

BOSTON BOROUGH COUNCIL

Planning Committee - 26th July 2022

Reference No: B/22/0222

Expiry Date: 20-Jul-2022
Extension of Time: 02-Aug-2022

Application Type: Full Planning Permission
Proposal: Change of use from a former Class E use to an Adult Gaming Centre (Sui Generis)

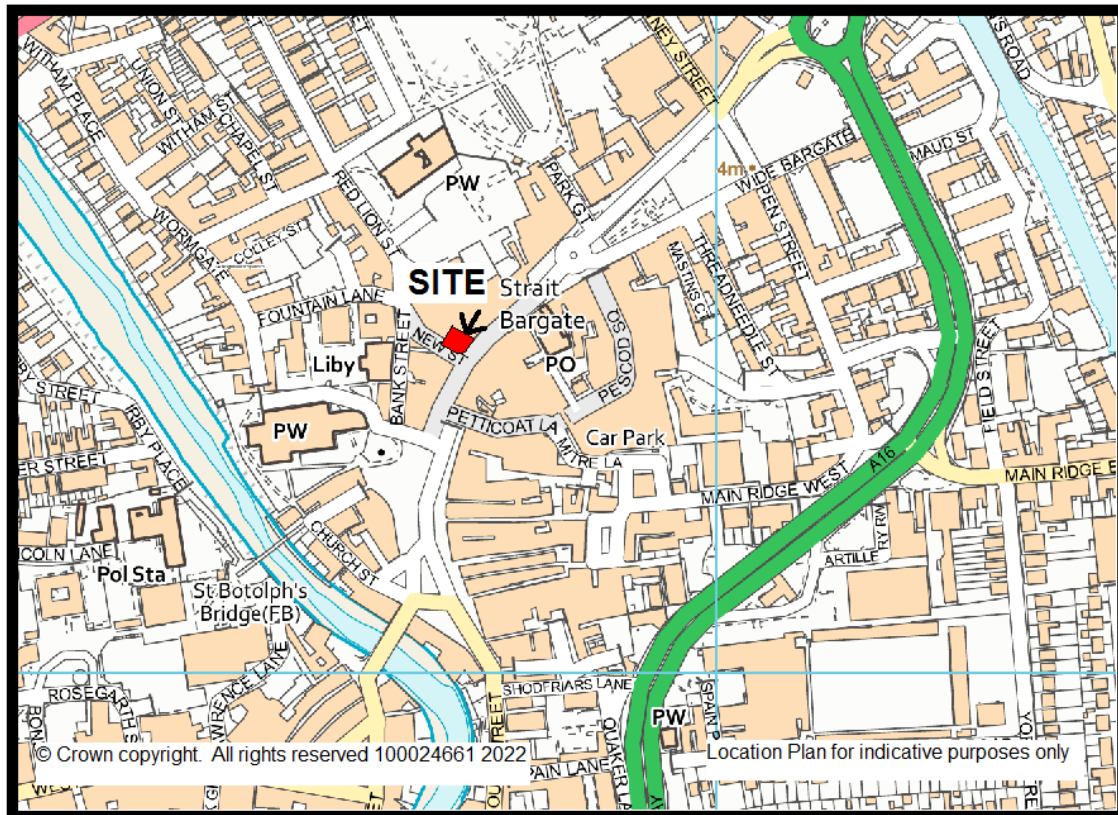
Site: 14-16, Strait Bargate, Boston, PE21 6LW

Applicant: Merkur Slots UK Ltd
Agent: Mr Will Rogers, Planning Potential Ltd.

Ward: Witham Parish: Boston Town Area Committee

Case Officer: Lewis Humphreys Third Party Reps: 61

Recommendation: Approve



1.0 Reason for Report

1.1 This application is presented to the Planning Committee following a call-in request from the ward member, Cllr. Hastie for the following reasons:

- Straight Bargate due its historical/ heritage value and the close location to the stump I feel it's inappropriate for a gaming establishment to be located there.
- Due to 2 other Gaming establishment being located round the corner I feel a 3rd being located so close in such an area as Straight Bargate needs to be discussed by the committee.
- Due to level of the objections regarding this from local residents I feel that it should be called in over its external appearance and the effect it will have on the local area.
- The noise disturbance created by the proposed establishment
- Its location on a pedestrian/ bus route
- Policy 25 and policy 32 of the local plan.

