



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/21/0499

Applicant: Mr & Mrs Claydon
Dial House
Timms Drove
Low Grounds
Boston
PE20 3PG

Agent: Mrs Jenny McIntee
JMAD Architecture
119 Northampton Road
Wellingborough
Northants
NN8 3PL

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

Outline application with all matters (Access, Appearance, Landscaping, Layout and Scale) reserved for later approval for erection of one dwelling at Land adj to Dial House, Timms Drove, Low Grounds, Boston, PE20 3PG

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

1. No development shall commence until details of the access, layout, appearance, scale and landscaping of the development (hereafter referred to as the 'reserved matters') have been submitted to and approved by the local planning authority.

Reason: This is an outline application only and such details must be approved before development commences in order to comply with the objectives of Policies 2, 3, 28, 30, 31 and 36 of the South East Lincolnshire Local Plan 2011-2036.

2. Application for approval of reserved matters shall be made to the Local Planning Authority no later than the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.

3. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.

4. Any application for approval of reserved matters submitted pursuant to condition 1 of this permission shall accord with the outline permission insofar as it relates to the maximum of one dwelling as stated in the application description and within the confines of the site as shown on drawings '201 Location Plan and 202 Outline Site Plan as Proposed'.

Reason: The application is granted in outline only in accordance with the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Any application for reserved matters must be in accordance with and/or not exceed the parameters established as part of this permission and to comply with Policies 2 and 3 of the South East Lincolnshire Local Plan 2011-2036.

5. No above ground works shall take place until a scheme for the disposal of foul and surface water from the site has been submitted to and approved in writing by the local planning authority. Unless otherwise agreed in writing with the local planning authority, the scheme shall include:

- i) separate systems for the disposal of foul and surface water;
- ii) details of the rate of surface water discharge from the site to any soakaway, watercourse or sewer, including provisions to ensure that the post-development discharge rate does not exceed the pre-development rate (incorporating an appropriate allowance for climate change);
- iii) details of any necessary flow attenuation measures, including the use of SUDS where appropriate; and
- iv) details of how the scheme will be maintained and managed after completion.

The scheme shall be implemented in accordance with the duly approved details before the dwelling is first occupied, and shall be maintained and managed as such thereafter.

Reason: To ensure that the development is not at risk of flooding and does not increase flood risk elsewhere, and that adequate measures are put in place for the disposal of foul and surface water in accordance with the requirements of Policies 2 and 4 of the South East Lincolnshire Local Plan 2011-2036.

6. When application is made for the approval of the reserved matters, that application shall show details of arrangements to enable a motor vehicle to turn within the site so that it can enter and leave the highway in a forward gear.

Reason: In the interests of highway safety in accordance with Policy 2 of the South East Lincolnshire Local Plan 2011-2036.

7. When application is made for the approval of the reserved matters, that application shall show details of car and cycle parking arrangements for the proposed dwelling.

Reason: To ensure adequate car and cycle parking provision to serve the dwelling, in the interests of highway safety and Policy 36 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.

These details shall include:

- the number of charging points;
- the location of charging points;
- the specification of charging points; and
- the 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 Policies 30 and 31 of the South East Lincolnshire Local Plan 2011-2036.

9. When application is made for the approval of the reserved matters, that application shall show details of the ecological enhancements outlined on Drawing 203 (Proposed Landscape, Environmental & Ecological Enhancements Plan), including:

- specification, location and number of integral bat roosts;
- specification, location and number of house sparrow terraces;
- specification, location and number of swift bricks;
- specification, location and number of starling nest boxes;
- native tree species;
- native hedge species;
- flower borders;
- wild flower meadow;
- flowering lawns; and
- timetable for the implementation of the above measures.

The approved works shall: be carried out in accordance with the approved details; be fully implemented prior to the first occupation of the dwelling; and subsequently remain in place thereafter.

Reason: In the interests of the natural environment, and in accordance with Policies 1 and 28 of the South East Lincolnshire Local Plan 2011-2036.

10. When application is made for the approval of the reserved matters, that application shall show details of the measures listed on Drawing 203 (Proposed Landscape, Environmental & Ecological Enhancements Plan) that aim to reduce pollution and resource use, and promote the use of renewable and low carbon energy, together with details relating to the timing of their implementation.

The development shall be constructed in accordance with the approved measures.

Reason: To help reduce pollution and resource use, and to promote the use of renewable and low carbon energy, and to accord with Policies 1, 2, 3, 30 and 31 of the South East Lincolnshire Local Plan 2011-2036.

11. The water consumption of the 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 the 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.

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.

Dated: 14 January 2022



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

Informatives

Lincolnshire County Council asks that you should be made aware of the requirements for access, parking, visibility, turning and layout as detailed within the Lincolnshire County Council Design Approach and Development Road Specification.

The Black Sluice Internal Drainage Board indicates that:

- Rainfall runoff - It is understood that the applicant intends to discharge surface water to soakaways. If this is the case, any soakaways or infiltration systems should be designed and proved in accordance with BRE Digest 365 or other approved code. Evidence that soakaways are suitable for the site should be submitted to the local planning authority for their approval. Should soakaways prove unsuitable, the applicant should submit details of an alternative scheme for the local planning authority for consideration, and must have received approval for any such scheme, prior to works commencing on site. Discharge to any watercourse will require prior written consent from the Board;
- Disposal of foul or dirty water – a method for the disposal of foul water has not been indicated. If the applicant intends to discharge foul or dirty water via a suitable bio or package treatment unit and the point of discharge is to any watercourse, the Board's prior written consent is required. If the discharge is to soakaways, any soakaways or infiltration systems should be designed and proved in accordance with BRE Digest 365 or other approved code. If the applicant intends to dispose of foul water to a septic tank, any overflow discharge should be to a soakaway only, which should be designed and proved in accordance with BRE Digest 365 or other approved code. The discharge of foul or dirty water direct into a watercourse is strictly prohibited.

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 submit online, at www.gov.uk/appeal-planning-decision, however, if you wish to apply by post the address is: The Planning Inspectorate, 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

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