

# THE QUADRANT, Q1

BOSTON, LINCOLNSHIRE



A proposed sustainable mixed-use scheme including new community stadium for Boston United Football Club, housing, retail, commercial and leisure uses.

Quadrant 1: Land either side of the A16, south of Tytton Lane East, Boston  
*Chestnut Homes Land Ltd*



**PLANNING STATEMENT IN SUPPORT OF APPLICATION FOR  
COMMUNITY STADIUM, FOOD STORE, HOUSING,  
COMMERCIAL AND LEISURE USES ON LAND KNOWN AS  
THE QUADRANT 1 (Q1) – TYTTON LANE EAST, BOSTON FOR  
CHESTNUT HOMES (LAND) LIMITED AND BOSTON UNITED  
FOOTBALL CLUB COMMUNITY INTEREST COMPANY  
LIMITED**



**SIGNET PLANNING**

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COMMUNITY STADIUM FOOD STORE, HOUSING,  
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# CONTENTS

	<u>Page No</u>
SECTION 1: INTRODUCTION AND BACKGROUND	1
SECTION 2: DESCRIPTION OF THE APPLICATION SITE AND ITS SURROUNDINGS	14
SECTION 3: THE PROPOSED DEVELOPMENT	14
SECTION 4: CONSULTATION AND COMMUNITY INVOLVEMENT	19
SECTION 5: SUITABILITY OF THE PROPOSAL IN POLICY TERMS	22
SECTION 6: THE NEED FOR AND BENEFITS OF THE NEW COMMUNITY STADIUM FOR BOSTON UNITED FOOTBALL CLUB	46
SECTION 7: THE CONCEPT OF ENABLING DEVELOPMENT AND THE WEIGHT TO BE GIVEN TO ALTERNATIVE POTENTIAL OPTIONS	50
SECTION 8: SUSTAINABLE BENEFITS	60
SECTION 9: HOUSING NEED AND POLICY REQUIREMENTS	68
SECTION 10: PHASING AND IMPLEMENTATION	70
SECTION 11: PLANNING OBLIGATIONS/HEADS OF TERMS	72
SECTION 12: OVERALL CONCLUSIONS	77
Table 1: Analysis of Proposals in light of the 'Saved' Policies of the Boston Local Plan	31
Table 2: Proposed Affordable Housing Provision	73
Table 3: Onsite Open Space Provision	74
<b>Appendices</b>	
Appendix 1: Project Delivery Vehicle	
Appendix 2: Plan Showing Relationship between Q1 and Q2	
Appendix 3: Local Facilities Plan	
Appendix 4: Matrix – Quantum of Development	
Appendix 5: Indicative Masterplan	
Appendix 6: Alternative Site Assessment Plans	
• Kirton Storage and Distribution Park	
• Princess Royal Sports Arena	
Appendix 7: Open Space Requirements for Quadrant 1 – April 2014	
Appendix 8: Capacity of Health Provision (Doctors and Dentists)	

## **SECTION 1: INTRODUCTION AND BACKGROUND**

- 1.1 This statement has been prepared by Signet Planning in support of a hybrid (part outline, part full) planning application on behalf of joint applicants Chestnut Homes (Land) Ltd and Boston United Football Club Community Interest Company (known as 'The Applicants' to develop 'Quadrant 1') (Q1) on land either side of the A16, South of Tytton Lane East, Boston. The proposed development is focused on the delivery of a new Community Stadium for Boston United Football Club together with associated 'enabling' development including approximately 500 dwellings, retail and commercial/leisure units, as well as the first section of a new Distributor Road that would ultimately form a link through to the existing A52. Quadrant 2 (Q2) would represent further phases in the deliver of the Distributor Road together with a further sustainable urban extension to Boston. Q2 is being promoted through the emerging Local Plan process.
- 1.2 The application site is split across two parcels of land. The residential, commercial and retail elements of the site will be located on land south of Tytton Lane East (East of London Road and West of the A16). The new Community Stadium together with two smaller commercial areas at the site entrance will be on the land directly to the east, on the opposite side of the A16.
- 1.3 The scheme will be submitted as a hybrid planning application, seeking outline planning permission across the entire site, with all detailed elements submitted for the Community Stadium, the new Distribution Road and the points of vehicular access for all the developments. Further details of the proposal are described fully in Section 3 of this report and are illustrated on the application drawings enclosed separately. In addition, Design and Access Statements (DAS) have been prepared and accompany this planning application submission which discusses the rationale and merits of the design process further.
- 1.4 It should be acknowledged that prior to the submission of this application, extensive discussions have taken place over a number of years with various representatives of Boston Borough Council and statutory consultees and this has resulted in a collaborative and partnership working arrangement. This application has been achieved within a structured framework of a Planning Performance Agreement. We would maintain that good quality pre-application discussions have enabled early

consideration of all fundamental issues and these have been discussed in a positive and pro-active manner which has secured improved outcomes for all parties concerned including the community.

1.5 The aim of this report is to address the relevant planning considerations in light of National/Local Planning Policy, material considerations and assessing the compatibility of the development in policy terms. In addition, the report also seeks to demonstrate the need for the development and the wider community and sustainable benefits of the scheme.

1.6 The applicants have adopted an evidence base approach to confirm and justify the proposal in the context of the relevant planning policies. Individual detailed assessment studies are provided together with an Environmental Impact Assessment (EIA) of the proposed development. This Planning Statement should therefore be read in conjunction with the other environmental and technical studies that have been undertaken and submitted to the Local Authority as part of this application. Specific reference is made to the following reports:

- Two Design and Access Statements – one for the Community Stadium and the other for the related mixed use development;
- Retail and Commercial Leisure Statement;
- Statement of Community Involvement;

1.7 A Viability Assessment also forms part of the application but it has been agreed with the Local Authority that this document remains confidential and is not publicly available due to commercially sensitive information.

1.8 All other assessments are included within the EIA which has been prepared in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. The EIA covers:

- The need for the development and alternatives considered;
- Landscape and visual impact;
- Hydrology and drainage;
- Transportation (including travel plan and event management plan);
- Historic Environment;
- Socio-Economic Conditions;

- Noise and Vibration;
- Air Quality;
- Lighting;
- Ground Conditions including Agricultural Land Assessment;
- Construction Effects.

1.9 In addition to the collaborative partnership working and structured approach we have entered into with the Local Authority, the Applicants have consulted with the local residents and the wider community. A summary of the consultation and community involvement can be found in Section 4 but more detailed account is set out within the Statement of Community Involvement prepared by Spring.

### **About the Applicants**

1.10 To understand the proposed delivery vehicle for the project and the relationship between the two applicants and Chestnut Homes Ltd, a diagram can be found at Appendix 1.

1.11 Chestnut Homes (Land) Ltd is the lead developer who will be responsible for delivering the project. This will essentially relate to the delivery of the infrastructure for the entire site (including the construction of the distributor road). They will work alongside Boston United Football Club Community Interest Company (CIC) to assist with the construction of the new Community Stadium. Once complete, the stadium will be owned and managed by CIC. The new stadium will then be leased to Boston United Football Club Limited and Boston United Football in the Community at a rent that will enable the club to be financially viable.

1.12 For the housing element, Chestnut Homes Ltd and other residential developers would purchase ready serviced parcels/phases of the development from Chestnut Homes (Land) Ltd. The same principle also applies to retail and commercial and leisure operators who would bring forward these units following the purchase of a serviced plot from Chestnut Homes (Land) Limited.

1.13 Chestnut Homes Ltd are a housebuilding company who have traded for over 25 years and from 2007, took control and now run Boston United Football Club.

- 1.14 Boston has always been a key trading area for Chestnut Homes with a significant proportion of the company's activities being undertaken within this area with over 500 homes completed by the company in the last ten years within the borough.
- 1.15 Through this level of activity, Chestnut Homes have established an extremely good reputation in the town for delivering good quality housing schemes both with the general public as well as relevant statutory bodies and in particular with Boston Borough Council.
- 1.16 Chestnut Homes have been particularly successful in attracting Public sector investment into Boston over the last few years with in excess of £5 million of funding having been secured for projects in the town under various government programmes such as Kickstart, Help to Buy and Get Britain Building. These form part of an overall programme of schemes undertaken with around £8.5 million of government funding throughout Lincolnshire that have delivered in the region of 330 new homes, including 81 affordable dwellings and 65 equity share properties over the past 5 years. This government funding has been part of projects with a total cost in excess of £33 million.
- 1.17 By working closely with the Planning Authority to unlock numerous difficult sites, a strong working collaborative partnership has been formed. This has resulted in various awards including Civic Awards for two schemes at the Feather Works and The Quays as well as an RTPI Regeneration Award for the development at Quaker Lane, Boston.
- 1.18 The Council can therefore be assured that the applicant has the experience and expertise to deliver and facilitate the development in its entirety. They are not a company to sit on planning permissions but rather instead they consistently deliver schemes within the Boston area.

### **Boston United Football Club – Recent History**

- 1.19 The club does not own the current stadium and has a lease that will expire in January 2018. As such, there is no guarantee of it being able to occupy its present facilities beyond this period. As a result of this imminent threat to the continued existence of the club and community facilities, the club has been looking to relocate



its ground for the last eight years and has been in regular dialogue with the Council to find a solution to this issue.

1.20 The Club encountered serious financial problems around 2007. The Club entered into a CVA and was on the verge of being wound up. Chestnut Homes were the Club's main sponsor for three seasons up to and including 2007 and through this involvement had been monitoring the situation closely.

1.21 In 2007, due to the Club's imminent demise, a decision was taken by Chestnut Homes Limited to take over the running of the Club. The rationale for the decision was:

- To prevent the Club being wound up as they saw the Football Club as an important part of the Community and the significance of the game to the town's wider civic aspirations.
- They have a genuine intention to 'put something back into the community' with Boston having being the key trading area for over 20 years.
- It would create the opportunity to allow them to rebuild the Club based on proper and sound business principles. This approach would ensure that the Club maintains its community orientated focus with an enhanced community programme. In turn, this would help to address many of the existing social, health and economic issues that exist in the town.

1.22 Since 2007 when Chestnut Homes took control, the Club has been totally transformed with its reputation being restored both locally and nationally. Sound business principles are now being applied to the running of the Football Club with a result of significant improvement in the Club's financial position. Annual losses of over £1m per year prior to Chestnut Homes taking control have now been managed down significantly but to date the club continues to run at a loss primarily due to the high costs of running its current stadium and the relative lack of opportunity for income generation.

1.23 There has been an increased emphasis on growing the community programme which has proved successful in attracting significant amounts of grant funding from the Local Authorities, the NHS, football bodies and bodies such as the Football Foundation, Comic Relief and Sport England. This has established a programme to grow with a diverse range of activities now undertaken which include:

- Over 20 teams now play on a regular basis under the BUFC banner ranging from the elite youth development/centre of excellence teams through to the grass roots teams, providing opportunities for all sections of the community;
- An extensive schools programme delivered by the Club's qualified coaches providing the PE lessons to primary schools in the area as well as an extensive after school's programme;
- An on-going partnership with Boston College delivering 16-18+ education with over 100 students having being educated at the ground in the past four years, utilising the BUFC staff;
- An on-going activity programme providing a diverse range of activities including cheerleading, netball, multi-sport activities and exercise for all ages. This programme specifically aims to concentrate on non-football related activities to extend the influence of the Club beyond its traditional football related activities to interact with a much wider cross-section of the community;
- A variety of social inclusion projects, utilising sport and the BUFC brand to interact with different target groups and attempting to reach out to all sectors of the community including a three year mental health project attracting grant funding from Comic Relief.

1.24 The extensive community programmes was recognised when BUFC were awarded the prestigious 'Blue Square Bet North Community Club of the Year' award in 2012.

### **Rationale for the Relocation of the Community Stadium**

1.25 The Club has less than four years remaining on the existing lease for the stadium at York Street as the leasehold arrangement is scheduled to expire in 2018. There is little or no prospect of a renewal being granted by the present landlord.

1.26 In addition, the current ground is ageing and becoming unfit for purpose. The Club needs a viable business model moving forward and the new management is committed to finding an appropriate solution. An assessment of the Club's financial position indicates that relocation is vital to achieve a financially viable future with the opportunity to increase revenue stream. Irrespective of the availability of the existing stadium, the conditions of the facilities are poor and they are not capable of providing a suitable long term solution for the Club to achieve a sustainable future.

- 1.27 Against this background, the intention is to provide a new community stadium for Boston United Football Club that provides first class facilities for not just the first team and associated commercial activities but also to continue with their impressive and ever growing breadth of community programmes and related activities.
- 1.28 An objective of the project is to leave the Club debt free and to provide it with a sustainable financial viability future that would not only safeguard football in the town in the long term but also continue its ever growing valuable role within the community. In an effort to help secure the Club's financial long term sustainability the Stadium premises would be rented to them from CIC at a reasonable rental value.

