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**DESIGN AND ACCESS STATEMENT**

**APPLICATION FOR THE CONSTRUCTION OF BUILDING FOR COMMERCIAL, BUSINESS and  
SERVICE USES (CLASS E)**

**GATES NURSERIES AND GARDEN CENTRE,**

**SOMERBY ROAD, COLD OVERTON, LEICESTERSHIRE. LE15 7QB**

**22<sup>nd</sup> May 2021**

**1 Introduction**

**1.1** The Applicant and owner of the site is FA Gates and Son Ltd. The Company's objective is to expand the existing business to provide greater customer choice without damaging the character and appearance of the open countryside or adversely impacting on the character and appearance of the Cold Overton conservation area.

**1.2** This Statement explains how an analysis of the site and its setting, and an examination of relevant planning policy and advice, have led to the adoption of the design principles on which the planning application proposal is based.

**1.3** This Statement has had regard to the National Planning Policy Framework published in 2018 (NPPF) and the Adopted Melton Local Plan also published in 2018 (AMLPP). Additional reports dealing with retail, transport, drainage and ecological impacts have been prepared by consultants who have relevant experience and are specialists in their own field. They are submitted with this Application and should be read in conjunction with this Statement, completed application forms and relevant plans to fully understand the proposal.

**2 Purpose of Statement**

**2.1** To show that the proposal:

- will enhance business efficiency and growth
- will improve customer choice
- will enhance the shopping and leisure experience of customers
- is based on sound planning and design principles
- creates insufficient harm to outweigh its benefits
- is supported by the NPPF and local planning policies

### **3 Site Assessment**

#### **A Physical Context**

**3.1** The existing Nurseries and Garden Centre site is positioned on the southern edge of the village of Cold Overton. It is separated from the residential areas of the village by the main road linking the village with the A606 at Langham to the east and Somerby to the west. A large part of the site is already used for retail purposes. The site of the proposed building is next to the existing retail buildings to the south of the main car park. A similar building immediately to the west of the site was approved by the Planning Committee and built in 2018 (ref: 18/0040/FUL). This will increase the floorspace at the site by less than 4%. Access to and exit from the proposed building would be through the existing car park. The current access, exit and parking areas were approved in 2015 and are working well. There are now 788 car parking spaces. No changes are required to service this relatively small building.

**3.2.** The new building will be single storey and will provide 376 square metres of floor space for Commercial, Business and Service uses within Class E.

**3.3** The site is at a lower level than Somerby Road and the new farm shop. It is already effectively landscaped by extensive, mature, deciduous and evergreen tree and hedge planting so that it is not seen from public views.

#### **B Social Context**

**3.4** As a result of its siting and scale, the new building would not adversely affect the character and appearance of the Cold Overton Conservation Area, local residential amenity or the appearance of the open countryside.

#### **C Economic Context**

**3.5** Gates' Nurseries and Garden Centre has existed since 1948 is now a well established, extremely popular commercial and recreation facility. It is an important tourist attraction which brings visitors and expenditure into the Borough. It is an important source of local employment providing 56 full time and 75 part time jobs. The proposal will create an additional 4.5 new jobs. It is essential that there is continual investment in the business to improve efficiency, maintain competitive edge, retain jobs and provide new jobs.

**3.6 D) Planning Policy Context** (Direct quotations from the relevant policy documents listed below are *in italics*).

National

- The National Planning Policy Framework (NPPF) was issued in 2018 and amended in 2019. Previous Government Planning Policy Statements have been replaced by the Framework. The advice and guidance in the Framework should now be given significant weight in decision making. Some of the key statements are listed below. Direct quotations are in *italics*.
  
- Paragraph 8 says “sustainable development” has 3 overarching objectives:
  1. **an economic objective** - *to help build a strong, competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support economic growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
  2. **a social objective** - *to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of the present and future generations; and by fostering a well-designed and safe environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and*
  3. **an environmental objective** - *to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, mining waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”*
  
- Paragraph 11 deals with the presumption in favour of sustainable development which for decision taking includes:

*"approving development proposals that accord with an up to date development plan without delay; "*
  
- Section 6 deals with “Building a Strong, Competitive Economy”. Paragraph 80 advises that planning decisions should help create conditions in which businesses can invest, expand and adapt.
  
- Paragraph 82 says that *“planning decisions should recognize and address the specific allocation requirements of different sectors”*.

- Paragraph 83 deals with “Supporting a Prosperous Rural Economy”. It explains that planning policies and decisions should enable the sustainable growth and expansion of all types of businesses in rural areas. Paragraph 83 b) says planning decisions should enable the development and diversification of agricultural and other land-based rural businesses. Paragraph 83 c) adds that planning decisions should enable rural tourism and leisure developments which respect the character of the countryside.
- Paragraph 84 says *“Planning Policies and decisions should recognize that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations not well served by public transport....”*
- Paragraph 109 says *“Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*
- Section 11 deals with “Making More Effective Use of Land”. Paragraph 117 says *“Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses.”*

