

Development Management Delegated Decision Report

B/24/0012



SUMMARY OF APPLICATION			
Application Reference	B/24/0012		
Application Type	Full Planning Permission		
Proposal	Erection of Trade Counter Unit (Use Class B8) with associated car parking including 12 x EV Charging Points		
Location	Land to the northwest of roundabout, Land Adjacent to A16, Scott Drive, Boston		
Applicant	Mr Andrew Cooke, Dovetail Architects Ltd		
Agent	Mr Luke Thrumble, Dovetail Architects Ltd		
Received Date:	09-Jan-2024	Consultation/Publicity Expiry Date:	16-Feb-2024
Valid Date:	09-Jan-2024	Statutory Expiry Date:	05-Mar-2024
Date of Site Visit:	26-Jan-2024	Extension of Time Date:	16-Apr-2024
Objections received?	Yes		
5 day notification record:			
Councillors notified	Date	Response received – date	Ok to continue
Councillor C. Mountain	14-Mar-2024	14-Mar-2024 Did not express a desire to call the application in	Yes
Councillor R. Austin	14-Mar-2024	N/A	Yes
Recommendation	Approve with Conditions		
Report by:	Charlie Parry		
Date:	04-Apr-2024		

OFFICER REPORT

SITE AND SURROUNDINGS:

The site to which the application relates is a parcel of land (known as Plot E) located to the north of an existing Travel Lodge (Plot D), located on Scott Drove, which forms part the 'Quadrant' development. To the north and west of the site are residential properties and to the east is the A16, although is partly screened by mature trees. The properties to the north are separated from the site by a row of mature trees. A fence separates the site from the properties to the west. The topography of the site is set down from the Travel Lodge and its car park immediately south.

DETAILS OF PROPOSAL:



Planning permission is sought for the erection of a Trade Counter Unit with associated car parking including 12 Electric Vehicle Charging Points. The Trade Counter Unit will fall under use Class B8.

RELEVANT HISTORY:

The planning history for the site is extensive and the following are a few of many:

B/19/0027 - Application for the approval of Reserved Matters following the grant of outline planning approval B/14/0165 for detailed approval for roads known as 6, 7 & 8
Granted: 27-Mar-2019

B/19/0050 - Application for approval of reserved matters (appearance, layout and scale) for the construction of hotel (Class C1), public house/restaurant (Class A4) and drive-thru restaurant (Mixed use of Class A1 and A3) plus associated car parks and internal roadway
Granted: 29-Apr-2019

B/20/0220 - Installation of 7 x internally illuminated fascia signs, 1 x internally illuminated totem sign, 1 x non illuminated directional sign and 11 x uplighters with blue illumination
Granted: 21-Aug-2020

B/22/0069 - Proposed two-storey extension to Travelodge
Granted: 24-May-2022

B/22/0068 - Construction of Self Storage Unit (Use Class B8)
Granted: 27-May-2022

RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:

South East Lincolnshire Local Plan (2019)

The following policies contained within the South East Lincolnshire Local Plan (2019) (i.e. SELLP) are relevant to this application:

- Policy 1: Spatial Strategy
- Policy 2: Development Management
- Policy 3: Design of new development
- Policy 4: Approach to Flood Risk
- Policy 5: Meeting Physical Infrastructure and Service Needs
- Policy 30: Pollution
- Policy 31: Climate Change and Renewable and Low Carbon Energy
- Policy 32: Community, Health and Well-being
- Policy 36: Vehicle and Cycle Parking

OTHER RELEVANT DOCUMENTS / LEGISLATION / GUIDANCE:

National Planning Policy Framework (2023)

At the heart of the 2023 Framework is a presumption in favour of sustainable development. The following sections are relevant to this scheme:

- Section 4: Decision-making
- Section 11: Making effective use of land
- Section 12: Achieving well-designed places

- Section 14: Meeting the challenge of climate change, flooding and coastal change
- Section 15: Conserving and enhancing the natural environment

National Planning Practice Guidance (PPG)

CONSULTATION RESPONSES:

Environmental Health

No objection

Wyberton Parish Council

“Unfortunately, Cllr Jason Stevenson has the following objections with regards to this planning application, please see the comments below.

