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TOWN AND COUNTRY PLANNING ACT 1990

OUTLINE

Reference: H16-0364-26 **Date of Decision:** 14th September 2026

Applicant: Alcan Properties Limited
Leytonstone House
Hanbury Drive
London
E11 1GA

Location: Land North Of The B1173 Barrier Bank And West Of The A16 Spalding (Lincs Gateway) Spalding Lincs

Description: Erection of buildings to comprise up to 70,000 square metres (Gross Internal Area) of Class B8 (storage or distribution) floorspace to include ancillary Class E(g) (office) floorspace and provision of associated Infrastructure including utilising existing vehicular access from B1173. Outline with means of access to be considered.

South Holland District Council, in pursuance of the provisions of the Town and Country Planning Act 1990 (as amended), hereby give notice that permission has been GRANTED (or equivalent) for the development referred to above, subject to the following condition(s):

1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission, or two years from the approval of the last of the reserved matters, whichever is the later.

Reason: To ensure that the development is commenced in a timely manner, as required by Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2 Applications for approval of reserved matters shall be made to the Local Planning Authority not later than the expiration of seven years from the date of this permission.

Reason: The extended period is to reflect the scale and phased delivery of the development.
As required by Section 92 of the Town and Country Planning Act 1990 imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.

3 Details of all reserved matters, as set out below, shall have been submitted to the Local Planning Authority for approval within seven years from the date of this permission:

i) layout
ii) scale
iii) appearance of the building(s) (including a schedule of external materials to be used);
iv) the landscaping of the site (including boundary treatment).

No development shall commence within a phase until all reserved matters relating to that phase have been submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out as approved.

Reason: To ensure the Local Planning Authority can control development in detail, and to ensure that the development is commenced in a timely manner, as required by Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

4 The development hereby permitted shall be carried out in accordance with the following approved plans and/or documents:

22119 - UMC - XXXX - SI - DR - A 0501 P03 - Site Location Plan
22075 - Addendum Ecological Appraisal - Addendum Ecological Appraisal - March 2026
46934-ECE-XX-XX-RP-C-0004 - Flood Risk Assessment - 02 April 2026
June 2026 - Protected Species Survey Report
BNG Metric Calculation Tool
Rev 01 - Transport Statement - 1 April 2026
89957.551363 - Air Quality Assessment - May 2023
89957.552423 - Lighting Impact Assessment - May 2023
ARC7208/22426/V4 - Noise Impact Assessment
46934-003 - Geotechnical and Geo-Environmental Site Investigation - 15 July 2022
29 May 2026 Revision: 02 - Framework Travel Plan

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

5 Prior to or concurrently with the submission of the first application for approval of reserved matters, a Site-wide Phasing and Infrastructure Plan shall be submitted to and approved in writing by the Local Planning Authority.

The Plan shall identify:

a) the extent and content of each phase;
b) the sequence of development;
c) strategic and shared access, drainage, utility and construction infrastructure;

DC_FINAL_DECISION - ODB:14

d) the timing of watercourse, landscaping, ecological and biodiversity measures; and
e) any mitigation required to serve or protect more than one phase.

The development shall thereafter proceed in accordance with the approved Site-wide Phasing and Infrastructure Plan. Any subsequent revisions to the Site-wide Phasing and Infrastructure Plan, including amendments to the phasing or infrastructure arrangements, shall be submitted to and approved in writing by the Local Planning Authority prior to implementation

Reason: To ensure the large-scale development is delivered in an orderly, manageable sequence alongside required infrastructure and environmental mitigations
This Condition is imposed in accordance with Policies 2, 3, 7 and 30 of the South East Lincolnshire Local Plan, 2019.

6 No development shall take place within any phase of the development (including ground works and vegetation clearance) until a Construction Management Plan and Method Statement has been submitted to and approved in writing by the local planning authority for that phase.

The Construction Management Plan and Method Statement shall indicate measures to mitigate against the adverse impacts of vehicle movements and vehicle parking and shall include;
- the phasing of the development to include access construction;
- the parking of vehicles of site operatives and visitors;
- the loading and unloading of plant and materials;
- the storage of plant and materials used in constructing the development;
- wheel washing facilities;
- a strategy stating how surface water run off on and from the development will be managed during construction
- measures to minimise noise, vibration, smoke and other emissions
- a dust-management risk assessment prepared in accordance with current IAQM guidance

The development hereby permitted shall thereafter be undertaken in accordance with the approved Construction Management Plan and Method Statement.