2.0 Application Site and Proposal

2.1 The application site is a currently vacant unit situated on the corner of Strait Bargate and New Street. The site is within the town centre and Boston Conservation Area and is within the primary shopping area and part of the primary shopping frontage as defined on Map 1 of the Local Plan. The site is in Flood Zone 3.

2.2 The application relates to the ground floor of the building only, accessed through a door at the centre of the property. A first and second floor are accessed via a separate entrance on New Lane. The site has been vacant since December 2016 when it was last occupied by Clarks.

2.3 The proposal seeks to change the use of the ground floor to a sui generis use to provide an adult gaming centre. An adult gaming centre is a licensed premises for those aged 18 and over that contains fruit machines and other similar style gaming machines.

2.4 The licensing requirement limits the total number of category B machines in any one premises to up to 20% of the total number of machines. These machines have a maximum stake of £2 and a max pay out of £500. The remaining machines must be category C (with a maximum stake of £1 and maximum £100 pay out) or D (typically low stake fruit machine style, coin pushers, or crane grabs)

2.5 The application includes no operational development, however, a separate application for advert consent for associated signage has been submitted and is also before members to assess.

3.0 Relevant History

3.1 B/22/0223 – Advertisement consent for 2no illuminated fascia signs and 1no externally illuminated projecting sign – Not yet determined

3.2 B/17/0390 – Application to remove the lantern light and in-fill the roof via timber joist and single ply roof system and install a section of flat roof over the light well. Replace three windows to the first floor with double glazed, u-PVC framed window units – Approved 06/12/2017

- 3.3 B/17/0381 – Change of Use from shop (Class A1) to a coffee shop comprising (A1 and A3 uses) – Approved 07/11/2017 but not implemented

4.0 Relevant Policy

South East Lincolnshire Local Plan

- Policy 1 – Spatial Strategy
- Policy 2 – Development Management
- Policy 4 – Approach to Flood Risk
- Policy 24 – Retail Hierarchy
- Policy 25 – Supporting the Vitality and Viability of Boston and Spalding Town Centres
- Policy 26 – Primary Shopping Frontages
- Policy 29 – The Historic Environment
- Policy 32 – Community, Health and Wellbeing

National Planning Policy Framework

- 4.1 The National Planning Policy Framework is a material consideration, of particular note are:

- Section 2 – Achieving sustainable development
- Section 4 – Decision-making
- Section 6 – Building a strong, competitive economy
- Section 7 – Ensuring the vitality of town centres
- Section 8 – Promoting healthy and safe communities
- Section 12 – Achieving well-designed places
- Section 14 – Meeting the challenge of climate change, flooding and coastal change
- Section 16 – Conserving and enhancing the historic environment
- Annex 2: Glossary

5.0 Representations

- 5.1 As a result of publicity 54 representations have been received from addresses across the Borough and surrounding parishes. A low level of comments have been received from addresses outside the county.

- 5.2 The objections and comments are summarised below, please note not all comments received may be material planning considerations:

Suitability of use

- Boston already has three of these uses and a further one is not needed in a small town like Boston
- Need more places for people to shop
- Gaming centres will deter visitors to Boston
- Site is a prime site in town centre and should be for retail only
- Would lower the attraction of new shops and shoppers
- Nearby new horizons site caters for this market on Strait Bargate
- Use adds to town centre decay
- Not a way to promote Boston

