

BOSTON BOROUGH COUNCIL

Planning Committee – 07 October 2025

Reference No: B/25/0287

Expiry Date: 03-Sep-2025

Extension of Time: TBC

Application Type: Full Planning Permission

Proposal: Demolition of existing industrial shed. Change of use of land to provide additional staff car parking, 10 commercial parking bays and 4 trailer bays and associated works

Site: Site North of, Boston Borough Council Depot, St Johns Road, Boston, PE21 6BE

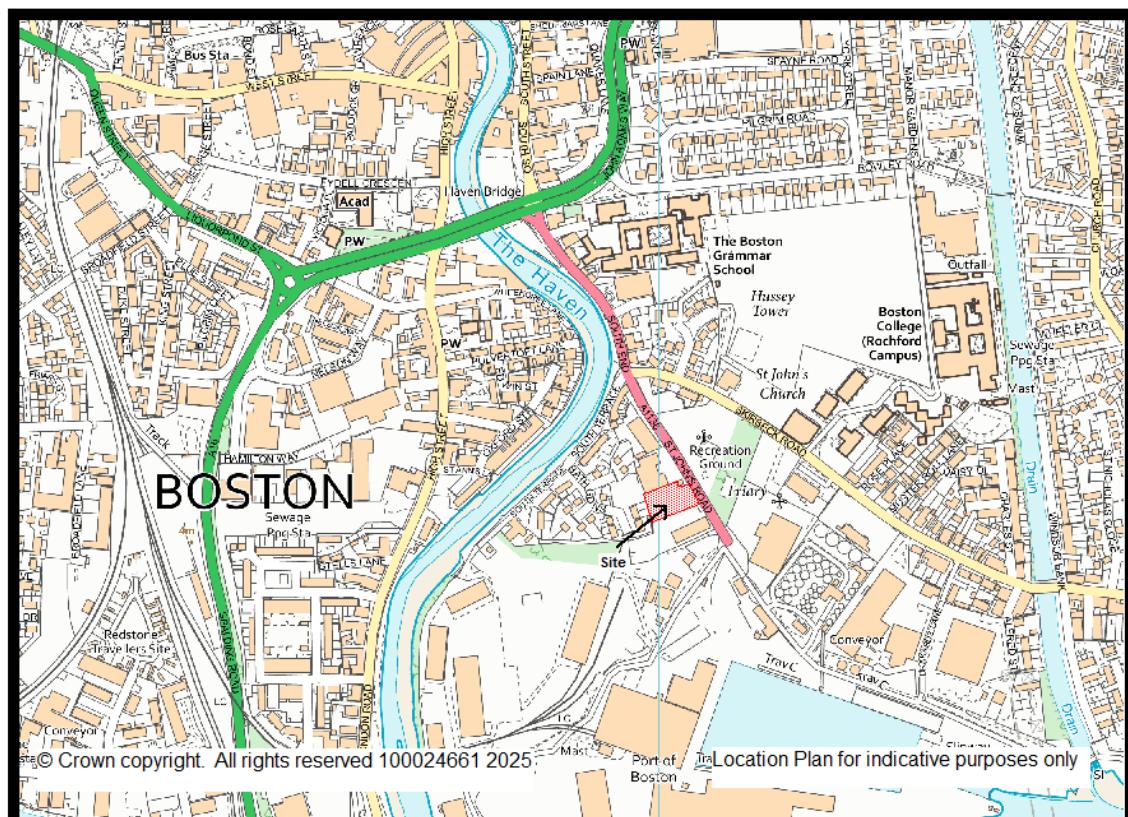
Applicant: Mr Ross Hastie, Boston Borough Council

Agent: Mr Andrew Oglesby, Oglesby and Limb Limited

Ward: Skirbeck Parish: Boston Town Area Committee

Case Officer: Emma Turvey Third Party Reps: 0

Recommendation: Approve



1.0 Reason for Report

1.1 The application has been referred to committee by the Assistant Director (Planning) for transparency as the proposal has been submitted by Boston Borough Council.

2.0 Application Site and Proposal

2.1 The application site consists of a vacant plot of land which measures approximately 0.2Ha and includes an existing industrial building and a steel palisade perimeter fence, with access to the site is from St Johns Road. The site is located approximately 800m from the centre of Boston.

2.2 To the east of the site is an area of Amenity Greenspace (BBC151) which includes a play area and skate park, to the north is a row of industrial buildings, to the west is a residential neighbourhood and to the south lies the main Boston Borough Council Depot and the Port of Boston.

