

# Planning Statement

Unit 2, Alban Retail Park, Boston, PE21 7NN

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## Appendix 5.0

### Land use planning history

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# Planning permission

Name and address of applicant

Name and address of agent (if any)

Chorbourne Retail Parks Limited.,  
Edinburgh House,  
52-56 London Road,  
St. Albans,  
Herts AL1 1TR

The Charter Partnership Limited.,  
St. Mary's House,  
10 Cardington Road,  
Bedford MK42 0BP

**Part I - Particulars of application**

Date of application:

Application no.

7th April, 1989

B36/0504/89

Particulars and location of development:

Construction of 3 retail units (52,000 sq.ft. gross internal area) with 8,000 sq.ft. garden centre, service yard, access and 250 parking spaces at Grantham Road, adjacent Wyberton Chain Bridge, Boston

**Part II - Particulars of decision**

The

Boston Borough

Council

hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1971 that **permission has been granted** for the carrying out of the development referred to in Part I hereof in accordance with the application and plans submitted subject to the following conditions:

1. The development must be begun not later than the expiration of five years beginning with the date of this permission.

See schedule of conditions attached.

N.B. A copy of a letter dated 17th April, 1989, from Black Sluice Internal Drainage Board, together with a copy of a letter dated 28th April, 1989 from Anglian Water are enclosed for your information.

The reasons for the conditions are:

1. Required to be imposed pursuant to section 41 of the Town and Country Planning Act 1971.

See schedule attached.



DIRECTOR OF PLANNING &amp; TECHNICAL SERVICES

Date

11th May, 1989

Council Offices,

Council

Note: This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation.

Schedule of Conditions: B06/0304/89

2. The development hereby approved shall be carried out only in accordance with the submitted particulars and plans as amended by applicants agents letter received in the Department of Planning and Technical Services on 12th April, 1989, and to the complete satisfaction of the local planning authority.
3. Before the development hereby approved is first commenced, a tree planting scheme shall be submitted to and approved in writing by the local planning authority. Such a scheme as may be approved shall be implemented no later than during the first planting season following the commencement of the development or by such later date as may be agreed in writing with the local planning authority and any trees which, within a period of 10 years from the completion of the development, die are removed or become seriously damaged or diseased, shall be replaced in the first available planting season with others of similar size and species unless the local planning authority gives written consent to any variation.
4. No existing trees shall be lopped, topped or felled without the prior written approval of the local planning authority.
5. Notwithstanding the provisions of the Town and Country Planning (Control of Advertisements) Regulations 1984 no advertisements shall be displayed on the premises without the prior consent of the local planning authority.
6. Before the access is commenced to be used, 4.5 m x 70 m visibility splays shall be provided along the frontage to the A52 and thereafter maintained and no hedge, wall or fence shall be erected between these splays and the existing highway boundary.
7. All roof water shall be conveyed via a sealed pipe system to the New Hammond Beck.
8. Surface water from impermeable vehicle parking areas shall be passed through a petrol/oil interception facility before being discharged into any watercourse, sewer or soakaway.
9. All oil or chemical storage tanks, buildings, ancillary handling facilities and equipment, including pumps and valves shall be contained within an impervious bunded area of at least 110% of the tank capacity, to the satisfaction of the local planning authority.
10. Foul drainage shall be connected to the main foul sewer serving the area.
11. No permanent structure shall be erected within 9 metres of the Board's drain on the southern boundary of the site.
12. The surface water discharge pipe outfalls shall be fitted with suitable aprons, to the satisfaction of the local planning, to prevent bank erosion.

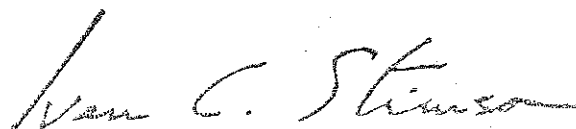
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Schedule of Conditions: B06/0304/89 ...continued...

13. The goods to be sold from the site shall be as specified in the applicants agents letter dated 22nd March, 1989, restricted to the sale of DIY goods, gardening supplies, furniture, floor coverings, bathroom equipment and fittings, white electrical goods (including fridges, deep freezers, cookers, washing machines and extractor fans) and auto accessories but with up to 2,550 square feet used for the sale of brown electrical goods.
14. Before the buildings are occupied space shall be provided within the site as shown on the attached plan for the loading, unloading and parking of vehicles.
15. Before the garden centre is first open to the public, details of any fences, structures, display racks or similar development shall be submitted to and approved by the local planning authority.
16. No part of the land outside the buildings shall be used for the deposit, storage or display of any goods or materials or any other items except as may be agreed in writing with the local planning authority.