Reason: In the interests of the safety and free passage of those using the adjacent public highway and to ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction.
This Condition is imposed in accordance with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan, 2019.

7 Prior to or concurrently with the submission of the first reserved matters application for approval of reserved matters, a scheme of works for the management, improvement and replacement where necessary, of the existing riparian watercourses that pass through and run along the northern edge of the Application Site. The submitted scheme shall be designed to ensure that suitable provision is included for the practical future maintenance of these watercourses. The works, as approved by the Local Planning Authority, shall be

DC_FINAL_DECISION - ODB:14

completed prior to the execution of any other work on the site that could have the potential to compromise the continued operation of these watercourses and the drainage of the wider area.

Reason: In the interests of ensuring that the construction and operation of the permitted development does not cause flooding of adjoining land and properties by interrupting the operation of the existing surface water drainage infrastructure for the area
This Condition is imposed in accordance with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan, 2019.

8 Prior to or concurrently with the submission of the first application for approval of reserved matters, a site-wide surface-water drainage strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall address the application site as a whole and shall include:

a) existing and proposed drainage catchments;
b) the drainage hierarchy, discharge points and discharge rates;
c) attenuation requirements, including allowance for climate change;
d) the relationship with existing watercourses and drainage infrastructure;
e) exceedance routes and the relationship with proposed site and finished-floor levels;
f) the timing and phasing of strategic drainage infrastructure; and
g) arrangements for adoption, management and maintenance.

No development shall commence within a phase until a detailed surface-water drainage scheme for that phase, consistent with the approved site-wide strategy, has been submitted to and approved in writing by the Local Planning Authority.

No building within a phase shall be occupied or brought into use until the drainage infrastructure required to serve that building and phase, including any necessary strategic or downstream infrastructure, has been completed in accordance with the approved details.
The approved drainage infrastructure shall thereafter be retained and maintained in accordance with the approved management arrangements.

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development.
This Condition is imposed in accordance with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan, 2019 and Section 14 of the National Planning Policy Framework 2026.

9 All buildings shall include an area of safe refuge above the predicted flood depths as outlined in the submitted flood risk assessment, by Eastwood Consulting Engineers, dated 02 April 2026, ref. 46934-ECE-XX-XX-RP-C-0004. This mitigation measure shall be fully implemented prior to occupation of each building and subsequently retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants
This condition is imposed in accordance with Policy 4 of the South East Lincolnshire Local Plan 2019.

DC_FINAL_DECISION - ODB:14

10 Prior to or concurrently with the submission of the first application for approval of reserved matters, a Site-wide Foul Water Drainage Strategy shall be submitted to and approved in writing by the Local Planning Authority.

The Strategy shall include:

a) details of the existing and proposed foul drainage network and proposed points of connection;
b) evidence that sufficient capacity is or will be available to serve the development;
c) details of any pumping stations and other strategic or shared infrastructure;
d) the relationship between the drainage network and the approved phases of development;
e) a programme for the delivery of the strategic infrastructure necessary to serve each phase; and
f) arrangements for the future ownership, management and maintenance of the foul drainage infrastructure.
No development shall commence within any phase until a detailed foul water drainage scheme for that phase, consistent with the approved Site-wide Foul Water Drainage Strategy, has been submitted to and approved in writing by the Local Planning Authority.
No building within a phase shall be occupied or brought into use until the foul drainage infrastructure required to serve that building and phase, including any necessary strategic or shared infrastructure, has been completed and made operational in accordance with the approved details.

The approved foul drainage infrastructure shall thereafter be retained and managed in accordance with the approved arrangements.
Reason: To ensure that the development is provided with an adequate and properly coordinated means of foul water disposal, that the necessary strategic infrastructure is delivered at the appropriate stage, and to prevent pollution. This Condition is imposed in accordance with Policies 2, 3, 4 and 30 of the South East Lincolnshire Local Plan, 2019.

11 The development hereby approved shall be carried out in accordance with the Ecological Appraisal (Addendum) dated March 2026, and the Protected Species Survey Report (June 2026).

