

CHAPTER 6: PLANNING POLICY CONTEXT

Introduction

- 6.1 The purpose of this chapter is to set out the planning background to the site and the constraints and opportunities associated with the proposals for its development and use. The proposed development is assessed against this policy background and any other material considerations.

Methodology

- 6.2 It is good practice in the preparation of an ES that the policy framework to a site and, by implication, the proposed form of development, should be described, and the proposed development assessed against this framework. The following chapter therefore undertakes this assessment.

Method of Reporting

- 6.3 Planning policy guidance and policies relevant to the site and the proposals are described within the next section of this chapter, which deals with the baseline situation. This principally comprises a list of those policies considered pertinent to the assessment of the proposals, as the subsequent section assesses the relationship of the proposals with policy. For clarity, this assessment is entitled the "relationship of the proposed development with planning policy".
- 6.4 As Environmental Impact Assessment is an iterative process, the analysis undertaken in respect of the following chapters is reported, where appropriate, within this chapter, in order to determine the compliance or otherwise of the proposals with policy. The interactions between topic areas and then assessment of indirect and cumulative effects are the subject of the final chapter of this statement.
- 6.5 It is appropriate to note that the other chapters of this statement also refer to relevant policies or guidance where considered necessary. Each chapter also consider the potential effects associated with other topic areas, where there is a potential implication on their subject matter. As far as reasonably possible, any adverse

cumulative effects have been either designed out or are the subject of appropriate mitigation, and therefore reported within the relevant section of each chapter. The construction effects of the proposals, and the impact upon each topic area, are also reported when they may impact upon a topic area.

Assessment Criteria

- 6.6 The assessment criteria will be the same as those used in the other chapters of this statement, in order to ensure that there is a comprehensive approach to the Environmental Statement as a whole.

Existing Situation

- 6.7 The guidance and planning policy considered pertinent to the proposed development is set out below, and the relationship of the proposed development with it assessed in the following section of this chapter.

The Policy Framework

- 6.8 Section 38 (6) of the Planning Compulsory Purchase Act 2004 requires that all planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 6.9 The Development Plan covering the site comprises the adopted Boston Borough Local Plan (April 1999). In accordance with the 2004 Act, the Council have secured approval from the Secretary of State for some of the policies in the adopted Local Plan to be 'saved' beyond the cut-off date of 27 September 2007. The relevant policies in relation to the proposal are summarised and assessed in the table set out within this section.
- 6.10 The purpose of the Local Plan was to guide development for a ten year period from 1 January 1991 to 31 December 2000 and whilst there are 'saved' policies, the weight given in the decision making process will be dependant to their degree of consistency with the National Planning Policy Framework (NPPF) which is considered below as an important material policy consideration.

Relationship with the Development Plan

- 6.11 The Boston Borough Local Plan was adopted during June 1999 and was intended to run for the period until 2000. The Local Plan was drawn up under the strategic framework of the then Lincolnshire Structure Plan Alteration No.1 and Alteration No.2 (1994). Several of the policies of the Local Plan have been 'saved' beyond 27 September 2007 whilst the new Local Plan is prepared. However, with the introduction of the National Planning Policy Framework (NPPF) in March 2012, the Local Plan has only limited weight, unless there is a strong consistency with the NPPF.

Relevant Saved Policies of the Boston Borough Local Plan (1999)

- 6.12 The following section deals with those saved policies which have to be weighted in the balance with more contemporary ones now being used for decision making. These include:

- G1 Amenity
- G2 Wildlife Resources
- G3 Foul and Surface Water Disposal
- G4 Safeguarding the Water Environment
- G6 Vehicular and Pedestrian Access
- G7 Accessible Environment
- G8 Air and Soil Resources
- G10 External Lighting Schemes
- T1 New Accesses onto Major Roads
- T2 Roads and Footpaths in New Developments
- H3 Quality of Housing Development
- H4 Open Space in Housing Estates (20 units or more)
- H6 Housing for the Disabled
- R2 New Recreational Open Space
- R3 New Indoor Leisure Facilities
- R8 Leisure Facilities in the Countryside
- R9 Built Development for Countryside Leisure Pursuits
- C8 Stump Views
- CF3 New Community Facilities
- CO1 Development in the Countryside.

- 6.13 Policy G1 relates to general amenity and states that permission shall only be granted for development which will not substantially harm amenities of other nearby land users or residents or general character of the area by virtue of its Nature; Scale; Density; Layout; Appearance; or Level of Traffic Generation. In this respect, the proposals are compatible with the existing residential land uses that abut the site and therefore its overall scale, nature and layout will not create adverse environmental impact problem. The proposed Community Stadium has been located in a primary agricultural setting, with relatively few residential properties in close proximity, in an attempt to mitigate any adverse impact locally. Furthermore, the scale, design and layout, as well as environmental considerations, have been clearly guided by the masterplanning and EIA processes culminating in the rationale found within the Design and Access Statement.
- 6.14 Policy G2 relates to wildlife resources and states that permission shall not be granted for development which will have significant adverse impact upon existing resources, including Landscape; Wildlife; and Vegetation. In this respect, careful consideration has been given to the ecological value of the area and mitigation measures to enhance biodiversity have been proposed to ensure that there are no adverse effects on the natural environment. These relationships are explored in further detail in Chapters 8 and 12 of this ES, relating to Landscape and Visual Impact and Ecology respectively.
- 6.15 Policy G3 relates to foul and surface water disposal and states that permission shall not be granted for development where proposed means of foul and surface water drainage are unsatisfactory. In this respect, the development team has worked alongside the relevant agencies and drainage bodies to ensure the SUDS principles have been followed, with surface water dealt with via a combination of infiltration and water courses ensuring run off is restricted to the current greenfield run off rates plus climate change. The development will ensure that effluent will not have an adverse effect on the current foul drainage network. Indeed, Anglian Water have confirmed that there is capacity for the foul drainage in the Frampton Waste Water Treatment Works. These relationships are explored in further detail in Chapter 9 of this ES, relating to Flood Risk and Drainage.

