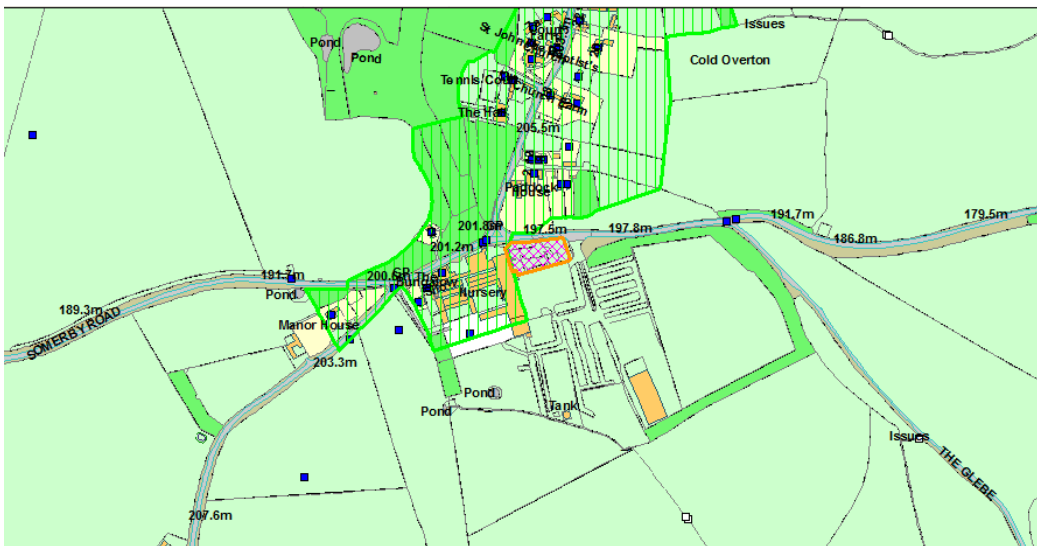


Reference: 17/01019/FUL
Date submitted: 15.08.17
Applicant: Mr Nigel Gates
Location: Gates Nurseries And Garden Centre, Somerby Road, Cold Overton, LE15 7QB
Proposal: Proposed Retail Unit with Offices above



Proposal :-

This application relates to full planning permission for the introduction of a new retail unit with offices above. The building will be of a similar height and design to those next to it. Its key dimensions will be 24.85 metres by 12.85 metres (1101.2 square metres) by 9.08 metres height to ridge. The proposal would amount to 1101.69 square metres over 2 floors. The ground floor would be used for the retailing of locally sourced meats, food products and drinks. The first floor would be used for the accommodation of new administrative staff.

At its western end the building would be cut into the existing ground level so that its ridge is lower than that of the adjacent existing building, an additional covered structure would be introduced as part of the proposal and be maintained at the front of the new building to host composts and fertilizers. The application is supported by a Design and Access Statement, Highway Report and Retail Impact Assessment, all of which have been made available for public inspection.

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

- **Application of Development Policies and NPPF**
- **Impact upon the countryside**

- **Impact upon surrounding retail units**

The application is presented to Committee as the recommendation seeks a departure to the development plan policy.

Relevant History:

