



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 (if applicable) – 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/23/0025

Applicant: Mrs J Bacon
Vintners Farm
Wigtoft Way
Wigtoft
Boston
PE20 2NR

Agent: Miss Florence Hartley
Jonathon Hartley Limited
The Old Curiosity Shop
28, St Peters Street
Stamford
PE9 2PF

Application to determine if prior approval is required for a proposed change of use under Schedule 2, Part 3, Class Q of Agricultural Buildings to 3no. Dwellinghouses (Use Class C) and for building operations necessary for the conversion at Farm Buildings land off A17, Wigtoft, Boston

Boston Borough Council, as Local Planning Authority, hereby confirm that **Prior Approval is Required** for the proposed development as set out above, subject to the following conditions;

1. The development hereby approved shall be completed within 3 years of the date of this permission.

Reason: In accordance with Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

2. The development hereby permitted shall only be undertaken in accordance with the following approved plans:

- Site Location Plan received by the LPA on 18-Jan-2023
- Drawing BAC/22/0865/1 Proposed Plans and Elevations received by the LPA on 18-Jan-2023
- Drawing BAC/22/0865/2 Existing Plans and Elevations received by the LPA on 18-Jan-2023

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 and 3 of the South East Lincolnshire Local Plan (2019).

3. Prior to any works other than site clearance, details of a comprehensive contaminated land investigation shall be submitted to and approved by the Local Planning Authority. The assessment shall include the following measures unless the LPA dispenses with any such requirement in writing:

- A Phase 1 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 the intrusive site investigation works/quantitative risk assessment. A copy of the desk study and non-technical summary shall be submitted 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 sites existing status and proposed new use. A copy of the site investigation and findings shall be submitted to the Local Planning Authority.

Reason: To ensure potential risk arising from previous site uses have been fully assessed and to accord with Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

4. Where the risk assessment 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. Remediation shall be carried out in strict accordance with the approved remediation strategy.

Reason: To ensure the proposed remediation plan is appropriate and to accord with Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

5. The development hereby approved shall be undertaken in complete accordance with the Flood Risk Assessment received by the LPA on 13-Feb-2023 and forming part of the approved application, unless otherwise agreed in writing by the Local Planning Authority, including the following mitigation measures;
 - Finished floor levels shall be set no lower than 0.3 metres above existing ground levels
 - Flood resilient construction to a height of 300mm above the finished floor level.

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

Reason: In the interest of reducing flood risk in accordance with the requirements of the NPPF and Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

6. Prior to the dwellings hereby permitted being first occupied a scheme of landscaping and planting for the site (including boundary treatments and screening of bin collection points) shall be submitted to and approved in writing by the Local Planning Authority. Such scheme as approved by the Local Planning Authority shall be carried out and completed in its entirety during the first planting season following practical completion of the development. All trees, shrubs and bushes shall be maintained for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary.

Reason: To ensure that the development is adequately landscaped, in the interests of visual amenity and character in accordance with Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

7. Prior to any works above the level of the damp proof course details of the proposed means of foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority.

The details so approved shall be implemented before the dwellings are first occupied and shall thereafter be so maintained.

Reason: To ensure that the site is properly drained and to prevent pollution and to accord with Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

8. The water consumption of any dwelling hereby permitted should not exceed the requirement of 110 litres per person per day (as set out in Part G of the Building Regulations 2010 and the South East Lincolnshire Local Plan, 2019). The person carrying out the work must inform the Building Control Body that this duty applies. The dwellings shall not be occupied until this Building Regulations Operational requirement has been complied with.

Reason: To protect the quality and quantity of water resources available to the District, in accordance with Policy 31 of the South East Lincolnshire Local Plan, 2019.

19-May-2023



Mike Gildersleeves

Assistant Director – Planning and Strategic Infrastructure

Boston Borough Council, East Lindsey District Council NS South Holland District Council

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) 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