



B O S T O N

BOROUGH COUNCIL

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

APPLICATION DECISION NOTICE

Application Reference: B/20/0234

Applicant: Alex Laird
WP & H Laird & Sons
Providence Farm
Sandy Bank Road
New York
Lincoln
LN4 4YE

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 application for one dwelling with all matters (Access, Appearance, Landscaping, Layout & Scale) reserved for later approval at Land adj to Abbey View, Fenhouses Lane, Fenhouses, Swineshead, Boston

and in accordance with this notice and the particulars given in the application, do hereby give notice of its decision to **REFUSE Outline Planning Permission for the said development for the following reasons:-**

1. The application site falls outside of a settlement boundary and is located within the countryside. There is a significant lack of information submitted to provide a sufficient and sound justification for a dwelling in this location. An essential need, therefore, has not been demonstrated and thus the development would lead to the addition of a dwelling in an unsustainable location, contrary to the spatial objectives set out in Policy 1 of the South East Lincolnshire Local Plan (2011-2036). The lack of an essential need being demonstrated also means the proposal is contrary to Sections 2 and 5 of the NPPF.
2. The proposed dwelling, by reason of its position and characteristics of the site would result in an unacceptable form of development in the countryside. The isolated dwelling would leave a parcel of agricultural land between the site and the property to the east, in addition to causing further erosion to the rural landscape and character. In turn, the resultant development would therefore be at odds with the established character of the area and would further diminish it in an unacceptable way. The development, therefore, fails to meet the criteria of sustainable development. As such the development would be contrary to Policies 2, 3 and 30 of the South East Lincolnshire Local Plan (2011-2036) and Sections 2 and 12 of the National Planning Policy Framework which seeks to secure a high standard of design that is sympathetic to the character of an area.

Refused plans:



- Location Plan
- Laird 3 – Block Plan
- LB4 – Access Plan

In determining this application the authority has taken account of the guidance in paragraph 38 of the National Planning Policy Framework 2019 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.

Dated: 9 October 2020



Mike Gildersleeves
Growth Manager

B/20/0234

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 wish 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, Room 3/13, 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

For householder or minor commercial planning applications you must appeal within **12 weeks** from the date on the decision notice. For all other types of planning application then you must do so within **6 months** from the date of the decision notice.

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.