



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/21/0460

Applicant: C Hall
Sycamore Farm
Sykemouth Drove
Kirton
PE20 1TS

Agent: Mr Roger Ashman
Ashman Architects Ltd
Maffit Barn
Maffit Road
Peterborough
PE5 7AG

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 of existing farm office to holiday let accommodation including demolition and rebuild of adjoining timber barn to form 2 no. holiday lets and 2no. new build cabin structures at Sycamore Farm, Sykemouth Drove, Kirton, Boston, PE20 1TS

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 the 28th October 2021 and in accordance with the associated plans and documents referenced:

- 1:1250 Location Plan - Drawing no. 501_LOC_01;
- Block Plan – Drawing no. 501_S_00 Rev 1;
- Proposed Elevations – Drawing no. 501_E00_Deer Barn;
- Proposed Ground Floor Plan – Drawing no. 501_GA00_Deer Barn;
- Cabin 01 Proposed Plan and Elevations – Drawing no. 501_GA00_Cabin_01;
- Cabin 01 First Floor Plan – Drawing no. 501_GA01;
- Cabin 03 Proposed Plan and Elevations – Drawing no. 501_GA00_Cabin_03;
- Flood Risk Assessment (S M Hemmings)

Reason: To ensure that the development is undertaken in accordance with the approved details, in the interests of residential and visual amenity and to comply with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan (2011-2036).



3. The development hereby permitted shall not be commenced until details of a comprehensive contaminated land investigation has been submitted to and approved in writing by the Local Planning Authority and until the scope of works approved therein have been implemented. The assessment shall include all of the following measures unless the LPA dispenses with any such requirements in writing:

a) A Phase I desk study carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk study shall establish a 'conceptual model' of the site and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/ Quantitative Risk Assessment (or state if none required). A full desk top study and a non-technical summary shall be submitted in writing to the Local Planning Authority.

A site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle and take into account the site's existing status and proposed new use. A copy of the site investigation and findings shall be submitted in writing to the Local Planning Authority.

Reason: To ensure potential risks arising from previous site uses have been fully assessed and in accordance with Policy 30 of the South East Lincolnshire Local Plan (2011-2036).

4. Where the risk assessment (see preceding condition) identifies any unacceptable risk or risks, a detailed remediation strategy to deal with land contamination and/or pollution of controlled waters affecting the site shall be submitted to and approved in writing by the Local Planning Authority. No works, other than investigative works, shall be carried out on the site prior to receipt of written approval of the remediation strategy by the Local Planning Authority.

Reason: To ensure the proposed remediation plan is appropriate and in accordance with Policy 30 of the South East Lincolnshire Local Plan (2011-2036).

5. Remediation of the site shall be carried out in accordance with the approved remediation strategy (see preceding condition). No deviation shall be made from this scheme.

Reason: To ensure site remediation is carried out to the agreed protocol in accordance with Policy 30 of the South East Lincolnshire Local Plan (2011-2036).

6. On completion of remediation, a copy of a closure report shall be submitted to the Local Planning Authority for approval in writing. The report shall provide validation and certification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report.

Reason: To provide verification that the required remediation has been carried out to the required standards in accordance with Policy 30 of the South East Lincolnshire Local Plan (2011-2036).

7. Before commencement of any works above ground level, a schedule of external materials, including samples where requested, to be used in the construction of buildings and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed 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 and 3 of the South East Lincolnshire Local Plan (2011-2036).

8. 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).

9. The trees located on site, as identified on drawing no. 501_TP Rev 1 shall be protected in accordance with the updated Tree Protection Measures Scheme, document reference 501_TS, submitted on the 19th January 2022. The fence shall be retained until all construction works have been completed. Within the protected area no alteration to the ground level shall take place, no additional water shall be allowed to flow in, no vehicles shall be allowed to pass, no materials shall be stored, no waste tipped, no fires lit, no pruning of branches shall take place and no services shall be routed.

Reason: To protect the trees during construction work in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).

10. The construction above ground level of the development hereby approved shall not commence until full details of hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The approved works shall be carried out in accordance with the approved details. The scheme shall include:

- a) boundary treatments
- b) planting schedules (species, sizes densities)

Reason: In the interests of visual amenity and biodiversity and in accordance with Section 197 of the Town and Country Planning Act 1990 and in accordance with Policies 2, 3 and 28 of the South East Lincolnshire Local Plan (2011-2036).

11. All landscape works shall be carried out in accordance with the approved details during the next available planting season following the first occupation of any building or completion of development whichever is the sooner. Any trees, plants, grassed areas, which within a period of 5 years from the date of planting die, are removed or become seriously damaged or diseased shall be replaced in the first available planting season with others of similar size species or quality.

Reason: In the interests of visual amenity and biodiversity and in accordance with Section 197 of the Town and Country Planning Act 1990 and in accordance with Policies 2, 3 and 28 of the South East Lincolnshire Local Plan (2011-2036).

12. No development shall take place above ground level until details regarding the provision of barn owl and sparrow boxes have been submitted to and approved in writing by the Local Planning Authority. The details shall include:

- The location of the boxes provided for barn owls and sparrows
- The specification of the boxes provided for barn owls and sparrows

The boxes shall be erected in strict accordance with the approved details, prior to first occupation of the holiday let units hereby permitted and retained thereafter.

Reason: In the interests of providing and enhancing habitats in accordance with Policy 28 of the South East Lincolnshire Local Plan (2011-2036).

13. Notwithstanding the details shown on the approved plans, all surface water and all treated foul water run-off 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).

14. Prior to the occupation of any holiday let on site, a flood warning and evacuation plan for the entire site shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall then be implemented from the occupation of the first holiday let on site and the site shall be operated in accordance with the agreed plan at all times.

Reason: To reduce the risk of flooding to the future occupants, and to comply with Policy 4 of the South East Lincolnshire Local Plan (2011-2036).

15. The holiday lets hereby permitted shall be used for holiday accommodation only and not occupied as a main or permanent residence. The owners/operators of the site shall maintain an up-to-date register of the names of all occupiers of the accommodation on the site, length of stay (including details of arrival and departure dates) and of their main home addresses, and shall make this information available to the Local Planning Authority on request.

Reason: To ensure the development is in accordance with what has been applied for, that it is restricted to holiday use only and the accommodation is not used for permanent residential accommodation. This condition is imposed in accordance with Policies 1 and 9 of the South East Lincolnshire Local Plan (2011-2036).

16. No holiday lets on the site shall be occupied between 1 November (or the following Sunday, if half terms extends into November) in any one year and 14 March in the succeeding year.

Reason: To reduce the risk of flooding to the proposed development and future occupants, in addition to providing the appropriate level of protection in accordance with the National Planning Policy Framework and Policies 2 and 4 of the South East Lincolnshire 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: 25-Jan-2022

A handwritten signature in black ink, appearing to read 'MG', with a horizontal line extending to the right.

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

Informatives:

1. Please refer to the submitted Ecological Report regarding the pre-work checks with regard to bats, badgers and birds that are required to be carried out.
2. Please note the comments provided by the Black Sluice Internal Drainage Board received on the 18th November 2021.

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