



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/22/0168

Applicant: Mr Les Cullen
Potterdale
Cut End Road
Fishtoft
Boston
PE22 0QZ

Agent: Mrs Shanon Alexander
Barron Edwards Ltd
Whitehall Place
47 The Terrace
Gravesend
DA12 2DL

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

Demolition of fire damaged bungalow and erection of a 3-bedroom detached replacement chalet bungalow with associated parking, amenity space and landscaping at Potterdale, Cut End Road, Fishtoft, Boston PE22 0QZ

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.

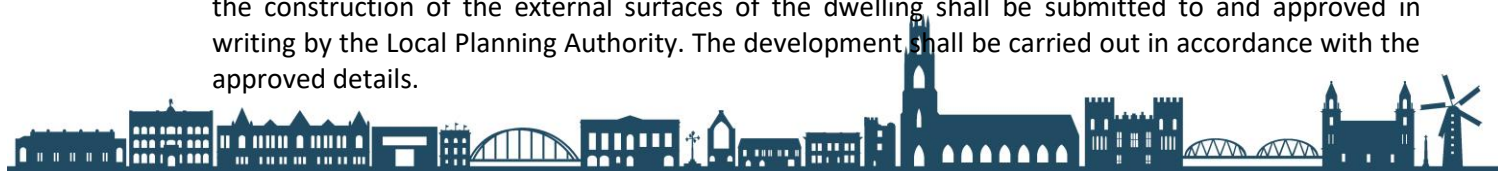
Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in strict accordance with the application received 19-Apr-2022 and in accordance with the associated plans referenced:

- Drawing No. 001 Revision A – Location Plan, Existing and Proposed Block Plan;
- Drawing No. 003 Revision A – Proposed Plans;
- Drawing No. 004 Revision A – Proposed Elevations; and
- Drawing No. 001 Revision A – Location Plan, Visibility Splays.

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, 3, 4, 22, 28, 30, 31 and 36 of the South East Lincolnshire Local Plan (2011-2036).

3. Prior to the commencement of development above slab level, details of the materials to be used in the construction of the external surfaces of the dwelling shall be 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 character and appearance of the area are preserved, in accordance with Policies 2, 3 and 22 of the South East Lincolnshire Local Plan (2011-2036).

4. Before the access is brought into use all obstructions exceeding 0.6 metres high shall be cleared from the land within the visibility splays illustrated on drawing number 220212-001A dated 8th March 2022 and thereafter, the visibility splays shall be kept free of obstructions exceeding 0.6 metres in height.

Reason: So 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, in accordance with Policy 2 of the South East Lincolnshire Local Plan (2011-2036).

5. Prior to the commencement of development above slab level, details of measures that aim to reduce pollution and promote renewable and low carbon energy (including measures such as facilities for EV vehicle charging) and details relating to the timing of their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved measures.

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).

6. 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 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 the 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).

7. The development permitted by this planning permission shall be carried out in accordance with the measures detailed in the Protected Species Survey produced by Archer Ecology and dated 19th April 2022.

Reason: To prevent harmful impacts upon protected species, in accordance with Policy 28 of the South East Lincolnshire Local Plan (2011-2036).

8. No development shall take place above ground level until details of measures to provide a net gain in biodiversity and details relating to the timing of their implementation have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved measures.

Reason: To deliver a net gain in biodiversity, in accordance with Policies 28 and 31 of the South East Lincolnshire Local Plan (2011-2036).

9. The development shall be carried out in accordance with the submitted Flood Risk Assessment (Produced by RM Associates, April 2022 Version 1).

Mitigation measures shall be fully implemented prior to occupation and shall be retained and maintained thereafter throughout the lifetime of the development.

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 (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: 17-Jun-2022



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

Informatives:

1. The Witham Fourth District Internal Drainage Board indicates that:
 - a) Board's Byelaw consent is required to directly discharge surface water to a watercourse (open or piped). A surface water development contribution (SWDC) will be charged on all rates of discharges. Please refer to the Board's Development & Consent Control Guidance for more information:
<https://www.w4idb.co.uk/resources/document-library/consent-forms-and-guidance/>
 - b) Board's Byelaw consent is required to discharge treated water to a watercourse (open or piped).
 - c) Board's Section 23 consent is required to culvert, pipe, or bridge any watercourse riparian or Board maintained.
 - d) If there is any change to the surface water or treated water disposal as stated in the application, please contact the Board to discuss the new arrangements.
2. The Environment Agency advises that you should phone Floodline on 0345 988 1188 to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings>. This is a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up. Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, their families and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities. For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-for-flooding>. To get help during a flood, visit <https://www.gov.uk/help-during-flood>. For advice on what do after a flood, visit <https://www.gov.uk/after-flood>.
3. Lincolnshire County Council indicates:
 - a) that the permitted 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; and

- b) please 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 timings of these works. For further guidance please visit our website via the following links:

Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>

Licences and Permits - <https://www.lincolnshire.gov.uk/licences-permits>

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