- 6.16 Policy G4 seeks to safeguard the water environment and states that permission shall not be granted for development which will have an adverse effect on the water environment or the quality of surface or groundwater. In this respect, having regard to the detailed drainage strategy that has been agreed with the relevant bodies will prevent any contamination of surface and groundwater. Indeed, in the interests of ensuring that development is sustainable, it is envisaged that the water environment within the area will improve through the SUDS principles. These relationships are explored in further detail in Chapters 9 and 16 of this ES, relating to Flood Risk and Drainage and Ground Conditions respectively.
- 6.17 Policy G6 relates to vehicular and pedestrian access and states that permission shall not be granted where the proposed means of pedestrian and vehicular access are unsatisfactory. In this respect, and as justified through the transportation assessment, the proposed development will provide suitable and safe access arrangements for different modes of transport without causing adverse harm to the Local Highway Network. These relationships are explored in further detail in Chapter 10 of this ES, relating to Transport.
- 6.18 Policy G7 relates to the accessible environment and states that permission shall not be granted for non-residential development which includes external layout unsuited for persons of restricted mobility. In this respect, careful consideration has been given to road and footpath layout, relationship between buildings for all the non-residential development to ensure that disabled and elderly people and people with pushchairs can find the external layout accessible. These relationships are explored in further detail in Chapter 10 of this ES, relating to Transport.
- 6.19 Policy G8 relates to air and soil resources and states that permission shall not be granted for development which will have an adverse effect upon the quality of air or soil such as to lead to: harm to local living or working conditions or the operation of nearby land uses; harm to the natural flora or fauna; or added constraints on future developments in the area. In this respect, a detailed agricultural land classification report shows that the land is mapped as a mix of Grade 1 to Sub Grade 3B because in parts of the site the soils are either too wet or too prone to draughtiness to be classified higher. A detailed survey shows that this site is not as good as the Provisional Map suggest. As is typical of land around Boston, it is difficult to avoid using at least a

proportion of high quality agricultural land for large scale development in this area. When considering the context of satisfying the future growth aspirations for the town and delivering the much needed community stadium and housing, it is considered that limited weight should be given to protecting this site for agricultural purposes. Insofar as air quality is concerned, it has been concluded that traffic emissions associated with the proposed development would have a negligible impact and that the Travel Plan's initiatives will also lower emissions further still. These relationships are explored in further detail in Chapter 16 of this ES, relating to Ground Conditions. These relationships are explored in further detail in Chapters 10, 12, 14 and 16 of this ES, relating to Transport, Ecology, Air Quality and Ground Conditions respectively.

6.20 Policy G10 relates to external lighting schemes and states that full permission shall not be granted for developments which include a scheme of external lighting unless the proposed lighting scheme: is the minimum required to undertake the task; will not prejudice highway safety; will not substantially harm the amenities of nearby land-uses; and will not substantially harm the character of the area. The policy further states that, where necessary to safeguard amenity or to prevent the wasteful use of energy resources, conditions will be used to require the extinguishment of lights not required for safety or security at an appropriate curfew time. In this respect, the site falls into Zone E3 (Urban Location), as defined in the Institution for Lighting Engineers Guidance Notes for the Redirection of Light Pollution (2000). Having regard to the proposed lighting scheme associated with the Community Stadium, the design will minimise overspill lighting into adjacent gardens to levels no more than moonlight. The vertical illuminance into windows of adjacent residential properties before curfew will also be below the values recommended by the Institution of Lighting Engineers. These relationships are explored in further detail in Chapter 15 of this ES, relating to Lighting.

6.21 Policy T1 relates to new accesses onto major roads and states that on all A-class roads in the built-up area of the town of Boston, a new access or junction will not be permitted unless: it is in replacement of an existing one to be closed; or it can be demonstrated that there will be no adverse effects on the safety and capacity of the road. In this respect, and as part of the Transport Assessment, it has been demonstrated that a safe, efficient and convenient access onto the existing major road network can be achieved with the construction of a roundabout design onto the A16

and traffic light control junction onto London Road. These relationships are explored in further detail in Chapter 10 of this ES, relating to Transport.