The one thing I note is another 12 E/V charging spaces I am not adverse to this but Boston Borough Council insistence on letting a company build 16 on the Quadrant in direct line of fire of head lights is abhorrent on their agenda.

Wyberton currently has the most EV charging ports anywhere in the borough with below listed:

- 6 TESCO
- 4 B+Q
- 4 McDonalds Chain bridge
- 4 Starbucks Wyberton Fen
- 4 Starbucks Quadrant
- 4 chain bridge
- 2 each at the various garages

with the following planned:

- 12 Kia Showroom Quadrant
- 4 Costa Chain bridge
- 2 planned for the petrol station on the Quadrant

plus the 12 for this location.

There will be nearly 100 in Wyberton, the largest number of any parish in Boston.

If you add in the 16 at Osprey site on Wallace Way and Field Drive we must ask for Quality of life of the residents, that the council seek to withdraw application B/23/0352. This application would better suit parishes with no EV Infrastructure.

Also it would be ideal if a joining path could be made between Travelodge and this building to connect to the "Pilgrim Path"

Environment Agency

No objection subject to a condition.

Lincolnshire County Council

“This proposal is for the erection of trade counter unit (use class b8) with associated car parking including 12 x ev charging points. Adequate provision for car parking and turning space can be provided within the limits of the site to enable vehicles to enter and leave in a forward gear and sufficient visibility is available to allow drivers intending entering the highway to judge if it is safe to complete the manoeuvre. Suitable pedestrian links are available for those who wish to visit the premises with the use of a motor vehicle Therefore, it is considered that this proposal would not result in an unacceptable impact upon highway safety.

As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to Drainage on all Major Applications. This application conforms to the whole site surface water drainage strategy which has previously been approved. Therefore the Lead Local Flood Authority does not consider that this proposal would increase flood risk in the immediate vicinity of the site.”

THIRD PARTY REPRESENTATIONS RECEIVED:

None received.

EVALUATION:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that a determination must be made in accordance with the Plan unless material considerations indicate otherwise. The key considerations in regards to this application are considered to be:

- Principle of Development
- Design, Layout and Impact on Character of the Area
- Impact on Residential Amenity
- Highway Safety
- Flood Risk and Surface Water Disposal

Principle of Development

In accordance with Inset Map 1 of the South East Lincolnshire Local Plan (SELLP) (2019), the application suite is located in Wyberton which is within the settlement boundary for Boston. Policy 1 of the SELLP (2019) is the Spatial Strategy for the borough and sets out where development should be directed. Within Policy 1, Boston is identified as a sub-regional centre. Development that supports economic opportunities will be supported within this location in accordance with Policy 1. Notwithstanding this, the proposal relates to previously approved applications (B/14/0165, B/19/0050 and B/22/0068). The principle of the development is therefore considered to be acceptable, in accordance with Policy 1 of the Local Plan.

Design, Layout and Impact on Character of the Area

Policy 2 of the SELLP states that proposals requiring planning permission will be permitted provided that sustainable development considerations are met. These include size, scale, layout, density and impact on the amenity, trees, character and appearance of the area as well as the quality of its design and orientation.

Policy 3 of the SELLP states all development must create a sense of place by respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area.

Views of the proposed building would be limited from the public realm due to the nature of the site's location. However, the design should be in keeping with the character and appearance of the 'Quadrant' as a whole. The proposed building will be constructed from metal cladding that will be grey, dark grey and a brown type colour. The design and appearance of the proposed building will contrast from the neighbouring Travel Lodge but it would be in keeping with the Starbucks and other buildings on the wider 'Quadrant' site.

The building will be approximately 31.4m in length and approximately 11.7m in depth. The building would also stand at approximately 5.9m to the eaves and approximately 8m to the ridge. The size of the building is substantial but in the context of the wider site is considered to be acceptable. In respect of its relationship with the neighbouring Travel Lodge, the roof does not project above their ridge line and it does not project past its principle elevation.

It is intended to provide landscaping within the site and along the site's perimeter which would help soften the appearance of the site. No details of landscaping have been provided and this matter has been conditioned.

The proposed development is therefore considered to be in accordance with policies 2 and 3 of the South East Lincolnshire Local Plan (2019) and is therefore acceptable.

Residential Amenity

SELLP Policy 2, 3 and 30 advocate that a proposed development should consider if there is an impact on the amenity of the site and neighbouring sites as well as the impact upon neighbouring land uses in terms of noise, odour, disturbance or visual intrusion.