Reasons:

- 2&13. To safeguard the rights of control by the local planning authority with regard to these matters.
- 3,4,5,15 and 16.  
In the interests of visual amenity.
6. To ensure that drivers of vehicles have adequate vision distances when emerging from the access onto the public highway, in the interests of road safety.
- 7,8,9,10 &12.  
In order to secure the satisfactory drainage of the site without causing pollution of adjoining watercourses.
11. In order to safeguard access to the drain for the purposes of maintenance and/or improvement.
14. So that adequate on-site loading/unloading facilities are provided, in the interests of the safety and convenience of traffic using Grantham Road.



DIRECTOR OF PLANNING & TECHNICAL SERVICES

BOSTON BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING ACT 1971

SECTION 34 RECORD SHEET

GRANTHAM ROAD, ADJACENT WYBERTON CHAIN BRIDGE, BOSTON

CONSTRUCTION OF 3 RETAIL UNITS (52,000 SQ.FT. GROSS  
INTERNAL AREA) WITH 8,000 SQ.FT. GARDEN CENTRE, SERVICE  
YARD, ACCESS AND 250 PARKING SPACES

Applicant THORBOURNE RETAIL PARKS LTD  
EDINBURGH HOUSE, 82-90 LONDON RD  
ST ALBANS, HERTS, AL1 1TR

Reference	Building Reg.No.	Grid Reference
B06/0304/89		530500343200

Type of Application	Date of Application	Date Registered.
Full	07/04/89	07/04/89

BOSTON BOROUGH COUNCIL

PLANNING PERMISSION  
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TOWN AND COUNTRY PLANNING ACT 1990

Notice of Decision of Local Planning Authority on application  
for permission to carry out development

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Name and address of applicant

Cityfaith Ltd  
Edinburgh House, 82/90 London Road  
St Albans, Herts AL1 1TR

Name and address of agent (if any)

Philips Planning Services  
1 Hassett Street  
BEDFORD  
MK40 1HA

Part I - Particulars of application

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Date of application: 22.02.93

Application No. B06/0106/93

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Particulars of development:

Application for the variation of condition 13 attached to  
planning permission B06/0304/89 (to allow for the sale of  
5050 sq. ft. of "brown" electrical goods)  
at  
Alban Retail Park, Wyberton Chain Bridge, Boston

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Part II - Particulars of decision

The Boston Borough Council  
hereby give notice in pursuance of the provisions of the Town and Country  
Planning Act 1990 that PERMISSION HAS BEEN GRANTED for the carrying out of  
the development referred to in Part 1 hereof in accordance with the  
application and plans submitted subject to the following conditions:-

- 01 The goods to be sold from the site shall be as specified in the  
applicants agents letter dated 22nd March, 1989, restricted to the sale  
of DIY goods, gardening supplies, furniture, floor coverings, bathroom  
equipment and fittings, white electrical goods (including fridges, deep  
freezers, cookers, washing machines and extractor fans) and auto  
accessories but with up to 5050 square feet used for the sale of brown  
electrical goods.

Reasons for Conditions:

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- 01 To safeguard the rights of control by the Local Planning Authority with regard to these matters.

  
\_\_\_\_\_  
DIRECTOR OF DEVELOPMENT

B06/0106/93

Dated: 24th August 1993

RP

Council Offices, Municipal Buildings, West Street, Boston Lincs. PE21 8QR.

NOTE: B06/0106/93

The following documents are attached to this decision but DO NOT form part of the Council's formal decision. The decision notice should not be read without these documents.

**Not applicable.**

BOSTON BOROUGH COUNCIL

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TOWN AND COUNTRY PLANNING ACT 1990

SECTION 69 RECORD SHEET

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Alban Retail Park, Wyberton Chain Bridge, Boston

Application for the variation of condition 4 attached to planning permission B06/0466/90 (to allow for the sale of Brown electrical goods)

Applicant Phillips Planning Services  
1 Hassett Street  
Bedford

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Reference	Building Reg.No.	Grid Reference
B06/0106/93 RP		530500 343100

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Type of Application:  
Full

Date of Application: 22.02.93

Date Registered: 23.02.93

Committee/Delegation  
to Officer: P

Committee date: 20.04.93

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BOSTON BOROUGH COUNCIL

PLANNING PERMISSION  
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TOWN AND COUNTRY PLANNING ACT 1990

Notice of Decision of Local Planning Authority on application  
for permission to carry out development

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Name and address of applicant

TSB Pensions Ltd  
c/o Hill Samuel Property Serv.Ltd  
10 Fleet Place, London

Name and address of agent (if any)

