



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/24/0012

Applicant: Mr Andrew Cooke
Dovetail Architects Ltd
Unex Tower
Station Street
Stratford
London
E15 1DA

Agent: Mr Luke Thrumble
Dovetail Architects Ltd
Unex Tower
Station Street
Stratford
London
E15 1DA

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

Erection of Trade Counter Unit (Use Class B8) with associated car parking including 12 x EV Charging Points at Land to the northwest of roundabout, Land Adjacent to A16, Scott Drive, Boston

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 must be begun not later than the expiration of three years beginning with the date of this permission.

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

2. The development hereby permitted shall only be undertaken in accordance with the following approved plans:

- Design and Access Statement Plot E, Uploaded 09.01.2024
- Noise Assessment, Uploaded 09.01.2024
- SuDS Drainage Strategy, Produced by Hayden Evans, dated 04.12.2023
- Horizontal Illuminance Levels, Drawing No. LS24783_4 received 09-Jan-2024
- Site Location Plan, Drawing No. 3606_PL1000 received 09-Jan-2024
- Proposed Elevations, Drawing No. 3606_PL905F received 09-Jan-2024
- Proposed Floor & Roof Plans, Drawing No. 3606_PL1003 received 09-Jan-2024
- Site Plan, Drawing No. 3606_PL1002 received 09-Jan-2024



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).

3. Within 3 months from the start of construction to the hereby approved building, full details of hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
 - a) boundary treatments
 - b) hard surface materials
 - c) planting schedules (species, sizes densities)
 - d) existing trees to be retained/removed
 - e) details of future maintenance

All landscape works shall be carried out in accordance with the approved details within 6 months of the date of the first occupation of the extension or completion of development whichever is the sooner. Any trees, plants and grassed areas which within a period of 5 years from the date of planting die, are removed or become seriously damaged or diseased shall be replaced in the first available planting season with others of similar size, species or quality.

Reason: In the interests of visual amenity and design quality in accordance with policies 2 and 3 of the South East Lincolnshire Local Plan (2019).

4. The development hereby approved shall be undertaken in complete accordance with the Flood Risk and Drainage Assessment undertaken by Evans Rivers and Costal [ref: 2826/RE/11-21/01 Revision B, dated November 2023], unless otherwise agreed in writing by the Local Planning Authority, including sections 8.2 to 8.4 and the following mitigation measures;
 - finished floor levels shall be set no lower than 4.0m

The mitigation measures shall be fully implemented prior to occupation and subsequently remain in place.

Reason: In the interest of reducing flood risk in accordance with Policy 4 of the South East Lincolnshire Local Plan (2019).

5. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the development shall be constructed in accordance with the materials detailed on the approved plans (3606_PL905D and the Design and access Statement).

Reason: To ensure use of appropriate materials which are sympathetic to the character of surrounding buildings and the street scene in the interests of visual amenity in accordance with policies 2 and 3 of the South East Lincolnshire Local Plan (2019) and the National Planning Policy Framework 2021.

6. No development shall take place until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall set out, as a minimum, site specific measures to control and monitor impact arising in relation to construction traffic, noise and vibration, and dust and air pollutants. The development shall be carried out in full accordance with the approved CMP at all times.

Reason: To safeguard the amenities of the adjoining premises and the area in accordance with policies 2 and 3 of the South East Lincolnshire Local Plan (2019).

7. Prior to the construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate to the public network, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding in accordance with Policy 4 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 2023 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.

Date: 12-Apr-2024



Phil Norman BSc (Hons), MSc, MRTPI

Assistant Director – Planning and Strategic Infrastructure
(Chief Planning Officer)

South & East Lincolnshire Councils Partnership

Informatives:

1. If you'd like to find out more about reducing flood damage, visit the Flood Risk and Coastal Change pages of the planning practice guidance.

Further guidance on flood resistance and resilience measures can also be found in:

- Government guidance on flood resilient construction
<https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>
- CIRIA Code of Practice for property flood resilience
https://www.ciria.org/CIRIA/Resources/Free_publications/CoP_for_PFR_resource.aspx
- British Standard 85500 – Flood resistant and resilient construction
<https://shop.bsigroup.com/ProductDetail/?pid=000000000030299686>

Additional guidance can be found in our Floodline Publications. A free copy of these is available by telephoning 0345 988 1188 or they can be found on our website

<https://www.gov.uk/topic/environmental-management/flooding-coastal-change>.

2. In accordance with Section 59 of the Highways Act 1980, please be considerate of causing damage to the existing highway during construction and implement mitigation measures as necessary. Should extraordinary expenses be incurred by the Highway Authority in maintaining the highway by reason of damage caused by construction traffic, the Highway Authority may seek to recover these expenses from the developer.

3. 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 the Highway Authority's 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.

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