Reason: In the interest of protected species.
This condition is imposed in accordance with policy 28 of the South East Lincolnshire Local Plan 2019

12 The development hereby permitted shall not commence until an overall biodiversity gain plan relating to the entire development has been submitted to and approved in writing, by the Local Planning Authority. The development shall then be carried out in accordance with the details as approved.

Reason: To ensure that the biodiversity gain objective is achieved across the development as a whole in accordance with Schedule 7A of the Town and Country Planning Act (1990, as amended)

This Condition is imposed in accordance with Schedule 7A of the Town and Country Planning Act (1990, as amended) and Policy 28 of the South East Lincolnshire Local Plan,

DC_FINAL_DECISION - ODB:14

2019.

13 Prior to any vegetation clearance (defined as the deliberate removal of any semi-natural vegetative habitat e.g., grassland, trees, and native shrubs); or prior to the commencement of any development hereby permitted (whichever comes first); a written 30-year Habitat Management and Maintenance Plan (HMMP) for the entire application Site shall be submitted to and approved in writing by the Local Planning Authority.

The approved HMMP shall be strictly adhered to and implemented in full for its duration and shall contain:

A) Aims, objectives and targets for management, including habitat target conditions matching the Statutory Biodiversity Metric submitted with the application.

B) Details of the timing and implementation of the habitats

C) Details of the management operations necessary to achieving aims and objectives.

D) Preparation of a works schedule, including timescales for habitat clearance and habitat creation and/or enhancement.

E) Details of the monitoring needed to measure the effectiveness of management and details of an assessment as to whether the target condition is achieved within the time to target period specified within the approved metric.

F) Details of the persons responsible for the implementation and monitoring.

G) Mechanisms of adaptive management and remedial measures to account for changes in the work schedule to achieve required targets.

H) Reporting on the delivery of on-site gains on years 1, 2, 5, 10, 20 and 30 following the implementation of the habitats in accordance with the above details.

Reason: To meet the requirements in delivering the Mandatory Biodiversity Net Gain and to ensure net gain in biodiversity is provided on site.
This Condition is imposed in accordance with Schedule 7A of the Town and Country Planning Act (1990, as amended) and Policy 28 of the South East Lincolnshire Local Plan, 2019.

14 No external lighting shall be installed within any part of the development until details of that lighting have been submitted to and approved in writing by the Local Planning Authority prior to their installation and there shall be no external illumination other than that so approved.

Reason: To ensure that the Local Planning Authority retains control over these matters, in the interests of the visual amenity of the overall development, to prevent light pollution, protect ecology and to ensure that the development is adequately lit.
This Condition is imposed in accordance with Policies 2, 3, 28 and 30 of the South East Lincolnshire Local Plan, 2019.

DC_FINAL_DECISION - ODB:14

15 No development shall take place until a written scheme of archaeological investigation (WSI), for the archaeological evaluation phase, has been submitted to and approved in writing by the Local Planning Authority.

This scheme should include the following and should be in accordance with the archaeological brief supplied by the Lincolnshire County Council Historic Environment advisor on behalf of the Local Planning Authority:

1. An assessment of significance and proposed strategy for evaluation
2. A methodology and timetable of site investigation and recording
3. Provision for site analysis
4. Provision for publication and dissemination of analysis and records
5. Provision for archive deposition
6. Nomination of a competent person/organisation to undertake the work
7. The scheme to be in accordance with the Lincolnshire Archaeological Handbook.

The archaeological site work shall only be undertaken in accordance with the approved written scheme of archaeological investigation (WSI).

Note: This WSI applies solely to the evaluation phase. If evaluation identifies the need for mitigation, a separate WSI covering mitigation works will be required under Condition 18.

Reason: To ensure and secure the appropriate preparation and archaeological evaluation, prior to development, in compliance with Section 16 of the National Planning Policy Framework, 2026. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.
This Condition is imposed in accordance with Policy 29 of the South East Lincolnshire Local Plan, 2019 and Section 16 of the National Planning Policy Framework, 2026.

16 The applicant shall notify the Lincolnshire County Council Historic Environment Department in writing of the intention to commence at least fourteen days before the start of archaeological work required in connection with Conditions 15 (and where applicable) 18 in order to facilitate adequate monitoring arrangements.

Reason: To ensure satisfactory archaeological investigation and retrieval of archaeological finds in compliance with Section 16 of the National Planning Policy Framework, 2026.
This Condition is imposed in accordance with Policy 29 of the South East Lincolnshire Local Plan, 2019 and Section 16 of the National Planning Policy Framework, 2026.

