



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/23/0029

Applicant: Mr R Mann
Land adjacent
White House
Blackjack Road
Swineshead
Boston
PE20 3HH

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:

Proposed construction of 2no. replacement dwellings at Land adjacent, White House, Blackjack Road, Swineshead, Boston, PE20 3HH

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. Insufficient evidence has been provided to establish that the current use of the site is residential or used for permanent human habitation as a main dwelling. The proposal is located in an unsustainable location within the countryside and cannot demonstrate that the development is necessary to the location or that it has an economic, community or environmental benefit. The proposed development is unacceptable in principle and contrary to Policy 1 of the SELLP (2019) and Policy 22 of the South East Lincolnshire Local Plan (2019).
2. The proposal would result in an increase in floorspace of 267%, which is contrary to the 40% limit in Policy 22 of the South East Lincolnshire Local Plan (2019). The application is considered an over-development of the site and by virtue of its size and scale would have detrimental impacts on the character and appearance of the area, contrary to policies 2 and 3 of the South East Lincolnshire Local Plan (2019).
3. The application has failed to demonstrate a satisfactory Sequential Test has been undertaken contrary to Policy 4 of the South East Lincolnshire Local Plan (2019) and the NPPF 2021.



4. Insufficient information in relation to landscaping and biodiversity measures has been provided, therefore, the development, by virtue of its location, scale and size would have harmful impacts on the countryside character and appearance of the area and fails to demonstrate that it would improve biodiversity, contrary to Policies 28 and 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 2021 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.

Dated: 31-May-2023

A handwritten signature in black ink, appearing to read 'MG', with a horizontal line drawn through it.

Mike Gildersleeves

Assistant Director – Planning & Strategic Infrastructure

Boston Borough Council, East Lindsey District Council and South Holland 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.
- **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.

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