



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/20/0481

Applicant: Ms D Loizou
Park Cottages
Church End
Frampton
Boston
PE20 1AH

Agent: Design and Management.co.uk
7, West Fen
Frithville
Boston
PE22 7EX

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

Change of use of land to allow the siting of one shepherds hut for holiday letting at Park Cottages, Church End, Frampton, Boston, PE20 1AH

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 has not been proven to be necessary to its location, whilst not meeting the sustainable development needs of the area as there are no environmental or community benefits. The proposed development will conflict with neighbouring land uses, is not in keeping with the character of the locality and no functional link has been demonstrated to show how the development is linked with an existing rural attraction or farm enterprise. This development is, therefore, contrary to the objectives of Policies 1 and 9 of the South East Lincolnshire Local Plan (2011-2036) and Sections 2 and 12 of the National Planning Policy Framework (2019) which seeks to achieve sustainable development and secure a high standard of design that is sympathetic to the character of an area with a high standard of amenity for existing and future users.
2. The proposed development, by reason of its position and characteristics of the site, will generate a significant loss of privacy, in addition to creating overlooking issues and significant noise and general disturbance for the occupiers of Memorial Cottage and future users of the shepherd's hut, all of which will be harmful to residential amenity and the quiet and peaceful living conditions currently experienced. This development is, therefore, contrary to the objectives of Policies 2, 3, 9 and 30 of the South East Lincolnshire Local Plan (2011-2036) and Section 12 of the National Planning Policy Framework (2019) which seeks to secure a high standard of design that is sympathetic to the character of an area with a high standard of amenity for existing and future users.



3. The increase in boundary treatments will negatively impact the space through effectively subdividing the open space which is a positive feature of the setting of the host and adjacent listed buildings. This means the proposal will negatively impact both the character and appearance of the area. Insufficient evidence was provided in regards to the additional proposed fencing and how the shepherd's hut will be anchored to the ground, both of which have potential to further impact the historic environment and character and appearance of the area. This development is, therefore, contrary to the objectives of Policies 2, 3, 9 and 29 of the South East Lincolnshire Local Plan (2011-2036) and Sections 12 and 16 of the National Planning Policy Framework (2019) which seek to secure a high standard of design that is sympathetic to the character of an area and preserve or enhance the historic environment.

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: 17-Mar-2021

A handwritten signature in black ink, appearing to read 'MG', with a horizontal line 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) 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