17 The development hereby permitted shall not be occupied or first brought into use, until a copy of the final report required in connection with the approved written scheme of investigation, as required by Conditions 15 (and where applicable) 18, is submitted to and approved in writing by the Local Planning Authority. This final report shall also be submitted to the Lincolnshire Historic Environment Record within three months of completion of the work.

The material and paper archive required as part of the written scheme of investigation shall be deposited with an appropriate archive in accordance with guidelines published in The Lincolnshire Archaeological Handbook.

DC_FINAL_DECISION - ODB:14

Reason: To ensure satisfactory arrangements are made for the recording and archiving of possible archaeological remains in compliance with Section 16 of the National Planning Policy Framework, 2026.
This Condition is imposed in accordance with Policy 29 of the South East Lincolnshire Local Plan, 2019 and Section 16 of the National Planning Policy Framework, 2026.

18 No development hereby permitted shall be carried out, other than those works detailed in accordance with the written scheme of investigation approved under Condition 15, until a separate Archaeological Mitigation Strategy for the mitigation phase, has been submitted to and approved in writing by the Local Planning Authority; unless the evaluation undertaken under Condition 15 explicitly demonstrates that archaeological mitigation is not required.

The Archaeological Mitigation Strategy shall set out:

1. The scope and methodology of the mitigation (e.g. strip, map and record, excavation, monitoring)
2. Provision for analysis, reporting, publication and dissemination
3. Provision for archive deposition
4. Nomination of a competent organisation to undertake the work
5. Compliance with the Lincolnshire Archaeological Handbook

The archaeological mitigation shall be undertaken in accordance with the approved Archaeological Mitigation Strategy and timetable. No development shall take place within an area requiring archaeological mitigation until the mitigation required within that area has been completed in accordance with the approved strategy.

Reason: To ensure that any archaeological remains are appropriately mitigated in compliance with Section 16 of the National Planning Policy Framework (2026) and Policy 29 of the South East Lincolnshire Local Plan, 2019.
This condition is imposed in accordance with Section 16 of the National Planning Policy Framework, 2026 and Policy 29 of the South East Lincolnshire Local Plan (2019).

19 No development shall take place until a written method statement detailing the remediation strategy to deal with the risks associated with land contamination / or pollution of controlled waters has been submitted and approved in writing by the Local Planning Authority.

This shall include details of the proposed verification plan including compliance criteria and monitoring details. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority. If during redevelopment contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspected contamination has been submitted to and agreed in writing by the Local Planning Authority.

Reason: To assess whether the site is polluted and to address any pollution to ensure a satisfactory development. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.

DC_FINAL_DECISION - ODB:14

This Condition is imposed in accordance with Policy 30 of the South East Lincolnshire Local Plan, 2019.

20 If contamination of land and/or pollution of controlled waters has been identified as a result of investigation undertaken in accordance with Condition 19 above and remediation is required, a full copy of a verification report shall be submitted to, and approved in writing by, the Local Planning Authority prior to the first occupation of the development. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post-remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation objectives and criteria has been fully met.

Note: The applicant is advised that the phased risk assessment required by the Contaminated Land Scheme Condition should be carried out in accordance with the procedural guidance of the Environmental Protection Act 1990 Part IIA.

Reason: To ensure the satisfactory remediation of contaminated land and/or waters.
This Condition is imposed in accordance with Policy 30 of the South East Lincolnshire Local Plan, 2019.

21 No development shall take place above ground level until a detailed scheme for the recommendations from Section 10 of the Spectrum Acoustic Consultants Noise Impact Assessment Report ref. ARC7208/22426/V4, have been submitted to and approved in writing by the Local Planning Authority.

These are:-

-1. Install a 2m high close boarded timber fence on top of the existing bunding just inside the northwest site boundary
-2. Upgrade the sound insulation of the west/north walls and roof of the nearest unit to NSR 1 to Rw 38 and 30 respectively.
-3. Provide a noise attenuation package of a combination of acoustic screening/acoustic louvres/silencers/acoustic lagging for each of the large mechanical plant zones to reduce sound power level from LwA 100dB to 90 dB.
-4. Provide an extensive arrangement of effective acoustic bunding and barriers.

