

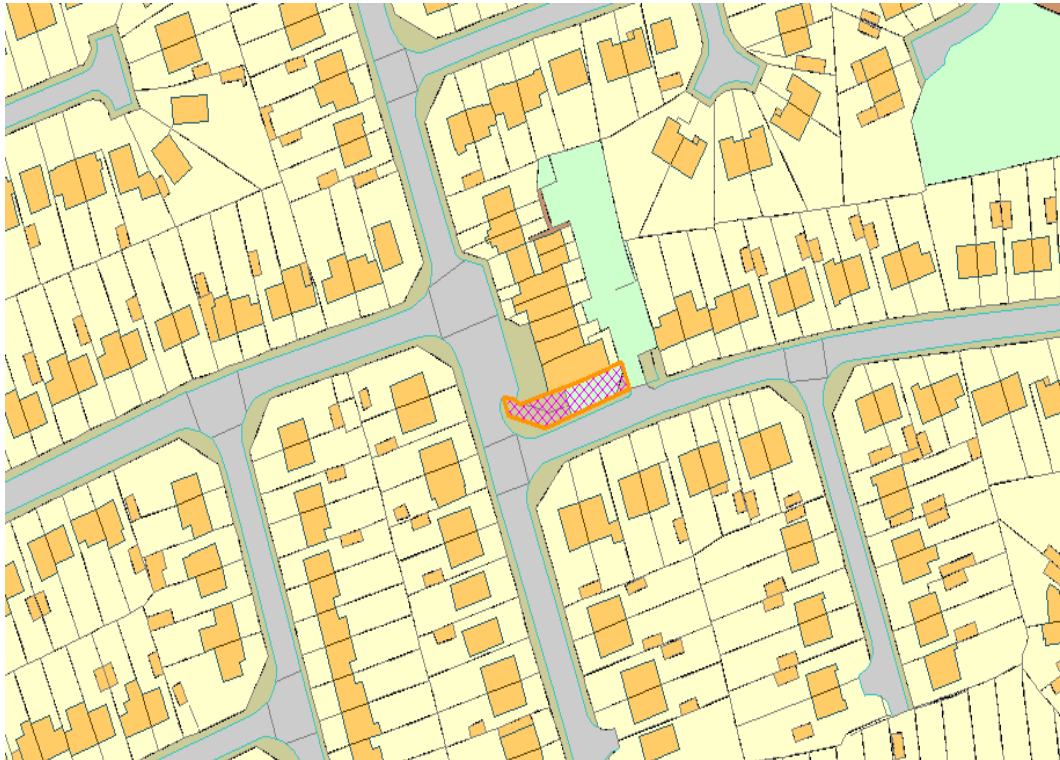
Reference: 15/00019/FUL

Date submitted: 12th January 2015

Applicant: Mr A Singh

Location: 33 Grange Drive, Melton Mowbray, Leicestershire LE13 1EY

Proposal: New A1 single storey retail unit



Introduction:-

The application is for a new retail A1 shop to be located to the south of the existing OneStop shop on Grange Drive. The proposal seeks to create a single storey retail store on land which is at present unused.

It is considered that the main issues relating to the application are:

- **The impact of the proposal on residential amenity**

The application is required to be considered by the Committee due to the level of representations received.

Relevant History:

There is no relevant history at the site.

Development Plan Policies:

Melton Local Plan (saved policies):

Policy OS1

OS1 states that planning permission will be granted for development within the town envelope where:

- The form, character and appearance of the settlement is not adversely affected;
- The form, size, scale, mass, materials and architectural detailing of the development is in keeping with the character of the locality;
- The proposed use would not cause loss of amenity by virtue of noise, smell, dust or other pollution;
- The development would not have a significantly adverse effect upon the historic built environment or nature conservation features including trees;
- The development would not cause undue loss of residential privacy, outlook and amenities as enjoyed by occupants of existing dwellings in the vicinity;
- Satisfactory access and parking can be made available.

