



Rutland County Council

Catmose, Oakham, Rutland, LE15 6HP.
Telephone 01572 722577 Facsimile 01572 758307

Ladies and Gentlemen,

A meeting of the **PLANNING AND LICENSING COMMITTEE** will be held in the Council Chamber, Catmose, Oakham, Rutland, LE15 6HP on **Tuesday, 14th January, 2020** commencing at 6.00 pm when it is hoped you will be able to attend.

Yours faithfully

Helen Briggs
Chief Executive

Recording of Council Meetings: Any member of the public may film, audio-record, take photographs and use social media to report the proceedings of any meeting that is open to the public. A protocol on this facility is available at www.rutland.gov.uk/my-council/have-your-say/

A G E N D A

1) APOLOGIES

To receive any apologies from Members.

2) MINUTES

To confirm the minutes of the Planning and Licensing Committee held on 17 December 2019

3) DECLARATIONS OF INTERESTS

In accordance with the Regulations, Members are invited to declare any disclosable interests under the Code of Conduct and the nature of those interests in respect of items on this Agenda and/or indicate if Section 106 of the Local Government Finance Act 1992 applies to them.

4) PETITIONS, DEPUTATIONS AND QUESTIONS

To receive any petitions, deputations and questions from members of the Public in accordance with the provisions of Procedure Rule 93.

Any petitions, deputations and questions that have been submitted with prior formal notice will take precedence over questions submitted at short notice.

Any questions that are not considered within the time limit shall receive a written response after the meeting and be the subject of a report to the next meeting.

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Requests to speak on planning applications will also be subject to the RCC Public Speaking Rules.

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The total time allowed for this item shall be 30 minutes.

5) PLANNING APPLICATIONS

To receive Report No. 11/2020 from the Deputy Director for Places.
(Pages 3 - 110)

6) APPEALS REPORT

To receive Report No. 10/2020 from the Deputy Director for Places.
(Pages 111 - 114)

7) ANY OTHER URGENT BUSINESS

To consider any other urgent business approved in writing by the Chief Executive and Chairman of the Committee.

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DISTRIBUTION

MEMBERS OF THE PLANNING AND LICENSING COMMITTEE:

Mr E Baines (Chairman)
Mr I Razzell (Vice-Chair)
Mr P Ainsley
Mr N Begy
Mr D Blanksby
Mr W Cross
Mrs S Harvey
Miss M Jones
Ms A MacCartney
Mr M Oxley
Mrs K Payne
Mr N Woodley