### **Enabling Development**

- 1.29 The Club has no capital and cannot borrow to fund the stadium as it has no collateral; as it does not own the existing ground. As such, it cannot contribute towards a new stadium and so it is dependent upon an identified funding gap being met by some form of enabling development. Consequently, the retail, commercial and housing elements that form part of this application together with other sources of funding are essential as they will provide a mechanism to enable delivery of the proposal through bridging this funding gap by commercial means. It has been acknowledged by Boston Borough Council that the proposed Community Stadium cannot be delivered without the identified funding gap being met in this manner. Therefore, without the value from the proposed enabling development the proposed Community Stadium would not be viable.
- 1.30 The components of the neighbouring development are essential (and are the minimum necessary) to enable the delivery of the proposal. This makes the enabling development an important material consideration that should be considered in the overall planning balance. This issue is considered further in Section 7 of this Report.

### **Scheme Benefits**

- 1.31 Whilst expanded upon elsewhere within this statement as well as the individual reports, it is important to summarise a number of benefits to the local and wider area which are relevant to material considerations being weighted in the planning

balance in favour of the proposed development. The key main benefits of the scheme are:

- The Club's need for a new stadium to create a viable business to secure its future and all the benefits that flow from that for the town and the community.
- The benefits of a Community Stadium and the wider sporting, educational health, lifestyle opportunities that this will create.
- The benefits and the activities of the Boston United Community Trust and the enhanced possibility for the whole community to benefit.
- Social inclusion for families, young people, disabled and other sectors of community benefiting from the Club.
- Community cohesion and civic pride that derive from having a successful community stadium and well run Club.
- Direct construction cost and the wider output value of the scheme based upon indirect and induced input would be £149m, which would create 773 (full and part time) jobs and boost the visitor economy.
- The delivery of much needed housing development to satisfy the existing and future housing projections as well as address the current five year land supply deficiency.
- The ability of the proposal to implement the Council's objectives and strategy for growth, economic development and prosperity.
- The improved accessibility for sport, walking, cycling and general recreation would be achieved.
- An opportunity to deliver the first section of a distributor road to reduce traffic congestion in the town and significantly contribute to improving of the local economy.
- The new commercial/leisure facilities would extend the economic and tourism offer within the town thereby improving its overall vibrancy and attractiveness as a place to live and work.

1.32 Overall, there are very many positive factors in favour of the development which should be given considerable weight. The lack of any security of tenure at York Street and of any finance to fund a new stadium should attract considerable weight particularly when assessed against the inadequacies of the Club's existing facilities. The economic, civic pride, community and Club consequences if the development fails to go ahead would we consider be highly damaging with the likelihood that the club would fold. There are clearly a unique set of circumstances and we have

demonstrated there is simply no other alternative available to deliver these needs and associated benefits.

### **Planning History of the Quadrant (Q1 and Q2)**

- 1.33 The applicant has been actively involved with the promotion of this area of Boston since 2002. At this time, the Borough Council were promoting a mixed use allocation known as land to the south west of Boston 68 hectares in size in an emerging replacement Boston Local Plan released in 2005. Connected to this proposed allocation was a proposal for a new link road called the Southern Economic Corridor.
- 1.34 The delivery of the proposed Boston Southern Economic Corridor (BSEC) and associated mix use development to the south west of Boston was a major plank in the replacement Local Plan Strategy. However, in January 2006, the County Council announced that the BSEC was not proceeding. Since the County Council did not identify the BSEC with any degree of priority, it was considered that the development timescales implied in the replacement Local Plan could be problematic and this would place the Local Plan at risk of being considered undeliverable.
- 1.35 Given that such a fundamental problem existed, the Council decided to withdraw the replacement Local Plan from the statutory adoption process in 2007.
- 1.36 Over the years, the applicants have continued to promote the development and engaged with the Development Plan process (i.e. the original disbanded replacement Local Plan, the emerging LDF evidence base work and the Regional Spatial Strategy (now revoked) to promote the land to the south west of Boston now known as the Quadrant – Q2. In 2007 they also began to promote the application site (Q1) when it became available as a potential development opportunity. Both Q1 and Q2 have been promoted as sustainable urban extension sites through the Local Plan process to accommodate mix use development to support the envisaged future growth required for Boston.
- 1.37 It has always been maintained that there is an opportunity for delivering various phases of distributor roads from the A16 eventually across to the A52/Boardsides to help relieve town centre congestion.

1.38 At this point it is worth noting that within the most recently released emerging Local Plan for Boston (the South East Lincolnshire Local Plan – Strategy and Policy DPD Combined preferred Options and Sustainability Appraisal Report – May 2013) the area where the Quadrant is located has been identified as a 'Broad Location' to support a large scale urban extension opportunity. During the consultation stage of this document in June 2013, the applicant submitted representations supporting this approach with a recognition that The Quadrant – Q2 could include uses such as a marina, housing, open spaces, retail and leisure units, community facilities and employment land as well as helping the delivery of a much needed distributor road network to make it easier to avoid the town centre of Boston. With this background in mind, it is clear that a great deal of work and time has already been invested by the applicant over nearly a ten year period to positively engage with the Local Authority and the emerging planning policies to help deliver a realistic and sensible strategy for the future growth of Boston.

## **SECTION 2: DESCRIPTION OF THE APPLICATION SITE AND ITS SURROUNDINGS**

### **Context**

- 2.1 The site is located on the south west edge of Boston and adjacent to the existing residential areas to the north, west and south. It is located approximately 2-3km from the centre of town and lies either side of the A16 a main arterial route out from the centre of Boston.
- 2.2 Boston is a sub-regional centre situated near the south east coast of Lincolnshire where the River Witham becomes the Haven on its journey to the Wash. The Borough of Boston has a resident population of about 65,000, with the outline settlements close to Boston comprise of Kirton (to the south); Swineshead (to the south west); Old Leake (to the north east), Wrangle further out in this direction and Sutterton further to the south of Kirton along the principal A16. Boston is the primary sub regional centre in the south of the county.
- 2.3 However, Boston is relatively isolated with the nearest largest town/cities being Peterborough, Lincoln and Nottingham. Due to the relatively poor transport infrastructure within this rural part of the country, Boston has traditionally been and continues to serve as a sub-regional centre for its hinterland.

### **The Site**

- 2.4 The site is located on the south west edge of Boston. The site comprises two parcels of land, intersected by the A16 (the main southern arterial route into Boston). The overall application site area extends to approximately 28.09 hectares. The larger portion of the site occupies the area of land between the A16 and London Road (Approx 21Ha). This is largely rectangular in shape and is predominantly in agricultural use although it also includes two existing dwellings (Numbers 262 and 264 London Road) which are proposed will be demolished in order to facilitate access. On the eastern side of the A16 Road, the site extends to 5.2Ha and again is predominantly in agricultural use.

- 2.5 The whole site is relatively flat and featureless with minimum height differences across the site and this is also the case in terms of the topography of the immediate surrounding areas.
- 2.6 There is minimum landscaping either within the site itself or indeed along many of the boundaries. Adjacent to the existing residential dwellings to the north and west of the site some of these boundaries are formed by timber domestic fencing and interspersed with vegetation. The only landscape areas are those adjacent to the main A16 either side of the road in the north east portion of the site.
- 2.7 Land drains run along many of the boundaries as well as bisecting the site and these are the only natural features of the note other than an existing high voltage electricity pylon and associated powerlines crossing the southern portion of the parcel of land in an east-west direction between London Road and the A16.

### **Surrounding Area**

- 2.8 The **western parcel** of the site is located in an area which is predominantly residential in nature with mainly residential uses to the three sides of the site.
- 2.9 The northern boundary is formed by the rear gardens of the properties fronting onto Tytton Lane East. These properties are all detached plots, predominantly bungalows including a number of two storey dwellings as well. In the north-west corner of the site, there is a paddock area.
- 2.10 The western edge of the site is formed by the rear boundaries of the properties fronting onto London Road which are a mix of established detached, single or two storey dwellings.
- 2.11 In the south west corner of the site there is a small agricultural/industrial development with access via a narrow road off London Road.
- 2.12 The southern boundary is delineated by an open drain (maintained by Black Sluice Internal Drainage Board and known as theTown Drain) which has a combination of adjacent recreation and residential users. Clarke Court is a relatively modern estate comprising mostly two storey houses and low rise apartments. Adjacent to the south eastern corner of the site are playing fields together with Wyberton Sports and Social



Club, which is a local community facility operated by Wyberton Playing Fields Association a registered charity which exists to provide recreational space to the local community of Wyberton. This provides a base for Wyberton Football Club – a local football club running both adult and youth teams in the local leagues.

2.13 The **eastern parcel** of the site forms part of a wider expanse of agricultural land this side of the A16. However, further to the east lies Tytton Hall, a substantial two storey building set within a parkland setting with mature trees. Immediately to the north, the boundaries formed by the rear gardens of the properties built in Tytton Lane East. These are detached properties set within reasonably large plots.

2.14 From the attached Local Facilities plan at Appendix 3, the site is situated in convenient walking and cycling distance for key amenities within Boston such as:

- Wyberton Primary School (800m)
- St.Thomas Primary School (1500m)
- Newsagent and Post Office (800m, Pincushion Stores Wyberton)
- Boston Dental Centre (700m Saundergate Lane Wyberton)
- Convenience Stores (900m SPAR, Parthian Avenue, Wyberton)
- Fish and Chip Shop (900m Jolly Fryer, Parthian Avenue, Wyberton)

## SECTION 3: THE PROPOSED DEVELOPMENT

### Application Description

3.1 The official description on the planning application form states as follows:

**“Hybrid (Part outline part full) Planning Application for a single composite development comprising: a new community stadium for Boston United Football Club (including education, community and sports facilities); a food store (Use Class A1) gross floor area approximately 7,000sq.m together with Petrol Filling Station; in the region of 500 dwellings (Use Class Order C3) offering a mix and range of house types and tenures; commercial and leisure uses (Use Classes A3, A4, A5 – with a total gross floor area in the region of 2,200 sqm; a hotel (approximately 60 beds); a new distributor road connecting the A16 with London Road; vehicular, cycle and pedestrian access; associated car/coach parking spaces; and open space/landscape provision.”**

3.2 The scheme seeks outline planning permission across the entire site, with all detailed elements submitted for the community stadium and related uses as well as the distributor road and points of vehicular access for all the developments.

3.3 A key principle that has been followed throughout the evidence base work in support of the proposed development and the pre-application work is a design led approach to securing a high quality design and distinctive setting. The development embraces good design and 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 will establish a strong sense of place and will create buildings and streetscapes to create attractive and comfortable places to live, work and visit. The development sensitively creates an appropriate mix of uses and care has been taken in formulating these proposals to ensure that the development proposal responds to the local surroundings and materials whilst not discouraging appropriate design innovation. The development would not only be integrated into the existing built up area, but actually enhance it because of its environmental qualities, land use mix and community and recreational benefits. The approach taken from the outset has been to facilitate and respect the natural, built and historic environment. However, it is not anticipated that the

proposed stadium and commercial uses conform to a traditional vernacular. To reflect the area being a key gateway into the town the design principles of these uses would create a more iconic and innovative design to set the tone for the town as a whole.

- 3.4 Against this background, the design principles and objectives of the scheme, having regard to the opportunities and constraints of the site, and these are clearly assessed within the Design and Access Statement accompanying this application.

### **Key Elements of the Scheme**

- 3.5 In terms of amplifying the description found within the application form, the proposal can be broken down into a number of elements and a matrix of uses identifying approximate sizes and associated number of parking spaces can be found at Appendix 4. This should be read in conjunction with the indicative Masterplan found at Appendix 5. The key element comprise as follows.

#### Community Stadium

- 3.6 The community stadium will provide a mix of seated and standing accommodation for in the region of 5,000 spectators in four separate stands around the playing pitch. The west stand will be a single tier all seated terrace with spectator concourse at ground floor level. The north, south and east stands will be single tier standing terraces with spectator accommodation to the rear. The west stand will be the 'main stand' at a height point of 9.7 metres with the three remaining stands being lower. The north standing being at a maximum height of 6.9 metres, and the south and east stands at 5.9 metres.
- 3.7 To the rear of the seating tiers, the west stand will be two storeys with players and coaching staff, accommodation, club office, and community hub and shop at ground floor. The first floor will consist of corporate hospitality facilities on match days, and on non-match days provide conference and banqueting facilities. The west stadium will also provide the Boston United Community and educational facilities. The south western corner of the stadium will contain a two storey community sports hall and within the grounds of the stadium site there will be an all-weather flood light 3G pitch that will be provided for community use.

- 3.8 To serve the new community stadium together with its community uses including educational facilities, conference and banqueting facilities, and sports hall it is proposed to accommodate 404 car parking spaces (includes 24 disabled spaces), 24 cycle/motorcycle spaces and four coach spaces.
- 3.9 The community stadium and related uses form part of the full element of the planning application and are described in full within the design and access statement for this specific part of the proposal.

### Housing

- 3.10 Based on the submitted indicative masterplan, the housing would amount to some 500 dwellings and given the undersupply of housing land in the Borough compared to their overall five year requirement, the principle of this element of the development is considered acceptable in terms of the presumption in favour of sustainable development found in NPPF. It is also contributing towards the funding gap to allow the Stadium to be built. The net developable area of the site for residential use would amount to 12 hectares and based on the character areas and mix of housing types for the different phases of development, the overall density equates to a range between 35-42 dwellings per hectare.
- 3.11 To create a sustainable community, a mix of housing types and tenures from one/two bed apartments to two, three and four bed houses.

