

PLANNING COMMITTEE

13TH MARCH 2014

REPORT OF HEAD OF REGULATORY SERVICES

DEVELOPMENT OF SITE FOR THE CONSTRUCTION OF A NEW FOODSTORE (CLASS A1 USE) WITH ASSOCIATED PARKING, ACCESS, HIGHWAY WORKS, LANDSCAPING AND SERVICING.

LAND OFF NOTTINGHAM ROAD, MELTON MOWBRAY.

1. PURPOSE OF THE REPORT

- 1.1 This report is in response to the request of the Committee for an investigation into whether the development the new Sainsbury's supermarket is satisfying its conditions..

2. RECOMMENDATION

- 2.1 **That the report is noted.**

3. BACKGROUND

- 3.1 Planning permission has been granted for the development of the site including a number of variations and discharge of conditions, the appropriate applications are:

- **10/00178/FUL** - Redevelopment of the site for a new foodstore (Class A1 Use) with associated car parking, access, highway works, landscaping and servicing. (Amendments proposed site plan and proposed elevations) - approved
- **13/00828/VAC** - Variation of Condition 35 relating to Planning Approval 13/00054/VAC Hours of opening. - approved

- 3.2 There are a series of other permissions but not materially amend the conditions to the original planning permission except for those listed above.

4 INVESTIGATION

- 4.1 An investigation has been carried out following concerns brought to Officer's attention at the Planning Committee meeting on 30 January 2014 that the site may not have been developed or being used in accordance with the plans and conditions of the planning permissions granted for the site. Concerns were heard regarding the hours of operation, lighting arrangements and landscaping.
- 4.2 Officers have carried on inspections of the site and visits have been made in the evening to check on those relevant conditions of the permission.

4.3 Throughout the process of the submission of applications that have been subsequently approved and of those permissions that have been varied by the developer, the conditions that required formal discharge by the Local Planning Authority have all been complied with.

4.4 There are a number of conditions that relate to the external areas of the site:

- The car parking, access, manoeuvring and external public areas have been laid out in accordance with the plans approved.
- The landscaping of the site was approved under the provisions of application reference 11/00792/DIS. The landscaping of the site was subsequently amended and approved under 13/00054/VAC. The landscaping that has been carried out on site appears to have been carried out in accordance with the plan approved.
- The lighting scheme for the site was approved under the provisions of 12/00057/DIS, including the timings for the lights which were set to switch off 30 minutes after the closing of the store with only those 3 columns proposed closer to Nottingham Road being left on for the purposes of security and the safety of employees. The layout of the lighting was amended and approved under 13/00054/VAC and the lighting has been provided in accordance with these details. The site has been visited at night and it is confirmed that the lighting is switched off at 10.30pm leaving three columns illuminated as agreed.
- The management of the car park was approved under 11/00987/DIS. Signs indicating the operating provisions for the car park are visible and during the officer's visit to the site, a car park attendant was seen monitoring parking activity.
- The opening hours of the store have been permitted under 13/00828/VAC and there is no evidence to suggest that the store is opening beyond the permitted hours.
- Inspections of the interior of the building show that the sales area is being used correctly with no more than 34% of the floor space being used for the sale of comparison goods.

5 CONCLUSION

5.1 The inspections of the site have revealed that it has been developed in accordance with the approved plans in accordance with the permissions that are stated above and there are currently no identified breaches of planning control on the site.

Background Documents:

Planning Permission Documents: See Paragraph 3 above.

Contact Officer:

Mr A Dudley – Lead Enforcement Officer