



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/21/0413

Applicant: Mrs Hannah Guy
Larkfleet Homes
Larkfleet House
Falcon Way
Bourne
PE30 0FF

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

Re-plan and re-design of the housing layout within phases 2 & 3 (154 dwellings) on parts of the site previously approved under B/18/0039 (for the erection of up to 195 dwellings); including provision of 13 additional units (to create a combined total of 208 dwellings) and revisions to proposed house types at Land at Middlegate Road West, Frampton

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 three years beginning with 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 not be carried out except in complete accordance with the following details shown on the submitted plans:
 - L183/RLP/01 Site Location Plan
 - L183/SITE/OVERVIEW/02 Full Site Layout Overview 2
 - L183/PH2/AMENDS Phase 2 Planning Layout
 - L183/PH3/AMENDS Phase 3 Planning Layout
 - L183/CHRT/FULL Charter Plan Full Site
 - L183/CHRT/PH2 Charter Plan Phase 2
 - L183/CHRT/PH3 Charter Plan Phase 3
 - L183/REPLAN-2/PHASE-2/DRAFTING Rev C Phase 2 - Replan 2 Drafting Layout



- L183/REPLAN-2/PHASE-3/DRAFTING-1 Phase 3 - Replan 2 Drafting Layout
- SL01 Rev B Site Layout 1A and SK02 Rev B Sketch Layout 1B
- MA10953-600-1 Rev E External Works Layout Sheet 1
- MA10953-600-2 External Works Layout Sheet 2
- MA10953-600-3 Rev F External Works Layout Sheet 3
- MA10953-600-4 Rev G External Works Layout Sheet 4
- MA10953-600-5 Rev G External Works Layout Sheet 5
- MA10953-600-6 Rev F External Works Layout Sheet 6
- L - -/H50/SEMI/DS H50 Semi-Detached Design Sheet
- C312 Floor Plans and Elevations
- C313 Floor Plans and Elevations
- H59/DS Rev A H59 Bungalow Design Sheet
- H62/DS Rev A H62 Bungalow Design Sheet
- Housetype Portfolio P121, P241,P351,P354,P461
- B201 - New House Type Floor Plans and Elevations
- 1207/A00/DS 1207-House Type Design Sheet
- C301 - Ashton Nettleham Floor Plans and Elevations
- 1303/A00/DS 1303-Bungalow The Aldeby
- C303 - Newbury Newton Floor Plans and Elevations
- C306 - New House Type Floor Plans and Elevations
- D401 - New House Type Floor Plans and Elevations
- D403 - New House Type Floor Plans and Elevations
- L000/H50/01 - House Type H50
- L00/2432/DS 2432 Design Sheet
- L000/2440/L/DS 2440 House Type Design Sheet
- L00/3311/DS 3311 Design Sheet
- L00/3402/DS1 3402 Design Sheet Floor Plans
- L00/3402/DS2 3402 Design Sheet Elevations
- L000/2228/L/DS 2228 House Type Design Sheet
- L000/2310/L/DS 2310 House Type Design Sheet
- L183/DSG/02 Rev A Double Shared Garage Detached Side Gable
- L183/SG/02 Rev A Single Garage Detached Front Gable
- L183/COMPOUND/01 Rev A Compound Layout
- L183/BNDTRT/PH 1 Boundary Treatments Phase 1
- 2106.30105(Middlegate Road_LarkfleetHomes) Play Area Details
- MA10953-605-6 Pumping Station Details Sheet 2
- MA10953-605-7 Pumping Station Details Sheet 3
- MA10953-605-8 Pumping Station Details Sheet 4
- MA10953-605-9 Pumping Station Details Sheet 5
- MA10953-204-1 N S104/S38 Longitudinal Sections Sheet 1
- MA10953-204-2 J S104/S38 Longitudinal Sections Sheet 2
- MA10953-204-3 K S104/S38 Longitudinal Sections Sheet 3
- MA10953-204-4 J S104/S38 Longitudinal Sections Sheet 4
- MA10953-204-5 J S104/S38 Longitudinal Sections Sheet 5
- MA10953-204-6 K S104/S38 Longitudinal Sections Sheet 6
- MA10953-204-8 S104/S38 Longitudinal Sections Sheet 7
- MA10953-205-2 Rev L Foul Water Manhole Schedule Sheet 2
- MA10953/206 C Drainage Construction Details
- MA10953-200-1 Rev S S104 Drainage Layout Sheet 1
- MA70953-200-2 Rev W S104 Drainage Layout Sheet 2
- MA10953-200-3 Rev X S104 Drainage Layout Sheet 3

