



B O S T O N

BOROUGH COUNCIL

Municipal Buildings, West Street, Boston, Lincolnshire, PE21 8QR

TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) REGULATIONS 2007

APPLICATION DECISION NOTICE

Application Reference: B/23/0085

Applicant: Mr Will Smith
Chestnut Homes Ltd
The Old School
Wragby Road
Lincoln
LN3 5BJ

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

Advertisement consent for the erection of non-illuminated signage consisting of 3no. free standing signs and 4no. Flags at Land North of Slippery Gowt Lane, Wyberton, Boston

and in accordance with this notice and the particulars given in the application, do hereby give notice of its decision to **GRANT Advertisement Consent** for the said works subject to compliance with the following conditions:-

1. This consent expires after 2 years from the day consent was initially granted.

Reason: Required to be imposed by Section 14 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

2. (i) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission. (ii) No advertisement shall be sited or displayed so as to—

- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
- (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

(iii) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

(iv) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

(v) Where an advertisement is required under this permission to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: Standard conditions imposed by the Town and Country Planning (Control of Advertisement) Regulations 2007.

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

- Drawing No. HWB3/48 Rev A Site Location Plan, Sales Parking and Externals received by the LPA on 28-Feb-2023
- Drawing 'Marketing Suite Exterior' received by the LPA on 28-Feb-2023

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).

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.

B/23/0085

Dated: 18 May 2023



Mike Gildersleeves
Assistant Director – Planning and Strategic Infrastructure
Boston Borough Council, East Lindsey District Council and South Holland District Council



IMPORTANT NOTES

If you are aggrieved by any of the conditions attached to this consent you may pursue an appeal to the Secretary of State for the Environment under Section 78 of the Town & Country Planning Act 1990 (as modified by the Town & Country Planning (Control of Advertisements) Regulations 1992). 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, then you must do so within eight weeks of the date of this notice. You can apply online at <https://acp.planninginspectorate.gov.uk/>, or obtain a copy of the form from;

The Planning Inspectorate,
Customer Services Team,
Temple Quay House,
2 The Square,
Bristol,
BS1 6PN

Tel: 0330 444 5000.

Email: enquiries@planninginspectorate.gov.uk

You can also submit your appeal online at www.planningportal.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 consent for the proposed advertisement without the conditions it imposed, having regard to the Regulations and to any direction given under them.

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.

A person who displays an advertisement in contravention of the Town & Country Planning Act 1990 section 224(3), guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale of fines (Currently £1,000) and in the case of a continuing offence £100 for each day during which the offence continues after conviction.

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

