



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/20/0370

Applicant: Mr Darren Hughes
Sheds Sheds Sheds Ltd
Oldham House
Main Road
Wrangle
Boston
PE22 9AT

Agent: Keith Baker
Design and Management.co.uk
7 West Fen
Frithville
Boston
PE22 7EX

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 Nursery and Farm Shop to Garden Centre including the manufacturing and sales of Timber Buildings, Fences, Sheds, Gates etc at Oldham House, Main Road, Wrangle, Boston PE22 9AT

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 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 23/11/2020 and in accordance with the associated plans referenced:
 - Location Plan 1:1250;
 - Proposed Site Layout 1:500

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 (2011-2036) and with the intentions of the National Planning Policy Framework (2019).

3. The parking area as shown on the submitted site layout plan shall be made available for customer parking at all times and no articulated vehicles or delivery vehicles shall park or unload within this area. Adequate space shall be provided within the site to enable all vehicles to enter and leave the site in forward gear.

Reason: In order to provide adequate parking and turning space within the site and to maintain highway safety. This condition accords with the objectives of Policy 2 of the South East Lincolnshire Local Plan (2011-2036).

4. The space shown on the submitted site layout drawing for the loading and unloading of vehicles within the site shall be available for such use during the permitted hours when the permitted development is in use. The loading and unloading of vehicles servicing the site shall be carried out on the site only.

Reason: In the interests of safe and suitable access to, and egress from, the permitted development and in the interests of the safety and free passage of those using the adjacent A52 Main Road. This condition accords with the objectives of Policy 2 of the South East Lincolnshire Local Plan (2011-2036).

5. The use hereby approved shall only be open to the public between the hours of:

- 09:00 and 16:00 Mondays to Saturdays;
- 09:00 and 13:00 on Sundays and public holidays.

Reason: In the interests of the amenity of nearby residents in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan (2011-2036).

6. The hours of manufacturing the items stated on the submitted 'statement of use' shall only take place between the hours of:

- 08:00 and 18:00 Mondays to Fridays;
- 08:00 and 13:00 on Saturdays;
- At no time on Sundays or public holidays.

Reason: In the interests of residential amenity of the area and to accord with the objectives of Policies 2, 30 and 30 of the South East Lincolnshire Local Plan (2011-2036).

7. Deliveries to the site shall only take place to the site between the hours of:

- 08:00 and 18:00 Mondays to Fridays;
- 08:00 and 13:00 on Saturdays;
- At no time on Sundays or public holidays.

Reason: In the interests of residential amenity of the area and to accord with the objectives of Policies 2, 3 and 30 of the South East Lincolnshire Local Plan (2011-2036).

8. Prior to the commencement of the use hereby approved, in accordance with the recommendation outlined in the approved BS4142:2014+A1:2019 Noise Assessment prepared by Blue Tree Acoustics, 22/09/2020, details of a 2 metre high acoustic fence to be erected along the north eastern of the site shall be submitted to and approved in writing by the Local Planning Authority.

Such a fence as may be approved shall be erected prior to the first use of the site and shall be retained thereafter.

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 (2011-2036).

9. No sheds, hutches, kennels, fencing or other such structures or materials for the purposes of sale and/or storage of, shall be any higher than 3 metres within the site.

Reason: In the interests of residential amenity of the area and to accord with objectives of Policy 2 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.

Date: 19-Jan-2021



Mike Gildersleeves
Assistant Director – Planning
Boston Borough Council and East Lindsey 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.
- **If this is a decision to refuse planning permission for a householder application**, 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.
- **If this is a decision to refuse planning permission for a minor commercial application**, 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.
- **If this is a decision to refuse express consent for the display of an advertisement**, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.
- **If this is a decision to refuse consent for works to a tree protected by a Tree Preservation Order**, if you want to appeal against your local planning authority's decision then you must do so within 28 days of the date of this notice.
- **For all other decisions**, 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.
- Appeals can be made online at: <https://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. [Further details are on GOV.UK.](#)
- **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.

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