6.22 Policy T2 relates to roads and footpaths in new developments and states that permission shall not be granted for development involving construction of new road and/or footpath unless the proposed road and/or footpath layout: provides for any proposed through-road to be accessible to public transport vehicles; caters satisfactorily for needs of pedestrians, cyclists and persons of restricted mobility; and relates well to the nature and form of the development and the locality in general. In this respect, the introduction of a section of the Distributor Link Road through the site will be specifically designed as a bus route and this will ensure that all areas of the development are within easy and convenient walking distance of a bus stop. Furthermore, at the forefront of the masterplan process, the needs of pedestrians, cyclists and persons of restricted mobility have been a key design principle. These relationships are explored in further detail in Chapter 10 of this ES, relating to Transport.

6.23 Policy H3 relates to the quality of housing development and states that permission shall not be granted for housing developments which: do not provide a pleasant, convenient and secure environment for residents; are incompatible with the existing character of the area with the existing character of the area in terms of layout, density, design and materials; are close to an existing use which is likely to cause environmental problems for future residents; or will cause or significantly aggravate adverse traffic conditions on the public highway. In this respect, the environment and amenity of prospective residents within the development have been carefully considered and, through the masterplan process, significant steps have been taken to demonstrate indicative layout which takes on board the Government's objectives of establishing a strong sense of place to create attractive, safe, and accessible environments to live. The development would respond and improve upon the local character. It would create a visually attractive development that would reinforce the local distinctiveness of the area. There are no existing uses likely to cause environmental problems for future residents and the assessment of traffic conditions has been currently assessed and found to be acceptable within the Transport Assessment. These relationships are explored in further detail in Chapter 10 of this ES, relating to Transport, as well as in the Design and Access Statement.

- 6.24 Policy H4 relates to open space in housing estates (20 units or more) and states that the Council will require that appropriate proportions of total site areas are devoted to suitably located public amenity open space and children's play areas. Such provision must include a schedule of maintenance covering a minimum 5-year period. Requirements may be reduced or waived where a nearby area of open space or play would satisfactorily fulfil the amenity or recreational role for which on-site provision would otherwise be sought. In this respect, greenspace standards will be met through the creation of well-planned informal networks of greenway/corridors which will not only serve the development in terms of providing amenity space and children's play areas but also improve the facilities for the wider community as well as enhance biodiversity. These relationships are explored in further detail in Chapters 8 and 12 of this ES, relating to Landscape and Visual Impact and Ecology respectively, as well as in the Design and Access Statement.
- 6.25 Policy H6 relates to housing provision for the disabled and states that where there is clear evidence of a local need for housing for the disabled, the Council will seek to negotiate for the provision of an element of such accommodation within development proposals comprising more than 20 dwellings, on sites close to shops and public transport routes. In this respect, and subject to a need for this type of accommodation being established, the Applicants would work with the Council's Housing department, so as to cover this element within any affordable housing provision.
- 6.26 Policy R2 relates to new recreational open space and states that permission shall be granted for new open spaces for recreational use together with any associated facilities, and the upgrading of existing provision, within and adjoining the town of Boston and the villages provided that: the built element of the proposal is in keeping with the scale and character of existing development; the proposal is unlikely to cause unacceptable environmental or traffic problems; the proposal includes satisfactory means of provision of access and parking; the proposal will not substantially harm the amenities of other adjacent land users or residents. In this respect, the provision of the 3G all-weather sports pitch for recreational use together with open space provision within the residential development will increase both the quantity and quality of recreational uses for the community within the locality. Careful consideration has been given to the position of the 3G all-weather pitch and it has been positioned the furthest distance away from existing residents in the southern portion of the site to respect the

amenity of adjacent residents. The Transport Assessment has concluded that a satisfactory means of access can be secured to this element of the development and the level of vehicular activity would not have an adverse impact on the surrounding local networks. These relationships are explored in further detail in Chapter 10 of this ES, relating to Transport, as well as in the Design and Access Statement.

- 6.27 Policy R3 relates to new indoor leisure facilities and states that planning permission will be granted for development of new indoor leisure facilities subject to the same criteria identified for Policy R2. In this respect, an associated element of the proposed Community Stadium is the provision of a sports hall which would be accessible to all sections of the community and, in principle, Policy R3 supports this type of development. Similar to the 3G all-weather pitch, the sports hall facility is positioned on the southern side of the Community Stadium away from the residential properties to the north. The design is an integral part of the Community Stadium which represents good innovative architecture. These relationships are explored in further detail in Chapter 10 of this ES, relating to Transport, as well as in the Design and Access Statement.
- 6.28 Policy R8 relates to leisure facilities in the countryside and states that permission shall be granted for formal sport, recreation or leisure facilities in the countryside where the development: is essential in a countryside location by reason of its extensive land requirements or water-based nature, noise generation, or its use of an opportunity which cannot be realised within the town or villages; will not significantly harm the amenities of other adjacent land users or residents nor the general character of the locality because of its nature, scale, density, layout, appearance, noise or traffic generation; will not significantly reduce the existing nature conservation value of any area that may be affected; includes a satisfactory landscaping scheme, incorporating means of future management; includes satisfactory means of provision of access and parking; and will not lead to the irreversible loss of the best and most versatile agricultural land.
- 6.29 In this respect, the underlying intention of this policy is to improve local sport and recreational facilities and we consider the community stadium and related development would qualify as an exception to the countryside protection policies and would satisfy the principles of this policy.

