Yours sincerely

Technical Support Team
Planning Services
Lincolnshire County Council
County Offices, Newland, Lincoln LN1 1YL
Tel: 01522 782070
Website: www.lincolnshire.gov.uk

Lincolnshire County Council
Planning Permission

Town and Country Planning Act 1990

Town and Country Planning General Regulations 1992

Date of Proposal: 30 June 2026

Application No. H13-0648-26

LCC Ref. No. PL/0055/26

Part 1 Planning Permission

1. On 4 September 2026 Lincolnshire County Council, for the purposes of Regulation 3 of the Town and Country Planning General Regulations 1992, granted Planning Permission to vary condition 2 (Five Year Time Limit) of Planning Permission H13-1044-21; Retrospective application to retain existing mobile classroom for 3 years (granted by permission H13/1077/13 and as previously amended by H13-1265-16 and H13-1044-21) at Moulton Chapel Primary School, Eaugate Road, Moulton Chapel.

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 approved shall be retained in accordance with the following documents and plans:

   Documents

   - Section 73 Planning Application Form (received 30 June 2026)

Signed Neil McBride
Head of Planning
Lincolnshire County Council

Date 4 September 2026

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.

- Supporting Design Statement (received 30 June 2026)
- Flood Risk Assessment (received 30 September 2021)

Drawings and Plans

- H0029 P.001 – Location Plan (received 05 February 2013)
- H0029 P.002 Rev. A – Floor, Elevation, Site and Block Plan (received 05 February 2013)

Reason: To ensure the development is retained in accordance with the approved details.

2. The mobile classroom hereby approved shall be removed on or before 31 August 2029 and thereafter the land reinstated to its former condition.

Reason: The building, by reason of its design and appearance, would be inappropriate as a permanent feature of the locality.

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:

- The planning permission relates to 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 the application for planning permission is made under Section 73 of the Town and Country Planning Act 1990 where the original permission to which the Section 73 application relates* was exempt by virtue of the application for planning permission being made before 2 April 2024.

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 a 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) Sections 7 and 8 of the Chronically Sick and Disabled Persons Act 1970.

(iii) 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.

(iv) 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.