2.3 The Boston Conservation Area adjoins the east and west boundaries of the application site.

2.4 Full planning permission is sought for the demolition of an existing industrial building and a change of use of the land to provide additional staff parking area, 10 commercial parking bays, 4 trailer bays. The works also includes:

- closing off the existing highway access from St John's Road and the formation of two routes between the existing site and the proposed site which include vehicular and pedestrian accesses
- removal of the existing perimeter fence and replace with a new fence
- Erection of a 4m high acoustic fence along the western boundary
- Resurfacing the proposed site
- Installation of lighting columns and lights within the site

3.0 Relevant History

3.1 There is no relevant history on this site, however immediately south of the application site includes a planning application relevant to this one:

3.2 B/14/0004: Change of use from lorry park to council depot including erection of vehicle/machine storage building with associated car parking and landscaping works – Approved at Planning Committee.

3.3 B/14/0004/NMA: Application under S96A for a non-material amendment to approval B/14/0004, amendments relate to external elevations appearance, internal alterations including flood refuge mezzanine floor and stairs and alterations to gates – Approved.

4.0 Relevant Policy

South East Lincolnshire Local Plan 2019 (SELLP)

4.1 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 7: Improving South East Lincolnshire's Employment Land Portfolio
- Policy 28: The Natural Environment
- Policy 29: The Historic Environment
- Policy 30: Pollution

National Planning Policy Framework (NPPF)

4.2 At the heart of the 2024 Framework is a presumption in favour of sustainable development.

- 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 16: Conserving and enhancing the historic environment

4.3 **National Planning Practice Guidance (PPG)**

4.4 **The Planning (Listed Buildings and Conservation Areas) Act 1990**

5.0 Representations

5.1 No representations have been received as a result of the publicity carried out.

6.0 Consultations

6.1 BBC Environmental Health - No objections.

6.2 Witham Fourth IDB - No comments.

6.3 Lincolnshire County Council (Local Highway and Lead Local Flood Authority) no objections to the proposed development but have requested that if the planning application is approved, conditions be added to the permission relating to the existing access point and surface water flooding.

“...The proposal will utilise the access/egress arrangements from the adjacent site and the existing access will be closed up, therefore the dropped access will require works to reinstate back to a full height kerbed footway with pedestrian crossing. As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response regarding drainage and surface water flood risk on all Major applications. This application is classified as a Minor Application, and it is therefore the duty of the Local Planning Authority to consider the surface water flood risk and drainage proposals for this planning application.”

6.4 The Historic Conservation Advisor had no objections and made the following comments:

“... Whilst not situated directly within, the proposal site is directly adjacent to the boundary of the Boston Conservation Area (BCA). As such, per Policy 29 of the SELLP, as a site that is positioned within views both into and out of that area, any proposals should strive for sympathy. I can confirm that the existing commercial structure on site due to be demolished is of no value or significance to the character of the adjacent portion of the conservation area and arguably could be considered to actually be a draw, as a relatively unsightly, utilitarian structure. The proposal is merely for the demolition and replacement with a hard-surfaced car parking facility. Indeed, the proposed use is of no greater or lesser aesthetic value or contribution to the BCA than extant, however, the impact of the proposal must therefore be said to be at worst neutral upon the nearby heritage asset.”

6.5 Heritage Lincolnshire Planning Archaeologist has made the following comments:

“The site lies in an area of archaeological interest located close to the river where there may be deposits relating to the river trade, port and town of the medieval period. The remains of the Augustinian Friary are thought to survive in the area.

To the east of the proposal, the site of the medieval church of St John is recorded with an associated cemetery. Archaeological investigation to the west revealed medieval settlement with evidence of high-status buildings. Among the other remains was a possible warehouse that may be associated with the Hanseatic League (a group of German merchants who established a headquarters building in Boston in the early medieval period).

Given the archaeological remains recorded in the vicinity, it is considered that there is high potential for archaeological remains to be present at the site.

The proposal as described includes the demolition of structures at the site and resurfacing together with the installation of services. The extent and depth of the groundworks associated with the proposal is unclear, including removal of current surfaces/ leveling (for resurfacing), excavation of trenches for the installation of services (drainage, lighting) and lifting slab and grubbing out/ removal of foundations associated with the demolition of the existing structures.

Recommendation:

Insufficient information is available at present with which to make any reliable observation regarding the impact of this development upon any archaeological remains. Further information should be provided on the extent and depth of any groundworks associated with the proposed development.

Given the archaeological remains recorded in the vicinity of the site it is recommended that where groundworks are to take place which may expose archaeological deposits that an archaeological Scheme of Works should be implemented to mitigate the impact of the development on any archaeological remains.