- 6.30 As demonstrated elsewhere in the Planning Statement, the Community Stadium facility requires an area of land in excess of that which is available within built-up areas. Explanatory text to the Policy encourages these uses to be directed to the fringe of towns or on public transport routes to keep essential travelling distances and individual car journeys to a minimum and be more readily accessible to a wider cross section of the population. Clearly the development is situated on the fringe of Boston and accessible from the A16 as well as footpath and cycleway accords with these objections.
- 6.31 Through a detailed masterplanning and design approach, the nature, scale, layout and appearance of the Community Stadium has been carefully considered and the level of impact has been adjudged to be minimal taking on board various mitigation measures.
- 6.32 In terms of the predicted noise impact of the proposed stadium on existing residential dwellings, the assessment confirms that this is likely to be negligible but it is proposed that mitigation could be taken to minimise noise through detailed design (i.e acoustic barrier) and sound limiter to the PA Tannoy system so that it would not adversely impact on the amenity of local residents.
- 6.33 Whilst the proposal would comprise an encroachment into the Countryside, it would not be disorganised and unattractive expansion into the Countryside.
- 6.34 Insofar as accessing the impact of traffic generation and identifying appropriate needs of access and parking, the proposed Community Stadium has been subject to a Transportation Assessment, Travel Plan and Event Management Plan and therefore traffic generation issues, means of access and parking have been carefully considered and appropriate solutions and mitigation strategies have been agreed.
- 6.35 The scheme has taken great care to design a development within a comprehensive landscape and ecological framework. This means that there is significant mitigation for the development with long term management and maintenance landscape and ecology areas that can be secured by planning conditions.

- 6.36 As previously discussed in relation to Policy G8, the detailed survey and agricultural land quality is not as good as the provisional map suggests being a mix of Grade 2 and Sub Grade 3A with some Grade 1 and Sub 3B. Specifically, where the stadium facility is proposed, the land is Sub Grade 3B which is not the best and most versatile agricultural land. Consequently this aspect of the development would not be inconsistent with criterion 6 of Policy R8. These relationships are explored in further detail in Chapters 8, 10, 12, 13 and 16 of this ES, relating to Landscape and Visual Impact, Transport, Ecology, Noise and Vibration and Ground Conditions respectively, as well as in the Design and Access Statement.
- 6.37 Policy R9 relates to built development for countryside leisure pursuits and states that permission shall be granted for built development associated with permissions granted under Policy R8 where: it is essential to the operation of a recreational use; an existing building could not be converted or utilised; it is sited within or adjacent to a settlement or alongside existing buildings or otherwise visually forms an integral part of the overall development; it does not harm the general character of the area in terms of its nature, scale, siting, layout, appearance or traffic generation; and the proposal includes a satisfactory landscaping scheme, incorporating mean of future management. In this respect, the Planning Statement demonstrates that the built development associated with the Community Stadium Facility is essential to the operation of the sports facility whilst ensuring a strong commitment to community based activities. The stadium sits adjacent to settlement framework of Boston and sensitive land assessment work has been undertaken to determine that the visual impact of the stadium would be minimised. Furthermore, both design and landscape measures have been at the heart of the evolving masterplan approach to the whole site. These relationships are explored in further detail in Chapters 8 and 10 of this ES, relating to Landscape and Visual Impact and Transport respectively, as well as in the Design and Access Statement.
- 6.38 Policy C8 seeks to protect views of Boston Stump and states that permission shall not be granted for development which would obstruct a public view of St Botolph's Church (Boston Stump), Boston, or which would challenge the visual dominance of the Church. In this respect, as part of the masterplan process and guided by the Landscape Assessment, long distant views towards the 'stump' have been preserved and enhanced by framing and orientating the buildings to create appropriate vistas. These

relationships are explored in further detail in Chapters 8 and 11 of this ES, relating to Landscape and Visual Impact and the Historic Environment respectively, and the Design and Access Statement.

- 6.39 Policy CF3 relates to new community facilities and states that permission shall be granted for the development of new community or social facilities within settlements provided that the proposal: will not cause unacceptable traffic or parking problems, and will not cause unacceptable harm to the amenities of neighbouring land users and residents; is compatible with the existing character of the area in terms of its scale, layout, design and materials.
- 6.40 In this respect, the proposed community uses as part of the development are clearly acceptable as a matter of principle in terms of Policy CF3. However, whilst it is acknowledged that the focus of these facilities is within settlements it is considered that, as the site lies immediately adjacent to the settlement boundary of Boston and will be highly accessible to a large proportion of the community in the surrounding locality, then the community facilities are broadly consistent with the aims and objectives of this policy. As previously advised in the assessment of other policies, the development would not seriously harm amenity of safety concerns raised by the policy and it would be of a good design which is sympathetic to rural/urban edge of Boston. In addition to the parking provision at the proposed Community Stadium, an Event Management Plan has been prepared in order to guide parking arrangements where larger crowds are expected and to ensure that 'ad hoc' parking does not take place on adjacent streets when events are taking place. These relationships are explored in further detail in Chapters 8 and 10 of this ES, relating to Landscape and Visual Impact and Transport respectively, and the Design and Access Statement.
- 6.41 Policy CO1 relates to development in the countryside and states that permission shall not be granted for development in the countryside unless it is supported by other Local Plan policies. In this respect, and having regard to the above interpretation of Policy R8 and R9, it is considered that the sports and recreational element of the proposal could out of necessity be located in the Countryside and that the relevant criteria has therefore been satisfied. Insofar as housing is concerned, it is considered that this policy is out of date given the NPPF requirements and the under performance of the Local Authority in terms of the housing land provision for Boston. The proposal assists

in the delivery and the provision of housing being the right type and in the right place to assist in meeting current local needs. These relationships are explored in further detail in the Planning Statement.