OTHER MEMBERS FOR INFORMATION

REPORT NO: 11/2020

PLANNING AND LICENSING COMMITTEE

**PLANNING APPLICATIONS TO BE DETERMINED BY THE
PLANNING AND LICENSING COMMITTEE**

**REPORT OF THE DEPUTY DIRECTOR OF PLACES
(ENVIRONMENT, PLANNING, TRANSPORT & HIGHWAYS)**

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Rutland County Council

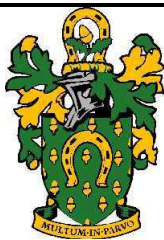
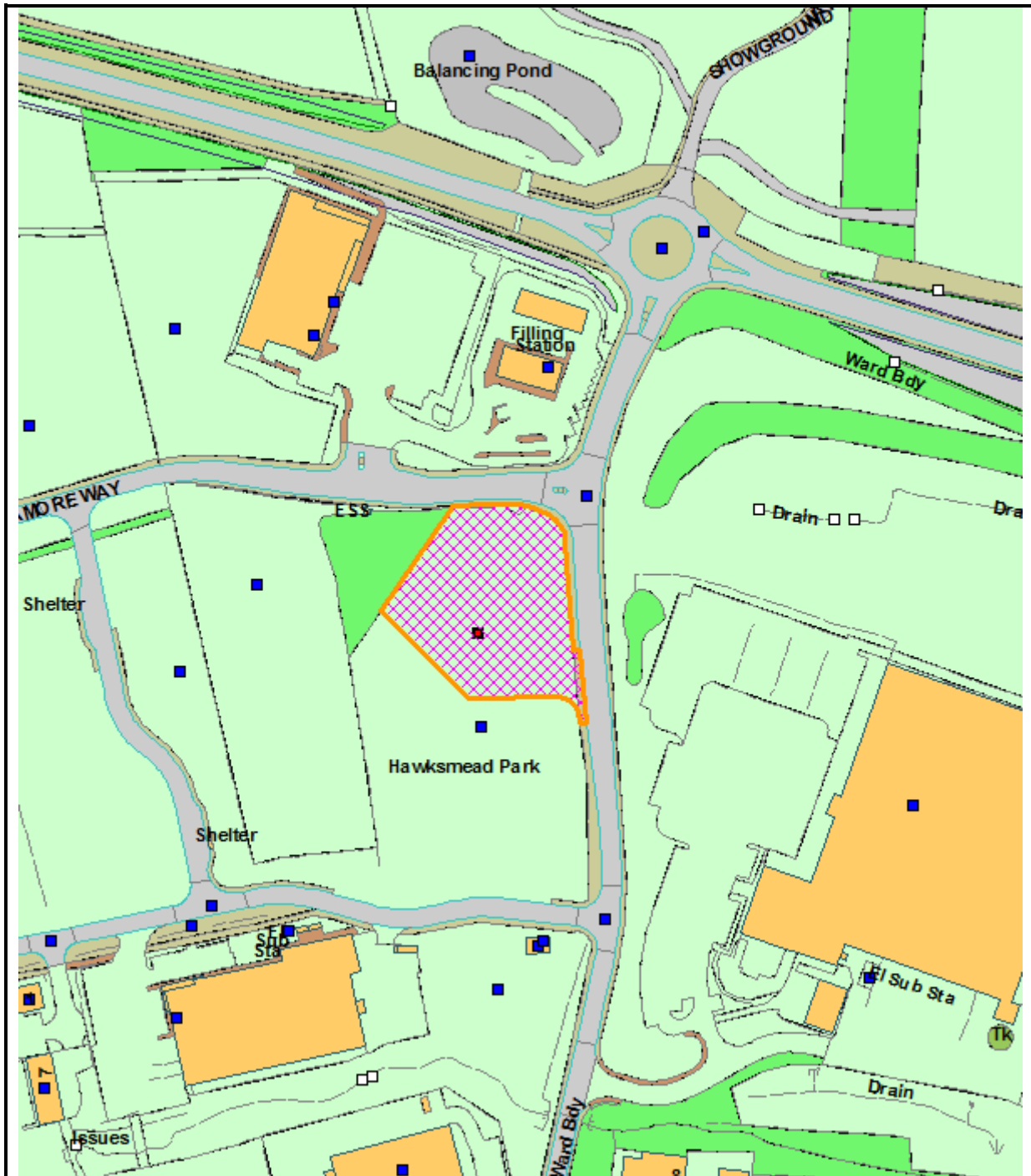
Planning & Licensing Committee – 14th January 2020

Index of Committee Items

Item	Application No	Applicant, Location & Description	Recommendation	Page
1	2019/0614/FUL	McDonald's Restaurants Ltd Land Off Lands End Way Oakham Rutland Erection of a freestanding restaurant with drive-thru facility, car parking, landscaping and associated works, including Customer Order Displays (CODs).	Approval	7
2	2019/0613/ADV	McDonald's Restaurants Ltd Land Off Lands End Way Oakham Rutland Installation of 1 no. freestanding 12m Totem Sign.	Grant Consent	49
3	2019/0612/ADV	McDonald's Restaurants Ltd Land Off Lands End Way Oakham Rutland Erection of a canopy covered loading bay.	Grant Consent	61
4	2019/0610/ADV	McDonald's Restaurants Ltd Land Off Lands End Way Oakham Rutland Various site signage including 4 no. Freestanding Signs, 3 no. Banner Units, 20 no. Dot Signs, 1 no. Digital Booth Screen and 1 no. Playland Sign.	Grant Consent	69
5	2019/0628/FUL	Stamford Storage (HG) Ltd Building 27 Meadow Park Industrial Estate Essendine Change of use for parking of coaches. Construction of workshop for maintenance of coaches. Installation of 2 no.	Approval	79

