DELEGATED REPORT

Recommendation Made:

Reference:- 11/00570/FUL **Parish:- Earl Shilton Town Council**

Applicant:- Mr Des McGetrick
1st Floor, Persimmon House
Anchor Boulevard
Crossways
Dartford

Location:- The Co Operative Group Ltd Wood Street Earl Shilton Leicester Leicestershire

Proposal:- INSTALLATION OF REFRIGERATION PLANT UNIT AND ERECTION OF BARRIER

Introduction:-

This application seeks full planning permission for the installation of a refrigeration plant unit at the Co Operative retail unit at Wood Street, Earl Shilton. The unit is to be sited within the rear delivery yard and will stand at 2.22 metres tall, extend 3.7 metres wide and will have a depth of 1.8 metres and will be surrounded by a 1.2m tall barrier for protection from delivery vehicles.

Supporting information submitted to accompany this application:

A Design and Access Statement
Refrigeration Plan Data Sheet

Planning Application History

01/00216/ADV DISPLAY OF ILLUMINATED SIGNS - Advertisement Consent
01/01004/FUL INSTALLATION OF ATM CASHPOINT - Planning Permission
01/01005/ADV DISPLAY OF ATM SIGNS - Advertisement Consent
02/00351/FUL INSTALLATION OF 1.0 METRE DIAMETER SATELLITE ANTENNA - Planning Permission
94/00445/FUL INSTALLATION OF ROOF MOUNTED SATELLITE ANTENNA - Planning Permission
97/00324/ADV DISPLAY OF FASCIA AND LOGO SIGNS - Advertisement Consent
07/00309/ADV ERECTION OF ILLUMINATED SIGN - Advertisement Consent
11/00564/ADV ERECTION OF ONE APEX FASCIA (RETROSPECTIVE) AND RECLADDING OF EXISTING TOTEM SIGN - Advertisement Consent
11/00570/FUL INSTALLATION OF REFRIGERATION PLANT UNIT AND ERECTION OF BARRIER - Planning Permission
86/00151/4 NEW LOADING BAYS AND DOORS AND FORMATION OF VEHICULAR ACCESS AND SERVICE AREA - Planning Permission
74/01197/4 EXTERNAL STORE AND COVERED AREA - Planning Permission

Consultations:-

No objections have been received from :-

Earl Shilton Town Council
Head of Community Services (Land Drainage)
Head of Community Services (Pollution)

At the time of writing the report no comments received from:

Police Architectural Liaison Officer
Ward Members
Neighbours

Development Plan Policies:-

Core Strategy 2009

Policy 2 Development in Earl Shilton

Hinckley and Bosworth Local Plan

BE1 - Design and Siting of Development
Retail 7 - Local Shopping Centres

Appraisal:-

This proposed development is to be sited within the boundaries of an existing retail site which lies within the settlement boundary of Earl Shilton and as such, is acceptable in principle.

The main considerations with regards to this application are whether the proposed development will adversely effect on the visual appearance of the area and the amenities enjoyed by the occupiers of the adjoining residential properties.

Visual appearance

The proposed development is to be sited within the rear delivery court yard which is surrounded by a 4m tall brick wall and is therefore only visible to users of the delivery yard. The development is not considered to have any impact on the design of the existing building or locality generally.

Impact on residential amenity

Given the location of the development and its screening the development is not considered to have any impact on residential amenity.

A technical document has been submitted to accompany this application and this outlines the proposed noise rating of 57/53 dB(A) at a 10m free field. The applicant has since stated that this figure is the "in use" day/night operation level and the Head of Community Services (Pollution) has confirmed that these figures fall within the current noise guidelines and raises no objection.

In summary the proposal is acceptable in appearance and will not have a detrimental affect on the amenities of any of the surrounding residential occupiers.

RECOMMENDATION:- Permit subject to the following conditions:-

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below, it is considered that subject to compliance with the conditions attached to this permission, the proposed development by virtue of the scale, mass and design of the proposed refrigeration unit would not detrimentally impact on the amenities of neighbouring residents or the character and appearance of the area and would be in accordance with the development plan.
Hinckley & Bosworth Borough Council Local Plan (2001) :- BE1, Retail 7

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

2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows: Drawing No. 1872.01a, 1872.02, 1872.03A, 1872.04a, 1872.05b received on the 8th of August 2011.

Reasons :-

1 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2 For the avoidance of doubt and in the interests of proper planning.

Notes to Applicant:-

1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

3 As from 6 April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.

4 All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).

Contact Officer:- Nick Cox Ext 5659