88/0329/6 – Erection of a dwelling and garage (outline) – approved (agric/horticultural tie)
 89/0872/6 – Erection of a dwelling and garage (reserved matters) – approved
 F/96/0650/6 – Garage, stables and store room - approved
 00/00011/FUL – Extension to tearoom – refused
 00/00053/COU – Car park extension – approved
 00/00226/FUL – Extension to tearoom – approved
 01/00494/FUL – Conversion of existing store to offices and store – approved
 02/00358/FUL – Blocking of existing vehicular entrance with new pedestrian access from car park and covering existing display areas – approved
 03/00211/FUL – Modifications to existing boundary wall, boards to existing building, extension to overflow car park – approved
 04/00772/FUL – Alterations and extension to tearoom to relocate kitchen and entrance –approved
 05/00744/FUL – New retail building and surface water lagoon – approved
 05/01109/FUL – Retail building to replace existing outbuildings and existing open display area – approved
 05/01118/FUL – Demolition of 78.6 square metre of single storey ‘lean to’ outbuildings – approved
 06/00538/FUL – Overflow car park with grass surface finish and landscaping – approved
 07/00612/FUL – New horticultural store and potting shed – approved
 07/01074/OUT - Retail area on site of existing house and outbuildings and relocation of existing house – refused
 08/00991/FUL - Provision of new retail area on site of existing house and outbuildings – approved
 15/00183/COU – Tarmac existing grass parking areas, change of use to form new tarmac roadways and grass parking areas and associated landscaping – approved.
 15/00230/FUL – Improvements to approved car park. The closure of an existing exit and the construction of a new entrance – approved.
 16/00345/OUT - Outline Application for a rural worker's dwelling – approved.
 16/00381/FUL - Use of land for the display and sale of domestic garden buildings. (1770 sq m). The construction of a shade cover over 16 car parking spaces. (203 sq m). – approved.

Planning Policies:-

Melton Local Plan (saved policies):

Policy OS2 - states that permission will not be granted for development outside town and village envelopes with some exceptions for agriculture, employment, recreation and tourism.

Policy BE1 - Siting and design of buildings: Allows for new buildings subject to criteria including the design harmonising with the surroundings, no adverse impact on neighbouring properties by loss of privacy or outlook, adequate space around and between buildings being provided and adequate access and parking arrangements being made.

Policy EM10 outside settlement boundaries, this Policy encourages extensions to existing industrial or commercial sites where the use cannot be accommodated within the existing unit, there are no suitable alternatives within nearby settlements, the extension is small scale and the appearance is in keeping with its surroundings.

The National Planning Policy Framework 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 planning principles against which proposals should be judged. Relevant to this application are those to:

- proactively support sustainable economic development to deliver business and industrial units,
- promoting sustainable transport
- Supporting a prosperous rural economy
- Effective use of brownfield land

On Specific issues relevant to this application it advises:

Building a strong competitive economy

- Planning should encourage growth, not prevent it and should plan proactively to encourage economic growth
- The planning system does **everything it can** to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth.
- **Significant weight** should be given to the need to support economic growth

Sustainable Transport:

- Safe and suitable access to the site can be achieved for all people.
- Development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe.

Prosperous Rural Economy

- Support the sustainable growth and expansion of all types of business and enterprise in rural areas, both new buildings and conversions.

Consultations:-

Consultation reply	Assessment of Head of Regulatory Services
<p>Highway Authority: No objection, subject to conditions.</p> <p>Initial comments received 21 September 2017 stated</p> <p>The planning application form details that the existing use of the site is “Parking and sales area” and the proposed use is 550.7 square metres of A1 Shops and 550 square metres of A2 Financial and</p>	<p>The proposal intends to utilise the existing vehicular access to the site, whilst closing a pedestrian access point. The increase in trading floor space has been reviewed by the County Highway Authority, who have taken into consideration previous planning application</p>