### Commercial Development.

- 3.12 The commercial development would not only be the enabling mechanism to bridge the funding gap to secure the construction of the new community stadium but it would also support economic growth and improve the retail and leisure offer in the town. These comprise the following:
- A food store of 7,000 sqm gross and this is situated in a high commercial profile location immediately to the west of the A16. This would also include a petrol filling station (including kiosk and car wash) and associated car parking.
  - The other commercial and leisure units are also proposed to be positioned along either side of the A16 Road in particular the proposed new roundabout. Whilst

there have been strong interest expressed by a number of operators, the applicant at this stage requires maximum flexibility to deliver a range of restaurants, cafes, public houses, drive-through outlets (Use Classes A3, A4 and A5) and overall gross floorspace of 2,200 sqm has been identified. This overall floorspace total will breakdown into a series of units and the indicative masterplan shows six units ranging in size from 200sq.m to 600sq.m. In association with these uses, the masterplan shows different space to provide in the region of 270 car parking spaces which again would be distributed proportionately between the units.

- Within the site a standalone lodge type hotel is proposed which would accommodate approximately 60 bedroom spaces as well as accommodating car parking for in the region of 65 spaces.

#### First Phase of Distributor Road (A16 to London Road)

3.13 The proposed development creates an opportunity to deliver a distributor road from the A16 across to London Road. The potential for a distributor road of this nature has been on the agenda for many years within the Transport Strategy for Boston favouring a series of distributor roads to relieve town centre congestion. The second phase of the distributor road could subsequently extend north along London Road and then north-west across to the A52/Boardsides in association with a potential future phase of the Quadrant development known as Q2. The character of the distributor road was considered in terms of ensuring that the development was not dominated by this key piece of infrastructure. Careful consideration has therefore been given to create an active frontage to the road despite it not being feasible to serve dwellings off it.

#### Vehicle Access Arrangements

3.14 In order to manage traffic flows, detailed vehicle access arrangements have been submitted which propose the following:

- A new roundabout access on the A16 to serve the community stadium as well as the commercial uses to the east and the remainder of the development to the west.

- The access onto London Road requires the demolition of two dwellings (property numbers 262 and 264 London Road and the road access will be designed to accommodate traffic signalised junction. The eastern section of the distributor road is proposed to be a dual carriageway between the A16 roundabout and a centrally located roundabout within the development. This arrangement will ensure the flow of traffic is as efficient as possible.

### Green Infrastructure/Open Space

- 3.15 The key to securing the high quality landscape setting is a range of open spaces provided as part of the development. Throughout the site it is proposed to introduce landscape routes to enhance the quality of the development. In addition to this there are formal and informal play spaces, sports provision (see 3G pitch) as well as semi natural green space which would create an ecological corridor to enhance biodiversity and create new wildlife habitat.
- 3.16 As part of the underlying drainage strategy, it is proposed that within the semi-natural greenspace areas, a series of wetland feature basins and swales would be created. Sustainable Urban Drainage principles are being sensitively applied to this development.
- 3.17 The Design and Access Statements as well as the illustrative masterplan establishes sound design principles to ensure that the development of the site is of a high quality which respects the context and indeed enhances it whilst also having regard to the commercial objectives in delivering a viable scheme.

## **SECTION 4: CONSULTATION AND COMMUNITY INVOLVEMENT**

- 4.1 As a local company and owners of Boston United Football Club, Chestnut Homes has been fully committed to engaging on a comprehensive and genuine basis with all relevant parties through the planning application process.
- 4.2 As recognised within the introduction, extensive discussions have taken place over a number of years with various representatives of Boston Borough Council and statutory consultees and this has resulted in a collaborative and partnership working arrangement. This application has been developed within a structured framework of a Planning Performance Agreement. The approach adopted reflects the advice set out in NPPF (Paragraphs 188 to 195) which recognises that good pre-application discussions enables better coordination between public and private resources and improves outcomes for the community.
- 4.3 The applicants were also keen to undertake early and genuine community consultation, and to ensure that was successfully undertaken they appointed Spring Consultants to organise a detailed consultation programme that involved: A briefing to Council Members; two Public Exhibitions; a Consultation Workshop for football supporters; presentation to Wyberton Parish Council and residents of Wyberton; newsletters and letters to local residents; media publicity and the creation of a dedicated website. This pro-active approach to community consultation is in accordance with the objectives set out within the NPPF as well as the Borough Council's adopted Statement of Community Involvement (June 2006).
- 4.4 The Statement of Community Consultation prepared by Spring demonstrates the consultation process was conducted in a fair, inclusive and meaningful manner which engaged with the right people in the right way at a time when plans for the scheme could potentially be influenced by feedback.
- 4.5 Over 5,500 people were contacted directly about the project and consultation activities and invited to the public exhibitions. The wider public were informed by the local media advertising and editorial coverage as well as the project website. A total

of 419 responses were received and in terms of the closed questions from the questionnaire, the following responses were given:

- 318 people (76%) support the plans for Q1;
- 319 people (73%) think that the Q1 site is in a good location for new housing;
- 304 people (73%) think that Q1 is a good location for new affordable housing;
- 315 people (75%) think Q1 is an appropriate location for the new Community Stadium;
- 313 (75%) support development of the first part of a distributor road network at Q1.

4.6 In addition to the 250 people attending the two public exhibitions, 60 attended the football supporters' consultation workshop, 6,205 people visited the project website and around 250 people attended the presentation made to Wyberton Parish Council. This demonstrates a very good level of participation during the consultation process.

4.7 A number of queries and issues were raised during the consultation process and these included the following:

- Concerns over the additional level of traffic on the existing road network;
- Traffic controls on match day;
- Whether sufficient car parking would be provided;
- Potential noise generated from the stadium.
- Whether the existing social infrastructure could support the new residential development;
- The likely impact of the retail and commercial development on the town centre;
- Whether the development would increase flood risk.

4.8 All these issues have been carefully examined as part of the technical and environmental evidence base work supporting the application and the community feedback has helped prioritise the key issues. Working alongside the Officers and statutory consultees and within the context of the Environmental Statement appropriate mitigation measures have been introduced where necessary.

4.9 Throughout the determination period of the application, the applicant remains fully committed to working closely with those directly affected by the proposals to take



into account the views of the community and to improve outcomes where appropriate.

- 4.10 It is important to note that this application is unusual in that from our own consultation programme there are more supporters of the development than those opposing the scheme. The views of the supporters should be given weight because they relate to both planning matters and the key needs that lie at the heart of this application (namely the delivery of a Community Stadium.) It is also apparent that many of the objectors fail to address the growth agenda and in particular the Government's top priority to promote sustainable economic growth and jobs linked to this issue is the underlying acceptance at local policy level that the future status of Boston is recognised as a town that should be the focus for major development within Lincolnshire.

## **SECTION 5: SUITABILITY OF THE PROPOSAL IN POLICY TERMS**

- 5.1 The following section sets out an overview of the relevant Planning Policy Guidance set out at National and Local Levels and assesses the suitability of the proposal against relevant policies.
- 5.2 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.
- 5.3 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.
- 5.4 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.
- 5.5 Other material policy considerations which could be taken into account include:
- *The Boston Borough Interim Plan (Non-Statutory Development Control Policy) February 2006.* This plan was withdrawn from the statutory adoption process in 2006 and other than specific policies referred to below, it has been agreed through exchange of correspondence with the Case Planning Officer that only limited weight should be given to these policies;
  - *The South East Lincolnshire Local Plan* – it is intended that this emerging Local Plan will eventually replace the 'saved' policies in both Boston Borough and South Holland Local Plans. Part 1 entitled 'Strategy and Policies DPD' intended to provide

the Joint Committee's spatial vision and strategic aims and the 'Combined Preferred Options and Sustainability Appraisal' report was released in May 2013. The consultation process of this emerging plan is still in its infancy and therefore only limited weight can be given to the relevant policies at this stage. Furthermore, a recent decision made at the Joint Committee meeting on 28 February 2014 agreed that a single local plan for South East Lincolnshire will now be prepared instead of the two separate development plan documents (ie, 'Strategy and Policies DPD' and 'Site Allocations DPD'). Based on a revised Local Development Schedule the Joint Committee intend to do further evidence gathering work before the release of another consultation period of options in October to November 2014 with the anticipated date for adoption of the Local Plan being in 2016. As the new Local Plan is still at an early stage of preparation, only limited weight can be attached to it in the determination of this application. Nevertheless, it does highlight the issue that the imminent need to relocate the stadium does not sit favourably with the timescales for promoting this as a development opportunity through the emerging Local Plan process.

### **National Planning Policy Framework (NPPF) – March 2012**

- 5.6 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.
- 5.7 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).
- 5.8 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”.**

5.9 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.

5.10 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.

5.11 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’.

5.12 The NPPF has 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 applicants 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 we show later and set out in the FRA, the development has taken full account of flood risk and climate 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.

5.13 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.

5.14 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 the applicants and Local Authorities demonstrating flexibility on issues such as format and scale. As we show later in this statement and in the Retail Assessment, we have assessed both the availability of alternative sites in the central shopping area and edge of town sites and conclude that there are no other sites which are capable of meeting the development requirements of the proposal.

5.15 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 Leisure Assessment 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 leisure commercial 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.

5.16 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 a 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.

5.17 These three roles are to be pursued jointly through the planning system and Section 8 of this Report identifies the sustainable benefits based on these three dimensions.

5.18 Section 8 of the NPPF seeks to promote healthy communities and to deliver social, recreational and cultural facilities and services the community needs. 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.

5.19 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.”**

5.20 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.

- 5.21 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.
- 5.22 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.
- 5.23 As an essential element of sustainable development, the NPPF requires good design. With regards to Paragraph 58 of the NPPF, we can observe the following:
- 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.

- 5.24 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.
- 5.25 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 Local Plan (1999) – Saved Policies 2007**

- 5.26 Apart from the fact that the Plan was adopted over 14 years ago (thus its drafting was even earlier) it was to run for the period 1991 to 2000. Consequently, its intended end date was 14 years ago. Clearly, the world has changed a great deal since its adoption and end date and this in turn has profoundly affected National and Local Planning Policies.
- 5.27 The Plan had been drawn up under the Strategic Framework set up, in those days, by the Lincolnshire Structure Plan (Alteration No.1) and Alteration No2 (1994). With the introduction of the NPPF (2012) the Plan has only limited weight unless there is a strong consistency with the Framework. Consequently, this Section deals with those policies which have to be weighted in the balance with more contemporary ones now being used for decision making.
- 5.28 The table below provides an overview analysis of the proposal in light of the relevant saved policies.

**Table 1:**  
**Analysis of Proposals in Light of the saved policies of the Boston Borough**  
**Local Plan (1999)**

<b>Policy</b>	<b>Policy Topic</b>	<b>Policy Objectives</b>	<b>Comments of Application Proposals</b>
G1	Amenity	<p>Permission only 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:</p> <ul style="list-style-type: none"> <li>- Nature;</li> <li>- Scale;</li> <li>- Density;</li> <li>- Layout;</li> <li>- Appearance; or</li> <li>- Level of Traffic Generation</li> </ul>	<p>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 problems.</p> <p>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.</p> <p>The proposed community stadium is located with relatively few residential properties in close proximity, which limits any adverse impact locally.</p>
G2	Wildlife Resources	<p>Permission not granted for development which will have significant adverse impact upon existing resources, including:</p> <ul style="list-style-type: none"> <li>- Landscape;</li> <li>- Wildlife; and</li> <li>- Vegetation.</li> </ul>	<p>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.</p>
G3	Foul and Surface Water Disposal	<p>Permission not granted for development where proposed means of foul and surface water drainage are unsatisfactory.</p>	<p>Working alongside the relevant agencies and drainage bodies, the SUDS principles have been followed and surface water will be 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.</p> <p>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.</p>
G4	Safeguarding the Water Environment	<p>Permission not granted for development which will have an adverse effect on the water environment or the quality of surface or</p>	<p>Having regard to the detailed drainage strategy that has been agreed with the relevant bodies, this will prevent any contamination of surface and groundwater. Indeed, in the interests of ensuring that</p>

<b>Policy</b>	<b>Policy Topic</b>	<b>Policy Objectives</b>	<b>Comments of Application Proposals</b>
		groundwater.	development is sustainable, it is envisaged that the water environment within the area will improve through the SUDS principles.
G6	Vehicular and Pedestrian Access	Permission not granted where proposed means of pedestrian and vehicular access are unsatisfactory.	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.
G7	Accessible Environment	Permission not granted for non-residential development which includes external layout unsuited for persons of restricted mobility.	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.
G8	Air and Soil Resources	<p>Permission not granted for development which will have an adverse effect upon the quality of air or soil such as to lead to:</p> <ul style="list-style-type: none"> <li>- Harm to local living or working conditions or the operation of nearby land uses;</li> <li>- Harm to the natural flora or fauna; or</li> <li>- Added constraints on future developments in the area.</li> </ul>	<p>From a detailed agricultural land classification report, the study 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, we would contend that limited weight should be given to protecting this site for agricultural purposes.</p> <p>In so far as air quality is concerned, it has been concluded that traffic emissions associated with the development would have a negligible impact. The travel plan initiatives would also lower emissions.</p>
G10	External Lighting Schemes	<p>Full permission not granted for developments which include a scheme of external lighting unless the proposed lighting scheme:</p> <ul style="list-style-type: none"> <li>- Is the minimum required to undertake the task;</li> <li>- Will not prejudice highway safety;</li> </ul>	As part of the ES a lighting assessment has been conducted. Within the Institution for Lighting Engineers: Guidance Notes for the Redirection of Light Pollution 2000 this site falls into Zone E3 – Urban Location. Having regard to the lighting scheme for the stadium and 3G sports pitch, the design would minimise overspill lighting into garden no more than moonlight. The vertical illuminance into windows before curfew are below the values recommend by

