



B O S T O N BOROUGH COUNCIL

Municipal Buildings, West Street, Boston, Lincolnshire, PE21 8QR

Town and Country Planning Act 1990

APPLICATION DECISION NOTICE

Application Reference: B/22/0165

Applicant: Mr Paul Crookston
Camp Cottage
Fosdyke
Boston
PE20 2DH

Agent: Andrew Hey
AM Hey FRICS
Springwell House
Kirkby-on-Bain
Woodhall Spa
LN10 6YR

In pursuance of the powers exercised by it as Planning Authority, Boston Borough Council, having considered your application to carry out the following development:-

Outline planning permission for the construction of a dwelling following demolition of existing garage at Ellen House, Boston Road, Sutterton, Boston PE20 2HD

and in accordance with this notice and the particulars given in the application, do hereby give notice of its decision to **GRANT Outline Planning Permission** for the said development subject to **compliance with the following conditions(s):-**

1. Application for approval of reserved matters shall be made to the Local Planning Authority not later than the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.

2. No development, other than demolition, shall take place until, plans and particulars of the appearance, access, layout and scale of the building to be erected and the landscaping of the site (hereinafter called 'the reserved matters') have been submitted to and approved in writing by the Local Planning Authority. The development must thereafter be carried out in accordance with those details.

Reason: This is an outline application only and such details must be approved before development commences in order to comply with the objectives of Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).

3. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.



4. No development hereby permitted shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:
- Times and days of work
 - Methodology for demolition and removal of existing garage
 - Measures to ensure noise and dust are adequately managed

The development shall thereafter be undertaken in strict accordance with the Construction Management as approved.

Reason: In the interests of residential amenity, in accordance with Policy 30 of the South East Lincolnshire Local Plan (2011–2036).

5. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved must be carried out in accordance with Location Plan PC0a.

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework (2021) and South East Lincolnshire Local Plan (2011-2036)

6. No construction works above ground level must take place until details of a scheme for the management and disposal of foul and surface water (including any necessary soakaway/percolation tests) from the site and a plan identifying connectivity and their position has been submitted to and approved in writing by the Local Planning Authority. No occupation shall occur until the approved scheme has been carried out.

Reason: To ensure adequate drainage facilities are provided to serve the dwelling, reduce risk of flooding in accordance with the National Planning Policy Framework (2021) and Policy 4 of the South East Lincolnshire Local Plan (2011-2036).

7. The minimum width of the access shall be 4.1m metres for the first 10m.

Reason: To ensure safe access to the site and each dwelling in the interests of residential amenity, convenience and highway safety in accordance with Policy 3 of the South East Lincolnshire Local Plan (2011-2036) and National Planning Policy Framework (2021).

8. The development hereby approved shall be undertaken in accordance with the submitted Flood Risk Assessment, dated April 2022 by Roy Lobley Consulting, including proposed mitigation measures. The measures shall be implemented and retained thereafter.

Reason: In the interests of safety and in accordance with Policy 4 of the South East Lincolnshire Local Plan (2011-2036).

9. The water consumption of each dwelling hereby permitted should not exceed the requirement of 110 litres per person per day (as set out as the optional requirement in Part G of the Building Regulations 2010 and the South East Lincolnshire Local Plan (2011-2036). The person carrying out the work must inform the Building Control Body that this duty applies. A notice confirming the requirement for the water consumption has been met shall be submitted to the Building Control Body and Local Planning Authority, no later than five days after the completion of each individual dwelling.

Reason: To protect the quality and quantity of water resources available to the district. This condition is imposed in accordance with Policy 31 of the South East Lincolnshire Local Plan (2011-2036).

10. When application is made to the Local Planning Authority for approval of reserved matters, that application shall be accompanied by a scheme of landscaping and tree planting indicating, inter alia, the number, species, heights of planting and positions of all trees in respect of the land to which that application relates, together with details of post-planting maintenance and such a scheme shall require the approval of the Local Planning Authority before any development is commenced. Such scheme as is approved by the Local Planning Authority 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.

Note: The submitted landscaping proposals shall demonstrate that Biodiversity Net Gain will be achieved on site, using the Biodiversity Metric 3.0 (or any successor).

Reason: To ensure that the development is adequately landscaped, in the interests of its visual amenity in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).

In determining this application the authority has taken account of the guidance in paragraph 38 of the National Planning Policy Framework 2021 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.

Dated: 15 June 2022



Mike Gildersleeves
Assistant Director – Planning
Boston Borough Council and East Lindsey District Council

IMPORTANT NOTES

This consent does not constitute permission under the Party Wall etc Act 1996, nor any Building Regulations approval under the Building Act 1984.

We may have attached other documents or copy letters to this decision notice. While these do not form part of the Council's formal decision they should be used or read in conjunction with it. They contain useful or essential information, which you require to be aware of and may necessitate further actions on your part.

PLANNING APPEALS

If you are aggrieved by the decision or any of the conditions attached to a consent you may pursue an appeal to the Secretary of State for Communities and Local Government under Section 78 of the Town and Country Planning Act 1990. However, it is suggested that you speak, in the first instance, to the Planning Officer who dealt with your application for further advice.

If you want to appeal you can submit online, at www.gov.uk/appeal-planning-decision, however, if you wish to apply by post the address is: The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.

The Planning Inspectorate customer support team: 0303 444 5000
Email: enquiries@pins.gsi.gov.uk

The Secretary of State can allow a longer period for giving notice of an appeal but he 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 him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

PURCHASE NOTICE

If either the Local Planning Authority or the Secretary of State for Communities and Local Government refused permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonable 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 Part VI of the Town and Country Planning Act 1990.

PROPOSED DEMOLITION

The provisions of Section 80 of the Building Act 1984 require that anyone who intends to demolish a building or structure shall give notice to the Council's Building Control department (01205 314295) beforehand, and work shall not commence until the Local Authority have given Notice under Section 81, or the relevant period of 6 weeks has expired.

THIS IS A LEGAL DOCUMENT - PLEASE RETAIN IN A SAFE PLACE, PREFERABLY WITH YOUR DEEDS