



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/23/0095

Applicant: Mr S Epton
Yarborough Developments Ltd
13, Main Ridge West
Boston
PE21 6SS

Agent: Mr Nick Overton
NiCAD Consultancy Services Ltd
The Hollies
Thornimans Lane
Frampton
Boston
PE20 1AJ

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 removal of Condition 7 (Solid Timber Acoustic Fence) of approval B/21/0191 at 7 - 9, Redstone Road, Boston PE21 8EA

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 permission B/21/0191, dated 28.07.2021.

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

2. The development shall be carried out in strict accordance with application B/21/0191 approved 28.07.2021, application B/21/0191/NMA approved 10.12.2021 and in accordance with the associated plans referenced:

- Location Plan;
- 21/RIE/02 Proposed Block Plan;
- 21/RIE/03B Proposed Layout/Elevations.

Reason: To ensure the development is undertaken in accordance with the approved details, in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) and with the intentions of the National Planning Policy Framework (2021)



3. The development shall be carried out in accordance with the approved flood risk assessment (FRA) dated March 2021 and the following mitigation measures it details:
- Finished floor levels shall be set no lower than 300mm above the ground level;
 - Flood resilience and resistance measures shall be incorporated into the proposed development as stated to 500mm above the finished floor levels
 - The mitigation measures shall be fully implemented prior to occupation and subsequently remain in place.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with the National Planning Policy Framework (2021) and Policies 2 and 4 of the South East Lincolnshire Local Plan (2019).

4. Notwithstanding the approved plans, the development hereby approved shall be undertaken in accordance with the Foul and Surface water details 'Drainage Layout Plan (Drawing No. 2112/01 Drainage Layout Plan)' approved under B/21/0191/CD1 and maintained thereafter.

Reason: To ensure that the site is adequately drained and to avoid pollution in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

5. Notwithstanding the approved plans, the development hereby approved shall be undertaken in accordance with the Dust Management Plan details 'Construction Management Plan (dated 01/03/2022)' approved under B/21/0191/CD1, and maintained in accordance thereafter.

Reason: To safeguard the amenity of the area in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan (2019).

6. The development hereby approved shall be undertaken in accordance with the EV Charging point details 'ROLEC EV Charging Information Sheet (Uploaded 03.03.2023) and the Proposed Block Plan (Uploaded 25.04.2023)' approved under B/21/0191/CD2.

Reason: In the interests of promoting sustainable transport in accordance with Section 9 of the National Planning Policy Framework 2021 and Policy 31 of the South East Lincolnshire Local Plan (2019).

7. Noise from the fixed plant and machinery at the development shall not exceed a 'rating level' of LAeq (15min) 45dB as defined by BS4142:2014 when measured 3.5m from the facade of any residential property between the hours of 7.00am and 11.00pm and a 'rating level' of LAeq (15min) 40dB as defined by BS4142:2014 when measured 3.5m from the facade of any residential property between the hours of 11pm and 7am. Sound level measurements shall be undertaken in accordance with the main procedural requirements of BS7445:2003, parts 1-3.

Reason: In the interests of the residential amenities of neighbouring residents in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019).

8. No above ground construction works shall take place until full details of the biodiversity enhancement measures across the site and a timetable for their implementation, have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved scheme.

Reason: In the interest of enhancing the ecology of the area in accordance with Policy 2, 28 and 31 of the South East Lincolnshire Local Plan (2019).

9. The development hereby approved shall be undertaken in accordance with the Cycle stand details 'Details of Bicycle Stands, (Uploaded 03.03.2023), Proposed Block Plan (Uploaded 25.04.2023) and the Application Form (Uploaded 03.03.2023)' approved under B/21/0191/CD1.

Reason: To encourage travel to the site by more sustainable modes of transport in accordance with Policy 2 and 3 of the South East Lincolnshire Local Plan (2019) and the National Planning Policy Framework.

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: 22-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.

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