

Delegated Report

Planning Ref: 23/00836/FUL

Applicant: Miss Rachael Kendrew

Ward: Earl Shilton



Hinckley & Bosworth
Borough Council

**Site: Co-Operative Group Ltd Wood Street Earl Shilton Leicester
Leicestershire LE9 7ND**

Proposal: Installation of two rapid electric vehicle charging stations with associated equipment

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report.

2. Planning application description

- 2.1. The application seeks full planning permission for the installation of two rapid electric vehicle (EV) charging stations with associated feeder pillar and associated works. The application includes the provision of a hatched access area, removal of sections of the existing vegetation to accommodate equipment, insulate an existing lamppost and relocate existing clothes bank.
- 2.2. The charging stations cover three parking spaces. The green fully accessible parking bay has a length of 4.8 metres, 4.8 metres in width. The other also has a length of 4.8 metres and a width of 2.4 metres.
- 2.3. The two chargers sit on a sufficient plot size and are well positioned, coloured grey (RAL 7040) and measure 2.19 metres in height and 1.30 metres in width. The feeder pillar is coloured green, located to the north of the site and measures 2.3 metres in height and 2.1 metres in width.

3. Description of the site and surrounding area

- 3.1. The application site relates to part of the Earl Shilton Co-Operative car park. The proposed development is located to the north-west corner of the site. The immediate area forms part of the car park, bordered by hedges and wooden fencing. There are dwellings to the north of the site.

4. Relevant planning history

None relevant.

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site. No comments have been received as a result of the publicity.

6. Consultation

- 6.1. No objection has been received from LCC Highways.
- 6.2. HBBC waste has no comment or objection.
- 6.3. HBBC pollution has no objection or comment.

7. Policy

7.1. Core Strategy (2009)

- Policy 2: Development in Earl Shilton

7.2. Site Allocations and Development Management Policies DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.3. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF 2023)
- Planning Practice Guidance (PPG)

7.4. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)
- Leicestershire Highways Design Guide (LHDG)

8. Appraisal

8.1. Key Issues

- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity
- Impact upon highway safety and parking

Design and impact upon the character of the area

8.2 Policy DM10 of the adopted Site Allocations & Development Management Policies DPD requires new development to complement or enhance the character of the surrounding area with regard to scale, layout, mass, design, materials and architectural features and for building material to respect neighbouring buildings and the local area generally. It further requires the incorporation of a high standard of landscaping where it will add to the quality of the design and siting.

8.3 The wider area relates to a superstore, car parking and residential development around the site. The provision of two electric charging stations fits into the use and character of the area and there is similar street furniture in the vicinity. The proposed development covers a small area to the north western corner of the site. The green and fully accessible parking bay has a length of 4.8 metres and 4.8 metres in width. The other has a length of 4.8 metres and a width of 2.4 metres. The grey chargers are well positioned separately and measure 2.19 metres in height and 1.30 metres in width. The green feeder pillar to the north of the site measures 2.3 metres in height and 2.1 metres in width.

8.4 The provision of electric charging stations is becoming more common in car park locations and by virtue of the site context and location of the charging stations, the proposal does not significantly impact on the visual character of the area and is in accordance with Policy DM10 of the Site Allocations and Development Management Policies DPD.

Impact upon neighbouring residential amenity

- 8.5 Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings.
- 8.6 Considering the small scale of the proposed development, its location to an existing car park, siting of the electric charges, bordered by hedges, 1.8 metre fence, and set away from the surrounding dwellinghouses, the charging station has no significant adverse impact on existing car park and neighbouring amenities. The hedges and fence screens it from the public view. The technical document gives details of noise to be $\leq 65\text{dB}$ and therefore HBBC pollution has no objections.
- 8.7 The proposal does not cause any adverse impact on residential amenity in terms of dominance, loss of light, outlook, privacy or noise/nuisance. It is therefore considered that the proposal has no significant adverse impact on the residential amenity of the occupiers of the neighbouring dwellings and in accordance with Policy DM10 of the SADMP.

Impact upon highway safety and parking

- 8.8 Policy DM17 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety. Policy DM18 requires new development to provide an appropriate level of parking provision to serve the development proposed.
- 8.9 Paragraph 112 (e) of the NPPF 2023 and Policy DM10 states that in the provision of parking, charging points for electric or low emission vehicles should be included where feasible, in safe, accessible and convenient locations.
- 8.10 The proposed development does not result in major changes to the existing parking bays, no changes to existing access to the site, walking or cycling facilities and therefore does not result in any significant adverse highway safety or increase in highway traffic.
- 8.11 The loss of one off street car parking space does not have any material impact on public highway. The Local Highway Authority do not raise any objection to the proposal.
- 8.12 Part 3 of the Leicestershire Highway Design Guide requires a minimum car parking space to be 5 metres in length, 2.4 metres width and 2 metres headroom. It further states that where 50 or more car parking spaces are provided, a reduction in length to 4 metres may be permitted in up to 10% of the parking bays.
- 8.13 There is no relevant planning history relating to the car parking on the site. The site has more than 50 parking spaces. The proposed parking bay does not fit the minimum requirements however complies with the exemption of the LHDG. The overall development is in accordance with Policies DM17 and DM18 of the adopted SADMP and the Leicestershire Highway Design Guide.

9. Equality implications

- 9.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-
- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2 Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.
- 9.3 There are no known equality implications arising directly from this development.
- 9.4 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

10. Conclusion

- 10.1. The proposed development is within an existing car park in Earl Shilton is considered to benefit from the presumption in favour of sustainable development as set out in Policy DM1 of the SADMP, and Paragraph 11 of the NPPF.
- 10.2. By virtue of its small scale, layout, hedges and fence to screen it, separation distance from neighbouring properties, form, design, minimal impact on residential amenity and no adverse impact on parking arrangement, and highway safety, the proposal is in accordance with Policies DM10, DM17, DM18 of the SADMP and the Leicestershire Highway Design Guide.

11. Recommendation

- 11.1 **Grant planning permission** subject to:

- Planning conditions outlined at the end of this report.

11.2 Conditions and Reasons

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

- 2) The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:
Site Location Plan, Drawing Number 10420-0064_02 Rev A, Block Plan, Drawing Number 10420-0064_03 Rev A, Planning Site Layout Drawing Number 10420-0064_01-PL Rev A, Equipment Elevations Drawing Number 001_29 Rev A and 001_27 Rev A received by the Local Planning Authority on 25 August 2023.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

- 3) The materials to be used on the external elevations of the proposed equipment shall be in accordance with the details provided within the approved plans, application form and technical document.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11.3 **Notes to applicant**

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.