Policy	Policy Topic	Policy Objectives	Comments of Application Proposals
		<ul style="list-style-type: none"> <li>- Will not substantially harm the amenities of nearby land-uses; and</li> <li>- Will not substantially harm the character of the area.</li> </ul> <p>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.</p>	ILE.
T1	New Accesses onto Major Roads	<p>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:</p> <ul style="list-style-type: none"> <li>- It is in replacement of an existing one to be closed; or</li> <li>- It can be demonstrated that there will be no adverse effects on the safety and capacity of the road.</li> </ul>	As part of the Transportation 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.
T2	Roads and Footpaths in New Developments	<p>Permission not granted for development involving construction of new road and/or footpath unless the proposed road and/or footpath layout:</p> <ul style="list-style-type: none"> <li>- Provides for any proposed through-road to be accessible to public transport vehicles;</li> <li>- Caters satisfactorily for needs of pedestrians, cyclists and persons of restricted mobility; and</li> <li>- Relates well to the nature and form of the development and the locality in general.</li> </ul>	<p>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.</p> <p>At the forefront of the masterplan process, the needs of pedestrians, cyclists and persons of restricted mobility have been a key design principle.</p>

<b>Policy</b>	<b>Policy Topic</b>	<b>Policy Objectives</b>	<b>Comments of Application Proposals</b>
H3	Quality of Housing Development	<p>Permission not granted for housing developments which:</p> <ul style="list-style-type: none"> <li>- Do not provide a pleasant, convenient and secure environment for residents;</li> <li>- Are incompatible with the existing character of the area with the existing character of the area in terms of layout, density, design and materials;</li> <li>- Are close to an existing use which is likely to cause environmental problems for future residents; or</li> <li>- Will cause or significantly aggravate adverse traffic conditions on the public highway.</li> </ul>	<p>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.</p> <p>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.</p> <p>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 TA.</p>
H4	Open Space in Housing Estates (20 units or more)	<p>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.</p> <p>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.</p>	<p>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.</p> <p>Appendix 7 of this statement addresses open space provision in more detail to confirm the development would satisfy this policy.</p>
H6	Housing for the Disabled	<p>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</p>	<p>Subject to need for this type of accommodation being established, the applicant would work with the housing department so as to cover this element within any affordable housing provision.</p>

Policy	Policy Topic	Policy Objectives	Comments of Application Proposals
		such accommodation within development proposals comprising more than 20 dwellings, on sites close to shops and public transport routes.	
R2	New Recreational Open Space	<p>Permission 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:</p> <ul style="list-style-type: none"> <li>- The built element of the proposal is in keeping with the scale and character of existing development;</li> <li>- The proposal is unlikely to cause unacceptable environmental or traffic problems;</li> <li>- The proposal includes satisfactory means of provision of access and parking;</li> <li>- The proposal will not substantially harm the amenities of other adjacent land users or residents.</li> </ul>	<p>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 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.</p> <p>The transportation 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.</p>
R3	New Indoor Leisure Facilities	Planning permission will be granted for development of new indoor leisure facilities subject to the same criteria identified for Policy R2	<p>An associated element of the 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.</p> <p>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.</p>

Policy	Policy Topic	Policy Objectives	Comments of Application Proposals
R8	Leisure Facilities in the Countryside	<p>Permission granted for formal sport, recreation or leisure facilities in the countryside where the development:</p> <ul style="list-style-type: none"> <li>- 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;</li> </ul> <p>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;</p> <ul style="list-style-type: none"> <li>- Will not significantly reduce the existing nature conservation value of any area that may be affected;</li> <li>- Includes a satisfactory landscaping scheme, incorporating means of future management;</li> <li>- Includes satisfactory means of provision of access and parking; and</li> <li>- Will not lead to the irreversible loss of the best and most versatile agricultural land.</li> </ul>	<p>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.</p> <p>As demonstrated elsewhere within the statement, the Community Stadium facility requires an area of land in excess of that which is available within built-up areas. The 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. The development is situated on the fringe of Boston and accessible from the A16 as well as footpath and cycleway accords with these objections.</p> <p>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.</p> <p>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 (ie, acoustic barrier) and sound limiter to the PA Tannoy system so that it would not adversely impact on the amenity of local residents.</p> <p>Whilst the proposal would comprise an encroachment into the Countryside, it would not be disorganised and unattractive expansion into the Countryside.</p> <p>In so far as accessing the impact of traffic generation and identifying appropriate needs of access and parking, the proposed Community Stadium has been subject to a</p>



Policy	Policy Topic	Policy Objectives	Comments of Application Proposals
			<p>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.</p> <p>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.</p> <p>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.</p>
R9	Built Development for Countryside Leisure Pursuits	<p>Permission granted for built development associated with permissions granted under Policy R8 where:</p> <ul style="list-style-type: none"> <li>- It is essential to the operation of a recreational use;</li> <li>- An existing building could not be converted or utilised;</li> <li>- It is sited within or adjacent to a settlement or alongside existing buildings or otherwise visually forms an integral part of the overall development;</li> <li>- It does not harm the general character of the area in terms of its nature, scale, siting, layout, appearance or traffic generation; and</li> <li>- The proposal includes a</li> </ul>	<p>It has been demonstrated elsewhere 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.</p> <p>The stadium sits adjacent to settlement framework of Boston and sensitive landscape assessment work has been undertaken to determine that the visual impact of the stadium would be minimised.</p> <p>Our assessment of Criteria 4 and 5 have been addressed in relation to Policy R8. Both design and landscape measures have been at the heart of the evolving masterplan approach to the whole site.</p>

Policy	Policy Topic	Policy Objectives	Comments of Application Proposals
		satisfactory landscaping scheme, incorporating mean of future management.	
C8	Stump Views	Permission not granted for development which would obstruct a public view of St Botolph's Church, Boston, or which would challenge the visual dominance of the Church.	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.
CF3	New Community Facilities	<p>Permission granted for development of new community or social facilities within settlements provided that the proposal:</p> <ul style="list-style-type: none"> <li>- Will not cause unacceptable traffic or parking problems, and will not cause unacceptable harm to the amenities of neighbouring land users and residents;</li> <li>- Is compatible with the existing character of the area in terms of its scale, layout, design and materials.</li> </ul>	<p>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 we would maintain 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 our assessment of other policies, the development would not seriously harm amenity or safety concerns raised by the policy and it would be of a good design which is sympathetic to rural/urban edge of Boston.</p> <p>In addition to the extensive parking provision at the new Community Stadium, an event management plan has been prepared to guide parking arrangements where larger crowds are expected, and to ensure 'ad hoc' parking does not take place on adjacent streets when events are taking place.</p>
CO1	Development in the Countryside	Permission not granted for development in the countryside unless it is supported by other Local Plan policies.	<p>Having regard to our interpretation of Policy R8 and R9, we consider that the sports and recreational element of the proposal could out of necessity be located in the Countryside and we believe the relevant criteria has been satisfied.</p> <p>As far as housing is concerned, we consider 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</p>

Policy	Policy Topic	Policy Objectives	Comments of Application Proposals
			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.

5.29 The relevant policies for retail and the commercial use have not been 'saved' (Policy RTC3 and RCT9). Given the silence and absence of these policies in the adopted Local Plan, Paragraph 14 of the NPPF is the Policy starting point.

5.30 In conclusion, the proposal would accord with a wide range of the adopted Local Plan policies and objectives particularly in relation to the sport and community facilities. The Local Plan remains silent in relation to the retail and leisure/commercial uses as the relevant policies have not been saved.

5.31 In so far as the housing element of the proposal is concerned, we would maintain that the Local Authority cannot demonstrate a five year supply of deliverable housing sites and therefore in accordance with the NPPF at Paragraph 49, the relevant policies in the adopted Plan cannot be considered up to date.

### **Other Material Policy Considerations**

#### Boston Borough Interim Plan (2006)

5.32 Within the introduction (Section 1 – Planning History of the Quadrant Q1 and Q2), reference is made to the withdrawal of the redeposit draft Boston Borough Local Plan as a result of the difficulties associated with delivery of the proposed Boston and Southern Link Road. In February 2006, the decision was taken to amend this Plan with the removal of the Southern Link Road and the associated mix 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.

5.33 Through pre-application discussions, agreement has been reached with the Planning Officers as to how we should deal with the policies with the Interim Plan. It has been agreed with the Case Planning Officer that no real weight should be given to

any 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 and therefore no real weight can be given to this document.

South East Lincolnshire Local Plan (May 2013)

- 5.34 The Combined Preferred Options and Sustainable Appraisal Report (CPOSAR) was released in May 2013 and whilst we appreciate 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.
- 5.35 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 to 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).
- 5.36 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. 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.
- 5.37 Paragraph 4.5.1 of the CPOSAR 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.
- 5.38 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.

- 5.39 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.
- 5.40 At Page 182 of the CPOSAR, 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 our retail and leisure assessment work accords with this approach.
- 5.41 Paragraph 9.24 of the CPOSAR 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.
- 5.42 In so far as the new community education, recreation and sport for social facilities are concerned, the development would accord with the criteria identified as it is located to maximise accessibility for the different users.
- 5.43 Paragraph 10.18 of the CPOSAR 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.

- 5.44 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 the town. Paragraph 10.2.2 of the CPOSAR 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 CPOSAR.
- 5.45 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 CPOSAR 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, we consider that the development proposal would accord with the overall spatial objectives that the Plan is seeking to achieve.

#### Affordable Housing Policy (November 2006)

- 5.46 The affordable housing policy in the adopted Local Plan was not saved but the Borough Council produced a non-statutory Interim Policy which was approved on 13 November 2006. Section 7 of the Affordable Housing Policy confirms that where there is an identified need, the Council will negotiate to ensure that up to 30% of the dwellings provided are affordable on eligible sites. Whilst the application would fall within the threshold of eligibility, the policy is also clear in that the level of provision is subject to:
- The economic viability of the proposal would not be prejudiced as a consequence of particular costs associated with the development of the site to an unacceptable degree; and
  - The realisation of other planning objectives of importance to the community would not be prejudiced to an unacceptable degree.

5.47 Both these factors are of significant influence in justifying the suitability of this particular application and the policy allows a process of negotiation between the applicant and the Council to enable any deviation from the policy threshold to be examined and agreed. It is also interesting to note that the CPOSAR to the South East Lincolnshire Local Plan (May 2013) takes into account more relevant SHMA, viability studies and recent planning decisions. This has resulted in a suggested revised 20% target level of affordable housing as a realistic policy aspiration as well as acknowledging a flexible response to site circumstances and changing market conditions.

#### Boston Masterplan (2004) (Updated May 2006)

5.49 The Boston Masterplan sets out the strategic vision and objectives for the future economic development of Boston. The vision of the masterplan is: "an accessible, vibrant and attractive historic Borough with a unique tourism offer, a good range of employment opportunities and a high quality of life for residents".

5.50 The underlying principles of the masterplan are to stimulate improved economic performance and investment, provide new housing to meet local needs, invest in transport networks to reduce congestion and promote public transport and provide the necessary infrastructure and services to meet the future needs of the area. The proposed development fully accords with the principles of the Boston Masterplan.

#### Boston Community Plan 2008 to 2018

5.51 The Boston Community Plan provides a vision for Boston and a strategy to ensure that this vision is achieved by 2018. The Community Plan builds upon and enforces the key priorities set out within the Boston Masterplan and focuses on creating sustainable communities. The plan is therefore designed to: "enhance the quality of life of local people by improving the social, environmental and economic wellbeing of an area in a sustainable way".

5.52 The Community Plan identifies six key 'ambitions' for the future sustainable development of Boston:

- Getting around – improving road infrastructure and public transport in order to reduce traffic congestion and improve links with the rest of the region. The key identified project is the development of the distributor road.
- Making Boston a destination.
- Generating prosperity – supporting new investment and business development, promoting learning skills and creating more diverse and high quality jobs being the key priority for the future growth of Boston.
- Feeling safe and part of the community.
- Being healthy – promoting healthy lifestyles and active living with focusing on increasing sports participation and the provision of decent and affordable homes.
- Creating a greener and sustainable future.

5.53 All these key ambitions are embedded within the objectives of delivering the proposed development.

Fourth Lincolnshire Local Transport Plan 2013/14 – 2022/23 (April 2013)

5.53 The previous second Local Transport Plan was produced in partnership with Lincolnshire County Council and Boston Borough Council in 2006. As part of a continued long term strategy for Boston, the current transport strategy recognised the need for additional road infrastructure to provide traffic with an alternative route to travelling through the town centre. It discussed the potential for distributor roads to achieve this by removing as much of the traffic as possible. The strategy suggested that the distributor road will be brought forward in a manner which would seek to maximise private sector contributions and that it may be possible for it to be constructed in phases as funding opportunities arise.

