



# B O S T O N BOROUGH COUNCIL

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

## **Prior Approval for Proposed Change of Use of Agricultural Building to a Dwellinghouse (Use Class C3) and associated building operations – Class Q**

### **Town and Country Planning Act 1990**

Town and Country Planning (General Permitted Development) (England) Order 2015  
Schedule 2 Part 3 Class Q - Process as set out by Schedule 2 Part 3(W)

**Application Reference: B/21/0492**

**Applicant:** Mr R Hardy

**Agent:** Mr Michael Orridge  
Origin Design Studio Ltd  
Brunel House  
Deepdale Enterprise Park  
Nettleham  
Lincoln  
LN2 2LL

**Prior Approval under Class Q for the Change of use of an Agricultural Building to a Dwellinghouse (Class C3) including associated building operations necessary for the conversion at Hardy's Farm, White Loaf Hall Lane, Freiston, PE22 0ND**

Boston Borough Council, as Local Planning Authority, hereby confirm that **Prior Approval is required and granted** for the proposed development subject to the following conditions;

1. The applicant is reminded that the development must be completed within a period of 3 years starting with the date of this notice.

Reason: To comply with the requirements of Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015.

2. The applicant is reminded of the requirements of W(12), Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) Order, 2015 (as amended), which require the development to be carried out in accordance with the details provided in this application. These are as follows:

J1833-PL-01 Site Location & Existing Block Plan  
J1833-PL-02 A02 Proposed Block Plan  
J1833-PL-20 A02 Proposed Plans  
J1833-PL-21 A02 Proposed Elevations

Reason: For the avoidance of doubt and to ensure that the development complies with the requirements of Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 and Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).



3. Prior to installation on site, details of the design of all external doors to be utilised in the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The doors shall be installed in accordance with the approved details and thereafter maintained.

Reason: In the interests of the architectural and historic integrity of the site and surrounding buildings. This condition is imposed in accordance with Paragraph 195 of the National Planning Policy Framework (2021).

4. Prior to installation on site, details of the window frames, including roof lights, to be utilised in the development hereby permitted, including samples if so required, shall be submitted to and approved in writing by the Local Planning Authority. Such details shall indicate, at a scale of not less than 1:20, the longitudinal and cross-sectional detailing, cill and lintol detailing, and means of opening. The window frames shall be installed in accordance with the approved details and thereafter maintained.

Reason: In the interests of the architectural and historic integrity of the site and surrounding buildings. This condition is imposed in accordance with Paragraph 195 of the National Planning Policy Framework (2021).

5. Prior to being installed on site, details of the external roofing material, type and colour, shall be approved in writing by the Local Planning Authority. The roof shall be installed in accordance with the approved details and thereafter shall be so maintained.

Reason: In the interests of the architectural and historic integrity of the site and surrounding buildings. This condition is imposed in accordance with Paragraph 195 of the National Planning Policy Framework (2021).

6. Prior to being installed on site, details of the demountable flood defences, required by condition 8, shall be submitted to and approved in writing by the Local Planning Authority. The demountable flood defences shall be installed in accordance with the approved details and thereafter shall be so maintained.

Reason: In the interests of the architectural and historic integrity of the site and surrounding buildings. This condition is imposed in accordance with Paragraph 195 of the National Planning Policy Framework (2021).

7. Any new or replacement brickwork shall match as closely as possible to those of the existing building in terms of type of brick(s), mortar mix and method of bonding.

Reason: In the interests of the architectural and historic integrity of the site and surrounding buildings. This condition is imposed in accordance with Paragraph 195 of the National Planning Policy Framework (2021).

8. The development shall be carried out in accordance with the submitted flood risk assessment carried out by Mr R Cole of Origin Design Studio dated September 2021, Rev A01, and the following mitigation measures:

- Dwelling is to have two storeys
- Floor levels for all main habitable rooms, including dining and living rooms, kitchens, and bedrooms, shall be set a minimum of 1.0 metre above existing ground level (equivalent to 4.45m AOD)
- Flood resilient and/or resilient construction shall be incorporated wherever practicable
- Demountable flood defences/flood doors shall be provided to a height of at least 600mm from finished ground floor levels, to cover all ground floor doors and windows
- Where the ground floor levels are not set to a minimum of 1m above existing ground level (equivalent to 4.45m AOD) these areas shall be used as a utility, ensuite/bathroom, hall, storage room, or walk in

wardrobe (WIW) only, as shown on drawing: J1833-PL-20 Proposed Plans, and for no other habitable accommodation.

The mitigation measures shall be fully implemented prior to occupation and shall subsequently remain in place.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Paragraph 166 of the National Planning Policy Framework (2021).

**12-Jan-2022**



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

#### **Informatives**

The applicant is reminded that the development must be completed within a period of 3 years starting with the date of this notice.
The applicant is reminded that they have responsibility to ensure that no protected species are harmed and to contact Natural England for further advice, if necessary.
Please note that the dwelling hereby permitted will not benefit from permitted development rights set out in Schedule 2, Part 1 of The Town and Country Planning (General Permitted Development) (England) Order 2015.
The applicant is reminded that they must comply with all relevant requirements of the Control of Asbestos Regulations 2012, if asbestos is found on site.
The applicants attention is drawn to the comments from Witham Fourth District Internal Drainage Board, dated 18 <sup>th</sup> November 2021.

**Notes to applicant;**

**Appeals to the Secretary of State**

- If you are aggrieved by the decision of your local planning authority to refuse Prior Approval, you may appeal under [section 78 of the Town and Country Planning Act 1990](#).
- Prior approval appeals generally follow the same procedures and timetables as appeals relating to ordinary planning permissions. Appeals against refusal of prior approvals relating to dwellinghouses, including the neighbours' consultation scheme for larger home extensions under Class A of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, will be made under the householder appeals process (see Annex C of the [Planning Inspectorate Procedural Guide](#)). Such appeals must be submitted within 12 weeks.
- 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](mailto: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**