



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/20/0511

Applicant: Mr William Nuttall
Chestnut Homes Limited
The Old School
Wragby Road
Langworth
LN3 5BJ

Agent: Mrs Rebecca Archer
Chestnut Homes Limited
The Old School
Wragby Road
Langworth
Lincoln
LN3 5BJ

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

Application for approval of reserved matters Appearance, Landscaping, Layout and Scale for the construction of 5 dwellings following the grant of outline planning permission for up to 200 dwellings (Ref: B/17/0317) at Land off Wyberton Low Road, Wyberton, Boston, PE21 7SF

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

1. The development hereby approved shall be carried out in accordance with the associated plans referenced:
 - BFB 06 Rev A- Location Plan;
 - BFB 08 Rev A- Site Layout;
 - 113-V1 01 Rev A- Type 113-V1 Floor Plans and Elevations;
 - 115-V1 01 Rev B- Type 115-V1 Floor Plans and Elevations;
 - 116-V1op 01- Type 116-V1 (op) Floor Plans and Elevations;
 - 117-V2op 01- Type 117-V2 (op) Floor Plans and Elevations;
 - Detail 6 Rev I – Wall and Fencing Details;
 - D1-01 Rev B Garage Floor Plans & Elevations;
 - Materials Schedule Issue 2;
 - Brick and Roof Tiles Schedule Issue 1.

Reason: To ensure the development is undertaken in accordance with the approved details, in accordance with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan (2011-2036) and with the intentions of the National Planning Policy Framework 2019.



2. The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment (FRA) November 2017, reference RLC/0015/FRA01 completed by Roy Lobley Consulting and the following mitigation measures detailed within the FRA:
- Finished floor levels to be set no lower than 4.0m above Ordnance Datum (AOD);
 - The development to have at least two storeys;
 - Demountable defences/flood doors to be provided to a height of 600mm to cover all ground floor doors. 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 addition to providing the appropriate level of protection in accordance with the National Planning Policy Framework and Policies 2 and 4 of the South East Lincolnshire Plan (2011-2036).

3. No development of any of the plots hereby permitted shall take place above ground level until a program for the construction of the footway shown in the land outlined in red and blue on drawing BFB/08 Rev A has been submitted to and approved in writing by the Local Planning Authority. The program shall include a timetable for construction and completion of the route, along with details of the route including width, surface construction and drainage details.

The footway shall be completed in accordance with the agreed details and program for installation.

The agreed works shall be fully implemented and remain in place thereafter.

Reason: In order to provide pedestrian connectivity to serve the development, in the interests of safety of the users of the public highway and of the site in accordance with Policy 2 and 3 of the South East Lincolnshire Local Plan (2011-2036) and the National Planning Policy Framework 2019.

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: 8 April 2021



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 do so 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

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