

Delegated Report

Planning Ref: 24/00507/FUL

Applicant: Amazon UK Services

Ward: Markfield, Stanton and Fieldhead

Site: Land South Of, Interlink Way South, Stanton Under Bardon

Proposal: Replace existing pumphouse and sprinkler tanks



Hinckley & Bosworth
Borough Council

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

- 2.1. This application is for the proposed replacement of the existing pumphouse and sprinkler tanks. The location of the existing and proposed is the same, with the proposed pumphouse and sprinkler tanks slightly larger than the original on site.

3. Description of the site and surrounding area

- 3.1. The application site is located within a large industrial estate. The estate is made up of larger units serving a range of business, with large yards for vehicle or lorry parking surrounding each unit. The site is accessed off Interlink Way South, and the location of the proposed replacement pumphouse and sprinkler tanks is to the south of the site, shielded from public vantage points by the industrial unit.

4. Relevant planning history

20/01050/FUL

Development of the site for storage of operational vehicles, including alterations to warehouse, access and parking, installation of lighting columns, fencing, hardstanding, bicycle storage and smoking shelters, landscaping, EV charging, and associated development

Planning Permission

16/03/2021

5. Publicity

- 5.1. The application has been publicised by posting neighbour letters, a site notice was posted within the vicinity of the site.

- 5.2. No comments received.

6. Consultation

- 6.1. HBBC Pollution: No objections.
- 6.2. LCC Highways: No objections.
- 6.3. HBBC Drainage: No objections.
- 6.4. North West Leicestershire District Council: No objections.
- 6.5. Ellistown Parish Council: No response received.

7. Policy

7.1. 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

7.2. National Planning Policies and Guidance

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

7.3. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)

8. **Appraisal**

8.1. Key Issues

- Assessment against strategic planning policies
- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity
- Impact upon highway safety

Assessment against strategic planning policies

- 8.2. The NPPF identifies that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 2 of the NPPF also identifies that the NPPF is a material planning consideration in planning decisions. Paragraph 12 of the NPPF states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where planning applications conflict with an up-to-date plan, permission should not usually be granted unless other material considerations indicate otherwise.
- 8.3. The development plan in this instance consists of the Core Strategy (2009), and the Site Allocations and Development Management Policies (SADMP) Development Plan Document (2016).

Design and impact upon the character of the area

- 8.4. Policy DM10 of the SADMP seeks to ensure that new development should complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.5. The character of the area is defined by large scale industrial units, with car parking afforded to each unit, often for lorry's or larger vehicles. The proposed development site for the replacement pumphouse and sprinkler tanks is located to the rear of the existing unit and as such would not be visible from public vantage points. In addition, given this application is for a replacement, it is considered that the pumphouse and sprinkler tanks themselves would not be considered to cause detrimental impacts to the character of the area.
- 8.6. The proposals are therefore considered to be in accordance with Policy DM10 of the SADMP.

Impact upon neighbouring residential amenity

- 8.7. 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.
- 8.8. The development site is not located within a reasonable distance to neighbouring residential development. Given that the site is a significant distance from residential development, and given the industrial nature of the site, the application for a replacement pumphouse and sprinkler tanks is not considered to cause detrimental impacts to neighbouring residential amenity.
- 8.9. As such it is considered to be in accordance with Policy DM10 of the SADMP.

Impact upon highway safety

- 8.10. Policy DM17 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety. Policy DM18 of the SADMP requires new development to provide an appropriate/justified level of parking provision.
- 8.11. The proposal is considered to have no detrimental impact on highway safety nor does it impact the existing car parking facilities on site and as such it is considered that the proposal is in accordance with Policy DM17 and DM18 of the SADMP.

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 proposal is considered acceptable due to the limited impacts upon the character of the area and the amenity of adjacent buildings. It is considered that the proposed development would be in accordance with Policies DM10, DM17 and DM18 of the adopted SADMP.

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 Drg No. 7371 - SMR - 13 - ZZ - DR - A - 2101 - S3 -P4
Proposed Site Plan Drg No. 7371 - SMR - 13 - ZZ - DR - A - 2102 - S3 - P4
Proposed Replacement Sprinkler Tanks and Pumphouse Drg No. 7371 -
SMR - 13 - ZZ - DR - A - 2026 - S3 - P1

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).

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.