- 6.42 In summary with regards the relation of the proposed development with the saved policies of the Boston Borough Plan (1999), the proposed development will accord with a wide range of the policies and objectives, particularly in relation to sport and community facilities. The saved policies of the Local Plan for retail and commercial leisure uses (RTC3 and RTC9) have not been saved and paragraph 14 of the NPPF is therefore the policy starting point for the consideration of those elements of the proposed development. Insofar as the housing element of the proposed development is concerned, and as detailed in the Planning Statement, it is acknowledged that the Council cannot demonstrate a five-year supply of deliverable housing sites and, therefore, in accordance with paragraph 49 of the NPPF, the relevant policies of the Local Plan cannot be considered up-to-date.

Other Material Considerations

- 6.43 Other material policy considerations which could be taken into account include the National Planning Policy Framework (2012); Boston Borough Interim Plan - Non-Statutory Development Control Policy (2006); and the emerging South-East Lincolnshire Local Plan. The relationships of the proposed development with such documents, where relevant, are explored in further detail below. Other policy documents, such as the Council's Affordable Housing Policy (2006); the Boston Masterplan (updated 2006); the Boston Community Plan 2008-18; the Fourth Lincolnshire Local Transport Plan (2013) and the Greater Lincolnshire Local Enterprise Partnership – Strategic Economic Plan (2014) are explored in further detail in the Planning Statement.

National Planning Policy Framework (NPPF) – March 2012

- 6.44 The NPPF sets out the Government's planning policies for England and how these are expected to be applied. It is an important material consideration in the decision making process.

- 6.45 The relationship between the NPPF and the weight to be attached to the statutory Development Plan is inextricably linked. Paragraph 12 in the NPPF states that proposals which accord with up to date Local Plans should be approved. Whilst it is seen as 'highly desirable' that Local Planning Authorities should have an up to date plan in place, this is unfortunately not the case with regards to Boston Borough Council and therefore the policies contained within the NPPF should be given greater weight particularly when these vary or are inconsistent with the adopted Local Plan (1999).
- 6.46 The NPPF is based on a presumption in favour of sustainable development. Paragraph 14 describes this as the 'golden thread' running through the plan making and decision taking process. It also confirms that in instances where the Development Plan is absent, silent or relevant policies are out of date, planning permission should be granted unless:
- **"Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole; or**
 - **Specific policies in this framework indicate development should be restricted".**
- 6.47 Whilst there are certain policies within the 'saved' Boston Local Plan that may be of some relevance, it is considered that significant weight should be attached to the policies and guidance contained in the NPPF.
- 6.48 There is a footnote to the above statement at Paragraph 14 indicating specific policy designations where there is a suspension of the presumption in favour of sustainable development. An example given in the footnote is for locations at risk of flooding or coastal erosion. It is acknowledged that the site lies in an area at risk of flooding but through a rigorous application of the sequential test and the exceptions test, it has been demonstrated that the location of the proposed development is appropriate in terms of managing flood risk to people and property and the significant sustainable benefits to the community would outweigh flood risk. Against this evidence, the presumption in favour of sustainable development can re-engage and therefore continue to apply having regard to this proposed development.

6.49 Paragraph 15 creates a degree of urgency in terms of the deliverability of development which is sustainable confirming that these types of development should be approved 'without delay'.

6.50 The NPPF includes a section entitled 'Core Planning Principles' (Paragraph 17). With regard to those principles, we comment as follows:

- The proposals are highly creative and from the outset the applicants and their extensive team has approached the proposal with this context in mind. The aim has been to establish principles that secure the relocation of the new Community Stadium whilst ensuring that the identified funding gap has been met by a proportionate amount of enabling development. Consequently, the housing commercial and retail elements are all justified as being essential as they will provide a mechanism to enable the delivery of the community stadium through bridging this funding gap by commercial need. The approach has absolutely not been a 'tick box' scrutiny process but instead the applicant's team has taken a positive, design led approach to what can be created and will continue to work with the Council and local community. The approach being promoted through this application will enhance Boston as a place in which people live their lives.
- The proposals will deliver much needed housing, business, sport and recreation uses as well as infrastructure provision to create a thriving sensitive extension to Boston.
- The proposal will make a significant contribution towards meeting housing, business and development needs of the area. The scheme is a very positive response to wider opportunities for growth. The development is a function of the Council strategy for development in its area – taking account of the needs of the residential and business community.
- The proposals have embraced the benefits of high quality design and a good standard of environmental amenity.
- As demonstrated in Chapter 9 of this ES, relating to Flood Risk and Drainage, and as set out in the Flood Risk Assessment, the development has taken full account of flood risk and coastal change.