- Sui-generis uses will harm the shopping environment and contribute to decline of retail environment
- Boston does not have need for a casino
- It will lead to people avoiding the area
- Any change of use must ensure that it does not have any detrimental effect on the environment and local amenity of the centre of Boston in relation to the enjoyment of the town centre by residents and tourists
- Merkur already have two venues in Boston
- This type of use isn't needed or wanted
- Allowing this use would be a clear indication the council has little regard for the town centre
- Similar application made to a neighbouring council was refused
- There is no fallback as permission is required to change the use to out of Class E
- All strands of Policy 26 must be complied with, this doesn't and so is contrary to that policy
- The loss of a large, prominent retail unit would undermine the retail function of the Town Centre
- Proposed use isn't listed in Policy 24 as being acceptable in a town centre and is therefore contrary to that policy
- Development should contribute to a balance of uses as per Policy 24. There are 7 betting offices and 4 gaming centres already and would fail to contribute to a balance of uses.
- Para 6.2.6 of the Local Plan acknowledges that a proliferation of these uses can negatively impact local amenity and approval would constitute clustering
- Proposal won't make a positive contribution to the vitality and viability of the Primary Shopping Frontage. By replicating existing betting/gambling uses it fails to offer any new services or facilities causing harm to the attractiveness of this part of the town centre
- Loss of a significant shop frontage on Strait Bargate and these uses do not provide an active shop front
- Proposal would reduce footfall in town
- Marketing was not carried out by a niche retail practice, was only marketed since 2019 and accounting for covid this is a limited time and the unit is no longer on the market
- Online retailers used by marketing agent are not typical for retailers looking to expand
- Does not provide the necessary details of marketing to confirm how thorough this was and it does not show a board was erected

Health and Wellbeing

- Government agree more needs to be done to help people with gambling addiction
- Use encourages crime and debt, what is the view of the police?
- Should not be encouraging gambling when so many people are struggling with addiction
- Gambling ruins lives and this a trap for vulnerable people
- Boston is most dangerous medium-sized town with 100 crimes per 1000 people, this is 25% higher than Lincolnshire rate of 75 per 1000 rates
- Not enough police resource to deal with this use
- Will lead to anti-social behaviour
- Gambling can lead to addiction, poor mental health and suicide

- Irresponsible to have this use with cost of living crisis
- Children will become normalised to gambling on the high street
- Boston is one of most deprived constituencies in UK and there should not be places where people are encouraged to waste money and get into debt
- Rather than having greater access to the facilities, services and opportunities that help people improve their lives, those in more deprived communities are disproportionately faced with choices that can often prove harmful. While the gambling industry may offer some much-needed employment in these areas, it usually takes much more than it gives, leaving a legacy of greater hardship and increased social problems
- The town needs family friendly uses
- Will exacerbate issues caused by unemployment and low wages
- Vision in Local Plan seeks to create more sustainable communities which contribute to health and well-being of residents and visitors which should be seen alongside para 92 of the NPPF and Policy 32 in the plan.
- Proposals fails to contribute to an inclusive community
- Use of gaming facilities will potentially lead to an increase in inequality

Historic Environment

- The building is one of the most important and iconic in the heart of the town centre and must be preserved. It is a non-designated heritage asset
- No heritage assessment has been submitted with the application
- No confirmation as to whether vinyls will be used or not and if they are this would harm Boston Conservation Area
- It has structural and decorative features that are a prime example of the Era
- Ground floor frontage displays and signage must be in keeping with traditional shopping frontages a waste of a fantastic and architecturally stunning building in a prime and prominent location in the centre of town
- Heritage and tourism will not be encourage in any way should these applications be granted

6.0 Consultations

- 6.1 Lincolnshire County Council Highways and SuDS – Does not wish to restrict the grant of permission
- 6.2 Witham Fourth IDB – No comments
- 6.3 Environmental Health – No objections subject to recommendations in 3.2 and 5.2 of supporting acoustic assessment
- 6.4 Heritage Lincolnshire – 14-16 Strait Bargate, whilst having had modern alteration, forms a positive part of the Boston Town Centre Conservation Area. The inter-war detailing and layout make a positive and conspicuous contribution to the character of the commercial core and as such any proposals should seek to preserve and ideally enhance this character. The property should be classed as non-designated heritage asset due to the retention of character and the impact the former shop has on the streetscape

Use – Whilst not directly addressed in the drawings, gaming centres generally use opaque vinyl's to block views into and out of the property. The property is located within the centre of the commercial area, and as such an active frontage is

incredibly important for any property. There is a significant risk that given consent the extensive windows on the ground floor commercial area would be blocked, having a detrimental effect on the character of the property and failing to preserve the conservation area.