- MA10953-200-4 Rev Y S104 Drainage Layout Sheet 4
- MA10953-200-5 Rev A2 S104 Drainage Layout Sheet 5
- MA10953-200-6 Rev Y S104 Drainage Layout Sheet 6
- MA10325/200 Rev D Proposed Surface and Foul Water Strategy
- MA10953-204-7 Pond Cross Sections
- MA10953-205-1 Rev K Surface Water Manhole Schedule Sheet 1
- MA10953 / 209-1 Headwell Culvert Details
- MA10953 / 210 Rising Main Longitudinal Section
- MA10953-605-3 Flow Control Details Sheet 1
- MA10953-605-4 Flow Control Details Sheet 2
- 7343-L-04 Rev A Landscape Cross Sections 2 x Plans
- 7343-L-110 Buffer Planting Landscape Proposals
- 7343-L-103 Rev D Detailed Soft Landscape Proposal Structural Landscape and POS Sheet 3 of 3
- 7343-L-109 Detailed Soft Landscape Proposal on Plot Planting 6 of 6

Reason: To ensure the development is undertaken in accordance with the approved details, in the interest of residential amenity and to comply with Policies 2 and 3 of the South East Lincolnshire Local Plan 2019.

3. Before each dwelling is occupied the roads and/or footways providing access to that dwelling, for the whole of its frontage from an existing public highway, with the exception of the carriageway and footway surface courses, shall be constructed to a specification to enable them to be adopted as highway maintainable at the public expense. The carriageway and footway surface courses shall be completed within three months from the date upon which the penultimate dwelling is commenced.

Reason: In the interests of highways safety in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan 2019.

4. Notwithstanding the details in the submitted Flood Risk Assessment (MA10325-FRA-R04, May 2017, Millward Integrated Engineering Consultants), finished floor levels of the dwellings hereby permitted shall be set as indicated in the following approved drawings:

- MA10953-600-1 Rev E External Works Layout Sheet 1
- MA10956-600-2 External Works Layout Sheet 2
- MA10956-600-3 Rev F External Works Layout Sheet 3
- MA10956-600-4 Rev G External Works Layout Sheet 4
- MA10956-600-5 Rev G External Works Layout Sheet 5
- MA10956-600-6 Rev F External Works Layout Sheet 6

Reason: To reduce the risk and impact of flooding, in accordance with Policy 4 of the South East Lincolnshire Local Plan 2019.

5. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (Millward ref MA 10325-FRA-R04 dated May 2017) and MA10953 Flood Resilience Measures and Plan.

Reason: To reduce the risk and impact of flooding, in accordance with Policy 4 of the South East Lincolnshire Local Plan 2019.

6. Prior to the occupation of any dwelling hereby approved, a Flood Warning and Evacuation Plan shall be submitted to and approved in writing by the Local Planning Authority. The 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 in accordance with Policy 4 of the South East Lincolnshire Local Plan 2019.

7. The surface water and foul water drainage method hereby approved shall be undertaken in complete accordance with drawings:

- MA10953-204-1 N S104/S38 Longitudinal Sections Sheet 1
- MA10953-204-2 J S104/S38 Longitudinal Sections Sheet 2
- MA10953-204-3 K S104/S38 Longitudinal Sections Sheet 3
- MA10953-204-4 J S104/S38 Longitudinal Sections Sheet 4
- MA10953-204-5 J S104/S38 Longitudinal Sections Sheet 5
- MA10953-204-6 K S104/S38 Longitudinal Sections Sheet 6
- MA10953-204-8 S104/S38 Longitudinal Sections Sheet 7
- MA10953-205-2 Rev L Foul Water Manhole Schedule Sheet 2
- MA10953/206 C Drainage Construction Details
- MA10953-200-1 Rev S S104 Drainage Layout Sheet 1
- MA10953-200-2 Rev W S104 Drainage Layout Sheet 2
- MA10953-200-3 Rev X S104 Drainage Layout Sheet 3
- MA10953-200-4 Rev Y S104 Drainage Layout Sheet 4
- MA10953-200-5 Rev A2 S104 Drainage Layout Sheet 5
- MA10953-200-6 Rev Y S104 Drainage Layout Sheet 6
- MA10325/200 Rev D Proposed Surface and Foul Water Strategy
- MA10953-204-7 Pond Cross Sections
- MA10953-205-1 Rev K Surface Water Manhole Schedule Sheet 1
- MA10953 / 209-1 Headwell Culvert Details
- MA10953 / 210 Rising Main Longitudinal Section
- MA10953-605-3 Flow Control Details Sheet 1
- MA10953-605-4 Flow Control Details Sheet 2

unless otherwise agreed in writing by the Local Planning Authority. The method shall be fully implemented prior to occupation and subsequently remain in place.

