



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/21/0151

Applicant: Mr C R Dion
Leakes Farm
120, Willoughby Road
Boston
PE21 9HR

Agent: Mr Adrian B Isaac
66, Spilsby Road
Boston
PE21 9NS

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

Proposed woodland & wildflower meadow including paths, small lake & car park at Land behind, 113-142, Willoughby Road, Boston, PE21 9HR

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 30-Mar-2021 and in accordance with the associated plans referenced:

- Dwg. No.1 – Location Plan;
- Dwg. No. 2 – General Layout;
- Dwg. No. 3 – Proposed Lake;
- Dwg. No. 4 – Cross Section Lake & Hill;
- Un-numbered drawing – Proposed improved access to Dion's Field from Rowan Way, Boston;
- Drawing No. TS.BWT.2021.01 – New access and car parking area;

Reason: To ensure that the development is undertaken in accordance with the approved details, in the interest of residential amenity and to comply with Policies 2, 3, 4, 28, 30, 31, 32 and 36 of the South East Lincolnshire Local Plan 2011-2036.



3. The development hereby permitted shall not be brought into public use before a 1.8m wide footway, to connect the development to the existing footway network, has been provided in accordance with details that shall first have been submitted to, and approved in writing, by the Local Planning Authority. The works shall also include appropriate arrangements for the management of surface water run-off from the highway.

Reason: To ensure the provision of safe and adequate pedestrian access to the development without increasing flood risk to the highway and adjacent land and property, and to comply with Policies 2 and 4 of the South East Lincolnshire Local Plan 2011-2036.

4. Before the vehicular access onto Willoughby Road is brought into use, all obstructions exceeding 0.6m high shall be cleared from the land within the visibility splays illustrated on drawing number TS.BWT.2021.01 (dated 1st July 2021). Thereafter, the visibility splays shall be kept free of obstructions exceeding 0.6m in height.

Reason: In the interests of highway safety, to ensure that drivers intending entering the highway at the access may have sufficient visibility of approaching traffic to judge if it is safe to complete the manoeuvre, and to comply with Policy 2 of the South East Lincolnshire Local Plan 2011-2036.

5. Prior to the development hereby permitted is brought into use, details of cycle parking facilities at the Willoughby Road car park shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details, and the cycle parking facilities shall be retained thereafter.

Reason: To ensure that adequate provision is made of facilities for the parking of bicycles, in accordance with Policy 3 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: 26-Jul-2021



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

Informatives

Lincolnshire County Council indicates that:

- The development requires the formation of a new/amended vehicular access. These works will require approval from the Highway authority in accordance with Section 184 of the Highways Act. The works should be constructed in accordance with the Authority's specification that is current at the time of construction. Relocation of existing apparatus, underground services or street furniture will be the responsibility of the applicant, prior to application. For application guidance, approval and specification details, please visit <https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb> or contact vehiclecrossings@lincolnshire.gov.uk;

- You 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. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance, please visit:
- Traffic Management – <https://www.lincolnshire.gov.uk/traffic-management>;
- Licences and Permits – <http://www.lincolnshire.gov.uk/licences-permits>; and
- The highway improvement works referred to in Condition 3 are required to be carried out by means of a legal agreement between the landowner and the County Council, as the Local Highway Authority.

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.

THE IS A LEGAL DOCUMENT – PLEASE RETAIN IN A SAFE PLACE, PREFERABLY WITH YOUR DEEDS