



# 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/21/0044**

Applicant: Mr Hambis Spanos  
35, Horncastle Road  
Boston  
PE21 9JA

Agent: Mr Simon Robinson  
Studio 21 Design Ltd  
Little Bishops Cottage  
Staunt Road  
Frithville  
Boston  
PE22 7ED

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 2 no. semi-detached dwellings and demolition of existing storage building at Rear of 35 Horncastle Road, Boston PE21 9JA**

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 shall be begun before the expiration of four years from the date of this permission.

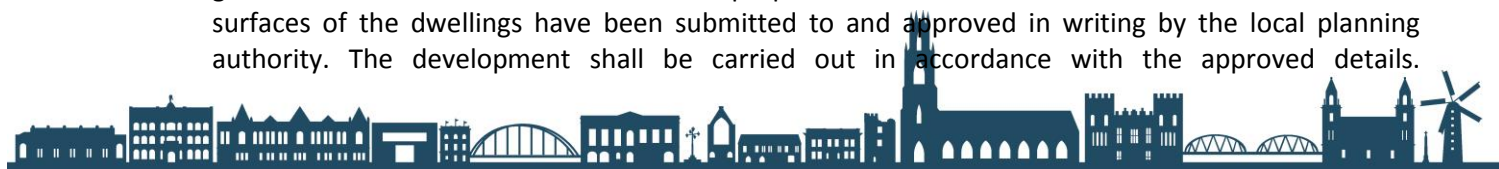
Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in strict accordance with the application received on 03-Feb-2021 and in accordance with the associated plans referenced:

- Un-numbered plan: Ordnance Survey Location Plan;
- Drawing No. 12-321-02 Revision F: Proposed Block Plan and Proposed Elevations;
- Drawing No. 12-321-03 Revision F: Proposed Floor Plans and proposed 3D Sketches; and
- Drawing No. 12-321-04 Revision C: Proposed Elevations and Proposed Sections A/A.

Reason: To ensure the development is undertaken in accordance with the approved details and to comply with Policies 1, 2, 3, 4, 28, 29, 30, and 31 of the South East Lincolnshire Local Plan 2011-2036.

3. Notwithstanding the provisions of the approved drawings, no development shall take place above ground level until details of the materials proposed to be used in the construction of the external surfaces of the dwellings have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.



Reason: To ensure that the development is in keeping with the character and appearance of the area, the Boston Conservation Area and the setting of nearby listed buildings, in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan 2011-2036.

4. Notwithstanding the provisions of the approved drawings, no development shall take place above ground level until details of the proposed rainwater goods, windows, doors and rooflights have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development is in keeping with the character and appearance of the area, the Boston Conservation Area and the setting of nearby listed buildings, in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan 2011-2036.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification):
  - no external alterations shall be carried out to the dwellings;
  - no extensions shall be carried out to the dwellings;
  - no garages or outbuildings shall be erected within the curtilages of the dwellings;
  - no gates, wall, fence or other structures (other than those hereby approved) shall be erected; and
  - no windows or dormer windows shall be added to the dwellings

without the express permission of the Local Planning Authority.

Reason: To protect the residential amenity of neighbouring residents, and in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan 2011-2036.

6. The development permitted by this planning permission shall be carried out in accordance with the mitigation measures set out in the accompanying Flood Risk Assessment.

Reason: To reduce the risk of flooding to the proposed development and future occupants, and to accord with the requirements of Policy 4 of the South East Lincolnshire Local Plan 2011-2036.

7. The water consumption of each dwelling hereby permitted should not exceed the requirement of 110 litres per person per day (as set out in the optional requirement in Part G of the Building Regulations 2010 and Policy 31 of the South East Lincolnshire Local Plan 2011-2036.

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.

**Date: 22-Apr-2021**



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

**Informatives**

1. Lincolnshire County Council asks that the applicant should 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 within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timing of these works.
2. The Witham Fourth District Internal Drainage Board asks to be contacted if there is any change to the surface water or treated water disposal arrangements stated in the application.

## 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