The information on the proposed groundworks will inform the scope of the archaeological interventions required. This may take the form of an archaeological evaluation and/or a program of archaeological excavation and recording. Any archaeological work implemented should be in accordance with a written scheme of investigation to be agreed prior to commencement of any development.

'Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part),

in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.' National Planning Policy Framework {2025} Section 16, para 218.

7.0 Planning Issues and Discussions

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that the determination of a planning application shall be made in accordance with the Development Plan.

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

- Principle of development
- Character and appearance
- Impact on residential amenity
- Historic Environment and archaeology
- Impact upon highway safety
- Biodiversity
- Flood risk and drainage

Principle of Development

7.3 Section 38(6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

7.4 The application site is located within the Settlement of Boston. Policy 1 of the Local Plan identifies Boston as a Sub-regional Centre, and as a place "*where development is to be directed*". It indicated that, within Boston's Settlement Boundary, development will be permitted that supports its role as a Sub-Regional Centre.

7.5 The proposed development would provide a much needed expansion to the existing depot which would relieve pressure on the existing site by providing more efficient vehicle storage and circulation within the site. The site will also provide additional storage of new wheeled bins before prior to delivery to local properties.

7.6 It is considered that the development is acceptable in principle and accords with Policy 1 of the SELLP.

Character and appearance of the area

7.7 Policy 7 (b) and (c) set out that development should not have an adverse impact on the character and appearance of the area and that the design should respond to local context. Policy 2 of the Local Plan permits development where sustainable development considerations are met in terms of size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses, the quality of design and orientation of buildings. Policy 3 sets out that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be

acceptable and requires proposals to demonstrate how issues relating to the landscape character of the area are addressed.

- 7.8 The application site currently consists of a vacant industrial plot which is defined by industrial palisade fencing and includes a steel-clad industrial building and a vehicular access point from St. Johns Road. The site is immediately adjacent to Boston Borough Councils existing Depot, which includes a large rectangular building and associated parking.
- 7.9 The proposal includes the demolition of a disused building and change of use of the site with no other building works proposed other than a 2.4m high palisade fence to the eastern boundary, 4m high fence to the western boundary, fencing internally within the site and 6m high lighting columns, all of which are commonplace in this location. Therefore, it is not considered that this proposed development will have an adverse impact upon the character and appearance of the area and would be in accordance with Policy 2 and 3 of the South East Lincolnshire Local Plan.

Impact upon residential amenity

- 7.10 Policy 7a) sets out that new employment development should not conflict with neighbouring land uses. Policy 2 also seeks to secure sustainable development through considering the impact upon neighbouring land uses by reason of noise, odour, disturbance or visual intrusion. Policy 3 seeks to ensure good design through, amongst other things, protecting residential amenity. Policy 30 seeks to protect against pollution, requiring developments not to have an unacceptable impact by way of noise and light levels.
- 7.11 The proposed development includes the demolition of an existing industrial shed and a change of use of the land to provide additional staff car parking, 10 commercial parking bays and 4 trailer bays and associated works. It is also proposed to erect a 4m high acoustic fence along the western boundary of the site which will match and connect with the existing fencing along the western boundary.
- 7.12 The application site lies within a predominantly industrial area; however, a residential development (Bath Gardens) lies to the west of the site. Nos. 15 – 18 Bath Gardens are located closest to the proposed development. There is an existing line of established trees and landscaping between the site and the neighbouring dwellings, and the installation of the acoustic boundary fence will mitigate any issues relating to noise pollution from the site.
- 7.13 The proposed development includes the installation of 6m high lighting columns with double head lights, however these are located approximately 50m away from the neighbouring dwellings.
- 7.14 No letters of objection have been received from neighbouring dwellings following the statutory publicity carried out.
- 7.15 The Environmental Health Team have no objections or comments to make on the application.

7.16 In respect of the impact on the occupiers of nearby dwellings, the proposal is considered to accord with SELLP Policies 2 and 3.

Historic Environment and archaeology

7.16 The Planning (Listed Buildings and Conservation Areas) Act 1990 confirms the duty of the Local Planning Authority to have special regard to the desirability of preserving listed buildings and conservation areas, their setting and any features of special architectural or historic interest.

7.17 Policy 29 of the Local Plan also refers to archaeology and ensuring that every step is taken to protect and if possible, enhance their significance. Appropriate mitigation should be secured, and this often follows a Written Scheme of Investigation (WSI).