<p>professional services. The site location plan is not to the stated scale. The preference of the LHA is for the site layout plans to be submitted to a scale of 1:200 or other commonly used scale.</p> <p>Site Access The access arrangements to the wider Gates' Nurseries and Garden Centres site are detailed on Drawing No. 14-2948-09 secured by 15/00503/FUL. The planning application details that there is not "a new or altered pedestrian access proposed to or from the public highway". However, Drawing No. 16/20/001 does not include the pedestrian access detailed on Drawing No. 14-2948-09. Clarification is required from the applicant in connection with whether this access is to be closed.</p> <p>Internal Layout On the basis of the square metres of the proposed uses, using the guidance contained in the 6Cs Design Guide, car parking spaces for the benefit of the proposal should be provided on the basis of 18 spaces for the Shops use and 16 spaces for the Financial and professional services use. Further information is therefore required from the applicant in connection with the proposed car parking provision and the loss of existing car parking spaces.</p> <p>REVISED COMMENTS 8 November 2017</p> <p>Site Access The additional information from the applicant confirms that the pedestrian access behind the proposed new building will be permanently closed; this is acceptable.</p> <p>Internal Layout The additional information states "the existing car park does have significant spare capacity. However, if and when needed the car park can be extended under the already permitted car parking extension scheme, to provide over 100 further car parking spaces."</p> <p>On this basis, the car spaces detailed on drawing No 16/20/001 are acceptable. It should be noted that the five proposed spaces adjacent to the south of the proposed building do not have sufficient length for them to be considered as car parking spaces and they are unlikely to be fully useable in this format.</p> <p>Regarding cycle parking, the additional information details that 12 cycle spaces will be retained which is "sufficient based on the existing usage"; on this basis the proposed cycle parking is acceptable.</p>	<p>15/00503, which secured a 75% increase in parking provision to the site, there remains sufficient excess parking to ensure that no parking along the highway and grass verges occurs. The Highway Authority do not object to the proposal subject to the inclusion of the two conditions opposite.</p>
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<p>Proposed conditions The development hereby permitted shall not be occupied until such items as off-street car parking provision has been provided, hard surfaced and demarcated in accordance with Drawing No. 16/20/001. Thereafter the on-site parking provision shall be so maintained in perpetuity.</p> <p>Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with Paragraphs 32 and 35 of the National Planning Policy Framework 2012.</p> <p>The development hereby permitted shall not be occupied until such time as the existing access on Somerby Road at the frontage of the development site has been closed permanently and reinstated in accordance with details first submitted to and agreed in writing by the Local Planning Authority.</p> <p>Reason: In the interests of highway and pedestrian safety in accordance with Paragraph 32 of the national Planning Policy Framework 2012.</p>	
<p>Cold Overton Parish Council –</p> <p>The unit extends the overall footprint of the buildings on the site and whilst they have no objection to the proposed building and layout there are a number of concerns that MBC are asked to consider.</p> <p>We would expect MBC to ensure adequate screening of the building along its full length on the north side (the road side) and to its full height</p> <p>As part of this screening, the Councillors would wish to see the closure of the former exit gateway once construction is complete. The closure of this exit was one of the conditions for the granting of the new car park entrance.</p> <p>The plans currently only show entrances to the building and that is on the south side. We assume these are sufficient for delivery goods for resale as well as customers.</p> <p>The villagers currently have to tolerate an incessant exposure to the noise from fork lift safety devices through the day, 7 days a week. Whilst we accept these vehicles are needed on a site like this, this is a particular nuisance at weekends. We would not want</p>	<p>The proposal does include landscaping, this would be conditioned should permission be granted to ensure its implementation.</p> <p>The exit has been closed off, recommendations from the LHA have requested that the exit is reinstated as per details previously agreed by the LPA, these measures would be secured by condition.</p> <p>There is not considered to be any conflict in terms of entrance points or suitable access to the building.</p> <p>Please see comment further down for matters specifically relating to noise.</p>

<p>the new building to add further to this nuisance.</p> <p>Most of the villagers were unaware of the application due to the fact that the notices were posted near or in the Garden Centre and not in the actual village, one was within the grounds of the Centre and the other on a sign post at the entrance to the village which would not be noticed by motorists and not in a position for pedestrians to notice.</p>	<p>Please see comment later in this report relating to the position of the site notice.</p>
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Representations:

A site notice and press notice was posted and neighbouring properties consulted. As a result 2 letters of objection have been received to date objecting on the following;