5.54 It is clear that the proposed development provides an opportunity to make contributions towards the construction of a phase of the distributor road which is in accordance with the Transport Strategy during the fourth Local Transport Plan period.

Greater Lincolnshire Local Enterprise Partnership – Strategic Economic Plan (March 2014)

5.55 The Greater Lincolnshire LEP has identified key priorities to deliver a strong, stable and sustainable economic growth for Lincolnshire within their Strategic Economic Plan.



- 5.56 To meet key strategic policies, major projects have been identified and Quadrant 1 has been identified as one of the 11 'Strategic Priorities; on the basis that it is deliverable (2015/16); meet the priorities of the Local Growth Fund (which relates to the leveraging of other funds, supporting economic growth and representing good value for money); and will have a strong economic impact locally.
- 5.57 As part of the Single Local Growth Fund priorities for 2015/16 for infrastructure and connecting the Strategic Economic Plan identifies the Boston distributor road.

### Summary

- 5.58 The proposed development aligns closely with the key policy drivers particularly reflecting the main components that comprise a sustainable community. The housing mix (type and tenure) demonstrate that it will complement the towns housing needs and extend the range and quality of the town's housing offer.
- 5.59 The commercial and community uses as well as the delivery of an element of the distributor road would significantly contribute to improving the local economy for Boston, which there is strong policy support, to achieve investment and sustainable growth.

## **SECTION 6: THE NEED FOR AND BENEFITS OF THE NEW COMMUNITY STADIUM FOR BOSTON UNITED FOOTBALL CLUB**

- 6.1 It is common ground between the Council and the Applicant that the presence of Boston United Football Club within Boston Borough benefits the town. The contribution that a football club makes to a town such as Boston is providing social identity and community cohesion. It can be a focal point and has the ability to unite the town to provide civic pride and identity. The importance of community cohesion and civic pride of the Club should not be underestimated. Indeed, the level of support from the Club's supporters demonstrates the importance of the Club within the community.
- 6.2 BUFC is arguably the most high profile sports club in the town having operated at a high level within the non-league football Pyramid for many years and also having spent a short period within the Football League as recently as 2007. Plainly the status of the Club and its current retention make a vital contribution to the social economic wellbeing of the town. This contribution ranges from the money that comes into the town during match days, to the community programmes organised by the Club, to the general sense of pride and ownership that Boston inhabitants feel to the Club. It is noteworthy that at Paragraph 69 of the NPPF, the Government is committed to developing strong, vibrant, sustainable communities and to promoting community cohesion. Clearly the existence of the Club and the contribution it makes reflects the Government's commitment in this regard.
- 6.3 Given the acknowledged importance of the Club to the Community with all the socio economic benefits that that brings with it, the consequence of failure to secure approval for the new Stadium would leave the Club with no home once its lease expires. This would be a 'damaging blow' to the town and that harm should carry great weight. Conversely, if planning permission is secured, the socio economic benefits that currently exist would not only be retained but enhanced and the Club's future secured.
- 6.4 The Club presently finds itself in a difficult position on two fronts, financially and practically. Both are inextricably linked. Practically, it is under threat due to not

physically having the facilities required, and financially because without adequate facilities it cannot generate sufficient revenue to sustain its business model moving forward.

- 6.5 Irrespective of the lease expiring, the stadium is aging and is no longer fit for purpose. Furthermore, there is limited opportunity to generate income on both match and non-match days and this renders the Club economically disadvantaged in its current location. The running costs of the current stadium make it financially unviable to remain at its current location.
- 6.6 The new ground would solve these issues and give the Club a viable platform upon which it could move forward. Clearly, the future of the Club is threatened unless it can demonstrate its ability to move to a new modern high quality stadium and become a viable long term business entity. More space and better facilities would also accommodate the ever growing community programme the Club supports.
- 6.7 It should also be appreciated that the Club has been through a period of significant financial turbulence and disruption. The takeover of the Club by Chestnut Homes not only brought the Club out of administration but has resulted in a period of improved financial stability. The proposed move to the new stadium is intended to conclude the process Chestnut Homes began when taking the football club over in 2007. The aim is to provide the club with a new base suitable for their current and future needs, as well as those of its Community programme. Crucially the move will provide them with a stadium that enables them to be financially viable going forward and in a position to maximise its potential as a football club both on and off the pitch.
- 6.8 In addition, the proposed ownership structure for the ground as outlined earlier ensures that the stadium is owned by a Community Interest Company with a long term asset lock to ensure that the stadium will be available for the benefit of the community irrespective of the financial fortunes of Boston United Football Club Limited.
- 6.9 It should also be noted that there are short term issues associated with the provision of a new stadium. There are Football Association/Football Conference regulations that necessitate the club having at least a 12 month lease in place in order to play in their relevant league. This means that there is a need for the Club to continue to

have a home ground within Boston by the start of the Season 2017/2018 hence there is a need to find an appropriate site for the stadium in the short term.

6.10 In conclusion, the need for the development arises from finding a site in the short term which is capable of meeting the requirement to provide a stadium to meet the Club's realistic aspiration and ambitions but which is also suitable for meeting community needs and providing community benefits whilst also providing a sufficient scale of other development to subsidise the financial short fall on the provision of the stadium.

6.11 The Club is a focal point for the community of Boston and so the new stadium would enable it to continue to be so, but in modern first class facilities so that it could enhance its community programme activities. The outreach into the community would be extended by wider sport, health, education facilities and so improve social inclusion and cohesion benefits would arise.

6.12 Amongst the benefits that the Club sees in having a replacement stadium in Boston are as follows:

- The ability for the Club's facilities within Boston to benefit the local community in terms of training, education and community participation.
- The ability to increase attendances to improve the Club with its local support base.
- The provision of a state of the art stadium so the Club has the ability to attract players, sponsors and spectators to enable it to advance up the Football Pyramid in a sustainable manner. The stadium has been designed to enable the club to be play at its current level, be promoted to the National conference level with no further work required and also to be accepted into the Football League should they get promoted to that level.
- The ability of the Club to employ more people – currently BUFC and Football in the Community have a combined total work force of 112 full and part time employees and anticipates a further 15 people could be directly employed if a new stadium was built.
- The contribution to the economy, particularly on match days where currently over a thousand people gather for a match on either a Saturday or midweek game with spin offs to local businesses particularly in terms of food and drink and supporting services.

- 6.13 The socio economic benefits of the Club having a new stadium in Boston should not be underestimated. In this regard, a new stadium would increase the attendances at matches, due to its family friendly facilities. A useful comparison is the Keepmoat Stadium at Doncaster where attendances rose by 30% on the pre new stadium level.
- 6.14 Work that Signet Planning has done in the football sector (including the Galpharm Stadium in Huddersfield) suggest that the average spend of football supporters on food and drink on match day and related activities would be between £4-£6 per head.
- 6.15 The stadium will also offer high quality function rooms; meeting rooms; a community hub; an all-weather playing surface, and sports hall facilities. All these will be available to the local community.
- 6.16 In summary, the stadium would contribute to creating jobs, community facilities, sport and leisure opportunities and would secure the future of Boston United Football Club thereby retaining a fundamental part of the town's heritage and culture.

## **SECTION 7: THE CONCEPT OF ENABLING DEVELOPMENT AND THE WEIGHT TO BE GIVEN TO ALTERNATIVE POTENTIAL OPTIONS**

7.1 The success of this project relies on the provision of enabling development to close the funding gap associated with the planned relocation of the existing stadium. This approach has been successfully used across the Country as a means of funding stadium development. In some cases, the full capital value of the project has been funded as an enabling development. St Helens, Southend, Warrington, Chesterfield, Wakefield and Grimsby are just some examples of proposals where development that would not normally have been granted planning permission have been approved as a means of delivering a much needed wider benefit i.e. a stadium. As referred to elsewhere, a new Community Stadium is of very considerable importance and the many wide ranging benefits it will bring should be afforded significant weight in the planning process.

### **Policy Context**

7.2 The term 'enabling development' is not statutory defined. It generally refers to development that would be unacceptable in planning terms but for the fact that it would bring benefits of a sufficient scale to justify it being carried out and which would not otherwise be achieved.

7.3 The NPPF advises that Local Planning Authorities should assess whether the benefits of a proposal for enabling development (which would otherwise conflict with planning policies), outweigh the benefits of departing from those policies. The NPPF reference to enabling development relates to heritage assets as being the beneficiary of enabling development (Paragraph 140). However, in appeal decisions over the last few years, the Secretary of State has considered and accepted the concept of enabling development for schemes that are wholly unrelated to the preservation of historic buildings. The concept of enabling development is fully explored in a document by English Heritage which is of general applicability in assessing the way in which the decision taker should approach enabling development. Furthermore, the principle of enabling development would secure the funding to establish the Community Stadium by means of a planning obligation. In order for such an obligation to be lawfully entered it has to show that the obligation meets various

tests and these align closely with the advice produced by English Heritage. The tests are set out in italics below.

- *Fairly and reasonably related in scale and kind to the proposed development* – enabling development should be the minimum that is necessary or required to 'enable' the proposed development. In this case, the delivery of the Community Stadium (and the costs thereof) represents the minimum value that would have to be achieved. In this regard, a viability assessment has been provided which will be independently verified. This assessment identifies allocated budgets available to fund the delivery of the Community Stadium. The overriding conclusion is that the project delivery is dependent upon enabling development together with some grant funding to generate the necessary funds to facilitate the community stadium scheme. Consequently, the Council accept the principle of some form of enabling development is required as without such cross subsidy, the delivery of the Community Stadium would not be a viable project. The mix and proposed uses and assessment of land values is finely balanced and judged against how proportionate any uplift is. The viability assessment demonstrates that a scale of enabling development is not greater than that which is necessary to fund the Community Stadium.
- *'Directly related to the proposed development'* – there should be a functional geographical link between the development and the item being provided as part of the developer's contribution. The proposal represents a single composite scheme and whilst divided by the A16 they create a cohesive complementary and functioning mix use development. Furthermore, careful placement of public realm and the creation of a network of safe and inviting connections through the site ensure an integrated development. Accordingly, there would be a clear functional, physical and geographical link between the enabled and enabling development. It is considered that the location of the site itself would not result in fragmentation of place but rather will create an opportunity to deliver a single site comprehensive community development that will compliment surrounding land uses.
- *Necessary to make the proposed development acceptable in planning terms'* – it is important to consider the degree to which the delivery of the stadium is seen in terms of achieving wider planning benefits and securing sustainable development. As stated at Section 6, the delivery of the Community Stadium would ensure a substantial improved sports facility of local significance. The stadium would secure a number of community facilities whilst securing a range

of full time equivalent jobs for Boston. In addition to these benefits the housing element would in any event address the Council's under performance against their five year housing supply (see Section 9) and the commercial element would realise a number of economic benefits. These uses, together with the infrastructure delivery of a key phase of the Distribution Road would bring the development in line with the objections of sustainable development as anticipated through the range of relevant planning policies referred to in Section 5.

- 7.4 Given the community benefits and the social/economic positive impacts of the project, the overall need for the stadium outweighs any objection to the proportionate enabling development required. Nevertheless, retail and commercial leisure uses are defined as 'main town centre uses' in NPPF (Annex 2: Glossary) and requires the application of the sequential test for these types of uses that are not proposed in existing centres and for these type of developments, outside of town centres, there is also a requirement for an impact assessment.
- 7.5 Therefore impact and sequential assessments are required for the retail and commercial leisure uses associated with the proposed stadium development, even though these uses are key to securing the construction of the new stadium. It is entirely appropriate and reasonable to consider the impact of new retail and leisure floorspace upon existing shopping centres and competing facilities in order to understand what effects new development would have on town centre vitality and viability and whether the scale of impact would be within acceptable limits. The results of the Retail and Leisure Impact Assessment reveal that there would not be a significant impact on town centre uses and therefore would not have harmful consequences.
- 7.6 There is, however, a dilemma over the value of undertaking a sequential test on a disaggregated basis for the main town centre uses of the proposed development scheme. The financial benefit derives from cross funding subsidies from the retail and commercial uses and can only be realised on land that is within the ownership of the applicant. The identification of alternative sites to accommodate the retail and commercial leisure components of the development scheme would not benefit the funding of the community stadium. The granting of planning permission for the leisure and commercial development elsewhere (in another ownership) means that the only beneficiary to the enhanced land value would be a third party (having no



stake in the principal development) and they would be under no obligation to 'subsidise' development costs. To disaggregate any element of the proposed retail and commercial leisure uses to a more central site would prevent a critical mass of enabling development being achieved which will in turn impact upon the overall viability and would undermine the scheme's ability to successfully cross fund the community stadium development. In this regard, it is considered that both the retail and commercial 'need' identified in both the impact assessment work and the viability appraisal in this instance is fundamentally location specific and it is not appropriate to give consideration to the disaggregation of the scheme across a number of separate more central sites.