- The development will promote mixed use development and actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling.
- The role and character of this site – existing and future. The intrinsic character of the traits of countryside involved has been respected from the outset (e.g. EIA was commissioned). Trees, hedgerows and ditches are to be retained where possible, there will be no net loss of biodiversity. It is also considered that the development would promote in overall terms the vitality of the main urban area of Boston.
- In terms of the desired low carbon future – the illustrative masterplan has sustainable considerations built into it e.g. integral pedestrian, cycle public transport position; mixed land uses; a SUDS drainage system; extensive greenspace and landscaping.
- The land affected is of a relatively low environmental and landscape value as is proven by the accompanying EIA.
- It is accepted that it is not a brownfield site. However, the reality is that to meet the needs of relocating the stadium and the minimum provision of enabling developments required there are no brownfield sites available to accommodate this development.
- The site appears to be of limited archaeological value but a group of anomalies have been detected and so appropriate mitigation measures will be in place to conserve these heritage assets in a manner appropriate to their significance.
- The NPPF seeks to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling with any focus of significant development to be in locations which can be made sustainable. A clear access strategy with a travel plan and event management plan for the stadium will ensure that the development satisfies this core principle and is proportionate with the scale of development it proposed in this location.

- By delivering this development, the NPPF's final core principle for improving health, social and cultural wellbeing for all will be achieved. The scheme as a whole allows the delivery of a community stadium with dedicated community facilities for Boston in line with their corporate objectives and assist in addressing current deficiencies to meet local needs in a planned manner.
- 6.51 Section 1 of the NPPF identifies that the Government is committed to securing a strong competitive growing economy in order to create jobs and prosperity (Paragraph 18). There is an acknowledgement at Paragraph 21 that investment in business should not be overburdened and planning policy should recognise and seek to address potential barriers to investment. These relationships are explored in further detail in Chapter 7 of this ES, relating to the Socio-Economic Effects of the proposed development.
- 6.52 Section 2 deals with ensuring the vitality of town centres. Paragraph 24 of the NPPF confirms that Local Authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and not in accordance with an up to date Local Plan. The guidance confirms that only if there are no suitable sites within or on the edge of the town centre, then out of town sites can be considered. When considering out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Reference is also made to applicants and Local Authorities demonstrating flexibility on issues such as format and scale. As demonstrated in Chapter 7 of this ES, relating to Socio-Economic Effects, as well as the Retail and Commercial Leisure Statement, the availability of alternative sites in both the central shopping area and edge of town sites has been assessed, with the conclusion being that there are no other sites which are capable of meeting the development requirements of the proposal.
- 6.53 Paragraph 26 states that where applications for retail and leisure development outside of town centres, which are not in accordance with the up to date Local Plan, Local Authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold. If there is no locally set threshold, the default threshold is 2,500 sqm. A Retail and Commercial Leisure Report has been prepared and concludes that there will be no material harm or significant trading impacts on the relevant town centres by the proposal (when considered in combination with surrounding existing committed retail schemes). Therefore, it is not anticipated

that the retail and commercial leisure elements of the Community Stadium proposals would give rise to significant adverse impacts upon the long term vitality and viability of any existing centre within the Boston area or immediately beyond.

6.54 In terms of identifying the characteristic of sustainable development, Paragraph 7 sets out three dimensions to achieve sustainable development which are: economic, social and environmental in the context of these dimensions, the NPPF has set out a number of roles for the planning system to perform.

- **Economic Role** – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right place and at the right time to support growth and innovation; and by identifying coordinating development requirements, including the provision of infrastructure;
- **Social Role** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating high quality built environment, with accessible local services that reflect the communities needs and support its health, social and cultural wellbeing; and
- **Environmental Role** – contributing to protecting and enhancing a natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, mitigate and adapt to climate change including moving to a lower carbon economy.

6.55 These three roles are to be pursued jointly through the planning system and the Planning Statement identifies the sustainable benefits based on these three dimensions.

6.56 Section 8 of the NPPF seeks to promote healthy communities and to deliver social, recreational and cultural facilities and services the community needs and planning decisions should adopt a positive approach to the provision of uses such as sports venues, public houses etc to enhance the sustainability of communities and residential environment (Paragraph 70). The Stadium would serve the community, in a very real sense and together with the associated sport recreation and community uses, the

development will promote social inclusion and community cohesion as well as improved health and general wellbeing. Considerable weight therefore should be attached to the wider sport, health and lifestyle opportunities that would be delivered through the development for the whole community.

- 6.57 Section 6 of the NPPF seeks to deliver a wide choice of high quality homes with the objective of seeking to boost significantly the supply of housing (Paragraph 47). Where there is a housing land supply shortage, proposals are to be considered in accordance with the presumption in favour of sustainable development. Paragraph 49 of the NPPF is clear in relation to proposals for housing where Local Authorities cannot demonstrate a five year land supply. It states the following:

“Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up to date if the Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites.”