7.18 The application site is directly adjacent to the boundary of the Boston Conservation Area.

7.19 The Heritage Conservation Officer has confirmed that they have no objections to the proposed use as it is of no greater or lesser aesthetic value or contribution to the setting of Boston Conservation Area than the existing, and the impact of the proposal must therefore be said to be at worst neutral upon the nearby heritage asset. With regards to the demolition of the existing building, it was confirmed that it is of no value or significance to the character of the adjacent portion of the conservation area and arguably could be considered to actually be a draw, as a relatively unsightly, utilitarian structure.

7.20 The County Archaeologist has been consulted on the application and has highlighted that the site is within an area of archaeological significance. They have therefore requested that a series of trial trenching and a WSI are attached to a grant of approval, with appropriate mitigation being based on the findings.

7.21 In all, the proposal is considered to be acceptable and accords with Policy 29 of the Local Plan as well as The Planning (Listed Buildings and Conservation Areas) Act 1990.

7.22 Subject to conditions, the proposal is considered to have an acceptable impact in respect of Archaeology, in accordance with Policy 29 of the SELLP (2019).

Impact upon highway safety

7.23 Policy 34 of the Local Plan seeks to deliver a more sustainable transport network, including the protection of existing walking and cycle routes and protecting key public transport corridors. Policy 36 refers to ensuring that new development provide vehicle and cycle parking, in accordance with the minimum Parking Standards adopted by the Local Planning Authorities (in Appendix 6).

7.24 The proposal includes the change of use of the site and necessary works to create additional staff and commercial parking area including a bike store and internal access point to connect the new site to the existing site. The sites existing access point will be

permanently closed, and the main depot access point will be the sole access to the site with an access ramp linking the two sites. In addition to the existing depot, this will result in 35 staff parking places, 8 commercial parking bays, a bike store, 4 trailer parking spaces and two areas for the storage of new wheeled bins.

- 7.25 LCC Highways have been consulted and have no objections in relation to the proposed works in terms of highway safety but have requested the existing access point be permanently closed up within seven days of the new access being brought into use, this point will be added as a condition.
- 7.26 Therefore, subject to conditions, it is considered that the proposed development would not have an unacceptable impact upon highway safety and is in accordance with Policies 34, 36 of the SELLP.

Biodiversity

- 7.27 Schedule 7A of the Town and Country Planning Act has introduced a requirement for developments to provide a mandatory 10% uplift in biodiversity on sites. At planning application stage, this requires the submission of a baseline assessment, which has been provided. In addition to this, the application has been accompanied by proposals to demonstrate how the 10% uplift would be achieved via the biodiversity metric and a BNG statement.
- 7.28 The application form indicates that the proposals are “development subject to the de minimis exemption (development below the threshold)”, and the details within the submitted BNG Statement confirm that the works will have no impact upon the existing biodiversity of the site because it is already entirely developed/hard surfaced therefore indicates “as per Section 4 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024, the mandatory biodiversity gain planning condition does not apply to the development as works do not impact a priority habitat and impact less than; 25 sqm of onsite habitat, or 5m of linear habitats.”

Flood risk and drainage

- 7.29 Policy 4 of the SELLP state 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. 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.
- 7.30 The site is located within Flood Zone 3; in a ‘Danger for All’ Flood Hazard Zone, however, the application proposes the change of use of an existing industrial site. A site-specific sequential test is therefore considered acceptable in this instance. The applicant has submitted a Flood Risk Statement that sets out the details of the proposal and that the vulnerability of the site will remain the same as the proposal does not include any sleeping accommodation.

7.31 In terms of drainage, no details have been received showing a proposed drainage strategy for this site, given its location in an area at risk from surface water flooding. LCC have requested that a condition be added to request a Flood Risk Statement be submitted which considers this surface water risk and any necessary mitigation.

8.0 Summary and Conclusion

8.1 This proposed development would result in the reuse of an industrial site within Boston which has been left empty for some time and is considered acceptable in principle.

8.2 Subject to conditions, it is not considered that the proposed development will have a detrimental impact upon highway safety, flood risk, residential amenity or the character and appearance of the area nor would it have a detrimental impact upon heritage assets, subject to the relevant condition.

8.3 Overall, it is considered that the proposed development is acceptable and accords with SELLP Policies 1, 2, 3, 4, 7, 28, 29 and 30, the NPPF and Planning (Listed Buildings and Conservation Areas) Act 1990.

