



# B O S T O N

## BOROUGH COUNCIL

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

### Planning (Listed Buildings and Conservation Areas) Act 1990

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#### APPLICATION DECISION NOTICE

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#### Application Reference: B/22/0521

Applicant: Mr J Ling

Agent: Mr Jonathan Capek  
Scorer Hawkins Architects Ltd  
Lodge Farm Barns  
Skendleby  
Spilsby  
PE23 4QF

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

**Listed Building Consent for refurbishment of the timber shopfront and facade works at RSPCA, 18 Market Place, Boston, PE21 6EH**

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

1. The development hereby permitted shall be begun before 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.

2. The development hereby permitted shall not be carried out except in complete accordance with the following details shown on the submitted plan(s):

- 2437-OS Site Location Plan & Block Plan;
- 2438-PP01 Rev C – Proposed Front Elevation; and
- 2438-PP02 Rev D– Proposed Detailed Front Elevation, Ground Floor Plan and Section.

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, 3 and 29 of the South East Lincolnshire Local Plan 2019.

3. Prior to the commencement of any works (other than maintenance) to the roof, dormer cheeks and dormer window, details of the works proposed, including any replacement roof materials, joinery repairs or replacement and metal works, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details and retained thereafter.

Reason: In the interests of the appearance and character of the development and the visual amenity of the area, including Boston Conservation Area in accordance with Policies 2 and 3 and 29 of the South East Lincolnshire Local Plan, 2019.

4. Prior to the commencement of any works (other than maintenance) to the rainwater goods, details of the works proposed, including any replacement rainwater goods, materials or fixings, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details and retained thereafter.

Reason: In the interests of the appearance and character of the development and the visual amenity of the area, including Boston Conservation Area in accordance with Policies 2 and 3 and 29 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.

Dated: 22 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 the decision or any of the conditions attached to this Listed Building Consent/Conservation Area Consent you may pursue an appeal to the Secretary of State for the Environment under Section 20 of the Planning (Listed Buildings and Conservation Areas) 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 the easiest way of submitting an appeal is online, 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](mailto:enquiries@pins.gsi.gov.uk)

### **PURCHASE NOTICE**

If the Listed Building or Conservation Area consent has been granted, by either the Local Planning Authority or the Secretary of State for the Environment and the owner of the land claims that the conditions render the land incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonable beneficial use by the carrying out of any works which have been or would be permitted, he may serve on the council of the district in which the land is situated a purchase notice requiring the council to purchase, his interest in the land in accordance with the provisions of Section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

### **COMPENSATION**

In certain circumstances a claim may be made against the Local Planning Authority for compensation where permission is granted subject to conditions. The circumstances in which such compensation is payable are set out in Section 27 of the Planning (Listed Buildings and Conservation Areas) 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.

