



# 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/21/0072**

Applicant: M R and C M Senior  
Dorma House  
Monks House Lane  
Spalding  
PE11 3LH

Agent: Mr Julian Warrick  
Julian Warrick  
8, Beech Grove  
Donnington  
Spalding  
PE11 4XQ

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 for approval of Reserved Matters Access, Appearance, Landscaping, Layout and Scale following outline approval B/19/0326 (Outline application with all matters reserved for later approval for erection of a single dwelling) at Land off Kirton Holme Road, Kirton Holme, Boston, PE20 1TE**

and in accordance with this notice and the particulars given in the application, do hereby give notice of its decision to **GRANT Reserved Matters** for the said development subject to **compliance with the following conditions(s):-**

1. The development hereby approved shall be carried out in accordance with the associated plans referenced:
  - J148- PL 1C – Block Plan and Location Plan;
  - J148- PL 2C – Visibility Splay;
  - J148- PL 3A – Plans and Elevations;

The boundary treatments shown on the approved plans must be installed prior to the occupation of the dwelling and remain in place thereafter.

Reason: To ensure the development is undertaken in accordance with the approved details, in accordance with Policies 2, 3, 4 and 28 of the South East Lincolnshire Local Plan (2011-2036) and with the intentions of the National Planning Policy Framework (2019).

2. Notwithstanding the details shown on the approved plans, before any part of the development hereby permitted is occupied/brought into use, the first floor window on the west elevation shall have been installed with obscure glazing and with no opening part being less than 1.7m above the floor level immediately below the centre of the opening part. The obscure glazing must be obscured to a minimum of Pilkington - Privacy Level 3 or an equivalent product. Once installed, the window units shall thereafter be retained as such at all times.

No further or additional first floor windows on the west elevation should be installed.

Reason: To safeguard the privacy of the occupiers of the neighbouring properties in accordance with Policies 2, 3 and of the South East Lincolnshire Local Plan (2011-2036).

In determining this application the authority has taken account of the guidance in paragraph 38 of the National Planning Policy Framework 2019 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.

Dated: 15 April 2021



**Mike Gildersleeves**  
**Assistant Director – Planning**  
**Boston Borough Council and East Lindsey District Council**

### **Informatives**

Details were submitted within this submission in regards to conditions 7 and 9 of permission B/19/0326. Whilst the submitted information appeared to meet the requirements of the conditions (albeit reference was made to solar panels on the southern roofline which were not shown on the approved plans for this application), the Applicant is advised that these must be submitted through a formal condition discharge application and cannot be dealt with or signed off as part of this application. Similarly attention is drawn to the requirement for this Reserved Matters approval to be read in conjunction with the earlier Outline application, including any conditions.

### **Highway Informative**

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. The works should be constructed in accordance with the Authority's specification that is current at the time of construction. Relocation of existing apparatus, underground services or street furniture will be the responsibility of the applicant, prior to application. For approval and specification details, please contact [vehiclecrossings@lincolnshire.gov.uk](mailto:vehiclecrossings@lincolnshire.gov.uk)

### **Highway Informative**

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections 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.



## **IMPORTANT NOTES**

This consent does not constitute permission under the Party Wall etc Act 1996, nor any Building Regulations approval under the Building Act 1984.

We may have attached other documents or copy letters to this decision notice. While these do not form part of the Council's formal decision they should be used or read in conjunction with it. They contain useful or essential information, which you require to be aware of and may necessitate further actions on your part.

### **PLANNING APPEALS**

If you are aggrieved by the decision or any of the conditions attached to a consent you may pursue an appeal to the Secretary of State for Communities and Local Government under Section 78 of the Town and Country Planning Act 1990. However, it is suggested that you speak, in the first instance, to the Planning Officer who dealt with your application for further advice.

If you want to appeal you can do so online at [www.gov.uk/appeal-planning-decision](http://www.gov.uk/appeal-planning-decision), however, if you wish to apply by post the address is: The Planning Inspectorate, Room 3/13, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.

The Planning Inspectorate customer support team: 0303 444 5000

Email: [enquiries@pins.gsi.gov.uk](mailto:enquiries@pins.gsi.gov.uk)

The Secretary of State can allow a longer period for giving notice of an appeal but he 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 him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

### **PURCHASE NOTICE**

If either the Local Planning Authority or the Secretary of State for Communities and Local Government refused permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonable beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

### **PROPOSED DEMOLITION**

The provisions 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 have given Notice under Section 81, or the relevant period of 6 weeks has expired.

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