Representation	Assessment of Head of Regulatory Services
<p>Impact upon the Character of the Area:-</p> <p>The village entrance from Langham (east) still maintains its soft, rural character. The 2 – storey building would be an intrusion on this landscape, bordering as it does the road and conservation area, in a prominent position on high ground, and it would seem to be still visible even if screened by foliage.</p>	<p>The proposal would be of a similar height and design to those already on the site, therefore would not appear alien in the context. It is noted however that the 2 storey building is large in size, to reduce the overall impact of the proposal, the westward of the building would be cut into the existing ground level so that its ridge is lower than that of the existing building.</p> <p>Landscaping is also proposed to this part of the site which along with the altered levels, would ensure that the proposal is not overly dominant in its form and is read alongside the existing buildings on the site.</p>
<p>Noise</p> <p>The high repetitive beeps from a fork-lift truck, necessary to service this additional building, would create additional noise disturbance. Problems have already been experienced from this site, when these sounds penetrate through the village to the North from some considerable distance. (They are audible in Knossington.)</p>	<p>The proposed development, situated within the existing retail area is located within close proximity to neighbouring residential units. The Parish Council and a local resident have raised concerns over noise from fork lift truck (FLT) reversing sirens. FLT sirens are ‘loud’ and intrusive due to their tonal element; this is obviously intentional for health & safety purposes. However they can also be a source of significant noise and adversely impact on residential amenity. The village of Cold Overton is set in a peaceful rural setting where there is to be a high expectation of residential amenity. Given the proximity of the retail park to adjacent residential units, noise from FLT sirens are likely to be a strong acoustic feature in the existing local environment.</p> <p>The information submitted in support of the development does not make reference to noise or FLT. As such there is little information available</p>

	<p>about the nature of the business or intended use of FLT. As this stage it should be assumed that FLT's will be used and this development will represent an increase in noise generation. There are alternatives to standard tonal reversing sirens and in the interests of community cohesion the applicant is advised to explore these alternatives. Such an alternative could include broadband 'white noise' sirens or self adjusting (above background) sirens.</p> <p>The Committee should determine if it is appropriate to require the installation of alternative sirens by condition. This would largely depend on the applicant's response and clarification on the use of FLT's within the context of the proposed development.</p>
<p>Highways</p> <p>The continual expansion of the site and its activities, (16 applications in 16 years) can only result in additional traffic and disturbance to our conservation village.</p>	<p>The application is supported by a Highways Report which has concluded that the proposal is unlikely to generate a high level of additional traffic, this report has been reviewed by the Local Highway Authority who has raised no objection in terms of highway capacity. The character and appearance of the Conservation Area is not considered to be materially affected by the introduction of additional vehicles.</p>
<p>Pedestrian Access</p> <p>The current pedestrian access to the nurseries is via the exit that is planned to be closed and covered by trees/shrubs to provide a visual barrier to the houses across the road from the site.</p> <p>It makes sense to provide this visual barrier, however the downside consequence of this it that the only pedestrian access would be the car exit point which is about 50m down the main road (which doesn't have a footpath on). So effectively, this means that there is no pedestrian access.</p> <p>It would make sense to install a pedestrian access door/gap in the hedge as close to the junction with main street as possible for villagers.</p>	<p>The suggestion was put directly to the agent of the application who has responded as below;</p> <p>"I met with the applicant last week and looked in detail at the practicalities and implications of providing a separate pedestrian access gate into the garden centre from the main road.</p> <p>I am afraid that there are significant security, policing and health and safety problems in doing this. The pedestrian gate would need to be independently locked and alarmed and this has implications for staff monitoring and staff resources. One of the aims of the business is to maintain the security of the site for the benefit of all customers and this is best done by having one access and one exit. The business cannot easily manage individual rights of access into the site which would increase staff duties and be wasteful in staff routines.</p> <p>The existing operating layout and position of tills determines that the only conceivable position for an independence pedestrian access is in the area of the previous and new exists. The area at the</p>

