Delegated report Officer: Caroline Burn

Application ref. DMPA/2024/0301

Retrospective application for siting of InPost Parcel Locker at Sainsburys Local, Derby Road, Melbourne, Derby, DE73 8FE

Valid date:	23/02/2024
Consults expired:	08/04/2024
EIA development?	No
Section 106 agreement?	Not required

This decision is delegated to officers under the terms of the current Scheme of Delegation.

Relevant planning history

There have been various applications related to Sainsbury's store including recent applications that varied the opening and delivery hours related to the store, application references: 9/2014/1009, 9/2016/0484 and 9/2017/0843. Planning permission ref. 9/2014/0883 required the operational hours of the ATM cashpoint to reflect those of the store.

Responses to consultations and publicity

County Highway Authority
There would appear to be no material impact on the public highway and therefore the Local Highway Authority has no comments to make. (19/03/2024)

Environmental Health
No objection subject to hours of use of the lockers by the courier occurring only during the hours of use for the premises. (13/03/2024)

Neighbour Responses
Two members of public commented on the application, raising concerns about the impact of deliveries/collections to the lockers on residential amenity, noting disturbance likely to occur during the nighttime. It was requested that the operating hours for the locker reflect those for the store.

Relevant policy, guidance and/or legislation

The relevant Development Plan policies are:
- Local Plan Parts 1 and 2: S2, BNE1, SD1
- Melbourne Neighbourhood Plan: DP1

The relevant local guidance is:
- South Derbyshire Design Guide Supplementary Planning Document (SPD)

The relevant national policy and guidance is:
- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

Planning considerations

The determining issues are as follows:
- Principle of the Development;
- Design and Amenity; and
- Other Matters.

Planning assessment

Site and Proposal
The application site comprises the car parking area for Sainsbury's Local to the west of Derby Street,

Melbourne. The proposal is for the retention of a parcel locker of approximate dimensions L: 4.0m, W: 0.9m (with canopy extending an additional 0.74m); and H: 2.42m. The parcel locker is situated adjacent to the northern elevation of the store building. It includes a security camera and the colour is grey and black. The Royal British Legion building is the nearest building to the north-west of the lockers, with properties on Victoria Street beyond this. There are dwellings to the south-west and south of the site on North Street and Alma Street, approximately 35m distant. The site is not located within the Conservation Area or in the setting of any heritage assets.

Principle of the Development

There is no specific planning policy related to the provision of parcel lockers within the Local Plan Parts 1 or 2 or Neighbourhood Plan. There are policies related to the provision of infrastructure, although these are aimed more at ensuring that new housing and other development make appropriate provision. Part 7, Class C of the General Permitted Development Order 2015 (as amended), does include permitted development rights for such facilities, subject to the provision that the prior notification procedure is followed prior to installation. As prior notification was not followed in this case, a planning application is required.

Whilst there is no policy specific to the installation of parcel lockers, it is noted that the site is located in the settlement boundary for Melbourne, a Key Service Village, as defined by Policy SDT1 of the Local Plan and policy DP1 of the Neighbourhood Plan. The explanatory text for Policy SDT1 states that '*inclusion of land within a settlement boundary would normally imply development would be acceptable in principle, though other technical considerations will still be assessed*'. On this basis it is considered that the principle of the parcel lockers within an existing store site and a Key Service Village would be acceptable.

Design and Amenity

Policy BNE1 sets out principles for design excellence, which is supported by the detail within the South Derbyshire Design Guide SPD. Policy SD1 states that the Council will support development that does not lead to adverse impacts on the environment or amenity of existing and future occupiers within or around proposed developments.

The design of the parcel locker is practical, as would be expected for this type of infrastructure. It's positioning immediately adjacent to the existing store building is appropriate and the structure is not detrimental to the character of the surrounding area. In relation to potential amenity impact, the comments from the neighbouring community which highlight the potential disturbance from the lockers are noted. The EHO's request for a condition to tie hours of courier deliveries/collections to the store hours is also acknowledged.

The nearest residential receptor to the parcel lockers is c. 35m on North Street/Alma Street, and there are parking spaces within the store car park that are closer to the dwellings that could conceivably be used for deliveries/collections. However, it would be difficult to prohibit public access to the parcel lockers, as the store car parking area is not secured. Access by the public would most likely be from cars and smaller vehicles which would cause less disturbance than delivery vans, and a level of activity from members of the public would be anticipated in this location anyway due to the pedestrian route that leads from the car park to North Street/ Alma Street. The presence of the parcel lockers is unlikely to materially alter this. Notwithstanding this, it would be reasonable to restrict the hours for courier deliveries/collections as requested by the EHO, as the courier would be likely to have larger vehicles which may cause greater disturbance. It is noted that a security camera is incorporated within the parcel locker and recommended that a condition be attached that requests footage be made available to Officers of the Council upon request, which would ensure that the courier hours for deliveries/collections is enforceable. With such a condition in place, it is unlikely that the proposal would impact on amenity materially and the scheme would comply with Policies BNE1 and SD1.

Conclusion

Although there is no specific policy related to the provision of parcel lockers, the principle of the proposal is considered acceptable on the basis that of the site's location within an existing store and Key Service Village. The positioning of the locker in proximity to existing residences raises some concern related to the potential for disturbance, and it is acknowledged that this would be difficult to

control. However, as there would be a level of activity from members of public using the store car park and pedestrian route in any case, the main consideration would be larger vehicle movements associated with couriers using the parcel locker. This could be controlled by a suitably worded planning condition, which would alleviate concerns. On balance therefore, the proposal is recommended for approval subject to conditions.

Recommendation

Approve with Conditions

None of the other matters raised through the publicity and consultation process amount to material considerations outweighing the assessment of the main issues set out above, noting that conditions or obligations have been attached where meeting the tests for their imposition. Where relevant, regard has been had to the public sector equality duty, as required by section 149 of the Equality Act 2010 and to local finance considerations (as far as it is material), as required by section 70(2) of the Town and Country Planning Act 1990 (as amended), as well as climate change, human rights and other international legislation.

Recommendation made:	15/04/2024
Report agreed:	15/04/2024
Authorised officer:	Jenny Blair