



# B O S T O N

## BOROUGH COUNCIL

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

### Town and Country Planning Act 1990

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#### APPLICATION DECISION NOTICE

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**Application Reference: B/21/0041**

**Applicant:** Tim and Martin Jessop  
Jessops the Bakers  
11-13, High Street  
Kirton  
Boston  
PE20 1DR

**Agent:** Paul Clarke  
framework  
3, Marine Studios  
Burton Waters  
Lincoln  
LN1 2UA

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

**Demolition of existing outbuildings and erection of 4no. dwellings at Land to the rear of 11-13 High Street, Kirton, Boston PE20 1DR**

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

1. The proposed development, by virtue of the height, massing and proximity to the dwelling immediately to the north-east (Burrells) and the inclusion of first-floor windows in their rear elevation will result in an inappropriate and un-neighbourly form of development which will have unacceptable impacts upon Burrells in terms of loss of privacy, loss of light and introducing significant massing in close proximity to the property's habitable room window and immediate garden space. As a consequence, the proposed development would significantly harm residential amenity and as such is contrary to the provisions of Policies 2, 3 and 30 of the South East Lincolnshire Local Plan 2011-2036.

The application has been considered against the following plans and documents:

- J2018 100 Rev A Site Location Plan
- J2018 121 Rev A Proposed Site Plan
- J2018 00150 Rev A Proposed Plans and Elevations
- J2018 00151 Proposed Front Elevation
- J2018 00152 Existing and Proposed Rear Elevation
- J2018 104 Coloured Site Plan
- J2018 105 Design Strategy
- J2018 122 Proposed Demolition Plan
- J2018 123 Proposed Block Plan



- Design and Access Statement Dated January 2021
- Flood Risk Assessment Dated October 2020 V1
- Heritage Impact Assessment Dated January 2021
- Covering Letter to include Structural Survey and Utilities Statement

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: 21-Apr-2021

A handwritten signature in black ink, appearing to read 'MG', with a long horizontal flourish extending to the right.

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

## 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](mailto: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