7.0 Planning Issues and Discussions

7.1 The key planning issues in the determination of this application are:

- Whether the use is acceptable within the town centre and primary shopping frontage
- The impact on the historic environment
- The impact on the health and well-being of the community
- Other matters

Whether the use is acceptable within the town centre and primary shopping frontage

7.2 The site is situated on Strait Bargate within the town centre, primary shopping area, and primary shopping frontage designations on Map 1 of the South East Lincolnshire Local Plan. Policy 24 of the Local Plan identifies Boston town centre as a sub-regional centre and the locational focus of development of town centre uses.

7.3 The policy goes on to define a number of uses and use classes that would be supported. Since the adoption of the Local Plan, the Use Classes Order has been amended and a number of these classes no longer exist and have been amalgamated into the more flexible Class E – Members will note that this was a decision by Government in a deliberate effort to provide more flexibility for businesses and to encourage enterprise and diversity within town centres and reduce the reliance on retail. The proposed adult gaming centre use is a sui-generis use, it does not fall within any existing use class as defined in the order. Notwithstanding that, Policy 24 does identify leisure and tourist related uses as acceptable within the town centre – and in general terms the proposed use could be considered as being more related to leisure and is considered to be commensurate with one which would be suitable for a town centre location.

7.4 The supporting text (at paragraph 6.2.6) identifies that non-retail uses can add to the vitality of town centres but acknowledges that poorly placed non-retail uses and an over-proliferation of similar uses such as betting shops can negatively impact on the local amenity and activity within a centre and, therefore, will be resisted. However, it should be noted that the same supporting text (at paragraph 6.1.3) also acknowledges that ‘town centres will have to take on new roles to continue to respond to the needs of local people, while being resilient to economic change’.

7.5 This approach is consistent with the National Planning Policy Framework (NPPF), paragraph 86 states policies should take a positive approach to the growth, management and adaption of town centres and should:

- (a) *define a network and hierarchy of town centres and promote their long-term vitality and viability – by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters;*

(b) define the extent of town centres and primary shopping areas, and make clear the range of uses permitted in such locations, as part of a positive strategy for the future of each centre;

7.6 This is supported by a definition of main town centres uses in the glossary that defines these uses as:

“Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).”

7.7 No specific reference to adult gaming centres (AGCs) is made within the Local Plan or the NPPF. Both are therefore ‘silent’ on them.

7.8 It is noted that the Local Plan and several comments make reference to betting shops, however, AGCs differ from betting shops and are distinct uses requiring planning permission to change between the two. As such it is important that these uses are not conflated. An AGC, as described by the applicants supporting information, provides only low stakes games machines and is subject to a licence by the gambling commission under the Gambling Act 2005.

7.9 It is considered that an AGC is a leisure use and is, in principle, acceptable within a town centre in accordance with Policy 24 and the definitions provided in the NPPF. This is subject to the proliferation of the use and the considerations of Policy 25 and 26 below.

7.10 Policy 25 of the Local Plan identifies that Boston town centre will continue to be the primary destination for entertainment and that the council will support and extend the offer of town centres as destinations through the redevelopment of land within the town centre boundary that can provide for retail and other town centre uses.

7.11 Policy 26 states that subject to permitted development rights ground floor A1 units in the primary shopping frontage should be retained predominantly for retail use unless it can be demonstrated that the loss of an A1 unit will:

- Make a positive contribution to the vitality and viability of the primary shopping frontage
- Not result in the loss of A1 floor space or frontage of a scale that undermines the retail function of the frontage and
- Allow upper floors to be effectively used, including the possibility of independent use where appropriate.

