

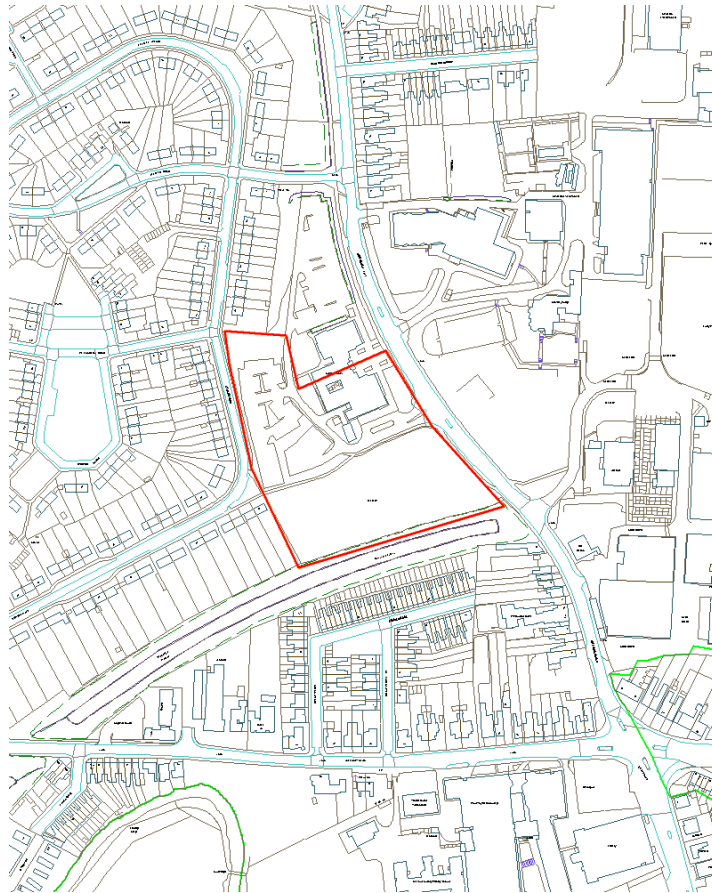
**Reference:** 13/00562/DIS

**Date submitted:** 07.08.13

**Applicant:** Sainsbury's Supermarket Limited

**Location:** Car Park, Nottingham Road, Melton Mowbray

**Proposal:** Discharge of Condition 4 relating to Planning Approval 13/00054/VAC –  
Artwork on delivery yard wall facing Nottingham Road



**Proposal :-**

**This discharge of condition application relates to the proposed artwork on Nottingham Road in relation to the approved supermarket proposal.** Planning permission was granted in May 2011 for a supermarket subject to various conditions. Condition 4 of the approval states; *‘Prior to the first use of the development hereby permitted, details of the artwork on the service yard wall shall be submitted to and agreed in writing by the Local Planning Authority. The artwork shall be carried out in accordance with the approved details.’* This application seeks to obtain approval under the terms of this condition.

**It is considered that the main issues for consideration of the application is the:-**

- **Impact on the streetscene**

The application is presented to Committee due to the nature of the location of the artwork on a major route into the town.

**Relevant History:-**

10/00178/FUL – Redevelopment of the site for a new foodstore (Class A1 Use) with associated car parking, access, highway works, landscaping and servicing. – granted 13.05.11

11/00857/VAC - Variation of conditions 2,6,13,14,15,16,17 and 18 relating to planning approval 10/00178/FUL redevelopment of the site for a new foodstore (Class A1 use) with associated car parking, access, highway works, landscaping and servicing – approved 15.12.11

12/00149/VAC - Variation of condition 16 relating to planning application 11/00857/VAC (to install removable bollards to the end of the right of way) – approved 18.04.12

12/00195/FUL - Erection of retaining wall between 0.2 metres and 0.9 metres in height, and a 1.5 metre high iron rail fence – granted 03.05.12

12/00522/NONMAT - Non-Material Amendment relating to Planning Approval 12/00195/FUL for addition of vehicle parapet with vertical infill on top of part of proposed retaining wall – approved 28.08.2012

13/00054/VAC - Variation of Conditions 2,6,13,14,15,16,17 and 18 relating to previously approved Planning Application 11/00857/VAC – approved 13.05.2013

13/00547/NONMAT - Non- material alterations to planning application 10/00178/FUL – pending consideration

**Planning Policies:-**

**Melton Local Plan (saved policies):**

Policies OS1 and BE1 allow for development within Town Envelopes providing that:-

- 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 its locality;
- the development would not cause undue loss of residential privacy, outlook and amenities as enjoyed by occupants of existing dwellings in the vicinity; and,
- satisfactory access and parking provision can be made available.