### **Alternative Options and Sites Considered**

- 7.7 It is accepted that in a case such as this, alternative options and sites may be a material consideration if the need identified can be met with lesser environmental consequences.
- 7.8 Before embarking on the proposed development, the applicant considered the opportunity of remaining at the current ground as well as ground sharing at Boston Town's ground at Tattershall Road. Given Boston's isolated position in geographical terms within Lincolnshire, the relocation to sports ground within other towns such as Sleaford, Lincoln and Peterborough are simply too far away to be considered practical and would fail in maintaining the civic pride and identity that links the football club to the town. Neither of these options are feasible. As previously explained, the Club does not own the current stadium and merely has a lease arrangement that is scheduled to expire in 2018. There is little or no prospect of the lease being renewed by the owner of the stadium and therefore there is no guarantee for the Club to be able to occupy its present facilities beyond the expiry of the lease.
- 7.9 In so far as ground share is concerned, the only potential opportunity exists at Boston Town's ground and a ground share at this location would not make financial sense for BUFC and would risk the very things the Club is trying to protect and enhance namely its league status and its contribution to the community. It would lead to the contraction of the Club and therefore not satisfy the realistic growth ambitions the Club is seeking to deliver. For these reasons this option has therefore been discounted.

- 7.10 We consider the only other alternative is to accept the concept of enabling development and due to the significant costs associated with stadium construction, retail and commercial leisure are important elements as enabling as well as support services for this development scheme. As the project delivery will be dependent upon these elements of enabling development to generate the necessary funds to facilitate the community stadium scheme, the most effective risk adverse and deliverable method of achieving the desired outcome is through a single site solution rather than applying the sequential test separately to each proposed town centre use. To disaggregate the entire development would mean that it would be unable to fund the development package as a whole and therefore the entire scheme would fail including all of the benefits that are envisaged.
- 7.11 Projects have been approved elsewhere such as Rugby League grounds at Warrington, Salford and Wakefield with similar funding gaps using town centre uses proposed in out of centre locations as enabling development as a principal funding mechanism. Despite the availability of sequentially preferable sites, the value of considering the development as a single unit has been strongly supported by Inspectors and The Secretary of State. Further strength is given to this argument where the land is in one control in order to ensure that it is available, suitable and viable for the proposed development which is also the case in terms of this application. It would be unreasonable to assume that a landowner may simply hand over profits from another development in order to fund the stadium. Not only does the application site fall within the single control of the applicant but also the land on which the Community Stadium will be built (east of the A16) is being acquired on a long lease basis without any capital costs but with any ground rent to be ongoing revenue costs for BUFC Community Interest Company.
- 7.12 Against this background, we have reached agreement with the Local Authorities on the basis that alternative sequentially preferable sites for each individual proposed town centre use can be dismissed as it would not realise the same financial benefits that would allow the stadium and community facilities to be funded.

### **Site Selection and Sequential Test**

- 7.13 The site selection and sequential test for the 'main town centre uses' of the development scheme has been based on the concept of enabling development being

the principle tool in order to fund and deliver the project. As such, it has been agreed with the Council that provided the retail and leisure elements of the proposal are properly and reasonably required as enabling development for the stadium, and we can demonstrate the important benefits that the overall package would bring, the sequential test approach should not require disaggregation of the different retail and commercial elements.

7.14 In terms of identifying the size of the site needed, this is determined by the scale and associated build cost of the Community Stadium. The scale and type of the proposed stadium has been derived on a rational basis having regard to a range of factors:

- The aim and immediate ability of the club is to play within the Conference Premier League but the stadium should also have the capability of meeting the regulations required to achieve Football League status if BUFC become successful on the pitch.
- The ability to meet the Community needs and provide community benefits.
- Provide a sufficient scale of facilities so that the club is self-sustainable and financially viable moving forward.

7.15 The facilities proposed are all realistic and proportionate based on the ambitions the club is seeking to achieve.

7.16 We have already mentioned that the land value to acquire an alternative site would be an additional cost as the parcel of land relating to the proposed stadium has been 'gifted' at nil value by the landowner on a long lease basis. The land cost would additionally have to be met if a scheme were to be developed elsewhere. Furthermore, given the history of the Club, it has no capital assets and therefore cannot contribute towards a new stadium. There are a number of potential grant sources that are being pursued on behalf of BUFC Community Interest Company but these will be insufficient on their own to address the funding gap. In these circumstances, the viability assessment work has revealed that the scale of enabling development compared to the scale and type of the proposed stadium is reasonable and should be provided as a whole. Agreement has been therefore reached with the Borough Council that the sites covering an area of at least approximately 28Ha in size should form part of the site selection process criteria.

- 7.17 We would also argue that the area of search should not be extended beyond the town of Boston given the role and importance of the Club within the community and the significance of the game to the town in terms of achieving socio-economic benefits.
- 7.18 Against these site selection criteria, and in relation to availability, sustainability, deliverability and viability, there are no sequentially preferable alternative sites.
- 7.19 During the public consultation process, two sites were raised and identified by members of the public as potential alternative locations for the proposed development. These sites were are follows:
- Kirton Storage and Distribution Park.
  - Land adjacent to Princess Royal Sports Arena;
- 7.20 In both cases, they would qualify as 'out of centre' uses having regard to the sequential test and are therefore no better than the proposed application site. Indeed, the application site is more accessible and better connected to the town centre and therefore is more preferable.

### **Kirton Storage and Distribution Park**

- 7.21 This site is located on the southern edge of the Village of Kirton adjacent to the eastern side of the A16. The wider site extends to approximately 17.5Ha. Outline planning permission for change of use of agricultural land to storage and distribution park was granted in December 2005. This consent has subsequently expired but services and civil's associated with the development were installed in breach of planning control although subsequently, they have become 'lawful' through the passage of time. In addition to the 2005 outline permission, the site has been subject to several more recent commercial/employment permissions. The County Council who own the site are currently marketing approximately 11.5Ha for employment purposes. In our view, the marketing of the site for employment purposes would mean that the proposed development would directly conflict with the County Council's objective to create a high quality employment site. This confirms that the site is not available to accommodate the proposed development. Furthermore, the size of the whole site is not large enough to accommodate the proposed development let alone the 11.5Ha which is currently being marketed by the

County Council. Indeed the site of the proposed Q1 developed scheme would be disproportionate and out of scale with the size of Kirton Village which is a standalone and independent settlement.

- 7.22 There is a suggestion that the site might be considered to be previously developed (brownfield) land. However, it is debatable whether anything more than the extent of the access roads that have been constructed could be considered to constitute brownfield land. From the adopted Local Plan the site is located outside of the settlement framework within countryside designations. Given the majority of the site remained in agricultural use (notwithstanding the brownfield land issue), the site is not considered to be a sustainable or sequentially preferable allocation for the proposed development as the application site. Kirton is not as geographically well related to Boston and the recognised community and regeneration benefits would not be achieved for the town.

### **Princess Royal Sports Arena (PRSA)**

- 7.23 The PRSA lies on the western edge of Boston and accommodates a range of sports facilities. Together with the surrounding land, the PRSA is located outside the development limits of Boston within a countryside designation having regard to the adopted Local Plan. From the Sports Revision and Open Space Assessment (November 2012) prepared by Ploszajski and Lynch Consulting Limited, it confirms that whilst there is a high quality athletics, rugby facility and health fitness facility, it does not achieve a high status in terms of an overall sporting venue. As such, it is considered that the PRSA lacks the critical mass the study considered as being a key sporting venue that could act as an anchor for the proposed development.
- 7.24 The relocation of the football stadium to the PRSA was considered at a very early stage in the project, however, it was not clear how the stadium required by BUFC could readily and cost effectively be incorporated into the existing facilities without significantly altering the way the PRSA currently operates. There was also felt to be a huge potential for any such relocation by the football club to conflict with the rugby/athletics operations that are already well established on the site. Clearly sufficient enabling development could not be provided on the site, and transport/pedestrian links were considered inferior to the proposed Quadrant site.

- 7.25 Whilst the Borough Council own the freehold of the PRSA, the surrounding land is in private control and evidence would suggest that it is not considered to be available for development as it is not on the market and is in agricultural use. There are a number of SHLAA sites in the vicinity of the PRSA but these are being actively promoted by developers for residential use with one of these already owned by a housing developer.
- 7.26 The land immediately surrounding the PRSA is located in the Countryside and is therefore not sequentially preferable to the application site. Furthermore, it is situated in an unsustainable location remote from residential development and public transport links. This is confirmed within the Sports Provision and open space Assessment which refers to a Boston Residents Priority Survey of 2008 in which the PRSA was considered inaccessible for anyone without a car. This is confirmed within the leisure centre users survey which records just over 85% of visitors travelling to the PRSA is by car with only 13% by bicycle, less than 2% on foot and none by public transport. Compared to the application site, the PRSA is therefore inaccessible and a remote location which is not well connected to the town centre. This is particularly important when considering the nature of enabling development proposed. A foodstore and commercial leisure require a location that can be easily and conveniently accessed by all modes of transport as well as being situated in a high profile location which is not possible on the adjacent PRSA land.
- 7.27 In conclusion, there are no available alternative sites within Boston to meet the composite needs of the development in relation to availability, sustainability, deliverability and viability set against the concept of enabling development. The wider community and sustainable benefits that would be achieved are sufficient in scale to allow an exception to applying the sequential test on the basis of a disaggregated manner.
- 7.28 In terms of viability, the need to purchase a 28 hectare site at market values would prevent funding being made available to secure the construction of the community stadium. Unlike the application site, the purchase price of alternative sites would most likely reflect market values for the uses proposed. It is important to bear in mind that the Community Stadium is the reason why the planning application has taken that nature and form that it has.

7.29 This section has also established that there are no alternative options or proposals (i.e. continue at the existing ground or ground share) to meet the needs of the football club. Having considered a range of possible alternatives, there are no other more sustainable sites which are capable of accommodating the whole development. As such, the application proposal is the only option that is capable of meeting both the needs of the Club and the benefits that will be achieved.

## **SECTION 8: SUSTAINABLE BENEFITS**

8.1 This section considers specifically how the proposed developments at Tytton Lane East will achieve sustainable development in accordance with the economic/social and environmental objectives of the NPPF.

### **Economics Sustainability**

8.2 The NPPG states that the planning system has a key role to ensure that the sustainable development needed to support economic growth is able to proceed as easily as possible. The Government's top priority is to promote sustainable economic growth and jobs. When deciding to grant planning permission, the guidance states that Local Authorities should consider amongst other things long term and indirect benefits such as increased consumer choice, more viable communities and more robust local economies and ensure that they do not impose unnecessary burdens on development. It is therefore relevant to highlight that decision makers are required to adopt a positive and constructive approach to proposals that deliver economic development and growth. The economic impacts of the proposals have been considered in detail in the socio economic assessment that has been undertaken as part of the EIA process and is included in the accompanying environmental statement.

8.3 From an economic perspective, the development will generate a range of jobs during both the construction and operational stage of the development. During the construction phase it is estimated that the construction activity will support around 610 person years of construction employment. Assuming a construction period of seven years in total, this would average 87 FTE jobs being supported by this construction activity over this period.

8.4 In practice, the construction activities are likely to generate far more jobs than predicted due to the various tiers involved in the industry including administration, consultancy and production of construction materials. It is estimated that approximately 733 jobs (full time and part time) will be created at the site on completion of the proposed development. Whilst it is difficult to forecast the nature of these jobs in occupation terms i.e. the balance between managerial/professional



and non-managerial, it is considered that this level of job creation is beneficial in employment terms at the local level.

- 8.5 In addition, the employment opportunities to be created as part of the proposed development offers a wider degree of diversity than what currently occurs, including professional sports management opportunities, sport development and marketing and promotions related employment. The provision of the retail and leisure facilities is seen as another area of diversification.
- 8.6 In addition, the classroom facilities within the stadium would provide a space where events such as training seminars for local firms and businesses could take place.
- 8.7 The community programme also offers a significant volume of volunteering opportunities together with an apprenticeship programme as well as an extensive work experience scheme.
- 8.8 The benefits of Boston United having a new stadium within Boston together with the associated enabling works are significant in terms of the profile that the town will have and contribute towards achieving its status as a sub-regional town. This would lead to very positive effects of economic and physical regeneration and the impact of the development on the deprived areas of Boston will be positive with the creation of the jobs with all the economic benefits at individual and business levels that would flow from that into the wider community.
- 8.9 The objectives of the development align closely with the overall vision and strategic priorities emerging within the South East Lincolnshire Local Plan for Boston which seeks to provide sufficient land in appropriate locations to diversify and strengthen the economic base to attract new businesses and sources of employment as well as maximise the potential for sustainable tourism.
- 8.10 The provision of the first phase of a distributor road network from the A16 to London Road would contribute to a longer term solution for improving linkages and traffic flow issues in and around Boston. Whilst the collaborative approach would be needed to deliver the further roads to join the A16 with the A52/Broadsides the delivery of a series of distributor roads is consistent with Lincolnshire County Council's transport strategy for Boston.

8.11 Finally, additional economic benefit would be achieved through the New Homes Bonus and this has been calculated at £2.916m that would be provided to Boston Borough Council through this mechanism. A further £0.729m would be received by the County Council. This is in addition to the annual Council Tax receipt estimated from the new properties of £0.573m.