	<p>back of the proposed farm shop will be used by fork lift trucks loading and unloading products. Southells, Gates Health and Safety Consultants have advised that in principle it is safer to keep pedestrians and service vehicles segregated when moving through the site. Introducing an isolated pedestrian access into the site in this area will create health and safety problems. It would introduce pedestrian/vehicle conflict in a part of the site where it should be avoided.”</p> <p>Whilst a pedestrian link to the village would be preferable, the LPA would not wish to introduce pedestrians into an unsafe area, where their safety cannot be guaranteed.</p>
<p>Economy</p> <p>There already exists a farm shop within 2 miles of the site, at Northfield Farm, and I would fear for its future in having to compete against the Gates retail complex.</p>	<p>Section 3 of the National Planning Policy Framework sets out the requirement in supporting a prosperous rural economy.</p> <p>Paragraph 28 of the NPPF states Planning Policies should promote a strong rural economy and 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 and also promote the development and diversification of agricultural and other land-based rural businesses.</p> <p>This paragraph also promotes the retention and development of local services such as shops.</p>
<p>Site Notice</p> <p>The previous notice had been placed within the grounds of the Gates complex and had not been seen by the villagers.</p> <p>The latest notice has been placed on the external boundary fence but unfortunately was not seen by the villagers as although we drive past it every day but are looking ahead due to cars existing from the site.</p> <p>I would like to suggest that the best location would be opposite the junction of Main Street and Somerby road as cars slow down to walking pace or stop when leaving the village from Main Street and joining the Somerby Road.</p>	<p>Notices for planning applications, are placed as close to the application site as possible, to alert people that there is an application close to the notice.</p> <p>Whilst the comment is taken on board, should the notice have been placed in the suggested location, it would not have been readily apparent where the application site was located.</p>

Other material considerations (not raised through consultation or representation)

Consideration	Assessment of Head of Regulatory Services
<p>Compliance (or otherwise) with Planning Policy</p>	<p>The proposal is not considered to be small scale and represents a departure to the development plan policy OS2 being sited in the open countryside. As the proposal lies outside of an existing commercial site policy EM10 is also applicable. Policy EM10 allows for small scale expansion of existing rural commercial sites subject to certain criteria's having been met.</p> <p>The local plan is considerably out of date and the weight attributed to it is weakened. Paragraph 215 of the NPPF advises that due weight should be given to existing local plan policies according to their degree of consistency with the NPPF. Policy OS2 seeks to restrict development outside of the village envelope unless it is of small scale commercial and this is supported by policy EM10 for a commercial development of this nature. It is not considered that the proposal is small scale and therefore it does not comply with the local plan policies and is therefore considered to be a departure from the local plan.</p> <p>The NPPF is a material consideration which postdates the local plan and is supportive of economic development. In terms of its promotion of economic growth, the NPPF requires that planning should do "everything it can" to encourage economic development and advises that "significant weight" should be assigned and as such it is considered to weigh substantially in favour of the proposal.</p> <p>The proposal would be sited to the east on existing hard surface and landscaped land. It is considered that, subject to the additional landscaping along the southern boundary and the reduction of the levels, the development of the site would not have an unduly detrimental impact upon the character of the area and due to separation distances will not have an adverse impact upon residential neighbours at Cold Overton. The proposal would be read as an extension to the existing garden centre and therefore it cannot be demonstrated that significant harm to the countryside would be had should the proposal be allowed.</p> <p>The proposal has not generated an objection from the Highways Authority and there remains sufficient parking within the site so that no obstruction occurs within the highway.</p>

	<p>It is considered that the facilities the proposal will provide will be of assistance to the rural site and support economic growth in the Borough and this commands significant benefit when weighed against the limited harm to the countryside location.</p>
<p>The (new) Melton Local Plan – Pre submission version.</p> <p>The Pre Submission version (as amended by ‘Focussed Changes’) was submitted for Examination on 4th October 2017.</p> <p>The NPPF advises that: From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:</p> <ul style="list-style-type: none"> ● the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given); ● the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and ● the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given). <p>Policy EC2 – Employment Growth in Rural Area (Outside Melton Mowbray) states in order to support the rural economy, the council will allow for:</p> <p>Rural employment proposals which create or safeguard jobs</p> <p>with the following types of rural employment development are acceptable (amongst others) The re-use of existing farm buildings and well-designed new buildings for employment, the expansion of existing rural businesses, dependent upon the nature of the activities involved, the character of the site and its accessibility.</p> <p>Subject to the proposal:</p> <ul style="list-style-type: none"> ● Being of an appropriate scale for its location; ● Having sufficient accessible off road car parking provided on site or in the nearby vicinity to cater for the use proposed. 	<p>Whilst the Local Plan remains in preparation it can be afforded only limited weight.</p> <p>When assessed against the NPPF criteria opposite:</p> <p>The Local Plan is submitted for Examination and has the following steps to complete:</p> <ul style="list-style-type: none"> • Examination for its ‘soundness’ under the NPPF • Examination results to be published and any ‘modifications’ to be the subject of consultation • Further examination to take place into Modifications • Final Inspectors Report and recommendations • Adoption by MBC <p>There are several hundred representations to the local plan and it can only be reasonably concluded that vey many relevant objections remain unresolved</p> <p>Whilst it is the Council’s view that the Local Plan is consistent with the NPPF (as this is a requirement allowing its submission) this is contested by many parties.</p> <p>It is therefore considered that it can attract weight but this is limited at this stage.</p> <p>The proposal is in accordance with the emerging local plan in terms of its location (see applicable policy opposite) which it is considered adds to the issues that add limited weight in support of the proposal.</p>
<p>Impact on neighbours</p>	<p>Due to the location of the proposed building</p>