### 3.7 Local Planning Policies

- The Melton Local Plan was adopted in October 2018. It was prepared in the light of an extensive evidence base and closely reflects the advice in the National Planning Policy Framework. It is therefore a key material consideration to have regard to when determining this application and should be given substantial weight.
- Policy SS1 says the Council will work **proactively** (my bold ) with applicants to find solutions which mean that application proposals can be approved and development that improves economic, social and environmental conditions can be secured.
- Melton's Rural Economy is described in Paragraph 6.9.1 onwards. Paragraphs 6.10.1 onwards explain that Melton Borough is thought by many to be the "Rural Capital of Food". It also explains that businesses in the rural area play an important part in the local economy.
- Policy EC2 explains that the Council will support the rural economy by allowing rural employment proposals which create or safeguard local jobs. It goes on to say that schemes for farm diversification and the expansion of rural businesses will be acceptable.
- Policy EC7 says *"Outside of Melton Mowbray town centre, and service centres, in all cases a retail impact assessment will be required to accompany applications."*

## **4 Involvement**

**4.1** Melton Council has been supportive of the growth of this local business. Planning permissions for the expansion of the business illustrate the Council's proactive attitude to the development of this commercial premises and its understanding of the value it brings to the economy of the Borough.

**4.2** Over the last 30 years, the Council has worked with the Applicant to develop a first class visitor facility which operates with minimal harm to local residents and is exceptionally well landscaped so that it minimises any harm to the open countryside.

**4.3** In accordance with Policy EC7 of the AMLP, the impact of the proposal on nearby retail centres must be evaluated. The Applicant therefore commissioned a Retail Statement by Tamsin Cottle, Associate Director of JLL. It deals with the impact of the proposal on both Oakham and Melton town centres. Tamsin's conclusions are set out in Section 6. In summary, she explains that the proposal is a small scale extension that will not adversely impact upon any investment into Oakham town centre. It will not divert trade from Oakham town centre to any significant extent and there will be no adverse effect on the vitality and viability of the centre.

**4.4** Duncan Clarke of E and E Consultancy Ltd. has produced a supporting highway Statement. He concludes that there are no reasonable grounds to refuse planning permission on the basis of the guidance in paragraph 109 of the NPPF.

**4.5** Mewies Engineering Consultants Ltd (M-EC) has produced a flood risk assessment. This concludes that the proposal will not create any flood risk issues to the wider area.

**4.6** Kate Hiseman of the Sustainable Land Trust has produced a Preliminary Ecological Assessment and has recommended mitigation measures including additional planting on the Applicant's land and the placement of a bird box and bat box.

**4.7** Each of these reports is detailed, thorough and accompanied by relevant appendices. They are all submitted as part of this application. They should all be read in full to understand the proposal and its impacts.

## **5 Evaluation**

**5.1** The business makes an important contribution to the local rural economy. It is valued by local people and visitors to the Borough and to the locality. The arrangement of existing buildings, new access, parking, layout and exit arrangements already contribute to a first class retail and visitor attraction with safe vehicle access, exceptional choice of products, restaurant facilities, safer and more efficient unloading and loading zones and improved parking and pedestrian circulation areas. Although a relatively minor addition to the site, this new building for Class E uses will have additional economic benefits for the business as required by paragraphs 80 to 84 of the NPPF and policy EC2 of the AMLP.

**5.2** National and local planning policies and guidance encourage the growth of rural businesses which can help to revitalize the rural economy provided their scale and environmental impact are acceptable.

**5.3** The proposal has economic, social and environmental benefits as follows:

1. Economic benefits include increase in choice and quality of products for sale, increases in business efficiency, security of existing jobs and the creation of 4.5 new jobs.
2. Social benefits include an enhanced shopping and leisure experience for visiting customers, increased choice and improved accessibility without harm to the open countryside, the street scene or the Cold Overton Conservation Area.
3. Environment benefits include tidying up of the existing site and the construction of an attractive building at the southern end of the existing visitors parking area.

**5.4** There are no harmful impacts which outweigh the above benefits.

## **6 Design Components**

- ***use***

Commercial, Business and Service uses in Class E.

- ***amount***

376 square metres of internal space at single storey.

- ***layout***

There will be no change in the movement of vehicles and pedestrians within the existing site layout.

- ***scale***

The building will be small scale in relation to others on this site. Its external key dimensions will be 25 metres by 16 metres by 3.175 metres to eaves and 7.0 metres to ridge.

- ***appearance***

The front elevation of the building facing the car park will have an attractive oak frame, red brickwork and natural composite roof. Timber cladding will be used in the side elevations.

## **7 Access Components**

7.1 Well designed and satisfactory access, parking, loading and unloading areas and exit already serve the site and are working well. There is no reason to change these.



## **8 Conclusions**

**8.1** This is an established family business which is important to the local economy. It is a popular and valued venue and attraction for local people and visitors to the Borough.

**8.2** The new building will enable the existing business to expand and prosper. It will enhance the shopping and leisure experience at the site and enable customers to have a greater choice of product.

**8.3** As a result of its siting in a central location within the existing planning unit there will be no harm to the village street scene, nearby residents or the open countryside.

**8.4** The latest improvements to the access, exit, parking and loading/unloading facilities are operating well and there is no need to change these.

**8.5** An additional 4.5 new jobs will be created. Existing jobs will be made more secure.

**8.6** The proposal is in accordance with recent National and Local planning policies and guidance to help reinvigorate the rural economy and create employment. It has economic, social and environmental benefits and creates no harm sufficient to outweigh those benefits.