The approved detailed scheme shall be implemented in full before the occupation of the first unit as approved by any subsequent Reserved Matters application. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To ensure development would not result in unacceptable impact on residential amenity
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 15 of the National Planning Policy Framework, 2026.

22 Demolition/ground works/construction works/ deliveries and collections during the construction phase of the development, shall not take place outside the following hours:

-Monday to Friday 08.00 - 18.00hrs
-Saturday 08.00-13.00hrs
-There shall be no work on Sundays or Public Holidays

Reason: In the interests of highway safety and the amenity of nearby residents. This condition is imposed in accordance with Section 12 of the National Planning Policy Framework 2026.

23 No development shall take place within any phase of the development until an Employment, Skills and Local Procurement Strategy has been submitted to and approved in writing by the Local Planning Authority relating to that phase of development. This strategy shall set out measures to provide local employment, skills and business opportunities during the construction phase of the development hereby approved. The development shall be carried out in accordance with the details so approved.

Within 12 months of each phase being brought into use, a Statement of Conformity shall be submitted to the Local Planning Authority, setting out how the approved measures were implemented and shall include a review of Employment, Skills and Procurement outcomes arising from the approved Strategy.

Reason: To ensure that the development provides opportunities for local employment and training opportunities
This Condition is imposed in accordance with Policy 2 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in the National Planning Policy Framework, 2026.

24 The development hereby permitted shall be carried out in accordance with the measures set out in the Flood Risk Assessment (46934-ECE-XX-XX-RP-C-0004 dated 02 April 2026) forming part of this planning application.

Note: The above approved plan does not constitute final approval of detailed site levels or finished floor levels.

Reason: To ensure that the development does not increase the risk of flooding or be at risk of flooding.
This Condition is imposed in accordance with Policies 3 and 4 of the South East Lincolnshire Local Plan, 2019 and Section 14 of the National Planning Policy Framework, 2026.

25 Prior to or concurrently with the submission of the first application for approval of reserved matters, a Site-wide Levels Strategy shall be submitted to and approved in writing by the Local Planning Authority.

The Strategy shall include:

a) existing site levels and the overarching proposed levels across the development;
b) the proposed parameters for finished-floor levels, roads, service areas, hard-surfaced areas, landscaped areas and other external areas;
c) the relationship between the proposed levels and the approved surface-water drainage strategy, flood-risk mitigation and exceedance routes;

DC_FINAL_DECISION - ODB:14

d) details of the proposed earthworks and the movement, retention or disposal of material;
e) the relationship between the proposed levels and adjoining land, buildings, watercourses and highways;
f) the relationship between adjoining phases, including measures to avoid abrupt or incompatible changes in level;
g) appropriate cross-sections through the site and its boundaries; and
h) the phasing and timing of any strategic earthworks or other site-wide mitigation.

Each application for approval of reserved matters shall include full details of the existing and proposed site levels and the proposed finished-floor levels of all buildings, roads, service areas, hard-surfaced areas, landscaped areas and other external areas within that phase. The details shall be consistent with the approved Site-wide Levels Strategy and shall include cross-sections showing the relationship with adjoining phases, land, buildings, watercourses and highways, together with any necessary boundary, landscaping, flood-risk or amenity mitigation.

No development shall commence within a phase until the detailed levels for that phase have been approved in writing by the Local Planning Authority. The development shall thereafter be constructed and retained in accordance with the approved Site-wide Levels Strategy and the approved phase details.

Reason: To ensure that site and finished-floor levels are coordinated across the development, do not prejudice the delivery of adjoining phases, provide for the proper management of flood risk and surface water, and safeguard the character of the area and the amenity of adjoining occupiers. This Condition is imposed in accordance with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan, 2019.

26 Each application for approval of reserved matters shall be accompanied by an Ecological Survey Review, prepared by a suitably qualified ecologist, relating to the phase concerned.

The Review shall assess whether the ecological information and surveys supporting the outline planning permission remain valid and sufficient, having regard to:

a) the time elapsed since the surveys were undertaken;
b) any changes to habitats within or adjoining the relevant phase;
c) any changes in the presence, distribution or status of protected or notable species;
d) the seasonal limitations and accepted period of validity of the relevant surveys; and
e) the potential effects of the phase, individually and cumulatively with other phases of the development.

