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Turley
8 Quy Court
Colliers Lane
Stow Cum Quy
Cambridge
CB25 9AU

TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference: H16-0959-21 **Date of Decision:** 24th January 2022

Applicant: Naylor Farms
C/O Turley
8 Quy Court
Colliers Lane
Stow Cum Quy, Cambridge
CB25 9AU

Location: Land To South Of Low Road/Rangell Gate (B1165) And East Of A16 Spalding

Description: Demolition of existing buildings and construction of a new plant based protein extraction facility and ancillary office space together with landscaping, SuDs features, car park and associated infrastructure

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

1 The development must be begun not later than the expiration of one year beginning with the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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

3899 S01
3899 S02
3899 S03
3899 P01
3899 P02

3899 P03 (Proposed Factory Floor Plan and Elevations)
3899 P03 (Proposed Office Floor Plans and Elevations)
3899 P05
3899 P06
3899 P07
Rangell 01
4427.Naylor.P&R.TCP
4427.Naylor.P&R.LPP Rev A
Flood Risk Assessment (prepared by Ellingham Consulting Ltd, dated September 2021)
Bat - Nocturnal Survey Report (prepared by Lockhart Garratt, dated September 2021)
Preliminary Ecological Appraisal (PEA) Report (prepared by Lockhart Garratt, dated September 2021)
Biodiversity Impact Assessment Report (prepared by Lockhart Garratt, dated September 2021)
Planning Statement September 2021 (prepared by Turley, dated September 2021)
Noise Impact Assessment (prepared by Nova Acoustics, dated 10th September 2021)
Phase 1 Desk Study (prepared by Grange GeoConsulting Limited, dated September 2021)
Landscape and Visual Impact Assessment (prepared by Liz Lake Associates, dated September 2021)
Sustainability Statement (prepared by Turley, dated September 2021)
Economic Benefits Statement (prepared by Turley, dated September 2021)
Preliminary Drainage Strategy (Jackson Consulting Engineers, dated 10th September 2021)
Transport Statement (prepared by Northern Transport Planning Ltd, dated September 2021)

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

3 Before the commencement of the development hereby granted (except demolition), full details of the means of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be implemented in full before the development hereby permitted is first brought into use.

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 and 30 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2021.

4 Before the commencement of the development hereby granted (except demolition), details of the means of foul water disposal shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be implemented in full before the development hereby permitted is first brought into use.

Reason: To ensure that the site is adequately drained and to avoid pollution.
This Condition is imposed in accordance with Policy 30 of the South East Lincolnshire Local Plan, 2019.

5 Finished floor levels shall be set at a minimum of 300mm above existing ground levels in

accordance with details to be submitted to, and approved in writing by, the Local Planning Authority prior to commencement of development.

Note: Where levels are raised above existing ground levels, the submission shall be supported by cross-sectional drawings showing the relationship with adjoining uses and buildings to enable the Local Planning Authority to be satisfied that sufficient mitigation measures will be in place.

Reason: To ensure that the development does not increase the risk of flooding or be at risk of flooding and to protect surrounding amenity.
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, 2021.

6 The scheme of landscaping and tree planting shown on dwg. no. 4427.Naylor.P&R.LPP Rev A shall be carried out and completed in its entirety during the first planting season following practical completion of the development. 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.

All trees planted as part of the tree belt at the north of the site along the Low Road boundary shall be at least 3.0m upon planting and shall be retained for the lifetime of the development.

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.

7 Noise from fixed plant and machinery shall not exceed a level of 5 dB(A) above the background noise level when measured as a L(A)eq15min at any residential boundary not within the applicant's ownership.

Reason: To ensure that there is no noise nuisance to nearby residents.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

8 The following noise mitigation measures shall be exercised in addition to Condition 7 above:
- No static refrigerated trailer units shall be operated on the site;
- Refrigeration units on vehicles shall be turned off when such vehicles are stationary; and
- Delivery/dispatch vehicle engines shall not be left running whilst stationary

Reason: To safeguard the amenities of nearby dwellings.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

9 Details of the external illumination of all buildings and areas of the site including details of luminance and fields of illumination shall be submitted to and approved in writing by the

Local Planning Authority prior to the first use of those buildings and areas 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 and to ensure that the development is adequately lit.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

10 The offices and training rooms hereby approved shall be used only by Naylor Nutrition and for training/learning of the protein extraction process in conjunction with the University of Lincoln.

Reason: The application has been approved due to the specific circumstances of the applicant and it would not be appropriate in planning policy terms for the buildings to be used by another party.
This Condition is imposed in accordance with Policy 7 of the South East Lincolnshire Local Plan, 2019.

11 Within 6 months of first occupation of the development hereby permitted, a plan shall be submitted to and approved in writing by the Local Planning Authority, which will identify the details of a minibus service to be provided by the applicant to employees which will have a pre-arranged route with specified drop-off and pick-up times and locations, dependent on demand from employees. This service and its stopping locations will be reviewed on an annual basis by the applicant in agreement with their employees.

Reason: In order to ensure that access to the site is sustainable and that there is a reduced dependency on the private car for journeys to and from the development.
This Condition is imposed in accordance with Policies 2, 3 and 33 of the South East Lincolnshire Local Plan, 2019.

12 The bike shelter, as indicated on dwg. no's 3899 P06 and 3899 P01, shall be installed prior to first use of the development hereby permitted.

Reason: To ensure that adequate secure facilities are provided for cyclists using the site.
This Condition is imposed in accordance with Policy 36 of the South East Lincolnshire Local Plan, 2019.

13 The development hereby permitted shall be carried out in accordance with the recommendations set out in Section 10 of the Preliminary Ecological Appraisal (PEA) Report (prepared by Lockhart Garratt, dated September 2021) and Section 5 of the Bat - Nocturnal Survey Report (prepared by Lockhart Garratt, dated September 2021).

Reason: In the interests of biodiversity.
This Condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019.

14 Prior to their installation, details of the solar panels to be installed on the roof(s) of any building shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure that the Local Planning Authority retains control over the visual

appearance of the development in the interests of the character and appearance of the development and the visual amenity 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.

15 There shall be no HGV or tractor/trailer movements in association with the operations of the protein extraction facility between the hours of 18:00 and 06:00.

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.

16 There shall be no use of the western car park between the hours of 18:00 and 06:00.

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.

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

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

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works.

An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer.

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the

Council's Environmental Health Department. An investigation and risk assessment must be undertaken in accordance with details to be agreed with Environmental Health. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by Environmental Health. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved by Environmental Health.



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.