



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/21/0442

Applicant: Miss Rachael Grant
Leake House
Hobhole Bank
Old Leake
PE22 9RT

Agent: Mr Simon Robinson
Studio 21 Design Ltd
Little Bishops Cottage
Staunt Road
Frithville
Boston
PE22 7ED

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

Proposed Change of use from village hall to residential dwelling at Village Hall, Davids Lane, Benington, Boston PE22 0BZ

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 06-October-2021 and in accordance with the associated plans and documents referenced:
 - Site Location Plan located on Drawing No. 14-449-01 received 6th October 2021;
 - Proposed Plans – Drawing No. 14-449-03 Rev H received 7th December 2021;
 - Proposed Elevations – Drawing No. 14-449-04 Rev E received 7th December 2021.

Reason: To ensure that the development is undertaken in accordance with the approved details and to comply with Policies 2 and 3 of the South East Lincolnshire Local Plan 2011-2036.

3. The development shall be carried out in accordance with the submitted flood risk assessment by S M Hemmings, dated 01 December 2021, Revision A and the following mitigation measures it details:
 - Finished floor levels shall be set no lower than 4 metres above Ordnance Datum (AOD).
 - Flood resilient and resistant construction techniques should be used up to a height of 300mm above predicted flood level. Please refer to the following document for information

on flood resilience and resistance techniques to be included: 'Improving Flood Performance of New Buildings - Flood Resilient Construction' (DCLG 2007).

- Demountable defences are provided at a height of 600mm to cover all ground floor doors.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy 4 of the South East Lincolnshire Local Plan 2011-2036.

4. No development relating to the erection of the dwarf wall that forms part of the approved scheme shall take place until details of the brick proposed to be used in the construction of the external surfaces have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the new building is in keeping with the character of the building / area in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan 2011-2036.

5. No development relating to the replacement of the existing roof covering or erection of the new roof that forms part of the approved scheme shall take place until details of the cladding/materials proposed to be used in the construction of the external surfaces have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the new building is in keeping with the character of the building / area in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan 2011-2036.

6. Before any works above the damp proof course full details of hard and soft landscaping works shall be submitted and approved in writing by the Local Planning Authority. The scheme shall include:

- a) boundary treatments
- b) hard surface materials
- c) minor structures
- d) planting schedules (species, sizes densities)
- e) existing trees to be retained/removed
- f) details of biodiversity, environmental and landscape enhancement measures
- g) timetable for implementation of items a-f above
- h) maintenance plan/schedule relating to items a-f above

The approved works shall be carried out in accordance with the approved details.

Reason: In the interests of the character and appearance of the development and the visual amenity of the area in which it is set. This condition is imposed in accordance with Policies 2, 3 and 28 of the South East Lincolnshire Local Plan 2011-2036.

7. No development shall take place above ground level until details regarding the provision of electric vehicle charging points have been submitted to and approved in writing by the Local Planning Authority. The details shall include:

- The number of charging points;
- Location of charging points;
- Specification of charging points;
- Timetable for the implementation of the above measures.

The development shall then be carried out in strict accordance with the approved details.

Reason: In the interests of promoting sustainable transport in accordance with Section 9 of the National Planning Policy Framework 2021 and Policy 31 of the South East Lincolnshire Local Plan 2011-2036.

8. All surface water from the development hereby approved shall be collected and discharged through a soakaway scheme. If it is found that the use of a soakaway is not suitable in this location, details of the alternative proposed scheme for discharge of surface water must be submitted to and agreed in writing by the Local Planning Authority prior to any works taking place. Before the development hereby approved is brought into use the agreed scheme must be fully implemented and thereafter so maintained.

Reason: To ensure the development is not at risk of flooding and does not increase the risk of flooding elsewhere, in accordance with Policies 2 and 4 of the South East Lincolnshire Local Plan 2011-2036.

9. The water consumption of each dwelling hereby permitted should not exceed the requirement of 110 litres per person per day (as set out as the optional requirement in Part G of the Building Regulations 2010 and Policy 31 of the South East Lincolnshire Local Plan (2011-2036).

The person carrying out the work must inform the Building Control Body that this duty applies.

A notice confirming the requirement for the water consumption has been met shall be submitted to the Building Control Body and Local Planning Authority, no later than five days after the completion of each individual dwelling.

Reason: To protect the quality and quantity of water resources available to the district. This condition is imposed in accordance with Policy 31 of the South East Lincolnshire Local Plan (2011-2036).

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification) no additional windows other than those hereby approved shall be inserted in the western elevation.

Reason: To protect the privacy of residents in adjoining or nearby property in accordance with Policies 2 and 3 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 2021 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.

Date: 11-Jan-2022



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



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Informatives

Please note the initial response from Witham Fourth Internal Drainage Board received on the 11th October 2021.

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-forflooding>. To get help during a flood, visit <https://www.gov.uk/help-during-flood>. For advice on what do after a flood, visit <https://www.gov.uk/after-flood>.

It is advised that a Flood Warning and Evacuation Plan is produced for the development in order to address the residual risks of flooding at the site and to confirm the approach that will be taken for safe evacuation of the area.

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.

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

