



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/21/0356

Applicant: Marriott
C/O Origin Design Studio
Lincoln
LN2 2LL

Agent: Mr Daniel Thompson
Origin Design Studio Ltd.
Brunel House
Deepdale Enterprise Park
Nettleham
LN2 2LL

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 variation of Conditions 2 (Approved Drawings- Relating to Plot 1), 3 (Flood Risk Assessment) and 13 (Painted Timber Features) of planning permission B/20/0230 at Bambers Farm, Main Road, Brothertoft, Boston PE20 3SW

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 not be carried out except in complete accordance with the following details shown on the submitted plans and documents:
 - J1707 - PL-01 Rev P01 Existing site location and block plan
 - J1767 - PL-100 Rev P04 Proposed Ground Floor Plan
 - J1767 - BR-03 Rev A01 Proposed Roof Plan
 - J1767 - PL-101 Rev P04 Proposed Elevations
 - J1707 - PL-60 rev P02 Proposed ground floor plan – plot 2 (barn 1)
 - J1707 - PL-61 rev P02 Proposed first floor plan – plot 2 (barn 1)
 - J1707 - PL-62 rev P02 Proposed roof plan – plot 2 (barn 1)
 - J1707 - PL-63 rev P02 Proposed elevations – plot 2 (barn 1)
 - J1707 - PL-70 Proposed site plan
 - J1767 - Rev A02 Materials schedule dated 11/08/2021
 - Sandtoft Neo Pantile -Technical information Sheet
 - J1767 - Rev A01 Services detail report dated 23/07/2021
 - Landscaping plan – received 23/07/2021

Reason: To ensure that the development is undertaken in accordance with the approved details, in the interests of residential amenity and to comply with Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).



2. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (Author: Origin Design Studios Ref: J1767 – Bambers Yard), and the following mitigation measures detailed within the Flood Risk Assessment:
 - Finished floor levels to be set no lower than 3.05m above Ordnance Datum (AOD)
 - Flood resilience and resistance measures to be incorporated into the proposed development as stated

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 and to accord with the objectives of Policy 4 of the South East Lincolnshire Local Plan (2011-2036).

3. The development hereby approved shall be carried out in accordance with the recommendations contained within the updated Ecological and Protected Species Survey dated 16th March 2020 prepared by IEL Inspired Ecology Limited including the provision of bat roost boxes/ bat boxes, nest boxes and owl boxes /owl tower. Such provisions shall be carried out prior to occupation.

Reason: In the interests of realising a biodiversity enhancement of the site in accordance with Policy 28 of the South East Lincolnshire Local Plan (2011-2036) and the NPPF 2021.

4. All landscape works shall be carried out in accordance with the approved details within 6 months of the date of the first occupation of any building or completion of development whichever is the sooner. Any trees, plants, grassed areas which within a period of 5 years from the date of planting die, are removed or become seriously damaged or diseased shall be replaced in the first available planting season with others of similar size species or quality.

Reason: In the interests of visual amenity and to ensure, where appropriate, adequate provision is made for the preservation or planting of trees, and to ensure that the approved scheme is implemented satisfactorily. The condition accords with the objectives of Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).

5. The water consumption of both dwellings hereby permitted should not exceed the requirement of 110 litres per person per day (as set out as the optional requirement in Part G of the Building Regulations 2010 and 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).

6. The development hereby permitted shall be carried out in accordance with the provisions of the Drainage Statement ref: J1767 – Rev A01, dated 23/07/2021.

The duly approved scheme shall be implemented before any of the dwellings are first occupied and shall be maintained/managed as such thereafter.

Reason: To ensure that the development is not at risk of flooding and does not increase flood risk elsewhere and that adequate measures are put in place for the disposal of foul and surface water (including an appropriate allowance for climate change) in accordance with the requirements of Policies 2, 3 and 4 of the South East Lincolnshire Local Plan (2011-2036).

7. An electric vehicle recharging point shall be installed within each dwelling hereby approved before its occupation and shall be retained thereafter.

Reason: To help reduce pollution and promote renewable and low carbon energy in new development schemes and to accord with Policies 2, 3, 30 and 31 of the South East Lincolnshire Local Plan (2011-2036) and to accord with the intentions of the National Planning Policy Framework 2021.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification)

- No external alterations or extensions shall be carried out to the dwellings
- No additional garages or outbuildings shall be erected within the curtilage of the dwellings
- No gates, walls, fence or other structures (other than those hereby approved) shall be erected.
- No new windows or dormer windows shall be added to the dwellings
- No painting or rendering of external walls shall be carried out without the express permission of the Local Planning Authority

Reason: In order to protect the character of these traditional rural buildings in accordance with the objectives of Policies 2, 3 and 23 of the South East Lincolnshire Local Plan (2011-2036).

9. All new bonding, mortar and pointing of the brickwork shall match existing.

Reason: In order to retain the character of the barns, in the interests of visual amenity and to accord with the objectives of Policies 2, 3 and 23 of the South East Lincolnshire Local Plan (2011-2036).

10. Notwithstanding any details shown on the approved plans and the requirements of condition 1 of this approval, no development involving the installation or replacement of any doors shall take place until details of the doors have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the design, materials, finishes, colour treatment, reveals and opening profile. The door shall be installed in accordance with the duly approved details before the occupation of the dwellings.

Reason: In order to retain the character of the barns, in the interests of the visual amenity and to accord with the objectives of Policies 2, 3 and 23 of the South East Lincolnshire Local Plan (2011-2036).

11. Site clearance operations that involve the destruction or removal of buildings (or part of a building) shall not be undertaken during the month of March to August inclusive, except when approved in writing by the Local Planning Authority, once it is satisfied that breeding birds will not be adversely affected.

Reason: In the interests of nesting and breeding birds and to accord with the objectives of Policy 28 of the South East Lincolnshire Local Plan (2011-2036) and the National Planning Policy Framework 2021.

12. Other than the details submitted as part of this application, no other demolition of any external walls or rebuilding of existing external walls or roofs shall be carried out.

Reason: In order to retain the character and appearance of the barns, and to accord with the objectives of Policy 23 of the South East Lincolnshire Local Plan (2011-2036) and the National Planning Policy Framework 2021.

13. The development shall be carried out in strict accordance with the Remediation Strategy set out in the Phase I Ground Contamination Investigation and Assessment (Author: Langdale-Smith and Co Limited, Project No. 67 016) dated 20th May 2021.

Reason: To ensure the proposed remediation plan is appropriate and to accord with Policy 30 of the South East Lincolnshire Local Plan (2011-2036).

14. The development hereby permitted shall be carried out in accordance with the provisions of the Services Statement – J1767 Rev A01 dated – 23rd July 2021.

Reason: To secure neighbours' amenity and to comply with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan (2011-2036).

15. On completion of remediation, two copies of a closure report shall be submitted to the LPA. The report shall provide validation and certification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report.

Reason: To provide verification that the required remediation has been carried out to the required standards and to accord with Policy 30 of the South East Lincolnshire Local Plan (2011-2036).

16. The development hereby permitted shall be carried out in accordance with the provisions of the Phase 1 Desk Study – dated 20th May 2021.

Reason: To secure neighbours' amenity and to comply with Policies 2, 3 and 30 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 2021 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.

Date: 08-Feb-2022



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) 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