Although there are some residential properties to the north and west of the site, they are not considered to be within close proximity to the site for there to be an adverse impact on their outlook, privacy or access to light. Nevertheless, the noise levels from the site during and following construction should be at an acceptable level. A noise impact assessment has been submitted detailing the noise impacts, particularly at the 'busiest' periods of the day. The conclusion states that the impact on the residential properties are likely to be 'None/Not Significant'. The Local Planning Authority accepts the report's findings, particularly as the Environmental Health team have not raised any concerns in this regard.

The proposal, therefore, satisfies SELLP Policy 2, 3 and 30 in respect of the effect on residential amenity.

Highway Safety

Policy 2 of the Local Plan identifies vehicular access as a sustainable development consideration. In addition, Policy 36 of the South East Lincolnshire Local Plan requires all development to provide vehicle and cycle parking in accordance with the standards set out in Appendix 6 of the same plan.

The access to the site will be located to the north of the access to the Travel Lodge and will lead to the car parking area to the front of the building. 19 parking spaces are proposed

including 12 Electric parking spaces. The Parish Council did object to the application on this basis, outlining that Wyberton has a significant number of EV charging spaces. Whilst this is noted, EV charging points (and vehicles) are encouraged from the national to local level with renewable energy encouraged within the NPPF and the Local Plan. The Local Planning Authority therefore considers the EV charging points to be an example of good design.

The Local Highway Authority have been consulted and have raised no objections to the scheme. The proposal therefore accords with Policies 2 and 6 of the Local Plan.

Flood Risk and Surface Water Disposal

Policy 4 of the SELLP states a proposed development within an area of flood risk (Flood Zones 2 and 3) will be permitted where it can be demonstrated that there are no other sites available at a lower risk of flooding. It goes on to state that development will be permitted if it can be demonstrated that essential infrastructure in Flood Zone 3, highly vulnerable development in Flood Zone 2 and more vulnerable development in Flood Zone 3 will provide wider sustainability benefits to the community that outweigh flood risk. Where supported by a site specific flood specific risk assessment a criteria will need to be adhered to.

Development within all flood zones (and development larger than 1 hectare in Flood Zone 1) will need to demonstrate that surface water from the development can be managed whilst not increasing the risk of flooding to third parties. The application site is within Flood Zone 3.

The applicant has submitted a Flood Risk Assessment (FRA) as part of the application which includes the following mitigation strategies:

- Finished floor level will be set at 4m AOD
- A flood warning and evacuation plan

Due to the nature of the proposed development, along with there being a first-floor, the proposed mitigation measures are considered to be sufficient for the scheme.

A drainage strategy has been submitted which indicates that surface water will be discharged into the water sewer located in Scott Drive via an existing connection. The Lead Local Flood Authority has no objections to the proposed drainage scheme.

On balance, and subject to the proposed development being carried out in accordance with the FRA, it is not considered that the proposed development would have an adverse flood risk. The proposal is therefore acceptable in this respect in accordance with policy 4 of the South East Lincolnshire Local Plan (2019).

CONCLUSION:

The proposal is for the construction of a two storey self-storage building on the Quadrant development site. The principle of development is considered acceptable, including the means of access to the site. The proposed layout, including parking provision and the design and appearance of the proposed unit are acceptable, subject to conditions regarding landscaping. The development would satisfactorily assimilate within the evolving Quadrant development. The application therefore accords with the policy requirements set

out in the South East Lincolnshire Local Plan (2019) and the National Planning Policy Framework 2021.