Reason: To ensure that the site is adequately drained and to avoid pollution in accordance with Policy 30 of the South East Lincolnshire Local Plan 2019.

8. The development hereby permitted shall be carried out in strict accordance with the Construction Management Plan (dated February 2020) and drawing L183/COMPOUND/01 Rev A Compound Layout unless otherwise agreed in writing with the Local Planning Authority

Reason: In the interest of residential amenity and to comply with Policies 2 and 3 of the South East Lincolnshire Local Plan 2019.

9. The development permitted by this planning permission shall be carried out in accordance with the Archaeological Evaluation Report (Land off Middelgate, Kirton in Holland PCAS job ref 1818 Author: PCAS Archaeology Ltd.). The archaeological site work shall only be undertaken in accordance with the approved written scheme.

Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation in accordance with national guidance contained in the National Planning Policy Framework 2023 and accordance with Policy 29 of the South East Lincolnshire Local Plan 2019.

10. The soft and hard landscaping, and the landscaping scheme of the 'buffer area' identified on the submitted layout plans between the even numbered properties fronting Middlegate Road West shall be carried out in strict accordance with:

- 7343-L-103 Rev D Detailed Soft Landscape Proposal Structural Landscape and POS Sheet 3 of 3
- 7343-L-109 Detailed Soft Landscape Proposal on Plot Planting 6 of 6
- Drawing No. 7343-L-110
- Estate Works Specification dated February 2020
- Drawing No. 7343-L-04 Rev A

Any tree which becomes defective, is destroyed, dies or becomes seriously damaged within 5 years of being first planted shall be replaced with a tree of the same species and size as originally planted. The approved details shall be implemented in full no later than the end of the first planting season. Details approved available after each phase of the development hereby permitted being bought into first occupation.

Reason: To ensure that the development is adequately landscaped, in the interests of its visual and residential amenity, and that of the area in which it is set in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan 2019.

11. The Local Equipped Area for Play and timetable for implementation shall be undertaken in complete accordance with drawings:

- Drawing Reference: 2106.30105(MiddlegateRoad_LarkfleetHomes) – dated 6 July 2021;
- Specification Sheet showing the following equipment in detail: Diabolo Multiplay J3836A-C, Speed Gyro J2400A, Metal Combination Swing J473A, Metal Pod Swing J441A, Falling Star Springer J839A, Balancing Circuit J09A.
- Allison Homes headed letter dated 9th January 2024

The details shall be implemented in full and retained.

Reason: For the avoidance of doubt and to protect the visual amenities of the locality and accord with the aims and objectives of the National Planning Policy Framework 2023.

12. The pumping station shall be undertaken in complete accordance with drawings:

- MA10953-605 6 Pump Station Details
- MA10953-605 7 Pump Station Details
- MA10953-605 8 Pump Station Details
- MA10953-605 9 Pump Station Details

The details shall be implemented in full prior to the occupation of any dwelling and retained thereafter.

Reason: For the avoidance of doubt and to protect the visual amenities of the locality and accord with the aims and objectives of the National Planning Policy Framework 2023.

13. The design, and appearance of the garages shall be undertaken in accordance with drawings:

- L183/DSG/02 Rev A Double Shared Garage Detached Side Gable
- L183/SG/02 Rev A Single Garage Detached Front Gable

and that all garages will either have installed a side or rear door with access into the enclosed garden for the particular plot. The details shall be implemented in full prior to the occupation of the dwelling to which the garage relates.

Reason: For the avoidance of doubt and to enable the proposed occupier's access to their rear gardens, protect the visual amenities of the locality and accord with the aims and objectives of the National Planning Policy Framework 2023.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order amending, revoking and/or re-enacting that Order, with or without modification. No extensions or alterations relating to Classes A, B, C & E of Part 1 of Schedule 2 or Part 2 Class A of Schedule 2 shall be erected to plots 9-25 incl.

Reason: To protect the amenities of the existing and proposed residential occupiers to accord with the aims and objectives of the National Planning Policy Framework 2023.

