



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/23/0052

Applicant: Mr David Smith
Pilgrim Auctions
40, Woodthorpe Avenue
Boston
PE21 0NN

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 from B2 to Sui Generis (Auction House) at Warth Park, Unit 4, Sea Lane, Butterwick, Boston PE22 0EY

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 only be undertaken in accordance with the following approved plans;
 - Drawing No. RFW/050123/01 Location Plan
 - Drawing No. RFW/050123/01 Butterwick Block Plan

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, 3, 7 and 30 of the South East Lincolnshire Local Plan 2019.

2. The use hereby permitted shall not be open to customers or for collections or deliveries, except between the hours of 8:00 to 18:00 Monday to Saturday and at no times on a Sunday or bank holidays.

Reason: In the interests of the amenity of local resident in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan 2019.

3. Within 3 months of the date of this permission, details of improvements to the existing vehicle access crossing to Watery Lane shall be submitted to and approved in writing by the Local Planning Authority. The approved access shall be implemented within 3 months of the details being approved and retained in perpetuity.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site in accordance with Policy 2 of the South East Lincolnshire Local Plan 2019.



4. There shall be no use of a tannoy, speaker or amplified sound system outside of the building.

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

5. The parking area shown on plan RFW/50123/01 Block Plan shall be made available on all days the auction is taking place in accordance with the hours of operation in condition 2.

Reason: In the interests of highway safety and residential amenity and in accordance with Policies 2 and 3 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.

Date: 07-Jun-2023



Mike Gildersleeves

Assistant Director – Planning & Strategic Infrastructure

Boston Borough Council, East Lindsey District Council and South Holland District Council

Informatives

1. 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. Any traffic management required to undertake works within the highway will be subject to agreement. The access must be constructed in accordance with a current specification issued by the Highway Authority. Any requirement to relocate existing apparatus, underground services, or street furniture because of the installation of an access will be the responsibility, and cost, of the applicant and must be agreed prior to a vehicle access application. The application form, costs and guidance documentation can be found on our website, accessible via the following link: <https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb>.
2. Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences 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 link: Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>

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