- 6.58 Section 9 of this Statement examines the most up to date five year land supply position in Boston however, it is clear that there is a lack of a five year land supply for housing so in line with the NPPF, permission should be granted for sustainable development such as this proposal (even though this may be contrary to the policies of the adopted Boston Local Plan), unless any adverse impacts of doing so would significantly demonstrably outweigh the benefits when assessed against the policies of the NPPF.
- 6.59 The delivery of a wide choice of high quality homes is a key element of sustainable development and Paragraph 50 of the NPPF encourages Local Authorities to plan for a mix of housing identifying the sites, type, tenure and range of houses that is required in particular locations reflecting local demand, and where there is a need for affordable housing. From the masterplanning exercise undertaken, it has been illustrated that the housing development would create a mixed and balanced community.
- 6.60 Paragraph 52 of the NPPF states that the supply of new housing can sometimes be best achieved through planning for large scale developments, such as urban extensions to existing towns that follow the principles of Garden Cities. It is apparent

from the DAS that the landscaping, green infrastructure issues have been at the heart of the evolution of the masterplan with extensive greenspace and planting and therefore follow the principles advocated within the NPPF.

6.61 As an essential element of sustainable development, the NPPF requires good design. With regards to Paragraph 58 of the NPPF, the following is observed:

- The development will function well and add to the overall quality of the area, not just for the short term but for the lifetime of the development. It would establish a strong sense of place and as the DAS shows, would use streetscapes and buildings to create attractive and comfortable places to live, work and visit.
- The proposal does (sensitively) optimise the potential to accommodate development, create and sustain an appropriate mix of uses (including incorporation of extensive green and other public open space as part of development) and support local facilities and transport networks.
- Care has been taken in formulating these proposals (more particularly by commissioning an EIA) to ensure that the proposal responds to local surroundings and materials. The proposal would not prevent or discourage appropriate design as the project moves forward.

6.62 Paragraph 61 of the NPPF charges Local Authorities with the responsibility of addressing the connections between people and places and the integration of new development into the natural, built and historic environments. In this case, the development would be integrated with the existing built up area and enhance it because of its environmental qualities, land use mix and sport recreation and community benefits. The approach taken from the outset has been to facilitate and respect of the natural, built and historic environment. The components of the application prove how the utmost care has been taken on all fronts. These relationships are explored in further detail in Chapters 8 and 11 of this ES, relating to Landscape and Visual Impact and the Historic Environment respectively, and the Design and Access Statement.

6.63 Taking the key elements of the NPPF and applying this to the proposed development, it is clear that the scheme is in accordance with the core principles and underlying

objectives of this document. Thus there is a strong presumption in favour of granting planning permission for this sustainable development.

Boston Borough Interim Plan – Non-Statutory Development Control Policy (2006)

- 6.64 Section 1 of the Planning Statement makes reference to the withdrawal of the redoposit draft of the Boston Borough Local Plan as a result of difficulties associated with the delivery of the proposed Boston and Southern Link Road. In February 2006, the Council took the decision to amend this Plan with the removal of the Southern Link Road and the associated mixed-use development on land to the south-west of Boston. In its revised form, the Plan became known as the Interim Plan and it has been adopted by the Council for development control purposes.
- 6.65 Through pre-application discussions, agreement has been reached with the Local Planning Authority as to how the policies of the Interim Plan should be addressed. It has been agreed that no real weight should be given to any of the policies in this document on the basis that the NPPF sets out the weight that can be given to emerging Plans but, given the Interim Plan is not 'emerging', it does not fall into any plan-making category. Therefore, no real weight can be given to this document.

South East Lincolnshire Local Plan (May 2013)

- 6.66 The Combined Preferred Options and Sustainable Appraisal Report was released in May 2013 and whilst the weight to be attached to this document is limited as it is not at an advanced stage in the Local Plan process, there are underlying policy objectives based on up to date evidence that should be assessed when weighing the balance of the acceptability of the proposal.
- 6.67 For housing, the vision is to meet the needs of the whole of South East Lincolnshire's population and the preferred policy approach is to ensure the provision of at least 4,420 new homes for the Borough of Boston between 2011 and 2031. The town of Boston is promoted as a Sub-Regional Centre as the main location for new development and the document considers reasonable to apportion two thirds of the Borough's dwelling provision (i.e. 2,900 dwellings) to the town itself (Paragraph 6.7.1).

- 6.68 In view of the distribution of flood hazard in South East Lincolnshire, the Plan accepts that additional housing may be necessary in Flood Risk Areas to support sustainable development. As Boston is not only the place of choice for a substantial proportion of the plan's, residents and workers but also one of the major economic, social and service hubs. Therefore, the Plan takes a pragmatic approach on how sustainable development (particularly in respect of essential infrastructure) and the more vulnerable development uses, can be managed.
- 6.69 Paragraph 4.5.1 confirms that the need for new development of all types will arise in areas of flooding and the Local Plan will need to ensure that, where justified, such development is provided in the safest locations and it does not significantly increase the threat of flooding.
- 6.70 In terms of the economic vision, the Plan seeks to create a mutually supportive hierarchy and vibrant self-contained centres by providing employment, retail and services and encouraging an appropriate scale of retail, leisure and other town centre development and by maximising opportunities for regeneration.
- 6.71 Similar to future housing growth, Boston is identified as the primary focus for main town centre uses in support of its sub-regional role and function. For development of town centre uses in out of centre locations, it confirms that these would be tightly controlled and refers specifically to sequential test identified in the NPPF.
- 6.72 At Page 182 of the Plan, the quantum and type of retail floorspace is identified and proposed to be phased over the Plan Period. Since the release of this document, further Retail Impact Assessment Work has been conducted and these figures are likely to be revised. The retail policy also requests a robust Retail and Leisure Impact Assessment for development in Boston where the NPPF default threshold of 2,500 sqm will apply and the accompanying Retail and Commercial Leisure Report accords with this approach.
- 6.73 Paragraph 9.24 focuses on the preferred policy approach for community, health and wellbeing, encouraging developments to contribute to the creation of socially cohesive and inclusive communities and improving the community's health and wellbeing. To this end, our development creates environments which are accessible to all sections