**modular units to house toilets
and office relating to workshop.**

6	2019/0620/FUL	Hambleton Bakery Limited Land To The North Of The Ram Jam Inn Great North Road Greetham Rutland Construction of artisan bakery together with ancillary staff and office accommodation: B1 (c) light industrial. Existing access moved, internal road, parking and loading areas and ancillary works	Approval	93
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Ordnance Survey [100018056]



Rutland County Council

Catmose,
Oakham,
Rutland
LE15 6HP

Application:	2019/0614/FUL	ITEM 1	
Proposal:	Erection of a freestanding restaurant with drive-thru facility, car parking, landscaping and associated works, including Customer Order Displays (CODs).		
Address:	Land Off, Lands End Way, Oakham, Rutland		
Applicant:	McDonald's Restaurants Ltd	Parish	Oakham Town Council
Agent:	Mr Matthew Carpenter, Planware Ltd	Ward	Barleythorpe
Reason for presenting to Committee:	Departure from the Adopted Local Plan		
Date of Committee:	14 January 2020		

EXECUTIVE SUMMARY

The application proposes the construction of a freestanding restaurant with drive-thru facility, car parking, landscaping and associated works, including Customer Order Displays (CODs).

The proposed development would be sited on land allocated for employment uses.

The proposed development is considered acceptable. It would not have an adverse impact on neighbouring residential amenities and/or the character of the surrounding area. This application is being reported to the Committee as the proposed development would be contrary to Adopted Local Plan Policies and represent a Departure from the Adopted Local Plan, however the proposals would provide an employment generating use on the site.

Off Street car parking would comply with the Councils adopted standards.

APPROVAL, subject to the following conditions:

1. The development shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 7499-SA-8681-P002J Block Plan, 7499-SA-8681-P004N Site Layout Plan, 5499-5A-8681-P005D Sections & elevations, 7499-SA-8681-P006 Ground & roof plans, Specification sheet for the Apollo cycle shelter BXMW/AP Height restrictor Details received 07/06/19, Standard Patio Area Supporting Specification received 07/06/19, Play Equipment Details E09-004 Outdoor Climb 3x3 received 07/06/19, Noise Assessment project No 1918948, prepared by KJ Metcalfe, Sharps Redmore Acoustic Consultants dated 29 July 2019, Transport Assessment produced by ADL Traffic and Highways Engineering Ltd received 7 June 2019, Odour Control Specification received 7 June 2019, Odour control Assessment Rev C produced by CDM Partnership July 2019, Lighting layout and notes DWG 00 & 01 dated 05.08.19 and email dated 2 September 2019
Reason: For the avoidance of doubt and in the interests of proper planning.
3. No development comprising the walls and roof of the development hereby approved shall take place until precise details of the manufacturer and types and colours of the external facing and roofing materials to be used in construction have been submitted to and agreed, in writing, by the Local Planning Authority. Such materials as may be agreed shall be those used in the development.
Reason: To ensure that the materials are compatible with the surroundings in the interests of visual amenity.
4. No development comprising the walls of the development hereby approved shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:
 - A sample panel of the stone work proposed;
 - Details of stone slips and corners
 - A description of the joints proposed;
 - Details of the mortar mix, profile and finish;
 - The relevant works shall be carried out in accordance with the approved detailsReason- To ensure that the materials of an acceptable quality appropriate to the area.
5. Notwithstanding condition 1 prior to first use a revised Travel Plan shall be submitted incorporating the changes set out in the letter dated 13 September 2019 from ADL Traffic and Highways Engineering Ltd and approved in writing by the Local Planning Authority. Within 2 months of the building coming into use the revised Travel Plan shall be brought into operation and shall be operated from the applicant's sites in perpetuity.
Reason: The site is within an area of restraint requiring a greater degree of control over sustainable travel to encourage reduced dependence on the car having regard to policies CS1, CS18, and SP15.