Policy BE1

BE1 states that planning permission will not be granted for new buildings unless the following criteria is met:

- The buildings are designed to harmonise with surroundings in terms of height, form, mass, siting, construction materials and architectural detailing;
- The buildings would not adversely affect occupants of neighbouring properties by reason of loss of privacy or sunlight / daylight;
- Adequate space around and between dwellings is provided;
- Adequate public open space and landscaping is provided where appropriate;
- The buildings and their environs are designed to minimise the risk of crime;
- Wherever possible, buildings are designed and sited to maximise solar gain and utilise energy saving features;
- Adequate vehicular access and parking is provided.

The National Planning Policy Framework was published 27th March 2012 and replaced the previous collection of PPS. It introduces a ‘presumption in favour of sustainable development’ meaning:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission 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.

The NPPF offers direction on the relative weight of the content in comparison to existing Local Plan policy and advises that **whilst the NPPF does not automatically render older policies obsolete, where they are in conflict, the NPPF should prevail.**

It establishes 12 planning principles against which proposals should be judged. Relevant to this application are those to:

- Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made to respond positively to wide opportunities for growth.
- Not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives.
- Always seek to ensure high quality design and a good standard of amenity for all existing and future occupants of land and buildings

- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.

On Specific issues relevant to this application it advises:

Building a strong, competitive economy

Paragraph 19 of the NPPF states that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth, and that planning should operate to encourage, and not act as an impediment to sustainable growth.

Supporting a prosperous rural economy

At paragraph 28, the NPPF states that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. Specifically, to promote a strong rural economy, plans should support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings.

The National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. (NPPF paragraph 12).

Consultations:-

Consultation reply	Assessment of Head of Regulatory Services
<p>Highway Authority: No Objections</p> <p>The Highways Authority recommends that the Local Planning Authority refers to the current standing advice provided by the Highways Authority in September 2011; specifically the Local Planning Authority should consider the effect on parking in the area.</p>	<p>Noted.</p> <p>The application site is located immediately to the south of the existing shops on Grange Drive, on the corner with Sapcote Drive.</p> <p>There is a parking area on Grange Drive in front of the shops to provide an area off the road for parking. Most people park their cars in a forwards direction, leading them to reverse out into Grange Drive. The parking area is opposite the junction with Wicklow Avenue and care needs to be taken when manoeuvring because of this.</p> <p>The Highways Standing Advice for parking advises that off-street parking in connection with development should be adequate as inadequate provision can lead to on-street parking and consequential dangers for road users and pedestrians.</p> <p>The present parking arrangement is well used, and it is likely that an additional shop may create additional customer traffic movements. In addition there may also be further deliveries. The timing of any deliveries can be restricted by way of planning condition to ensure that there is minimal impact upon residential amenity. The proposed shop is to be located within a housing estate where there are opportunities to walk and cycle to the store, which many who live on the estate already do.</p>

	It is considered unlikely in this context that one further small shop will exacerbate parking problems in the area. As such it is considered that the proposal meets with the objectives of policies OS1 and BE1 of the Melton Local Plan.
Licensing: If the premise is to sell alcohol they will require a Premises Licence should they be granted planning permission.	Noted.

Representations:

Twelve neighbouring properties were advised of the planning application, and as a result **seven letters** of representation were received.

Consideration	Assessment of Head of Regulatory Services
Impact Upon Highways Safety The shop will generate more traffic and cause more parking problems in the area	As discussed above, it is not considered on balance that the proposal will exacerbate the parking issues in the area. The shop is in a residential housing estate where many people will walk and cycle to the shop. As such, the proposal is considered to comply with policies OS1 and BE1 of the Melton Local Plan in this respect.
Residential Amenity & Privacy The building is too close to the properties that face it The privacy of homes will be infringed as it will be directly opposite homes It will be an eyesore with lights late into the night There will be noise late into the night	At the closest point, the side (south) elevation of the new shop would be more than 19 metres from the principal elevations of the dwellings on Sapcote Drive. There is also a significant difference in land levels which will also minimise the impact upon the dwellings to the south. It is not considered that the shop would cause issues with regards to privacy and amenity of these dwellings owing to the separation distance involved. The separation distance of the shop from the existing dwellings to the west is more than 30 metres which is also considered to be acceptable in terms of privacy and amenity. The flats above are not considered to be affected by this development any further than they are already affected by the existing shop. This application does not include any lit signage; this would form part of a separate application which would be conditioned accordingly. It is not considered that there would be any further noise over and above that already experienced from the existing shop. The proposed opening hours are 10:00-22:00 Monday – Saturday and 12:00-21:00 Sunday. The proposal is considered to comply with policies OS1 and BE1 of the Melton Local Plan in respect of residential privacy and amenity.