7.12 Given the changes to the use classes order since the adoption of the Plan the A1 class no longer exists. Retail now forms part of Class E and as such changes between retail and other Class E uses such as offices, café’s, indoor sport and recreation, financial and professional services and nurseries is not considered to be development. Planning permission would not be required to change between any of those uses. It is therefore important to consider the primary shopping frontage both as retail function but also more broadly as a Class E function.

7.13 As highlighted earlier, this was a deliberate move by the Government:

“As we protect and grow our economy post covid, we must think flexibly about how best to support our high streets and town centres. These changes will give high streets the ability to adapt quickly to new uses where they might be greater value, or to change into housing in due course. This gives the high streets and our town centres the best chance of adapting and thriving, but we are protecting uses which bring unique benefits, like local pubs – and local authorities will still be able to control use changes that might bring nuisance to the community – like betting shops.” (Government Key Facts brief – Sept 2020)

- 7.14 To support the application, a covering letter has been submitted along with a summary report of a footfall assessment of existing Merkur sites and a letter from the marketing agent.
- 7.15 Within the covering letter is a summary of a survey of the primary shopping frontage undertaken in May 2022 on behalf of the applicant, the associated data for which has also been submitted in support of the application. Of the 72 units that make up the primary shopping frontage 64% were retail and a total of 75% were in Class E usage. There were two other AGC's within that frontage (3%) and 9 units are currently vacant (12.5%).
- 7.16 The site has been vacant since December 2016 and has not been occupied for over 5 years. The existing agent has been actively marketing the property for a Class E use since 2019, in that time only two viewings took place and no offer for a retail or other Class E use has been made. A previous application was made to change the use to a coffee shop in 2017 shortly after the shop became vacant but this does not appear to have been implemented and was never occupied. Given the length of time the unit has been vacant it would appear unlikely an alternative Class E use is to be forthcoming on the site.
- 7.17 Turning to footfall, the survey results submitted by the applicant indicate that 62% of respondents visited other town centre shops or services and as such contribute to, and benefit from, linked trips with other town centre services.
- 7.18 Policies 24 and 26 do not identify what is considered to be an over-proliferation of use, at what extent such a proliferation might cause harm to the vitality and viability of a shopping frontage, or at what level the primary shopping frontage might be undermined by other uses. These are matters for the decision maker to determine within the context of each application.
- 7.19 It is noted there are two existing AGC units in that primary frontage and that when looking at the wider town centre two more AGC's are currently operating (including one by the same operator here) and a further proposed unit on High Street is also before Members to determine. However, the survey data indicates that 73% of all occupied units in that primary frontage are still in retail use and that 86% are in Class E use. This is a significant predominance of retail and Class E within the currently operating primary shopping frontage. As set out above even accounting for vacant units, a total of 75% of all units are in Class E. It can be concluded that the existing primary shopping frontage retains its purpose and has not been undermined by other uses.
- 7.20 As the site has been vacant for over 5 years and was so at the time of the plan being adopted, it cannot be considered to be contributing to the vitality and viability of the primary shopping frontage in its current use. Nor is it considered that 3 units,

a proportion of just over 4%, would be an over proliferation of Adult Gaming Centres within that area. Taken cumulatively, it is considered the proposals would enhance the vitality and viability of the primary shopping frontage and would not undermine the retail function of that frontage.

- 7.21 The proposal is therefore considered to comply with Policies 24, 25 and 26 of the Local Plan.

The impact on the historic environment

- 7.22 The site is considered to be a non-designated heritage asset and lies within the Boston Conservation Area and is within the setting of several nearby listed buildings including, but not limited to:

- Grade I Listed Parish Church of St Botolph
- Grade II Listed 23 Strait Bargate
- Grade II Listed 60 Market Place

- 7.23 Section 66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 gives a statutory duty to “have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”. Section 72 gives a duty for “special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area” when determining planning applications that affect a conservation area. Section 16 of the NPPF and Policy 29 of the Plan give great weight to a heritage assets conservation.

- 7.24 Advice has been provided by Heritage Lincolnshire on the proposals, these comments primarily relate to the application for advertisement consent but the comments do reference the need for an active frontage and the use of vinyl stickers typical of this use.

