



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/24/0079

Applicant: Mr Neil Wilson
Woodlands Farm (Kirton) Ltd
Kirton House
London Road
Kirton
Boston
PE20 1JE

Agent: Mr Jack Lawrence
The Den
Station Road
Swineshead
Boston
PE20 3PD

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 2no buildings to house livestock at Lamming's Marsh Farm, Low Mill Lane, Fosdyke

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 three years from 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 be carried out in strict accordance with the application received on the 23rd February 2024 and the following drawings:

- DRG No. WOOD-11: Proposed Site Location Plan;
- DRG No. WOOD-12: Proposed Arrangement Plan; and
- DRG No. WOOD-13: Proposed Elevations.

Reason: To ensure the development is undertaken in accordance with the approved details, and to comply with Policies 1, 2, 3, 4, and 30 of the South East Lincolnshire Local Plan 2019.

3. No development shall take place above ground level, until details of measures to enhance biodiversity on the site have been submitted to and agreed in writing by the Local Planning



Authority. Measures to improve biodiversity should, where appropriate, include the installation of boxes to accommodate nesting/roosting birds and bats.

The details approved shall be implemented prior to the first use of the buildings and shall be maintained thereafter.

Reason: In the interests of biodiversity and in accordance with 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 2023 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.

Date: 11-Apr-2024



Phil Norman BSc (Hons), MSc, MRTPI

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

South & East Lincolnshire Councils Partnership

Informatives:

1. The Environment Agency advises that you give consideration to the issues below. Where necessary, the advice of relevant experts should be sought.
 - Adequacy of rescue or evacuation arrangements
 - Details and adequacy of an emergency plan
 - Provision of and adequacy of a temporary refuge
 - Details and adequacy of flood proofing and other building level resistance and resilience measures
 - Details and calculations relating to the structural stability of buildings during a flood
 - Whether insurance can be gained or not
 - Provision of an adequate means of surface water disposal such that flood risk on and off-site isn't increased

The Agency can provide the following information on the characteristics of flooding at this site to help with your decision: The proposal is located within an area that could experience depths of over 2 metres in the event of a tidal breach during both a 0.5% and 0.1% scenario in both present day and with climate change events. Therefore, we would recommend raising the finished floor level as far as practicably possible to reduce the impact of such an event on the proposal.

Flood resistance and resilience The Agency strongly recommends the use of flood resistance and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.

To find out which measures will be effective for this development, please contact your building control department. 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>

Signing up for flood warnings The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings>. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up.

Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, their families and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities.

- For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-for-flooding>.
- To get help during a flood, visit <https://www.gov.uk/help-during-flood>.
- For advice on what to do after a flood, visit <https://www.gov.uk/after-flood>.

2. The Welland and Deepings Internal Drainage Board asks to be reconsulted if your proposed surface water disposal arrangements are changed.

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