Other Considerations	
The shop will generate more mess and litter especially with school children at lunch time	There are refuse facilities available in front of the existing shop for the disposal of litter.
The shop will cause anti-social behaviour	The applicant contends that the area has a number of anti-social behaviour issues, and that this store will reduce this issue by using space to the side of the OneStop shop which is often the source of the issue.
A fast food shop will generate litter, noise and smell	The application is for an A1 retail store, not a fast food take away.
The OneStop shop provides enough groceries and alcohol for the estate.	This application will provide additional choice for residents; the planning system does not interfere in this type of competition.

Other Material Considerations Not Raised In Consultations:

Consideration	Assessment of Head of Regulatory Services
Design	<p>The site is located to the south of the existing OneStop shop. The site currently provides access (via an external staircase) to the flats above the existing shop. There is also a metal storage container on site, and there are two silver birch trees. The pavement further to the south is approximately 0.75 metres higher than the level of the site.</p> <p>The proposed shop would be single storey in height, measuring a total of 3.95 metres, with a flat roof. The length of the shop would match the existing buildings to the north, having the same building line to the front and rear. Due to the proposed flat roof the windows on the south elevation at the first floor level to the flat above will not be compromised.</p> <p>A new external staircase is proposed to the rear elevation to provide access to the flats, and beneath this will be the waste storage area. The rear elevation of the shop will have a fire exit door and window. The front (west) elevation of the shop will have full length shop windows, with an access ramp to the door. The shop will have a floor area of 72 square metres, with a WC to the rear, a staff and storage room and hallway.</p> <p>In terms of design, the proposal is considered to meet the objectives of policies OS1 and BE1 of the Melton Local Plan which seek to ensure that new buildings are designed to harmonise with their surroundings in terms of height, form, mass, siting, construction materials and architectural detailing.</p> <p>Whilst the loss of the trees at the site is regrettable, it is considered that the proposal</p>

	<p>will enhance the appearance of the area by way of the removal of the metal storage container. In terms of materials, the new shop will closely match the existing buildings on site.</p>
<p>Policy</p>	<p>The proposal is within the town envelope for Melton Mowbray where there is support for appropriate development subject to the criteria of policies OS1 and BE1 of the Melton Local Plan. The proposal is considered to meet the criteria of these policies. In addition, the proposed shop would provide employment for 2 part time staff.</p> <p>The NPPF advises at paragraph 14 that proposals that accord with the development plan should be approved without delay. Therefore it is considered that the proposal is supported both by the Melton Local Plan policies OS1 and BE1, and the NPPF.</p> <p>The National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. (NPPF paragraph 12).</p>

Conclusion

The application seeks permission for the erection of a single storey retail (A1) shop to the south of the existing OneStop shop at Grange Drive. Whilst the proposal will not actively reduce the parking problems in the area, it is not considered that an additional small store will exacerbate the parking issues and cause highways danger. As such, the proposal is considered to meet the objectives of the NPPF in supporting sustainable development, and policies OS1 and BE1 of the Melton Local Plan.

RECOMMENDATION: Permit, subject to conditions

1. The development shall be begun before the expiration of three years from the date of this permission.
2. This decision relates to the approved plans numbered DSA-14165-PL-AL-01 received at these offices on 12th January 2015.
3. All external materials used in the development hereby permitted shall be of the same type, texture and colour as those used in the existing building.
4. The opening hours of the shop hereby approved shall not exceed 10:00-22:00 Monday-Saturday and 12:00-21:00 Sunday.
5. Any shop signage shall not be lit.

The reasons for the conditions are:-

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt.
3. To ensure a satisfactory standard of external appearance.
4. In the interests of residential amenity.
5. In the interests of residential amenity.

Officer to contact: **Mrs Sarah Legge**

Date: 11th March 2015