- 7.25 These heritage assets all derive some significance from the town centre and its historic uses and as the use is considered to be acceptable within the town centre, the use is considered to be compatible with the setting of nearby listed buildings and the conservation area and would preserve their significance.

- 7.26 The use of vinyl was raised as part of the conservation advice. Policy 26 also seeks to prevent the blanking out of shop windows by externally positioned opaque blinds, vinyl film or other means.

- 7.27 The proposals submitted don't include this element, in either the planning application or the application for advert consent but it is not considered this is necessary should the use proceed. It is worth addressing the specific limitations of the policy as well as the appropriateness of limiting vinyls through a condition.

- 7.28 Section 55 (1) of the Town and Country Planning Act defines ‘development’ as the carrying out of building, engineering, mining or other operations in, on, over, or under land or the making of any material change in the use of any buildings or other land. The application of vinyl stickers is not a building operation and therefore does not meet the definition of operational development set out in Section 55 (1) and (1A). It is acknowledged that their use may materially affect the appearance of the building and may have negative impacts upon the conservation area but the starting

point is whether the works are development and as such the application of vinyl on the windows would not be work requiring planning permission in its own right.

- 7.29 Paragraph 56 of the NPPF states conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable. It is not considered that any condition restricting the implementation of vinyl stickers would meet the test of relevance or reasonableness within the context of Section 55 above. Such a condition is therefore not recommended here.
- 7.30 Furthermore, Class 12 of Schedule 3 of the Town and Country Planning (Control of Advertisements)(England) Regulations 2007 grants deemed consent to 'an advertisement displayed inside a building, other than an advertisement falling within Class 1 of Schedule 1'. Should the vinyl stickers be applied internally then they would not require advertisement consent either and do not need to be included in that application. Should the vinyl be applied to the exterior of the window advertisement consent would be required, at which point Policy 26 of the Local Plan would be a consideration.

The impact on amenity and the health and well-being of the community

- 7.31 Significant objection has arisen around the impact of the use on the health and well-being of the community. This primarily arises from an anticipated rise in anti-social behaviour, crime and the fear of crime, as well as the impacts an additional unit would have on levels of gambling addiction within the town, particularly in vulnerable communities.
- 7.32 Policy 32 of the Local Plan indicates development should contribute to the creation of socially-cohesive and inclusive communities, reduced health inequalities, and improved health and well-being of the community. It requires that, where possible and appropriate, development should create environments which discourage crime and disorder and do not create the fear of crime.
- 7.33 It should firstly be noted that an AGC is a licensed use. A licence from the gambling commission is required and a subsequent premises licence is required from the Local Authority. The licensing regime prevents entry to under 18s and prevents the consumption of alcohol on the premises. These licensing requirements are distinct from the planning function, and planning should not seek to deal with matters controlled by separate legislation.
- 7.34 All licence applications must comply with the 3 licensing objectives: preventing gambling from being a source of crime and disorder, being associated with crime and disorder or being used to support crime, ensuring gambling is conducted in a fair and open way, and protecting children and other vulnerable people from being harmed or exploited by gambling. Many of the objections raised in connection with the use relate to the licensing objectives above and therefore should not be considered as part of this application.
- 7.35 However, it is appropriate to consider the health and well-being aspects as a function of the proposed land use.
- 7.36 The application proposes no external alterations to the building and retains an existing frontage on Strait Bargate and New Lane. The proposed signage is the subject of an advertisement consent application, also before members, and the

issue of vinyl advertisements is covered above. As such, there are no concerns regarding the design of the proposal and its potential impact.