6. Delivery operations and parking of associated vehicles making deliveries shall be carried out fully in accordance with the Delivery Service Management Plan produced by ADL Traffic and Highways Engineering Ltd reference ADL/RG/3837/18A issue 1 dated 26/07/19.
Reason For the avoidance of doubt and in the interest of highway safety.
7. The proposed junction with the existing highway, inclusive of cleared land necessary to provide the visibility splays, shall be constructed up to and including at least road base level and be available for use prior to the commencement of any other development including the delivery of materials.
Reason: To ensure that the junction is available for use at the outset in the interests of highway safety.
8. No unbound material shall be used in the surface treatment of the vehicular access within 5 metres of the highway boundary, but the construction details used must be porous.
Reason: To avoid displacement of loose material onto the highway in the interests of highway safety and to ensure that drainage is sustainable.
9. The proposed vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall comply with details shown on the approved plan , 7499-SA-8681-P004N Site Layout Plan and shall be retained at that width and provided with a dropped kerb vehicular crossing of the footway/highway verge
Reason: To ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety.
10. The development shall not be used until such time as the vehicle parking area, cycle stands and canopy and EV charging points indicated on the approved plans, including any parking spaces for the mobility impaired, have been provided, hard surfaced, sealed and marked out in parking bays. The vehicle parking area and cycle stands shall be retained in this form at all times. The vehicle parking and cycle stands shall not be used for any purpose other than the parking of vehicles and cycles that are related to the use of the development and shall be maintained available at all times.
Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided.
11. Prior to first use of the business, as shown on the approved drawings, a pedestrian splitter island along Lands End Way shall be constructed to RCC Highway standards.
Reason: To improve pedestrian access to the site In the interests of highway safety.
12. Notwithstanding the approved drawings revised details shall be submitted of the 2m high acoustic boundary screen. The details to be submitted shall include a 1m high double limestone wall, with a 1m high wooden acoustic screen on top of the external wall. The internal wall will then be designed to provide a planter and planted up in accordance with the agreed landscaping scheme. The development shall be carried out in accordance with the approved details and retained thereafter
Reason; In the interests of amenity and avoid an unacceptable level of noise pollution to the surrounding area.
13. For the avoidance of doubt and as stated in the email dated 2 September 2019 the lighting scheme shall not exceed the limitations set out in Table 2 (page 5) for

Environmental Zone E3 'Urban' in 'Guidance Notes for the Reduction of Obtrusive Light GN01:2011' as prescribed by the Institute of Lighting Professionals Guidance Reason: In the interests of amenity and reduce the impact of night time illumination on the character of the area.

14. Active odour control measures in the form of enhanced canopy filtration and ozone injection as described for the extraction system shall be installed prior to first use and maintained in accordance with the report (specifically chapters 7 to 10) titled 'Odour Control Assessment for McDonalds Restaurant, Hawksmead Estate, Lands End Way, Oakham, 190729 McD Oakham Odour 2019' produced by CDM Partnership.

Reason: In the interests of amenity and reduce impact of odour on the surrounding area.

15. In accordance with recommendations contained in the Acoustic Assessment Report no fixed plant and/or machinery shall come into operation until details of the fixed plant and machinery serving the development hereby permitted, and any mitigation measures to achieve this condition, are submitted to and approved in writing by the local planning authority. The rating level of the sound emitted from the site shall not exceed 44 dBA between 0700 and 2300 hours and 30 dBA at all other times. The sound levels shall be determined by measurement or calculation at the nearest residential premises. The measurements and assessment shall be made according to BS 4142:2014.

Reason; In the interests of amenity and avoid an unacceptable level of noise pollution

16. For the avoidance of doubt the boundary fence fronting Hackamore Way and Lands End Way shall be a 1.1 metre high post and rail timber fence.