	<p>which utilises the existing access it is not considered that the development would have a detrimental impact on any neighbouring properties.</p>
<p>Retail Impact Assessment</p> <p>Section 2 of the NPPF sets out the Government’s policy in relation to maintaining the vitality of town centres. This keeps the ‘town centres-first’ emphasis in policy. Paragraph 23 states that ‘planning policies should be positive, promote competitive town centre environments and set out policies for the management and growth of centres over the plan period’.</p> <p>A series of objectives for local planning authorities to meet in preparation for their Local Plans are provided that recognise the town centre as the heart of the community and set out policies to support their vitality and viability.</p> <p>The NPPF requires a sequential test to be applied to town centre uses, although notably there is no longer a disaggregation requirement.</p> <p>Paragraph 24 states that:</p> <p>‘Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to date Local Plan. They should require application for main town centre uses to be located in town centres, then in edge-of-centre locations and only if suitable sites are not available should out of centres sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connect to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale.</p> <p>Paragraph 26 of the NPPF requires an assessment of impact for developments over 2,500sq. Outside of town centres not in accordance with an up to date Local Plan. This should include an assessment of:</p> <p>“The impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and</p> <p>The impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For major schemes where the full impact will not be</p>	<p>Due to the location of the site both Melton and Oakham Town Centres have been considered as part of the submitted Retail Impact Assessment. In terms of town centres and retail policies within the Melton 1999 Local plan paragraph 8.9 states that the LPA should seek to “ensure that Melton Mowbray town centre retains its prime shopping function whilst attracting a variety of complementary uses which will contribute to the commercial viability and attractiveness of the centre. The policies and proposals of the Local Plan are therefore designed to provide a flexible and balanced approach to serve the needs of the community.”</p> <p>The site is located outside of the designated town centres of Melton Mowbray and outside of the envelope of Oakham Town Centre.</p> <p>The Sequential Test identified two development sites in Oakham town centre:</p> <p>R1 – Tim Norton, Long Row (0.69ha) R2 – Land to rear of the White Lion, Melton Road (0.29ha).</p> <p>Both of these sites are much larger than the proposed development and so in theory the proposal could be accommodated on these sites as part of their wider development, but a standalone development would not be viable.</p> <p>In addition the Retail Impact Assessment noted that land to the south of the Tesco store in Oakham is on the market for a commercial use but noted that in addition in permitting the recent Aldi application at Lands End Way (2016) the council has accepted that this site is not sequentially preferable for retail development.</p> <p>The Retail Impact Assessment looked at the vacant properties in Melton which range in size from 21.sqm up to 2,653 sqm however there is only one property which comes close to the proposed extension size which is 12 Windsor Street, however with a gross floor space of 455sqm this falls short off the proposal by 100sqm and would not be big enough to accommodate the proposal. In addition whilst updating the report it became apparent that this</p>