- 7.37 There are existing AGC uses within the town centre and as such any impacts on well-being will primarily arise from an intensification of that use. It is acknowledged that there is a risk to individuals suffering from, or vulnerable to, gambling addiction arising from the proposed use. It is also acknowledged that gambling addiction is a significant issue with serious negative impacts on affected individuals.
- 7.38 Paragraph 92(c) of the NPPF states that planning policies and decisions should aim to achieve healthy, inclusive and safe places which enable and support healthy lifestyles, especially where this would address identified local health and well-being needs.
- 7.39 Policy 32 of the Plan has clear aims regarding the promotion of an inclusive and healthy community. However, there is no identified health need within that policy or the plan as whole in relation to gambling addiction and little in the way of policy or justification that identifies at what level or density the proposed use would have a negative effect on the well-being of the community.
- 7.40 In short, it is unclear whether an intensification of the use would have a more harmful impact on well-being of the community and/or whether there is a particular density or location at which that use becomes harmful.
- 7.41 The proposed use would potentially have a negative impact on the health and well-being of the community but at an unquantified level that cannot be said to be contrary to Policy 32. That harm is therefore of limited weight. On this basis, it is considered it would not be possible to evidence a concern in this regard which would be sustainable at Appeal.

Other matters

- 7.42 Some concerns relating to noise and disturbance associated with the use have been raised. As above these are partly a licensing consideration but some matters are relevant where they impact on the amenity of other users of the town centre, particularly regarding the impacts of noise on nearby residents and businesses
- 7.43 The application has been accompanied by a noise survey assessing both internal and external levels of noise and the impacts on nearby residential properties. Recommendations are made at Sections 3.2 and 5.2 regarding internal repairs and measures to manage unpredictable noise events. Environmental Health have confirmed that subject to such measures they have no concerns. It is therefore considered unlikely the proposals would have an unacceptable impact of the amenity of nearby residents and businesses.
- 7.44 The site is in flood zone 3 and as such requires the submission of a Flood Risk Assessment. The existing and proposed use are less vulnerable, as set out in the planning practice guidance flood risk vulnerability classification table. It is therefore not required that the proposal undergo the sequential test, however, such a test is not required for changes of use. It is considered the proposal would be safe from flooding and no further mitigation is required.

8.0 Summary and Conclusion

- 8.1 The application seeks to change the use of a vacant retail unit to a sui-generis use as an adult gaming centre. The site is in the town centre, in the primary shopping area, and is part of the primary shopping frontage. An adult gaming centre is considered to be a leisure use appropriate in principle within a town centre in accordance with the definitions set out in the Local Plan and in the NPPF.
- 8.2 The primary shopping frontage retains a predominance of retail and other Class E uses, although there are two existing adult gaming centres within that frontage already. While these uses are in close proximity to the site they are not considered to be an over-proliferation as a proportion of total uses. Furthermore, as the site has been vacant since December 2016 bringing it back into use would add to the vitality and viability of the primary shopping frontage. The proposal is therefore considered to accord with Policies 24, 25, and 26 of the Local Plan.
- 8.3 The proposed use would not impact the significance of Boston Conservation Area or the setting of any of the nearby listed buildings. The use is also considered to be compatible with the sites value as a non-designated heritage asset. Any impacts arising from signage are more appropriate considerations for the accompanying Advertisement Consent, also before members.
- 8.4 The proposal has the potential to impact negatively upon the health and well-being of the local community as it is acknowledged that the districts socio-economic standing means residents are likely to be more vulnerable to these negative impacts. However, such uses are already established within the town centre and it is not clear that an additional unit would exacerbate those risks. These negative impacts are therefore given limited weight in the planning balance.
- 8.5 On balance, the proposal is considered to comply with Policies 24, 25, and 26 and any negative impacts to the health and well-being of the community do not outweigh that policy compliance. The proposal is therefore considered to be acceptable.

9.0 Recommendation

- 9.1 It is recommended that Committee Approve the application subject to the below conditions:

Conditions

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

Reason: To take account of the present restrictions on implementing permissions, in order to assist the recovery and in order to comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

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

- Site Location Plan
- Proposed Ground Floor Plan

Reason: For the avoidance of doubt and the interests of proper planning.

3. Prior to the development hereby permitted first being brought into use the recommendations set out in Section 3.2 and 5.2 of the Noise Assessment completed by Archo Consulting and dated 19/05/2022 shall be implemented in full.

Reason: In the interests of protecting neighbour amenity and limiting noise pollution. This condition is imposed in accordance with Policy 2 of the South East Lincolnshire Local Plan