Where the Review identifies that any survey is no longer valid or sufficient, updated ecological surveys shall be undertaken and the results, together with any necessary revised avoidance, mitigation, compensation or enhancement measures and an implementation timetable, shall be submitted as part of the reserved-matters application.

Where vegetation clearance, site clearance or development within a phase has not commenced within 18 months of the most recent relevant ecological survey or Ecological Survey Review, a further written review shall be undertaken by a suitably qualified ecologist and submitted to and approved in writing by the Local Planning Authority before

DC_FINAL_DECISION - ODB:14

those works commence. Where that further review identifies the need for additional survey or mitigation, the required surveys and a revised mitigation scheme shall be submitted to and approved in writing by the Local Planning Authority before any relevant works commence.

The development shall thereafter be undertaken in accordance with the approved ecological measures and implementation timetable.

Reason: To ensure that decisions concerning the detailed design and implementation of each phase are informed by up-to-date ecological information and that protected species and habitats are appropriately safeguarded throughout the extended period for implementation of the development. This Condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019 and Section 15 of the National Planning Policy Framework, 2026..

27 The development hereby permitted shall be served solely via the existing ghost-island right-turn junction from the B1173 Cowbit Road constructed under a Section 278 Agreement with the Local Highway Authority. No other vehicular access serving the development shall be formed from the B1173.

Reason: To define the means of access approved as part of this outline planning permission, in the interests of highway safety and for the avoidance of doubt.

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 by identifying matters of concern within the application and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal.

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

Biodiversity Net Gain

The applicant's attention is drawn to the following Biodiversity Net Gain requirement.

The effect of Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 is that planning permission is deemed to have been granted subject to the "biodiversity gain condition". The effect of this "biodiversity gain condition" is that development granted by this notice must not begin unless:

(a) a Biodiversity Gain Plan has been submitted to the planning authority, and

(b) the planning authority has approved the plan, or

(c) the development is exempt from the biodiversity gain condition.

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 South Holland District Council.

This permission will require the submission and approval of a Biodiversity Gain Plan and Habitat Management and Monitoring Plan (HMMP before development is begun). This is over and above the information submitted and considered as part of this application, and will be required before development is begun, because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

For guidance on the contents, in respect of the details that must be submitted and agreed by the Local Planning Authority, prior to the commencement of the consented development, please see the GOV.uk website and Planning Practice Guidance.

Statutory exemptions and transitional arrangements

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at Paragraph: 003 Reference ID: 74-003-20240214 of the Planning Practice Guidance, which can be found at
https://www.gov.uk/guidance/biodiversity-net-gain.

For clarity, the Local Planning Authority do not consider that any of the exemptions apply in this case. As such, the development hereby permitted will be subject to the biodiversity gain condition.

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.

For clarity the LPA do not consider that irreplaceable habitats are present at this site.

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.

Effect of Section 73(2D) of the 1990 Act

Under Section 73(2D) of the Town and Country Planning Act 1990 (as amended) where

(a) a biodiversity gain plan was approved in relation to the previous planning permission ("the earlier biodiversity gain plan"), and

(b) the conditions subject to which the planning 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 within the meaning of regulations made under paragraph 18 of Schedule 7A, 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.

- the earlier biodiversity gain plan is regarded as approved for the purposes of paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended) in relation to the planning permission.

This planning permission is subject to an (Unilateral Undertaking & Deed of Consent) Agreement under Section 106 of the Town & Country Planning Act 1990 dated 11th September 2026 and can only be implemented as a consequence of meeting the provisions of that Agreement



Phil Norman
Assistant Director - Planning and Strategic Infrastructure
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 team for further information on 01775 764557 or bcadmin@sholland.gov.uk

BUILDING REGULATIONS 2010:
The plans given approval as part of this application, may require the provision of additional information or amendment to show compliance the relevant requirements of the Building Regulations 2010. Typical circumstances include, highly glazed extensions achieving compliance with requirement L1 (Conservation of fuel and power) which may influence the areas of glazed elements/ building elevations, or requirement B1 (Means of warning and escape) which may influence an internal layout for fire safety purposes. Please contact the Building Control team 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		

https://www.gov.uk/appeal-householder-planning-decision

https://www.gov.uk/appeal-planning-decision

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://appeal-planning-decision.service.gov.uk/before-you-start**. 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.