of the community. It will also facilitate walking, cycling and public transport use. To enable people to lead healthy and active lives, there is clear recognition that residential development shall support the provision of new sport and open space facilities.

- 6.74 Insofar as the new community education, recreation and sport facilities are concerned, the development would accord with the criteria identified as it is located to maximise accessibility for the different users.
- 6.75 Paragraph 10.18 sets out the policy approach to deliver sustainable transport and accessibility with the objective being to minimise the need to travel, improving accessibility to job, services and community facilities and adapting to and mitigating against climate change. We consider the new development would improve accessibility to public transport, walking, cycling to key destinations and the assessment work has ensured that vehicular traffic generated does not materially increase traffic problems. Both on and off street parking have also been carefully managed through the travel plan and event management plan.
- 6.76 There is recognition in the Plan to the potential delivery of the Boston Distributor Road as outlined in the Local Transport Plan for Boston (2006 to 2021). The Boston Transport Strategy highlighted the A52/A16 link corridor as an issue for town. Paragraph 10.2.2 confirms that the Boston Distributor Road remains a 'aspiration' and whilst the view is taken that this road is unlikely to come forward in its entirety of the Plan Period, there is a recognition that potential for future development within Boston Town could contribute to a 'first phase' of a new piece of highway infrastructure. Clearly the provision of a distributor link road between the A16 and London Road as part of our development could be considered as the 'first phase' as referred to in the draft South East Lincolnshire Plan.
- 6.77 Whilst the South East Lincolnshire Local Plan still have some way to go through the Local Plan process (and therefore only limited weight can be attached at this stage), the preferred options starts to provide a positive planning framework to meet the development requirements appropriate to the circumstances of the area and are consistent with the general thrust of the NPPF. Against this background, it is considered that the development proposal will accord with the overall spatial objectives that the Plan is seeking to achieve.

Mitigation Measures

- 6.78 The proposals the subject of this statement have evolved through discussions with the relevant parties and therefore incorporate mitigation at the design stage. The process of Environmental Impact Assessment has also led to the scheme being amended, particularly with respect to its relationship with the adjacent listed building and flood risk.
- 6.79 Specific mitigation measures are proposed for the topic areas considered by each chapter and set out within them. It is not, therefore, proposed to reiterate those findings here, particularly without the appropriate explanation.

Monitoring Programme

- 6.80 Suitable controls in respect of the development can be provided, where necessary, through the imposition of appropriate conditions.
- 6.81 Any conditions imposed in respect of the use of the various components of the site can be the subject of scrutiny by the local planning authority to allow monitoring of the site.

Alternative Scenarios

- 6.82 Best practice in respect of the undertaking of an Environmental Impact Assessment requires that reference be made to any alternative forms of development considered for an application site. Best practice also requires that proposals for the redevelopment of the site evolve through extensive consultation with statutory consultees and local groups. Chapter 5 of this ES assesses alternative sites and forms of development that have been considered for the proposed development. Additionally, the form of the development proposed as evolved through numerous meetings of the Applicants' specialist consultants with the Council and relevant parties. Furthermore, extensive consultation has been undertaken, including well-publicised public exhibitions at the existing football stadium. This matter is analysed in greater detail in the Statement of Community Involvement and Design and Access Statement.

6.83 The scheme has, therefore, been amended as a result of the input of each topic area considered by this statement, with alternative sites and forms of development being considered as part of the design process. This has culminated in the application scheme the subject of this statement.

Robustness of Analysis

6.84 The assessment of the existing situation in the area, and the potential impact of the proposed development upon it, are based upon pertinent planning policy and on-site data. This assessment has been made by suitably qualified individuals, and is, therefore, considered to be robust. Any problems encountered in respect of each topic area will, however, be reported within the relevant chapters.

Summary and Conclusions

6.85 This chapter has considered the relationship of the proposals with pertinent national guidance and local development plan policy. The proposed development is considered to align closely with the key policy drivers, particularly reflecting the main components that comprise a sustainable community. The proposed housing mix (type and tenure) demonstrates that it will complement the town's housing needs and extend the range and quality of the town's housing offer. The proposed commercial uses and the delivery of the Community Stadium and an element of the distributor road will significantly contribute to improving the local economy for Boston, for which there is strong policy support to achieve investment and sustainable growth.

6.86 It is therefore considered that the proposals, submitted in a hybrid form, perform well with respect to the over-arching objectives of local and national planning policy.