



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/22/0393

Applicant: Mr Steven Ibbotson
Cyden Homes Ltd
Unit 1
Lacey Business Park
Grimsby Road
Lacey
Grimsby
DN37 7DP

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

Approval of reserved matters (Access, Appearance, Landscaping, Layout and Scale) following approval B/20/0235 (Outline planning permission for 132 dwellings with all matters reserved) at Land North of Tytton Lane East, Wyberton, Boston, PE21 7TD

and in accordance with this notice and the particulars given in the application, do hereby give notice of its decision to **GRANT Reserved Matters** for the said development subject to **compliance with the following conditions(s):-**

1. The development hereby permitted shall only be undertaken in accordance with the following approved plans;
 - Drwg no 184/002 Rev G Proposed Layout - Reserved Matters
 - Drawing No. 184/011 PROW and Cycle path provision
 - Drwg no 184/120 Garages Sheet 1 of 2 Home Office Studios
 - Drwg no 184/121 Garages Sheet 2 of 2 Garages & Pump Station
 - Drwg no 184/101 House Type dH402 Plots 1, 3, 14, 15, 73, 74, 76, 77, 78, 80, 81, 91, 92, 118 & 119
 - Drwg no 184/102 House Type dH401 Plots 30, 31, 38, 39, 66, 67, 68, 70, 71, 75, 79, 99, 100, 101, 107, 108 & 109
 - Drwg no 184/103 House Type dH403 Plots 69, 83, 97 & 128
 - Drwg no 184/104 House Type dH404 Plots 5, 6, 12, 13, 72, 82, 98 & 102
 - Drwg no 184/105 House Type dH408 Plots 16, 84, 96, 104 & 131
 - Drwg no 184/106 House Type dH409 plots 2, 10, 120 & 132
 - Drwg no 184/107 House Type dH418 Plots 11, 29 & 130
 - Drwg no 184/108 House Type dH420 Plots 4, 7, 93, 103 & 129
 - Drwg no 184/109 House Type dH422 Plot 120
 - Drwg no 184/110 House Type sH430 Plot 25-26
 - Drwg no 184/111 House Type sH303 Plot 27-28, 54-55, 110-111 & 126-127



- Drwg no 184/112 House Type sH304 Plot 105 & 106
- Drwg no 184/113 House Type sH322 Plots 8-9, 34-35, 56-57, 85-86, 87-88 & 116-117
- Drwg no 184/114 House Type sH329-322 Plots 32-33, 89-90, 94-95. House type sH322-329 Plots 36-37, 52-53
- Drwg no 184/115 House Type tH330-232-231-330 Plots 48-51, 58-61, 62-65
- Drwg no 184/116 House Type tH303-302-201-303 Plots 112-115
- Drwg no 184/117 House Type tH205-302-201-201 Plots 40-43, 122-125
- Drwg no 184/118 House Type tH231-231-232-235 Plots 44-47
- Drwg no 184/119 Rev A House Type Ground Floor sgF112 Plots 17, 20, 21, 24 House Type First Floor sfF113 Plots 18, 19, 22, 23
- Drwg no 184/012 Proposed Site Levels

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 (2019).

2. The development hereby approved shall be carried out in accordance with the materials specified within the application form and following drawings:

- Drwg no 184/005 Materials Layout Plan

The materials 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).

3. The details in relation to the Public Right of Way and Cycle path shall be implemented in accordance with Drawing no 184/011 PRow and Cycle Path Provision prior to the occupation of the first dwelling on the site.

The details hereby approved shall be retained in perpetuity thereafter.

Reason: In the interests of pedestrian and cycle connectivity in accordance with Policy 2, 3 and 32 of the South East Lincolnshire Local Plan (2019).

4. The development hereby approved shall be undertaken in accordance with the Acoustic Assessment Report P22-287-R01v1 July 2022.

The recommendations of the acoustic report shall be implemented in full prior to the occupation of plots 14-27 inclusive and shall be retained in perpetuity thereafter.

Reason: In the interests of residential amenity in accordance with Policy 2, 3, and 30 of the South East Lincolnshire Local Plan (2019).

5. The scheme of landscaping and tree planting shown on dwg. no. 184/004 Rev A Landscape & Biodiversity Layout Plan shall be carried out and completed in its entirety during the first planting season following practical completion of the development. All trees, shrubs and bushes shall thereafter be maintained in accordance with the Landscape Management & Maintenance Plan.

Reason: To ensure that the development is adequately landscaped, in the interests of its visual amenity and character in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019).

6. The development hereby approved shall be undertaken in complete accordance with the biodiversity measures shown on drawing no 184/004 Landscape & Biodiversity Layout Plan. The measures shall be implemented prior to occupation of the dwelling to which it relates and retained in perpetuity thereafter.

Reason: In the interests of biodiversity and in accordance with Policy 28 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 2021 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.

Dated: 24 February 2023



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

Informatives:

1. This decision should be read in conjunction with outline consent B/20/0235 and Legal Agreement dated 27th May 2022.
2. Affordable Housing
The applicant should engage with a Registered Housing Provider, who would need to acquire and manage the affordable housing, to ensure that the affordable housing design and quality standards are complied with and that the development is included in their pipeline of developments/ affordable housing acquisitions. Contact details of Registered Housing Providers can be supplied on request.
Please note - to comply with the nationally described space standards (NDSS), in order to provide one bed-space, a single bedroom should have a floor area of at least 7.5m² and be at least 2.15m wide. The affordable properties should also meet a minimum of 85% of the NDSS.
3. Internal Drainage Board
Subject to applications to discharge surface water (as per Board Byelaw No.3) and for the infilling of, and installation of structures within, any existing watercourses bounding or crossing the site (as per Section 23 of the Land Drainage Act 1991), being submitted to the Board, as per our previous correspondence.

IMPORTANT NOTES

We may have attached other documents or copy letters to this decision notice. While these do not form part of the Council's formal decision they should be used or read in conjunction with it. They contain useful or essential information, which you require to be aware of and may necessitate further actions on your part.

Building Act 1984

This consent does not constitute any Building Regulations approval under the Building Act 1984 nor permission under the Party Wall etc Act 1996.

- 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.

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 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

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