



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/20/0513

Applicant: Mrs Rebecca Archer
Chestnut Homes Ltd
The Old School
Main 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:

Construction of 12 residential dwellings at Baptist Farm, Slippy Gowt Lane, Wyberton, Boston, PE21 7SQ

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

1. The development hereby permitted must be begun not later than the expiration of four years beginning with the date of this permission.
Reason: To take account of the present restrictions on implementing permissions, in order to assist the recovery and in order to comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall only be undertaken in accordance with the following approved plans:
 - BFB/09 Rev B Site Layout Plots 6-11 & 104-109 received by the LPA on 15/04/21
 - 925-V4-01 Plans and Elevations received by the LPA on 29/12/20
 - 113-V1(op) 01 Plans and Elevations received by the LPA on 29/12/20
 - 111-V5(op) 01 Plans and Elevations received by the LPA on 29/12/20
 - 913-V1 (3 Block) 02 Elevations received by the LPA on 29/12/20
 - 925-V4-01 Plans and Elevations received by the LPA on 29/12/20
 - 925-V4-116-V1 01 Rev B Plans and Elevations received by the LPA on 29/12/20
 - 913-V1 (3 Block) 01 Plans received by the LPA on 29/12/20
 - 06 (Detail 6) Rev I Wall and Fencing Details received by the LPA on 29/12/20
 - 16-225-01 Topographical Survey received by the LPA on 29/12/20



Reason: 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.

3. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment and Preliminary Drainage Strategy both received on 29/12/20. The mitigation measures shall be fully implemented prior to occupation and shall thereafter be so maintained.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy 4 of the East Lincolnshire Local Plan and paragraph 163 of the National Planning Policy Framework.

4. Before any works above the damp proof course a schedule of external materials, including samples where requested, to be used in the construction of buildings and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

Reason: In the interests of the character and appearance of the development and the visual amenity of the area in which it is set. This condition is imposed in accordance policies 2 and 3 of the East Lincolnshire Local Plan and paragraph 127 of the National Planning Policy Framework.

5. Prior to any works other than site clearance a method statement for the demolition and/or construction of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The demolition and construction works shall be carried out in accordance with the approved method statement. The statement shall provide for:

- the routing and management of construction traffic
- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- wheel cleaning facilities;
- measures to control the emission of dust and dirt during construction;
- protection of Public Rights of Way
- details of noise reduction measures
- a scheme for recycling/disposing of waste resulting from demolition and construction works
- the hours during which machinery may be operated, vehicles may enter and leave, and works may be carried out on the site

Works shall then only be undertaken in accordance with the agreed details.

Reason: In the interests of highway safety and the amenity of nearby residents. This condition is imposed in accordance with paragraph 127 of the National Planning Policy Framework.

6. Before any works above the damp proof course a foul water strategy including details of the connection point to the main sewer shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until the works have been carried out in accordance with the foul water strategy so approved.

Reason: To ensure that the site is adequately drained and to avoid pollution. This condition is imposed in accordance with paragraph 163 of the National Planning Policy Framework.

7. Prior to each dwelling being occupied the road and/or footway serving that dwelling shall be completed in accordance with the approved plans.

Reason: Reason: To ensure that the estate streets serving the development and completed and maintained to the approved standard, and are available for use by the occupants, and other users of the development in the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway, in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan.

8. Notwithstanding the details shown on the approved plans, no dwelling hereby permitted shall be occupied until an affordable housing scheme to secure the provision of affordable housing on the site has been submitted to and approved in writing by the Local Planning Authority.

The affordable housing scheme shall include details of:

- (i) the numbers, type, tenure and location of the affordable housing provision to be made;
- (ii) the timing of the construction of the affordable housing and its phasing;
- (iii) the arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing (if no Registered Provider is involved);
- (iv) the arrangements to ensure that such provision is affordable for both the first and subsequent occupiers of the affordable housing; and
- (v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy shall be enforced.

The affordable housing shall meet the definition of affordable housing in the NPPF (or any future guidance that replaces it), and shall be provided in full accordance with the details and timetable contained within the duly approved scheme, and shall be retained as such thereafter.

Reason: To ensure that an appropriate contribution of 2 units towards affordable housing is made as part of the development in order to meet local need, and to ensure that any affordable housing remains affordable in perpetuity in accordance with the requirements of Policies 6 and 18 of the South East Lincolnshire Local Plan 2011-2036 and the National Planning Policy Framework.

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.

Date: 30-Apr-2021



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

Informatives

1. With regard to the above condition on affordable housing, the Applicant / Developer is advised that to satisfy the condition, the Council's preference is for the tenure split of the affordable housing to

comprise 1xRented and 1xShared Ownership tenure. An alternative tenure split will be considered, however an appropriate written justification should accompany the condition discharge request.

2. The applicant's attention is drawn to the comments on the case dated 15th April 2021 by the Black Sluice Internal Drainage Board. The applicant is advised to discuss the matters raised therein with the Board's officers prior to the scheduling or commencement of any works.
3. The development hereby permitted requires the formation of a new vehicular access. These works will require the approval of the Highway Authority in accordance with Section 184 of the Highways Act 1980. The works should be constructed to the satisfaction of the Highway Authority in accordance with the Authority's specification that is current at the time of construction. For approval and specification details please contact vehiclecrossings@lincolnshire.gov.uk
4. Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections and any other works which will be required in the public highway in association with the development permitted by this consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works.

TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- **If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice**, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- **If an enforcement notice is served relating to the same or substantially the same land and development as in your application** and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.
- **If this is a decision to refuse planning permission for a householder application**, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- **If this is a decision to refuse planning permission for a minor commercial application**, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- **If this is a decision to refuse express consent for the display of an advertisement**, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.
- **If this is a decision to refuse consent for works to a tree protected by a Tree Preservation Order**, if you want to appeal against your local planning authority's decision then you must do so within 28 days of the date of this notice.
- **For all other decisions**, if you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but 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 the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- **If you intend to submit an appeal** that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)
- **Proposed Demolition** - The provision 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 has 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