



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/21/0262

Applicant: Midgate Properties Ltd
Midgate House
Midgate Lane
Old Leake
Boston
PE22 9RP

Agent: Mr Arthur Barton
Blakeney Lodge
Tattershall Road
Boston
PE21 9NH

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 with all matters reserved (Access, Appearance, Landscaping, Layout and Scale) for the erection of 1no. 2 storey dwelling at Land Adjacent to Knebworth House, Church End, Wrangle, Boston PE22 9EW

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. No development shall commence until details of the access, layout, appearance, scale and landscaping of the development (hereafter referred to as the 'reserved matters') have been submitted and approved by the Local Planning Authority.

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).

2. 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.

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. Any application for approval of reserved matters submitted pursuant to condition 1 of this permission shall accord with the outline permission insofar as it relates to the maximum number of dwellings and the site area (received 11 June 2021).

Reason: The application is granted in outline only in accordance with the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) Order 2015. Any application for reserved matters must be in accordance with and/or not exceed the parameters established as part of this permission and to comply with Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).

5. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA), ref: January 2018 Version 1, prepared by RM Associates, and the following mitigation measures detailed within the FRA:
 - Finished floor levels to be set no lower than 3.13m ODN above Ordnance Datum (AOD).
 - The development to have at least two storeys.
 - Flood resilience and resistance measures to be incorporated into the proposed development as stated

The mitigation measures shall be fully implemented prior to occupation and subsequently remain in place.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy 4 of the South East Lincolnshire Local Plan (2011-2036).

6. No above ground construction works shall take place until full details of the biodiversity enhancement measures across the site and a timetable for their implementation, have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved scheme prior to first occupation of the unit.

Reason: In the interest of enhancing the ecology of the area in accordance with Policy 2, 28 and 31 of the South East Lincolnshire Local Plan (2011-2036).

7. No above ground construction works shall take place until a scheme for the provision and implementation of surface water drainage shall be submitted to and approved in writing with the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans prior to first occupation of the unit.

Reason: To prevent the increased risk of flooding in accordance with Policies 2 and 4 of the South East Lincolnshire Plan (2011-2036).

8. Prior to the commencement of development above slab level, final details of measures that aim to reduce pollution and promote renewable and low carbon energy (including measures such as facilities for EV car charging) and details relating to the timing of their implementation, shall be submitted to and approved in writing with the Local Planning Authority. The development shall be constructed in accordance with the approved measures prior to first occupation of the unit.

Reason: To help reduce pollution and promote renewable and low carbon energy in new development schemes and to accord with Policies 2, 3, 30 and 31 of the South East Lincolnshire Local Plan (2011-2036) and to accord with the intentions of the National Planning Policy Framework (2019).

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, 2019).

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).

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: 28 July 2021



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

Informatives:

1. The applicant's attention is drawn to the requirements for access, parking, visibility, turning and layout; as detailed within the Lincolnshire County Council Design Approach and Development Road Specification.

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