**The National Planning Policy 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 also offers advice on the weight to be given to ‘emerging’ policy (i.e the LDF) depending on its stage of preparation, extent of unresolved (disputed) issues and compatibility with the NPPF.

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

- deliver development in sustainable patterns and
- re-using brownfield land.
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings

**On Specific issues it advises:**

**Require Good Design**

- Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

**Consultations:-**

<b>Consultation reply</b>	<b>Assessment of Head of Regulatory Services</b>
<b>Melton Civic Society:</b> No reply received at the time of writing	Any comments received will be reported verbally to the Committee
<b>RAGE:</b> No reply received at the time of writing	Any comments received will be reported verbally to the Committee

**Other material considerations (not raised through consultation)**

<b>Consideration</b>	<b>Assessment of Head of Regulatory Services</b>
<b>Application of the Development Plan and NPPF Policies.</b>	Policies OS1 and BE1 seek to ensure that development respects the character of the area.  The NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.  The development is considered to accord with the applicable Local Plan policies. In this instance, the policies are not considered to conflict with the NPPF and as such there is no requirement to balance the regimes against one another.
<b>Design</b>  The applicants have submitted to the Local Planning Authority details of the art work which is proposed to satisfy the terms of the condition imposed on the planning approval.	Planning permission has been granted for an A1 foodstore on the Nottingham Road subject to various conditions to ensure that the development is acceptable.  Condition 4 of the approval states; <i>‘Prior to the</i>

<p>The artwork has been subject to consultation with local school children. It is proposed that all final works will consist of composite photographs of illuminated fruit and vegetables.</p> <p>The art work is proposed to have four small boards (1350 x 1500mm) which will illustrate a fictitious journey across the town of Melton Mowbray by skate board, bike and walking etc through a selected townscape of historical buildings. The buildings include the pork pie shop, museum, market etc and will be interspersed with cattle trucks, cars, cows, fox, trees, birds and butterflies using actual work created by the children consulted on the proposal.</p> <p>It is also proposed to have a large panel (4275 x 2775mm) which will feature a creative exploded view of the town with the Country Park as a key feature running through the centre of the composition. The design will be interpreted entirely will illuminated sliced fruit and vegetables Play Close recreation area will feature towards the front of the design. Views will include a view of the church, the train station, bandstand and a few shops. The River Eye will feature as will houses and distant hills to represent the rural setting. Throughout the design there will be many activities being undertaken by people young and old, taking inspiration from the research carried out with the children.</p> <p>Examples of the artwork and sketches have been submitted with the application.</p>	<p><i>first use of the development hereby permitted, details of the artwork on the service yard wall shall be submitted to and agreed in writing by the Local Planning Authority. The artwork shall be carried out in accordance with the approved details.'</i> This application seeks to obtain approval under the terms of this condition.</p> <p>The application proposes to have five pieces of artwork along the service yard, which fronts, Nottingham Road, made from illuminated photographs of fruit and vegetables. Four pieces will be put together to make a fictitious journey through Melton and depicts key historic features of the town. It also includes art work by local children. There is also a large panel which will depict the Country Park, Play Close, and historic and points of interest in the Borough. Again including artwork from local children.</p> <p>The artwork will be positioned in a prominent location on the Nottingham Road.</p> <p>It is considered that the proposed artwork captures the historic and current perspective of Melton Mowbray. The artwork has been designed with local school children and includes elements of their work. It is considered to be appropriate to the town and would be an attractive focal point in a prominent location. It is not considered that the proposal would have a detrimental impact on the streetscene.</p> <p><b>The proposed design of the artwork is considered to be acceptable.</b></p>
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**Conclusion**

This discharge of condition application relates to artwork on the service yard wall of an approved foodstore. It is considered that the proposed artwork is acceptable and would not have a detrimental impact on the streetscene. Accordingly the artwork is recommended for approval.

**RECOMMENDATION:-** Approve

**Officer to contact:** Mrs J Wallis

**Date:** 24<sup>th</sup> August 2013