



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/22/0160

Applicant: Mr J Cheer
A E Cheer Ltd

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

Application for Prior Approval under Schedule 2, Part 3, Class Q for the conversion of a former Agricultural Barn into a single dwelling house including necessary alterations at Agricultural barn to the west of Seadyke Road, Kirton, Boston, PE20 1QE

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

1. 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 development shall be carried out in accordance with the details provided in this application. These are as follows:

- Proposed Block & Site Plan, Drawing No. J1883-SCH-20, Received 24-May-2022
- Proposed Roof and Floor Plans, Drawing No. J1883-SCH-21, Received 24-May-2022
- Proposed Elevations 1 of 2, Drawing No. J1883-SCH-22, Received 24-May-2022
- Proposed Elevations 2 of 2, Drawing No. J1883-SCH-23, Received 24-May-2022

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. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) reference J1883, A02, dated April 2022 completed by Origin Design Studio Limited and the following mitigation measures detailed within the FRA:
- Finished floor levels of habitable accommodation to be set no lower than 4.0m above Ordnance Datum (AOD), equivalent to 1.0m above existing ground level
 - All bedrooms to be located on a safe refuge floor set no lower than 4.5m AOD, 1.5m above existing ground level
 - Flood resilience and resistance measures to be incorporated into the proposed development as stated

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

Reason: To reduce the risk of flooding to the proposed development and future occupants.

4. If, during development, contamination is identified, then the Local Planning Authority shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the Local Planning Authority.

Reason: To ensure all contamination within the site is dealt with in accordance with Policy 30 of the South East Lincolnshire Local Plan (2011-2036).

Informatives

1. As you are aware, the discharge and enforcement of planning conditions rests with your authority. You must therefore be satisfied that the proposed condition meets the requirements of the 6 tests in paragraph 56 of the National Planning Policy Framework. Further guidance on the 6 tests is provided in the planning practice guidance (<https://www.gov.uk/guidance/use-of-planning-conditions>).

The required floor levels of 4.0m AOD and 4.5m AOD, equivalent to the recommendations in the FRA (1.0m and 1.5m above ground), are based on a site level estimated using our mapping system.

Due to the residual flood risk and danger posed of the dwelling being subject to internal flooding and becoming isolated by surrounding flood waters, it is advised that a flood warning and evacuation plan is produced for the development to address the residual risks of flooding at the site and to confirm the approach that will be taken for safe evacuation of the area.

2. The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. The works should be constructed in accordance with the Authority's specification that is current at the time of construction. Relocation of existing apparatus, underground services or street furniture will be the responsibility of the applicant, prior to application. For application guidance, approval and specification details, please visit <https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb> or contact vehiclecrossings@lincolnshire.gov.uk

3. Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections and any other works which will be required within the public highway in association with the development permitted under this

Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit our website via the following links:

Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>

Licences and Permits - <https://www.lincolnshire.gov.uk/licences-permits>

08-Jun-2022



Mike Gildersleeves

Assistant Director – Planning & Strategic Infrastructure

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



TOWN AND COUNTRY PLANNING ACT 1990

Notes to applicant;

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority in relation to this 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