### **Social Sustainability**

8.12 Since Chestnut Homes took over the running of Boston United Football Club there has been a growing emphasis on training/education and a community programme. The current and extensive programme of activities has been recognised when BUFC were awarded the prestigious 'Blue Square Bet North Community Club of Year Award'. From this solid base, the aspirations of the applicant for the Community Stadium are as follows: The new community stadium will provide a new state of the art facility where the education programme can flourish and expand. It is the intention to extend the programme to include apprenticeships and enhanced skills development.

8.13 At present the community programme has facilities around the Boston area to deliver their various programmes. The new stadium will allow a large range of the courses to be delivered on one site, not only enhancing the feeling of "belonging" to the club, but also would result in significant cost savings on facility hire.

8.14 The NPPF encourages a high quality built environment with accessible local services that reflect the community's need and support its health, social and cultural wellbeing.

8.15 Clearly the socio economic benefits that currently exist would be retained as a result of the new stadium and therefore considerable weight should be given to the social inclusion and civic pride that derives from the Club's activities. The stadium would be owned and operated by Boston United Community Interest Company and therefore it follows that the stadium would serve the community. With the ownership of the stadium being secured under the CIC, this will secure the future of the facility regardless of the on-going fortunes of the football club. It will remain for community use in perpetuity.

- 8.16 The new Community Stadium has the potential to make a contribution to training and skills development in Boston with specialist areas such as sports coaching and development especially through established links with the local colleges and schools.
- 8.17 The Club also offers an educational programme whereby young players are offered an opportunity to develop their skills and to gain education and coaching qualifications relating to the sports industry
- 8.18 Considerable weight should also be given to the wider sporting, health and lifestyle opportunities that would be delivered through the new stadium for the whole community.
- 8.19 There are other positive social aspects to the proposal including the high quality approach which has been taken to the overall site design. The indicative built form masterplan (see Appendix 5) shows how the character and the quality of the area would be improved with the network of footpaths cycle ways and open spaces which link the mix of uses together. Indeed, the linkages to the adjoining urban area of Boston would provide opportunities for outdoor sports and recreation both formally and informally. The footpath and cycle ways will allow good links between the new community and existing community in the vicinity allowing existing residents to access the new facilities. The improvements to the network of connections with the surrounding area will also enhance community integration.
- 8.20 The provision of a high quality built environment is a key element for assessing whether or not a development is considered sustainable having regard to the social dimension. Throughout the pre-application discussions securing good design principles has been a key priority seeking to achieve a development that would positively contribute to establishing a strong sense of place.
- 8.21 The housing element of the scheme will not only contribute to meeting the housing requirement for Boston but also provide a sufficient range of housing to meet the needs of present and future generations. The housing range will include one bedroom apartments as well as two, three and four bedroom houses. The size of these properties will cater for a range of demands from newly formed households to aspirational family housing which will also support the economic regeneration

objectives of the town. A proportion of the properties will be affordable and this adds to the creation of achieving a balanced mix use community.

### **Environmental Sustainability**

- 8.22 This dimension of sustainability assess of the contribution of the development in terms of protecting and enhancing the natural, built and historic environment.
- 8.23 The site is presently greenfield and outside the development limits of the urban area of Boston based on the 1999 adopted Local Plan. That in itself is not consistent with protection and enhancement of the environment but through the environmental assessment work it has been demonstrated that this site is not an environmentally constrained area. There are no designations with any sensitive special environmental designations. This lack of environmental sensitivity has been a key factor in assessing the suitability of this location and as addressed in Section 7 there are no alternative available sites to meet the composite needs of the development.
- 8.24 As it apparent from the DAS as well as the ecological, landscape and visual impact sections of the ES, the environmental considerations including landscape design, ecological protection, management and enhancement have been at the heart of the evolution of the masterplan for the site as a whole.
- 8.25 The environmental impacts of the development have been thoroughly assessed in the EIA and no significant environmental impacts have been identified and where there is an impact, mitigation measures have been proposed and this has been addressed through the design of the masterplan.
- 8.26 Detailed landscape mitigation proposals comprise measures to minimise visual intrusion into the Countryside and provide a transition between the application site and the wider landscape beyond.
- 8.27 An enhanced network of rights of way across the site, green links, public amenity open space and recreational areas would also improve this transitional landscape between the urban edge and rural landscape.
- 8.28 The survey work has revealed that the site is of limited ecological value but the scheme has sought as far as possible to preserve areas of ecological interest and put

forward proposals which would result in ecological enhancement. The proposed ecological corridor and SUDs system would increase the suitability of habitats for bats, water voles and vegetation and this would provide a net gain in biodiversity terms.

8.29 We have undertaken a detailed agricultural land classification report and the quality of the land is not as good as the Provision Map suggests with most of the site being mapped as a mix of Grade 2 and sub-Grade 3a with sub-Grade 3b. It is acknowledged that national guidelines encourage local authorities to safeguard good quality agricultural land wherever possible. However, there is a clear tension between satisfying this objective and delivering economic growth and regeneration to Boston to enhance its status as a sub-regional centre. In any event, there are significant tracts of better quality agricultural land within the hinterland of Boston that should be protected for agricultural purposes. Furthermore, although much of the land will be permanently lost to agriculture there are large areas of 'green use' in the proposed design. There are no alternative suitable sites of a lower grade available. Therefore, it is inevitable that some agricultural land would be lost.

8.30 The Environment Agency Flood Maps show the majority of Boston Town to be located within Flood Zone 3 and as such the site is classed as having a 'high' probability of fluvial or tidal flooding. Nevertheless, the evaluation of the strategic flood risk assessment and another available document indicate that the site is at low risk from fluvial flooding, groundwater flooding or flooding from artificial sources. In accordance with the NPPF, a sequential test has been conducted by our flood risk consultants AECOM in collaboration with the Council and this indicates there are no other sites sequentially preferable for residential, commercial or retail use than the proposed development site at Tytton Lane East. Having met the requirements of the sequential test, the NPPF indicates that the exception test must be applied where appropriate.

- *Wider sustainable benefits to the community* – these aspects have been outlined within this planning statement particularly this section.
- *A site specific flood risk assessment* – the work undertaken by AECOM has demonstrated that development will be safe for its lifetime taking into account of the vulnerability of its users without significantly increasing flood risk elsewhere. Hydrology modelling has been carried out to demonstrate that selective rising of

ground levels over certain areas of the site would protect the residential development from flooding and not significantly change floodrisk in the immediate area. The site is at low risk from groundwater, pluvial and sewer flooding. The risk of flooding from artificial waterbodies within the vicinity of the site and IDB is also shown to be low. As tidal flooding is the predominant risk source to the development, fluvial flooding has not been considered further. Flood mitigation in the form of a development platform, raised to the 200 year plus climate change (2115) flood depth, is proposed. Based on tidal breach hydraulic modelling carried out by AECOM it is suggested that the development platform will be between 1m and 2m above existing ground levels. Access and egress routes have been identified which are situated in an area of lower hazard and lower flood depths. The use of the community stadium as a safe haven would also be investigated further.

- 8.31 We have worked closely with the Council and relevant flood risk bodies and the findings of the sequential and exceptions test have been accepted in principle by these parties.
- 8.32 Following SUDs principles, the surface water will be dealt with by a combination of infiltration and water courses ensuring run off is restricted to the current greenfield run off rate plus 30% climate change. The Community Stadium, commercial areas and retail site will all be 'zero discharge' sites using permeable materials and shallow soakaways to drain the surface water.
- 8.33 This infiltration method would also be used for all rear elevation roof areas of the proposed residential area together with all domestic curtilage driveway/parking spaces.
- 8.34 Watercourses will be the secondary method of surface water disposal for the front elevation roof areas of the residential development; the adopted estate roads on the development as well as the distributor road running through the site. The proposed swales and detention basins will not only help reduce the risk of flooding but also provide ecological and amenity value to the proposed development, as well as improving the quality of the water passing through the development.
- 8.35 In terms of heritage assets, much of the site would appear to be of limited archaeological value but a group of anomalies have been detected within the general

vicinity of a previously recorded Roman Pottery Scatter and this will comprise a 'strip, map record' excavation area of approximately 1.2Ha. Based on this work and appropriate mitigation measures in place, the development will have no significant, residual direct impact upon buried archaeological remains. In addition, in terms of existing heritage assets there is no significant inter-visibility between the site and Boston Stump or Wyberton Conservation Area due to a combination of factors including flat topography, intervening vegetation, buildings and other features such as woodland forming an effective screen. Nevertheless, as part of the masterplan process, mitigation measures to lessen the effect of the development proposal on the surrounding area has included an appropriate landscape strategy.

- 8.36 In terms of the amenity of adjoining residents are concerned, a noise impact assessment has confirmed that based on the ambient noise climate it is not considered that this represents a constraint on the proposed development. Recommendations have been provided to mitigate the noise impact of the proposed stadium and commercial uses on both the existing and proposed residential dwellings. These include limiting the noise levels associated with the PA/tannoy system; appropriate acoustic barriers; additional landscaping and ensuring, appropriate stand-off distances between the commercial and noise sensitive uses.
- 8.37 The traffic impacts expected from the scheme will not be significant and the provision of public transport enhancements with the proposed shuttle bus to serve the community stadium on match days and the proposed bus link through the site will encourage alternative forms of transport to the private car as will the creation of footpaths and cycle ways running through the site. This approach will ensure that any environmental impacts in terms of traffic emissions will be within acceptable limits. A detailed travel plan has been drawn up to address the issues of improving and promoting access to the stadium and enabling development by alternative modes of transport.

## **Summary**

- 8.38 Within the context of the three dimensions of sustainability outlined within the NPPF, it has been demonstrated that the development of the application site is highly sustainable, will not have a significant adverse environmental impact, and will deliver sustainable benefits to trigger the presumption in favour of this development as set out in the NPPF.

## **SECTION 9: HOUSING NEED AND POLICY PRINCIPLES**

- 9.1 The latest Five Year Housing Land Supply position is set out within a Paper dated 28 February 2014.
- 9.2 The Report notes that there are two possible options for calculating the Borough's housing requirement given the transition between the East Midlands Regional Plan (March 1990) and the emerging South East Lincolnshire Local Plan.
- 9.3 Based on the Regional Plan requirement figure of 270 dwellings per annum, completions have fallen significantly short of this target and completions have started to decline. A point to observe is that within the Housing Land Supply Position Statement, the Council accept it has failed for a considerable period of time to deliver this housing requirement and has applied a 20% buffer in accordance with the NPPF Guidance. On this basis, the housing requirements for March 2014 to February 2019 becomes 2,289 dwellings. Based on the deliverable sites identified, the Local Authority only have a **2.7 year supply of housing land** (a short fall of 1,048 dwellings against the regional strategy requirement).
- 9.4 The second five year land supply calculation focuses on the South East Lincolnshire Local Plan and at the Preferred Options Stage (May 2013) the Plan proposes a phased approach to their requirement with this being 208 dwellings per annum between 2011 to 2016 and 226 dwellings per annum 2016 to 2020. Again this includes a 20% buffer and the six year requirement has been calculated at 1,623 dwellings. Based on the deliverable sites calculated, this still creates a short fall of 385 dwellings (or **3.8 year supply**). As all parties do not dispute that the Council cannot achieve a 5 year land supply position this raises specific questions regarding the implications of National and Development Plan Policies for Housing.
- 9.5 A consequence of Paragraph 49 of the NPPF is that policies restricting the supply of housing should be considered out of date. In this instance, policies protecting development beyond settlement frameworks cannot be relied upon. Furthermore, in line with Paragraph 14 of the NPPF, planning permission should be granted for sustainable development unless any adverse impacts of doing so will significantly and demonstrably outweigh the benefits when assessed against the policies in the



Framework. We would observe that the adopted Local Plan was adopted in 1999, 15 years ago and was expected to expire in 2000. The settlement frameworks are therefore no longer fit for purpose and the presumption in favour of sustainable development in so far as housing is concerned, clearly applies.

- 9.6 The Secretary of State is taking this issue very seriously as has been proven by a number of decisions on housing development at a national level.

## **SECTION 10: PHASING AND IMPLEMENTATION**

- 10.1 This section outlines how the different components of the mixed use scheme could be realistically phased with estimated build out rates based of the viability case that accompanies this submission as well as the current market conditions.
- 10.2 Clearly the community stadium is a key element to the overall delivery of the development and as this comprises the 'full' element of the application it means that this component of the development is able to commence without the submission of any further reserved matters application subject to discharging the relevant pre-commencement conditions.
- 10.3 The target date for the Club being able to play from the new stadium facility is the beginning of the 2017/18 season. Based on an estimated two year construction period, the commencement of the stadium is estimated to be mid-2015. This overall timescale allows sufficient time for the relocation of the Club from the old stadium at York Street prior to the expiry of the lease at the beginning of 2018.
- 10.4 To ensure the absolute commitment to the delivery of the stadium, the applicant is willing to propose a positive worded obligation that confirms that the stadium contract would be let by Boston United Football Club Community Interest Company by a particular point in time rather than a negative obligation that prevents something else from happening before the community stadium is provided. This approach would actually secure the delivery of the stadium.
- 10.5 The other detailed aspect of the planning application relates to construction of the road infrastructure and it is envisaged that the key access points together with the distributor road will be the first components of the development to commence in 2015 with an envisaged two year completion programme.
- 10.6 In so far as the housing element of the scheme is concerned, housing completions are scheduled to commence in 2016 and the applicants have assumed that around 85 housing completions for an average year. As such, it is envisaged that the 500 houses will be delivered over a six-year period.