Grimley  
10 Stratton Street  
LONDON  
WLX 6JR

Part I - Particulars of application

Date of application: 16.04.96

Application No. B06/0216/96

Particulars of development:

Variation of Condition No. 1 attached to Planning Permission  
Ref: B06/0106/93 to allow Class A1 Retailing with the  
exception of food and drink, clothing, jewellery, books,  
magazines, china, glass hardware, pharmaceutical products,  
sports clothing and toys  
at  
Alban Retail Park, Wyberton Chain Bridge, Boston

Part II - Particulars of decision

The Boston Borough Council

hereby give notice in pursuance of the provisions of the Town and Country  
Planning Act 1990 that PERMISSION HAS BEEN GRANTED for the carrying out of  
the development referred to in Part 1 hereof in accordance with the  
application and plans submitted subject to the following conditions:-

- 01 The property shall be used for Class A1 retailing as defined in the Town  
and Country Planning (Use Classes) Order 1987, but excluding the sale of  
food and drink (except ancillary and complementary to the main range of  
goods sold); clothing; footwear; jewellery; books and magazines; (except  
ancillary to the main range of goods sold); china, glass and hardware  
(except hardware ancillary to DIY and horticultural activities);  
pharmaceutical products; sports goods; toys; pet products; audio/visual  
discs and cassettes; fashion accessories; and arts and crafts.

圖 10-10 點雲數據和模型圖的疊加顯示

2.   
\_\_\_\_\_  
DIRECTOR OF DEVELOPMENT SERVICES

Council Offices, Municipal Buildings, West Street, Boston Lincs. PE21 8QR.

Not applicable.

BOSTON BOROUGH COUNCIL

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TOWN AND COUNTRY PLANNING ACT 1990

SECTION 69 RECORD SHEET

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Alban Retail Park, Wyberton Chain Bridge, Boston

Variation of Condition No. 1 attached to Planning Permission Ref: B06/0106/93 to allow Class A1 Retailing with the exemption of the sale of clothing, footwear, jewellery and household items not sold as ancillary or complementary to the main range of goods sold

Applicant TSB Pensions Ltd  
c/o Hill Samuel Property Serv.Ltd  
10 Fleet Place, London

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Reference	Building Reg.No.	Grid Reference
B06/0216/96 RP		530500 343200

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Type of Application:  
Full

Date of Application: 16.04.96

Date Registered: 23.04.96

Committee/Delegation D  
to Officer:

Committee date:

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# BOSTON BOROUGH COUNCIL

Town and Country Planning Act 1990

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## APPLICATION DECISION NOTICE

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**Application Reference: B/15/0191**

Applicant: B & M Retail Limited  
The Vault  
Dakota Drive  
Estuary Commerce Park  
Speke  
Liverpool

Agent: Mark Wood, MWA  
12 The Glenmore Centre  
Jessop Court  
Waterwells Business Park  
Quedgeley  
Gloucestershire  
GL2 2AP

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

**Application under s.73A for the variation of condition 1 attached to planning permission B06/0216/96 to seek a variation in the range of goods that may be sold at B & M Retail, Alban Retail Park, Grantham Road, Boston, Lincolnshire, PE21 7NN**

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

1. The property shall be used for Class A1 retailing but excluding food and drink (except ancillary and complementary to the main range of goods sold), clothing, footwear, jewellery, books, magazines (except ancillary to the main range of goods sold), china, glass and hardware (except hardware ancillary to DIY horticultural activities), pharmaceutical products, sports goods, pets, toys, CDs, fashion accessories and toys and crafts.

Reason: To define this permission and to protect the vitality and viability of existing centres.

2. Notwithstanding the detail of Condition 1, the sale of ambient food and drink items shall be permitted up to a maximum of 222sq m and toys from a maximum of up to 89sq m.

Reason: In accordance with the details of this application and to define this permission in order to protect the vitality and viability of existing centres.

In determining this application the authority has taken account of the guidance in paras 186 – 187 of the NPPF (2012) in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.

**B/15/0191**

Dated: 22-Jul-2015

A handwritten signature in black ink, appearing to read "Paul Edwards". The signature is written in a cursive, flowing style.A small, handwritten mark or signature, possibly initials, located to the left of the printed name.

**Paul Edwards**  
**Development Control Manager**

### 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 the Environment 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, forms are available from the Planning Inspectorate, Room 3/15a Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN Tel: (0117) 3726372 or (0117) 3726027, you can also submit your appeal online at [www.planningportal.gov.uk](http://www.planningportal.gov.uk).

For a householder planning application you must appeal within **12 weeks** of the date on the decision notice. For all other types of planning application then you must do so within **6 months** of the date of the decision notice.

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 the Environment 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**