15. The timetable for the proposed soft landscaping, its phasing and completion as shown on drawings:

- 7343-L-103 Rev D Detailed Soft Landscape Proposal Structural Landscape and POS Sheet 3 of 3
- 7343-L-109 Detailed Soft Landscape Proposal on Plot Planting 6 of 6
- Drawing No. 7343-L-110
- Estate Works Specification dated February 2020
- Drawing No. 7343-L-04 Rev A
- Boundaries Plan Rev C

shall be as stated within the Larkfleet headed letter dated 9th January 2024.

Reason: In the interests of the amenity and character of the area in accordance with the National Planning Policy Framework 2023 and Policies 2 & 3 of the South East Lincolnshire Local Plan 2019.

16. The future management and maintenance of the open space and soft landscaping areas within the development shall be undertaken in accordance with the Landscape Management Plan dated February 2020 and the email dated 14th July 2021 from Allison Homes. The open space and soft landscaping shall be managed and maintained in accordance with the details.

Reason: In the interests of the amenity and character of the area in accordance with the National Planning Policy Framework 2023 and Policies 2, 3 and 28 of the South East Lincolnshire Local Plan 2019.

17. No above ground development shall commence until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall set out detailed scaled plans and shall include the following and be in force for no less than 30 years:

- description and evaluation of features to be managed, informed by the 22-3710 Biodiversity Impact Assessment August 2023;
- ecological trends and constraints on site that might influence management;
- aims and objectives of management;
- appropriate management, maintenance, ongoing monitoring and remediation measures and retention;
- prescriptions for management actions, broken into monitoring time periods;
- preparation of a work schedule, including a timetable for implementation of all the planting, works and ecological and landscape enhancement/creation measures and an annual work plan capable of being rolled forward over a five-year period;
- retention of higher quality nesting and foraging habitat and semi improved field margins, size and details associated with their buffer zones;
- construction and ecological management plan including ecologist pre-site clearance measures, survey to identify wild birds nests (including ground nesting birds), suitable work exclusion zones around any identified nest sites, and habitat protection during construction;
- use of mammal gates to allow free movements of mammals, amphibians and reptiles;
- species rich hedgerow management plan;

The approved LEMP, the future maintenance and management scheme and associated measures shall be implemented within the first planting season following the construction of the dwellings. All trees, shrubs and hedgerows shall be maintained by the owner or owners of the land on which they are situated for the period of thirty years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary.

Reason: To ensure that the development is adequately landscaped, in the interests of its biodiversity, visual amenity and that of the area in which it is set. This condition is imposed in accordance with Policies 2, 3 and 28 of the South East Lincolnshire Local Plan 2019.

18. The development hereby approved shall be carried out in accordance with the boundary treatment details specified on the following drawings:

- L183/CHRT/FULL Charter Plan Full Site
- L183/CHRT/PH2 Charter Plan Phase 2
- L183/CHRT/PH3 Charter Plan Phase 3

The boundary treatments shall be implemented and thereafter retained as approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and character in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan 2019.

19. Prior to the development above ground level, a schedule of materials to be used in the construction of the dwellings shall be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority, the development shall be constructed in accordance with the materials so approved.

Reason: In the interests of the appearance and character of the development and the visual amenity of the area in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan 2019.

20. The water consumption of the dwelling 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 Policy 31 of the South East Lincolnshire Local Plan 2019.

The person carrying out the work must inform the Building Control Body that this duty applies.

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 2019.

In determining this application, the authority has taken account of the guidance in paragraph 38 of the National Planning Policy Framework 2023 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.

Date: 18-Apr-2024



Phil Norman BSc (Hons), MSc, MRTPI

Assistant Director – Planning and Strategic Infrastructure
(Chief Planning Officer)

South & East Lincolnshire Councils Partnership

Informatives:

1. This permission should be read in conjunction with the S106 Legal Agreement dated 17 April 2024.

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.
- **Householder applications** - 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. Further information is available at www.gov.uk/appeal-householder-planning-decision
- **Minor commercial applications** - 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.
- **All other decisions – Full Planning Permission** - 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. Further information is available online at www.gov.uk/appeal-planning-decision.
- Appeals can be made online at 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. www.gov.uk/government/collections/casework-dealt-with-by-inquiries
- **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.
- **Before you dig** – we recommend that you use the Free Enquiry service – www.LSBUD.co.uk – this site allows you to submit enquiries about activities and work that you are planning, which may have an impact on National Grid Gas and Electricity Transmission Network and other utilities.

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