RECOMMENDATION: Approve with Conditions

CONDITIONS / REASONS			
Pre-commencement conditions?		No	Agreed with applicant/agent - Date: N/A
1	<p>The development hereby permitted must be begun not later than the expiration of three years beginning with 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 only be undertaken in accordance with the following approved plans:</p> <ul style="list-style-type: none">- Design and Access Statement Plot E, Uploaded 09.01.2024- Noise Assessment, Uploaded 09.01.2024- SuDS Drainage Strategy, Produced by Hayden Evans, dated 04.12.2023- Horizontal Illuminance Levels, Drawing No. LS24783_4 received 09-Jan-2024- Site Location Plan, Drawing No. 3606_PL1000 received 09-Jan-2024- Proposed Elevations, Drawing No. 3606_PL905F received 09-Jan-2024- Proposed Floor & Roof Plans, Drawing No. 3606_PL1003 received 09-Jan-2024- Site Plan, Drawing No. 3606_PL1002 received 09-Jan-2024 <p>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).</p>		
Conditions which apply during the course of and following completion of the development:			
3	<p>Within 3 months from the start of construction to the hereby approved building, full details of hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:</p> <ul style="list-style-type: none">a) boundary treatmentsb) hard surface materialsc) planting schedules (species, sizes densities)d) existing trees to be retained/removede) details of future maintenance <p>All landscape works shall be carried out in accordance with the approved details within 6 months of the date of the first occupation of the extension or completion of development whichever is the sooner. Any trees, plants and grassed areas which within a period of 5 years from the date of planting die, are removed or become seriously damaged or diseased shall be replaced in the first available planting season with others of similar size, species or quality.</p>		

	Reason: In the interests of visual amenity and design quality in accordance with policies 2 and 3 of the South East Lincolnshire Local Plan (2019).
4	<p>The development hereby approved shall be undertaken in complete accordance with the Flood Risk and Drainage Assessment undertaken by Evans Rivers and Costal [ref: 2826/RE/11-21/01 Revision B, dated November 2023], unless otherwise agreed in writing by the Local Planning Authority, including sections 8.2 to 8.4 and the following mitigation measures;</p> <ul style="list-style-type: none"> finished floor levels shall be set no lower than 4.0m <p>The mitigation measures shall be fully implemented prior to occupation and subsequently remain in place.</p> <p>Reason: In the interest of reducing flood risk in accordance with Policy 4 of the South East Lincolnshire Local Plan (2019).</p>
5	<p>Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the development shall be constructed in accordance with the materials detailed on the approved plans (3606_PL905D and the Design and access Statement).</p> <p>Reason: To ensure use of appropriate materials which are sympathetic to the character of surrounding buildings and the street scene in the interests of visual amenity in accordance with policies 2 and 3 of the South East Lincolnshire Local Plan (2019) and the National Planning Policy Framework 2021.</p>
6	<p>No development shall take place until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall set out, as a minimum, site specific measures to control and monitor impact arising in relation to construction traffic, noise and vibration, and dust and air pollutants. The development shall be carried out in full accordance with the approved CMP at all times.</p> <p>Reason: To safeguard the amenities of the adjoining premises and the area in accordance with policies 2 and 3 of the South East Lincolnshire Local Plan (2019).</p>
7	<p>Prior to the construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate to the public network, shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To prevent environmental and amenity problems arising from flooding in accordance with Policy 4 of the South East Lincolnshire Local Plan (2019).</p>

INFORMATIVES / NOTES TO BE INCLUDED ON/WITH DECISION NOTICE

STATEMENT OF PROACTIVE WORKING:

In determining this application, the authority has taken account of the guidance in paragraph 38 of the National Planning Policy Framework 2023 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.

1	<p>If you'd like to find out more about reducing flood damage, visit the Flood Risk and Coastal Change pages of the planning practice guidance.</p> <p>Further guidance on flood resistance and resilience measures can also be found in:</p> <ul style="list-style-type: none"> - Government guidance on flood resilient construction https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings - CIRIA Code of Practice for property flood resilience https://www.ciria.org/CIRIA/Resources/Free_publications/CoP_for_PFR_resource.aspx - British Standard 85500 – Flood resistant and resilient construction https://shop.bsigroup.com/ProductDetail/?pid=000000000030299686 <p>Additional guidance can be found in our Floodline Publications. A free copy of these is available by telephoning 0345 988 1188 or they can be found on our website https://www.gov.uk/topic/environmental-management/flooding-coastal-change.</p>
2	<p>In accordance with Section 59 of the Highways Act 1980, please be considerate of causing damage to the existing highway during construction and implement mitigation measures as necessary. Should extraordinary expenses be incurred by the Highway Authority in maintaining the highway by reason of damage caused by construction traffic, the Highway Authority may seek to recover these expenses from the developer.</p>
3	<p>Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences 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 the Highway Authority's website via the following link: Traffic Management - https://www.lincolnshire.gov.uk/traffic-management</p>