

Development Management Delegated Decision Report

B/21/0052



SUMMARY OF APPLICATION

Application Reference	B/21/0052		
Application Type	Full Planning Permission		
Proposal	New shopfront entrance and exit and glazed screen, new air conditioning units and steel door installed to rear		
Location	Boston Shopping Park, Horncastle Road, Boston, PE21 9BD		
Applicant	T J Morris Ltd (T/A Homebargains)		
Agent	Peter Wilkinson, Chartwell Project Management		
Received Date:	05-Feb-2021	Consultation Expiry Date:	18-Mar-2021
Valid Date:	19-Feb-2021	Statutory Expiry Date:	16-Apr-2021
Date of Site Visit:	08-Apr-2021	Extension of Time Date:	23-Apr-2021
Objections received?	None		
5 day notification record:	Not applicable		
Councillors notified	Date	Response received – date	Ok to continue
Recommendation	GRANT Planning Permission		
Report by:	Simon Eldred		
Date:	19 th April 2021		

OFFICER REPORT

SITE AND SURROUNDINGS:

The application site contains a pair of linked retail units (units 2A and 2B) which have a front public façade onto the car park serving the Boston Shopping Park. The rear elevation faces onto a service yard accessed off Horncastle Road, Boston. Unit 2A is currently vacant (previously occupied by Poundland), and unit 2B is currently occupied by Home Bargains.

The units are of a modern, steel-framed design, with walls in brick and grey/cream coloured sheet cladding, and shop-fronts in aluminium and glass with canopies above. They link onto other retail units to their north and south (Card Factory and TKMaxx to the south, and Sports Direct and Food Warehouse to the north). To their west is the Boston Shopping Park car park, and to their east (beyond the service yard) are office premises.

DETAILS OF PROPOSAL:

The proposed works are intended to facilitate the extension of the Home Bargains store into unit 2A, and involve:



- on the front (western) elevation:
 - the replacement of the existing shopfront/entrance doors at unit 2B with separate doors for entry and exit, with a double-glazed screen to their north; and
 - the replacement of existing windows at unit 2A with new shopfront doors and windows; and
- on the rear (eastern) elevation:
 - the replacement of an existing roller-shutter door to unit 2A with a new steel door and make-up panels; and
 - the bricking up of existing doors to unit 2B, the alteration of one door opening, and the installation of new external air-conditioning units.

RELEVANT HISTORY:

B/08/0139 – retrospective consent was granted for the display of an internally illuminated static gantry sign.

B/11/0029 – advertisement consent granted for the display of an advertisement comprising 1 no. fascia sign and 2 no. box signs (all non-illuminated).

RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:

The **South East Lincolnshire Local Plan 2011-2036** shows the site as being within Boston's Settlement Boundary and within the Town Centre Boundary. The relevant Policies of the Local Plan are:

- Policy 1: Spatial Strategy;
- Policy 2: Development Management;
- Policy 3: Design of New Development; and
- Policy 30: Pollution.

OTHER RELEVANT DOCUMENTS / LEGISLATION / GUIDANCE:

National Planning Policy Framework (2019)

At the heart of the 2019 Framework is a presumption in favour of sustainable development. The following sections are relevant to this scheme:

- Section 4: Decision-making; and
- Section 12: Achieving well-designed places.

CONSULTATION RESPONSES:

Boston Borough Council's Environmental Health department indicates that it has no objections.

The Witham Forth District Internal Drainage Board indicates that it has no comments.

THIRD PARTY REPRESENTATIONS RECEIVED:

No third party representations have been received.

EVALUATION:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determination must be made in accordance with the Plan unless material considerations indicate otherwise. The key considerations in regard to this application are impacts on: the character and appearance of the area; and neighbours amenity.

Character of the area

Policy 2 of the Local Plan indicates that developments will be permitted which will not have harmful impacts upon the character and appearance of the area.

The proposal involves relatively minor alterations to the appearances of the units' front and rear elevations, both of which are utilitarian in their character. Although the alterations to the front façade will be highly visible from the Boston Shopping Park car park, they will not fundamentally change the character of that elevation. The proposed new doors and windows will be very similar in their scale, design and materials to those they will replace and those in neighbouring units. The alterations to the rear elevation will be less visible from public vantage points, although fleeting views from Horncastle Road will be available, via the gated access to the service yard. Once again, the proposed alterations will not fundamentally change the character of the elevation.

In all, therefore, it is considered that the proposals will have no unacceptably adverse impacts on the character and appearance of the area, and that they meet these requirements of Policy 2.

Neighbours' amenity

Policies 2, 3 and 30 of the Local Plan require the amenity of neighbouring land users to be protected.

The application site has other retail units to its north and south, and a car park to its west, and it is considered that the proposal will have no impact upon the amenity of these neighbouring land users. The alterations to the rear elevation have the potential to impact upon the occupiers of the office units to the east of the service yard, some of which have windows in their western elevations. However, the proposals are very minor in their scale and nature, and do not involve any alterations that would have adverse impacts in terms of overlooking/loss of privacy, over-shadowing, loss of light, or harm to outlook. The proposed new external air-conditioning units have the potential to generate noise which might impact upon the amenity of the occupiers of the neighbouring office units but, given:

- the separation distances (15m-20m);
- the fact that there are already several such units on the retail units' rear elevation; and
- the fact that noise levels in the area are already significant (thanks to the busy highway and the activities of the service yard)

it is considered that such issues will not arise – and the Borough Council's Environmental Health department raises no concerns.

In all, therefore, it is considered that the proposals will have no unacceptably adverse impacts on neighbours' amenity, and that they meet these requirements of Policies 2, 3 and 30.

CONCLUSION:

The proposals:

- will have no unacceptably adverse impacts on the character and appearance of the area;
- will have no unacceptably adverse impacts on the amenity of neighbouring land users; and
- meet the requirements of the relevant Policies of the South East Lincolnshire Local Plan 2011-2036

RECOMMENDATION:

GRANT Planning Permission subject to the following conditions and reasons:-

CONDITIONS / REASONS	
Pre-commencement conditions?	Agreed with applicant/agent - Date:
1.	<p>The development hereby permitted shall be begun before the expiration of four years from the date of this permission.</p> <p>Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2.	<p>The development hereby permitted shall be carried out in strict accordance with the application received 05-Feb-2021 and in accordance with the associated plans referenced:</p> <ul style="list-style-type: none"> ▪ Plan Reference Number Q210147LOC – Site Location Plan (05 Feb 2021); and ▪ Drwg No. 111 – Proposed Front Elevation and Proposed Rear Elevation. <p>Reason: To ensure that the development is undertaken in accordance with the approved details, and to comply with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan 2011-2036.</p>

INFORMATIVES / NOTES TO BE INCLUDED ON/WITH DECISION NOTICE
<p><u>STATEMENT OF PROACTIVE WORKING:</u></p> <p>In determining this application, the authority has taken account of the guidance in paragraph 38 of the National Planning Policy Framework 2019 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.</p>