9.0 Recommendation

9.1 It is recommended that Committee approve this application subject to the following conditions.

1	<p>The development hereby permitted shall be begun before the expiration of three 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 not be carried out except in complete accordance with the following details shown on the submitted plan(s):</p> <ul style="list-style-type: none"> ▪ A1788-01 Rev P1 Site Location Plan ▪ A1788-10 Rev P1 Site Block Plan as Existing and As Proposed <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 1, 2, 3, 4, 7, 28 and 29 of the South East Lincolnshire Local Plan 2019, and guidance contained in the National Planning Policy Framework (2024).</p>
3	<p>No below ground works shall take place until a written scheme of archaeological investigation has been submitted to and approved in writing by the Local Planning Authority. This scheme should include the following details as necessary:</p> <ol style="list-style-type: none"> 1. An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements). 2. A methodology and timetable of site investigation and recording 3. Provision for site analysis

	<p>4. Provision for publication and dissemination of analysis and records 5. Provision for archive deposition 6. Nomination of a competent person/organisation to undertake the work 7. The scheme to be in accordance with the Lincolnshire Archaeological Handbook. The archaeological site work shall only be undertaken in accordance with the approved written scheme.</p> <p>Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation in accordance with national guidance contained in the National Planning Policy Framework, 2024 and accordance with SELLP Policy 29.</p>
4	<p>Any historic or archaeological features not previously identified which are revealed when carrying out the development hereby permitted shall be retained in-situ and reported to the local planning authority in writing within 5 working days of their being revealed. Works shall be immediately halted in the area/part of the building affected until provision has been made for the retention and/or recording in accordance with details that shall first have been submitted to and approved in writing by the local planning authority. Work shall continue in accordance with the approved details of retention and/or recording.</p> <p>Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation in accordance with national guidance contained in the National Planning Policy Framework, 2023 and accordance with Policy 29 of the South East Lincolnshire Local Plan, 2019.</p>
5	<p>Within seven days of the new access being brought into use, the existing access onto St Johns Road shall be permanently closed in accordance with details to be agreed in writing with the Local Planning Authority.</p> <p>Reason: To reduce to a minimum, the number of individual access points to the proposed development site, in the interests of road safety.</p>
6	<p>Prior to commencement of the development hereby approved, full details of the means of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be implemented in full before the development hereby permitted is first brought into use.</p> <p>Reason: To ensure that the site is adequately drained, to avoid pollution, and to prevent increased risk of flooding in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 and national guidance contained within the National Planning Policy Framework 2024.</p>
7	<p>The proposed acoustic fencing to be erected along the boundary shared with residential properties fronting Bath Gardens, and shown on plan A1788-10 P1 shall be erected before the development hereby approved is first brought into use and the fence shall be retained thereafter.</p> <p>Reason: In the interest of neighbouring amenity in accordance with SELLP Policies 2 and 3.</p>

8	<p>The details and position of any lighting other than that shown on the Site Block Plan (plan A1788-10 Rev P1) shall be submitted to and approved in writing by the Local Planning authority prior to its installation. The development shall be undertaken in accordance with approved details thereafter.</p> <p>Reason: To ensure that the Local Planning Authority retains control over these matters, in the interests of the visual amenity of the overall development and to prevent light pollution in accordance with SELLP Policies 2, 3 and 30.</p>
	<p>Informative</p> <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>

Biodiversity Net Gain Provision

BNG Does Not Apply	
No-BNG1	<p>Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the “biodiversity gain condition” which means development granted by this notice must not begin unless:</p> <p>(a) a Biodiversity Gain Plan has been submitted to the planning authority, and (b) the planning authority has approved the plan.</p> <p>Under Regulation 4 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024 the statutory biodiversity gain condition required by Schedule 7A to the Town and Country Planning Act 1990 (as amended) does not apply in relation to planning permission for development which:</p> <ul style="list-style-type: none"> ▪ a) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and b) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (a hedgerow habitat or watercourse habitat identified for the purposes of the biodiversity metric). <p>Based on the information submitted in the planning application documents, the Planning Authority considers that this permission is exempt from biodiversity net gain, and as such does not require approval of a biodiversity gain plan before development is begun.</p>
BNG3	<p>Statutory exemptions and transitional arrangements</p> <p>There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at Paragraph: 003 Reference ID: 74-003-20240214 of the Planning Practice Guidance, which can be found at</p>

<https://www.gov.uk/guidance/biodiversity-net-gain>.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

Effect of Section 73(2D) of the 1990 Act Under Section 73(2D) of the Town and Country Planning Act 1990 (as amended) where –

- (a) a biodiversity gain plan was approved in relation to the previous planning permission (“the earlier biodiversity gain plan”), and
- (b) the conditions subject to which the planning permission is granted:
 - (i) do not affect the post-development value of the onsite habitat as specified in the earlier biodiversity gain plan, and
 - (ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat within the meaning of regulations made under paragraph 18 of Schedule 7A, do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier biodiversity gain plan.

- the earlier biodiversity gain plan is regarded as approved for the purposes of paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended) in relation to the planning permission.