<p>realised in five years, the impact should also be assessed up to ten years from the time the application is made.”</p> <p>Paragraph 27 of the NPPF states that, “where an application fails to satisfy the sequential test or is likely to have significant adverse on one or more of the above factors (paragraph 26), it should be refused”.</p>	<p>unit had been taken off the market.</p> <p>To conclude the proposal is for an extension to the existing garden centre to include both offices and retail space that relate to the existing operation.</p> <p>Sequentially preferable site have been considered and given the size of the extension the submitted report focussed the search on Oakham Town Centre, the site allocations document for Rutland County Council identified two sites in the centre, neither of which are available or suitable, there are no vacant units in the centre which could accommodate the proposal.</p> <p>Despite that fact the applicant contends that it is not appropriate or proportionate to consider Melton Town Centre which is 9 miles away from the site, the applicant has looked at the vacant available units in Melton and they have concluded that they are either too small or too large, all sites have been discounted appropriately within the submitted report and it is concluded that there are no sequentially preferable sites that could accommodate the proposal.</p>
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Conclusion

The application seeks consent for a proposed retail unit with offices above to an existing rural business situated within the open countryside. Recent expansion of the site has proven to be popular with an increase in visitors to the site

The proposal is considered to represent a departure from the local plan policies in that it cannot be described as ‘small scale’ however supporting economic growth is in accordance with national planning policy (NPPF) and no other material considerations indicate it should depart from this.

As stated within the recently submitted new Melton Local Plan, Melton Mowbray is England’s “Rural Capital of Food” and whilst Melton’s food and drink specialism provides bespoke opportunities and a degree of local resilience, the proposed retail unit would at ground floor be used for the retailing of locally sourced meats, food products and drinks.

In conclusion it is considered that, on balance of the issues, there are therefore significant benefits accruing from the proposal when assessed as required under the guidance in the NPPF in terms of boosting the rural economy. Applying the ‘test’ required by the NPPF that permission should be granted unless the impacts would “significantly and demonstrably” outweigh the benefits. Taking into account the proposed retail and office unit would be an expansion to the existing business and provided income to support and increase the sale of locally sourced products, it is considered that permission should be approved.

Recommendation: APPROVE, subject to the following conditions.

1. The development shall be begun before the expiration of three years from the date of this permission.
2. The proposed development shall be carried out strictly in accordance with plan drawing numbers
16/20/001
16/20/003
16/20/004
16/20/005

received by the Authority on 15 August 2017

3. No development shall start on site until all external materials to be used in the development hereby permitted have been agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
4. The development hereby permitted shall not be occupied until such items as off-street car parking provision has been provided, hard surfaced and demarcated in accordance with Drawing No. 16/20/001. Thereafter the on-site parking provision shall be so maintained in perpetuity.
5. The development hereby permitted shall not be occupied until such time as the existing access on Somerby Road at the frontage of the development site has been closed permanently and reinstated in accordance with details first submitted to and agreed in writing by the Local Planning Authority.
6. Prior to installation details of any floodlighting or other external illumination shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
7. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 2015 (as amended) or any Order revoking or re-enacting that Order, goods displayed for sale at the hereby permitted shop shall be limited to food stuffs produced within 25 miles of the premises. No development shall start on site until full details of the produce to sold in the proposed retail unit and the total percent of the retail floor space used for the display of foodstuff have been agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
8. No development shall start on site until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme shall indicate full details of the treatment proposed for all hard and soft ground surfaces and boundaries together with the species and materials proposed, their disposition and existing and finished levels or contours. The scheme shall also indicate and specify all existing trees and hedgerows on the land which shall be retained in their entirety, unless otherwise agreed in writing by the Local Planning Authority, together with measures for their protection in the course of development.
9. The approved landscape scheme (both hard and soft) shall be carried out before the occupation of the buildings or the completion of the development, whichever is the sooner; unless otherwise agreed in writing by the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
10. Hard and soft landscaping works shall be fully carried out in accordance with the approved details, including the approved timetable, and to a reasonable standard in accordance with the relevant provisions of appropriate British Standards or other recognised codes of good practice.

Any trees or plants which, within a period of five years after planting are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of similar species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Officer to contact: Ms L Parker

Date: 19th January 2017