



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/22/0202

Applicant: Mr Christopher Flatters
Holly Cottage
107, Sea Lane
Butterwick
Boston
PE22 0HN

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 under s73 for the variation of Condition 5 (Number of Days) of planning permission B/17/0004 at Holly Cottage, 107 Sea Lane, Butterwick, Boston PE22 0HN

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 carried out in accordance with the following approved documents:
 - Ordnance Survey plan stamped as received 25 April 2017 (1a/2) and accompanying email from Ellie Cocks dated 13 April 2017.
 - Location plan with the site outlined in blue received 15 Dec 2016 (2/2)
 - Noise Impact Assessment ref HA/BSP/20170324/V1 prepared by HA Acoustic and received on 29 March 2017.

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

2. When the use hereby approved ceases to be directly operated by Mr Flatters the use shall cease and all materials and equipment brought onto the premises in connection with the use, with the exception of the extension and cladding to the barn, shall be removed within 2 months of the cessation of use.

Reason: The proposed use is contrary to Policy 1 of the South East Lincolnshire Local Plan 2011-2036 and has only been permitted to meet the special circumstances of this case, namely the diversification of the use of an agricultural holding owned by Mr Flatters.



3. The development hereby permitted shall not be continued until the north facing elevation of the barn extension and the roof of the existing barn (apart from the centre roof light panel accessing upper light to this area) and roof of the barn extension is fitted with an inner layer of minimum 19mm marine-ply sheeting on a wooden framework. The cavity between the inner and outer layer of the side panel shall be filled with Rockwool (or similar) mineral wool and the external elevations of the lean to barn extension shall be clad with 1.6mm galvanised metal sheeting (green in colour to blend with the existing green buildings) to match the colour and finish of the existing barn, in accordance with the specification set out the Noise Impact Assessment HA/BSP/20170324/V1 prepared by HA Acoustics and received on 29 March 2017. This cladding shall be maintained in a sound condition for the duration of the use hereby approved.

Reason: in the interests of the amenity of nearby residents and to accord with Policy 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).

4. The development hereby permitted shall not be continued until a continuous straw bale barrier (using large size bales of a dimension of 1.2m x 1.2 metres or larger) shall be installed the full length of the rear yard between the grass paddock fence and the outer edge of the yard to a minimum height of 3.0 metres and a minimum length of 10 metres , as set out in Ordnance Surevy plan stamped as received 25 April 2017 (1a/2) and accompanying email from Ellie Cocks dated 13 April 2017. This barrier shall be maintained for the duration of this operation.

Reason: In the interests of amenity of nearby residents and in accordance with Policy 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).

5. The operations associated with the log splitting operation, including the operation of equipment, moving of storage bins, timber stacking, site clearance and preparation, shall not take place more than 6 days in any one calendar month and shall not take place except between 1 September and 31 May each year. The operations associated with the log splitting operation, including the operation of equipment, moving of storage bins, timber stacking, site clearance and preparation, shall only take place between the hours of 09:00 and 17:00 Mondays to Fridays, and at no time on Saturdays, Sundays or on public holidays.

Reason: In the interests of the amenity of nearby residents and in accordance with Policy 2 and 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 2021 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.

Date: 12-Jul-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.

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