- 10.7 There is clearly a synergy between the activities associated with the community stadium and the commercial/leisure uses and the foodstore, together with the hotel use. Subject to market forces, it is anticipated that these units would commence construction during the final stages of the completion of the stadium and so they will start to function and come on stream during the course of the 2017/18 football season.
- 10.8 It is proposed that a planning condition is drafted requiring a phasing plan to be submitted to and approved by the Local Authority. It is proposed that each parcel identified should be the subject of separate reserved matters applications including the details of the maximum number of dwellings or commercial floor space and other supporting infrastructure and ancillary development to be implemented. Whilst the detailed elements of the application should relate to the standard condition for the expiry of a planning permission, in respect of each subsequent phase of development, we recommend that the timescales for approval of reserved matters should be extended to allow submission before the expiration of seven years from the date of this outline permission. We also recommend that the phases of the outline elements of the development should commence either before the expiration of eight years from the date of this outline permission or before the expiration of one year from the date of approval of the last reserved matters to be approved in respect of that phase (whichever is the latter). This approach is appropriate given the scale of development and the anticipated length of time the scheme will take to build out.

## **SECTION 11: PLANNING OBLIGATIONS/HEADS OF TERMS**

- 11.1 As part of the pre-application discussions with the Local Authority, detailed negotiations have been taking place in relation to a range of contributions to deal with mitigation measures and community benefits that could be forthcoming as part of the overall development package. These potential planning obligations have been progressed in the context of the viability assessment work undertaken by the applicants and which is to be verified by the District Valuer, as part of balancing the requirement between the development generating sufficient value in order to deliver the stadium facility whilst meeting overall planning policy objectives.
- 11.2 In order to comply with the requirements of Regulation 122 of the Community Infrastructure Levy Regulations 2010, each obligation will need to be directly related to the development and necessary for the development to proceed and be reasonably related in scale and kind to the development.
- 11.3 The draft Heads of Terms set out within this section reflects the position immediately prior to the submission of the planning application. However, discussions regarding the details will continue to evolve and these Heads of Terms should be viewed in this context.
- 11.4 The following draft Heads of Terms are proposed by the applicant on a 'without prejudice' basis. These are not only the result of initial discussions with the Council but are based on costings and viability work that has been undertaken:

### Delivery of the Stadium/Link to Enabling Development

- 11.5 It is proposed to introduce a positive obligation to say that the stadium contract would be let by a specified time to ensure the delivery of the stadium. This time will be agreed during the determination of the planning application.
- 11.6 There should also be scope to identify a payment towards the cost of the community stadium. The trigger for the payment would be agreed following negotiations with the District Value/Boston Borough Council based on the overall viability of the proposals.

## Affordable Housing

11.7 Whilst it is acknowledged that the non-statutory interim policy seeks to ensure that 30% of dwellings provided on eligible sites are affordable, the emerging policy found within the Preferred Options to the South East Lincolnshire Local Plan identifies a lower target level of 20% affordable housing which is based upon more up to date housing needs surveys, viability study work and recent planning decisions. We consider that this is a more realistic policy aspiration particularly when assessed against the overall viability of the proposals. Based on a proposed development of 500 dwellings the table below shows provision for 100 affordable dwellings (i.e. 20% affordable housing provision) comprising one bed apartments and two/three bed houses.

**Table 2: Proposed Affordable Housing Provision**

<b>House Type</b>	<b>Tenure</b>	<b>No</b>
1 Bed Apartments	Social Rented	30
2 Bed Semi House	Social Rented	30
3 Bed Semi House	Social Rented	10
	Sub Total	70
2 Bed Semi House	Shared Ownership	15
3 Bed Semi House	Shared Ownership	15
	Sub Total	30
	<b>Total</b>	<b>100</b>

11.8 In terms in tenure, it is proposed that 30% would be shared equity and 70% social rent.

## Delivery of the Distributor Road

11.9 The opportunity to create a distributor road around Boston is a key policy objective to relieve traffic congestion within the town centre and the improved connections will encourage investment. The proposed development will enable the delivery of the

first part of the distributor road between the A16 and London Road. The design of the distributor road and associated highway junctions will not only facilitate the development but also take into account the long term aspirations as future sections of the distributor road come forward. It should be appreciated that there are significant additional infrastructure costs associated with the implementation of higher engineering standards of road design and construction and these have been absorbed into the overall viability of the development proposals. As identified within the phasing section of this statement, it is proposed that the distributor road and associated highway junctions will be delivered early on in the construction programme. This approach is in accordance with both the LEP’s Strategic Economic Plan and the Fourth Lincolnshire Transport Local Plan which anticipates land being identified for future development to enable the delivery of a distributor road to the west of Boston.

Potential to Extend Wyberton Playing Fields Association (WPA)

11.10 As part of the proposed development, there is an opportunity to realign the Town’s Drain along the southern edge of the site to provide additional land for the use of the neighbouring WPA. Subject to The IDB approval the realignment could enable the provision of an additional 9 v 9 junior pitch as well as two mini soccer pitches within the land south of the realigned Town Drain which would be transferred to WPA.

Onsite Open space

11.11 The applicant would provide onsite open space in the region of:

**Table 3: Outside Open Space Provision**

Type of Recreation/Open space	Size (Hectares Approx.)
Open space	2.5
Children’s Play	
A) Equipped Play	0.5
B)The informal playspace	2.5
Playing Pitch (3G all-weather surface)	0.7
Total – All Outdoor Playspace	4.4

- 11.12 The proposed open space and recreation provision has been assessed in detail against the 'saved' Local Plan Policies, the Sports Provision and Public Open Space Assessment commissioned by the South East Lincolnshire Joint Strategic Planning Committee in May 2012 and the Fields in Trust benchmark standards included in their Planning and Design for Outdoor Sport and Play of 2008. This assessment can be found at Appendix 7 and this confirms that the provision of open space/amenity greenspace on the site would exceed the current and emerging standards.
- 11.13 It is proposed that maintenance of the greenspace areas will be undertaken by a new management company specifically set up for the overall Q1 development. Management agents will be appointed to ensure appropriate maintenance is achieved. This arrangement has been successfully implemented throughout all Chestnut Homes developments in recent years ensuring high levels of maintenance for all schemes. An indicative plan showing the proposed areas of open space that would form part of the management company can be found within Appendix 7.
- 11.14 There is also the opportunity to create an ecological corridor/drainage SUDs facilities which amount to approximately 0.7Ha in size and similar to the open space provision, the maintenance of these water features would be by the applicant's management company if an alternative adopting authority has not been established.

#### Education Provision

- 11.15 We are currently engaged with the relevant authorities to assess the likely impact of the proposed development on existing education facilities. The results of this assessment work will be considered in light of other planning obligations that may be required for the development as well as the overall viability of the scheme. It should also be appreciated that there is no adopted Local Plan Policy which enables the Local Authority to seek such contributions and weight should also be given to the point that the development will create new households from existing hidden households which are already residents in the area and already benefit and use local schools.

### Healthcare Contribution

11.16 Similar to education provision we are engaged with the relevant authorities to assess the likely impact of the development of healthcare facilities. However, we have conducted our own research of the capacity of health providers in the Boston area. The search focused on doctors' surgeries/health clinics and dentists within a five mile travel distance from the application site. The findings of our assessment can be found at Appendix 8, but the overriding conclusion for both doctors and dentist surgeries within the locality is that they continue to take on new patients and there is clear evidence to suggest that there is existing and future capacity for healthcare provision in the catchment area to accommodate the proposed development.

11.17 Similar to education, there is no adopted Local Plan Policy which enables the Local Authority to seek a contribution towards health facilities.

### Travel Plan

11.18 A Travel Plan has been prepared by Northern Transport Planning and it is envisaged that the provisions and contributions within this document will be linked to planning obligations.

### New Homes Bonus

11.19 In addition to the planning obligations that are proposed, it should be acknowledged that Boston Borough Council will benefit as a result of the New Homes Bonus Payment to the sum of £2.916m. This amount is in addition to the annual Council Tax Receipts of £0.573m which would also be generated from the development once completed. Given the circumstances of the application, we consider both these sums of money can be used to offset any mitigation that the Council may consider is required to bring forward the form and nature of the development.



## **SECTION 12: OVERALL CONCLUSIONS**

- 12.1 This supporting planning statement has been prepared by Signet Planning on behalf of joint applicants Chestnut Homes (Land) Ltd and Boston United Community Interest Company in support of a hybrid (part outline part detailed) planning application for a mixed use development including a new community stadium, housing, retail, commercial and leisure development. It should be read alongside the suite of documents prepared in support of the submission.
- 12.2 This statement has considered the planning application against the Development Plan and other material considerations. The Development Plan is a starting point for planning decisions and this comprises the 'saved' policies within the adopted Boston Borough Local Plan (April 1999), This report has systematically addressed the general development control criteria within the Local Plan and based on the supporting evidence accompanying the application, it is demonstrated that these requirements have been satisfactorily addressed and the scheme aligns with them.
- 12.3 The wording of the policies allow sports and recreational uses to be located in the countryside when this is out of necessity, which is the case here. In so far as the housing element of the proposal is concerned we would maintain that since the Local Authority cannot demonstrate a five year supply of deliverable housing sites, the relevant policies in the adopted plan cannot be considered up to date in accordance with the NPPF (see Paragraph 49). The proposed housing element would assist in the delivery of much needed housing in the borough, and the site can play a significant role locally in remedying the housing situation in the short and medium term.
- 12.4 The relevant policies for retail and the commercial uses have not been 'saved' Local Plan and given the silence and absence of these policies the starting point is the NPPF.
- 12.5 In light of the out of date Local Policy position, significant weight, in the determination of the application, should be given to the NPPF as well as other material considerations.

- 12.6 We consider that the proposals are sustainable development as defined in Paragraph 14 of the NPPF. It has been demonstrated that there is no adverse effects which would significantly and demonstrably outweigh the benefits of this proposal. Whilst it is recognised that the site falls within an area at risk of flooding which is a specific policy designation where the presumption in favour of sustainable development can be suspended, the technical flood risk assessment work has rigorously applied the sequential test and 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 the proposed development.
- 12.7 Weighted in favour of the proposed development is a range of factors which provide a compelling case for approval of the planning application. In the first instance, the scheme would enable the delivery of a new community stadium for Boston. It is clear that the delivery of a community stadium is of significant importance to the community and it is necessary to ensure the continuation of Boston United Football Club within the Borough. The lack of any secure tenure at the current ground is a strong factor to weight in favour of the proposal particularly when assessed against the inadequacies of the Club's existing facilities and the limited revenue streams that this is currently able to generate to maintain a sustainable operation.
- 12.8 The recent financial history of the club in terms of a period of administration, have been transformed by the arrival of Chestnut Homes and they wish to continue to build the club whilst having a genuine intention to give something back to the community.
- 12.9 The delivery of a new stadium through enabling development is a matter of precedent and policy which can be weighted in the balance. The viability assessment demonstrates that the development is the minimum necessary in order to release the requisite funding for the community stadium.
- 12.10 The benefits of the scheme are identified at Paragraph 1.31 of this statement and there is clearly a unique set of circumstances and positive factors in favour of the development.

- 12.11 We have demonstrated that there are no other alternatives available to deliver these needs and associated benefits. There are no sequentially preferable sites within Boston that are available, suitable and viable for the proposed development.
- 12.12 In retail and leisure impact terms, it is considered the impact of the foodstore and commercial floorspace upon nearby shopping centres will be within acceptable limits. Whilst there is likely to be an impact on Boston town centre, this would not be of a significant scale. The hotel will meet a recognised need for additional serviced accommodation in Boston and will cater for visitors attracted to the new community stadium and related facilities.
- 12.13 In light of the strong existing expenditure capacity position and the growth which is forecast over the medium to longer term, the Retail Assessment has demonstrated that there is very limited potential for the retail scheme to give rise to 'significant adverse impacts' on any centre within the catchment area.
- 12.14 The key benefit that would be achieved from the granting of permission for the proposed foodstore and commercial leisure floorspace would be the realisation of sufficient funding to secure the construction of the community stadium.
- 12.15 In conclusion, the application represents an opportunity to achieve the comprehensive delivery of the community stadium for Boston but also deliver much needed housing growth to remedy the five year supply short fall. The mixed use development would also create investment and job opportunities for Boston at a time when economic growth is considered an important objective to realise the future prosperity and ambitions of the town. Indeed, the scheme has been identified as one of the 'Strategic Priorities' of the Greater Lincolnshire LEP 'Strategic Economic Plan' as well as linked to the delivery of a phase of the distributor road.
- 12.16 Overall, the proposals are compliant with key Development Plan and NPPF policies and the Environmental Statement submitted with the application indicates that there are no unsurmountable technical difficulties that will prevent development of the site.
- 12.17 If permission is not granted there is little prospect of another scheme of this scale and potential to come along in the near to medium term, thereby questioning the overall delivery of a community stadium for Boston. It is important that planning permission is granted so that the stadium can be completed by the start of the

2017/2018 season. The Council is therefore invited to support the proposal and grant planning permission.



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