



Boston Borough Council  
Municipal Buildings  
West Street  
Boston, Lincolnshire  
PE21 8QR  
Telephone: 01205 314200  
email: [planning@boston.gov.uk](mailto:planning@boston.gov.uk)

Application for a Lawful Development Certificate for a Proposed use or development.  
Town and Country Planning Act 1990: Section 192, as amended by section 10 of the Planning and  
Compensation act 1991.  
Town and Country Planning (Development Management Procedure) (England) Order 2015

**Publication of applications on planning authority websites.**

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

**1. Site Address**

Number	<input type="text"/>
Suffix	<input type="text"/>
Property name	<input type="text" value="Greenyard Frozen"/>
Address line 1	<input type="text" value="Marsh Lane"/>
Address line 2	<input type="text"/>
Address line 3	<input type="text"/>
Town/city	<input type="text" value="Boston"/>
Postcode	<input type="text" value="PE21 7PJ"/>
Description of site location must be completed if postcode is not known:	
Easting (x)	<input type="text" value="533111"/>
Northing (y)	<input type="text" value="342691"/>
Description	<input type="text"/>

**2. Applicant Details**

Title	<input type="text" value="Mr"/>
First name	<input type="text" value="Paul"/>
Surname	<input type="text" value="Gibbon"/>
Company name	<input type="text" value="Mistral Energy"/>
Address line 1	<input type="text" value="Spinney Cottage"/>
Address line 2	<input type="text"/>
Address line 3	<input type="text"/>
Town/city	<input type="text" value="St Albans"/>

2. Applicant Details

Country	<input type="text" value="UK"/>
Postcode	<input type="text" value="AL4 5LJ"/>
Are you an agent acting on behalf of the applicant? <div><input checked="" type="radio"/> Yes <input type="radio"/> No</div>	
Primary number	<input type="text"/>
Secondary number	<input type="text"/>
Fax number	<input type="text"/>
Email address	<input type="text"/>

3. Agent Details

Title	<input type="text"/>
First name	<input type="text" value="David"/>
Surname	<input type="text" value="Walton"/>
Company name	<input type="text" value="Valley Environmental Consulting Ltd"/>
Address line 1	<input type="text" value="8 Primrose Gardens"/>
Address line 2	<input type="text"/>
Address line 3	<input type="text"/>
Town/city	<input type="text" value="Ryton"/>
Country	<input type="text"/>
Postcode	<input type="text" value="NE21 4NU"/>
Primary number	<input type="text"/>
Secondary number	<input type="text"/>
Fax number	<input type="text"/>
Email	<input type="text"/>

4. Description of Proposal

Does the proposal consist of, or include, the carrying out of building or other operations?	<div><input type="radio"/> Yes <input checked="" type="radio"/> No</div>
Does the proposal consist of, or include, a change of use of the land or building(s)?	<div><input type="radio"/> Yes <input checked="" type="radio"/> No</div>
Has the proposal been started?	<div><input type="radio"/> Yes <input checked="" type="radio"/> No</div>

5. Grounds for Application

Information about the existing use(s)

Please explain why you consider the existing or last use of the land is lawful, or why you consider that any existing buildings, which it is proposed to alter or extend are lawful

Please list the supporting documentary evidence (such as a planning permission) which accompanies this application

## 5. Grounds for Application

Previous Lawful Development Certificate B/20/0275  
Planning Permission Granted for Installation of Biomass Boilers and Erection of 2no Flues

Select the use class that relates to the existing or last use. Please note that following changes to Use Classes on 1 September 2020, the list includes the now revoked Use Classes A1-5, B1, and D1-2 that should not be used in most cases. Also, the list does not include the newly introduced Use Classes E and F1-2. To provide details in relation to these or any 'Sui Generis' use, select 'Other' and specify the use where prompted. See help for more details on Use Classes.

B2 - General industrial

### Information about the proposed use(s)

Select the use class that relates to the proposed use. Please note that following changes to Use Classes on 1 September 2020, the list includes the now revoked Use Classes A1-5, B1, and D1-2 that should not be used in most cases. Also, the list does not include the newly introduced Use Classes E and F1-2. To provide details in relation to these or any 'Sui Generis' use, select 'Other' and specify the use where prompted. See help for more details on Use Classes.

B2 - General industrial

Is the proposed operation or use

☒ Permanent ☐ Temporary

Why do you consider that a Lawful Development Certificate should be granted for this proposal?

Removal of Kalvis Boilers and Installation of 14 Angus Eco Orlan Boilers at lower output, no change to buildings flues and no development. Advised informally by Boston Council (Wendy Taylor, 03/03/21) that planning permission not needed but could be covered by a lawful development certificate.

## 6. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

☒ Yes ☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- ☐ The agent  
☒ The applicant  
☐ Other person

## 7. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

☒ Yes ☐ No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title   
First name   
Surname   
Reference

Date (Must be pre-application submission)

03/03/2021

Details of the pre-application advice received

It is unlikely that you would need to apply for Planning Permission as per my previous e-mail. Unfortunately, I am unable to give you formal written confirmation that the changes would be acceptable.

I have consulted with the Planning Officer that determined your Lawful Development Certificate. He has advised that the proposed changes are unlikely to need planning permission however, this will depend on whether you are to use the existing flues and if there any changes to the overall process, fuel types etc.

## 8. Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

- (a) a member of staff
- (b) an elected member
- (c) related to a member of staff
- (d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

☐ Yes ☒ No

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

## 9. Interest in the Land

Please state the applicant's interest in the land

- ☐ Owner
- ☒ Lessee
- ☐ Occupier
- ☐ Other

If Lessee or Occupier, please give details of the owner and state whether they have been informed in writing of this application

## 10. Declaration

I/we hereby apply for a Lawful Development Certificate as described in this form and the accompanying plans/drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them. ☒

Date (cannot be pre-application)

11/03/2021