Reason In the interests of amenity and character of the area.

17. The sustainable drainage scheme for this site shall be completed in accordance with the submitted details (Drawing 4180363-1200 Rev14), 4180363-SK06 and emails dated 13/09.2019 and 24/09/2019. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan detailed in 005_MD4180363_KLJ_AD005 issued 29th July 2019.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and maintained thereafter.

18. Before any development above damp proof course level, a scheme of hard and soft landscaping works for the site shall be submitted to and approved, in writing, by the Local Planning Authority, which shall include any proposed changes in ground levels and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained, together with measures for their protection which shall comply with the recommendations set out in the British Standards Institute publication "BS 5837: 2012 Trees in Relation to Construction."

Reason: To ensure that the landscaping is designed in a manner appropriate to the locality and to enhance the appearance of the development.

19. All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details shall be carried out during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of 5 years of being planted die are removed or seriously damaged or seriously

diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure that the landscaping is carried out at the appropriate time and is properly maintained.

20. Hard surfacing beneath the canopy of any retained tree shall be designed to minimise ground compaction in accordance with the recommendations set out in the British Standards Institute publication "BS 5837: 2012 Trees in Relation to Construction." Such areas will require the use of geo-textile membranes coupled with no excavation and minimal alterations in ground level.

Reason: To minimise disturbance to and help to ensure the satisfactory retention of the trees.

21. Any trees dying, being removed or being seriously damaged as a result of the failure to comply with condition 20 above shall be replaced in the next planting season (October - March inclusive) with others of similar size and species.

Reason: To enable existing landscaping to be protected and retained in the interests of visual amenity.

22. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved, in writing, by the local planning authority prior to the first occupation of the development. The landscape management plan shall be carried out as approved in accordance with the details and timescales in the plan.

Reason: To ensure the proper management and maintenance of the approved landscaping in the interests of amenity and the character and appearance of the area.

23. All the existing trees and their roots along boundary of the site, shown to be retained in Arboricultural Survey and Impact Assessment prepared by Hayden's Arboricultural Consultants "Tree Survey, Arboricultural Impact Assessment Arboricultural Method Statement & Tree Protection Plan In Accordance with BS 5837:2012" (Ref: 7488 no revision) shall be protected by the erection of temporary protective fences in accordance with BS5837:2012. The protective fences shall be retained throughout the duration of building and engineering works in the vicinity of the trees to be protected. Within the areas agreed to be protected, the existing ground level shall be neither raised nor lowered, and no materials or temporary building or surplus soil shall be placed or stored there. If any trenches for services are required in the protected areas, they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5cm or more shall be left unsevered.

Reason: The trees on adjacent land are important features in the area and this condition is imposed to make sure that they are properly protected while building works take place on the site.

24. For the avoidance of doubt tree protection protective fencing shall be locked together to create a construction exclusion zone. This shall not interfere with the no dig measures, or the implementation of the geotextile. Following the completion of (pre-construction) work the fence should then be redesigned to cover the entirety of the RPA.

Reason: The trees on adjacent land are important features in the area and this condition is imposed to make sure that they are properly protected while building works take place on the site.

25. If during development contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the local Planning Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.

Reason: For the Avoidance of doubt and because the site is located close to a refuelling service station and no details have been submitted to show that the site is not contaminated.

26. The development shall not be used until a Litter Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include details of regular litter picking within and around the site as referred to in paragraphs 6.22 and 6.26 of the Planning Supporting Statement produced by Planware Ltd dated June 2019 version – final,. The approved plan shall be implemented in full.

Reason: In the interests of the visual amenities of the locality and to protect the amenities of the surrounding area.

27. The precautionary construction techniques should be implemented in full as set out in the badger survey submitted in support of the application by Practical Ecology, dated 23 July 2019.

Reason: In order to safeguard protected wildlife species and their habitats.

Informative

1. The developer will need to enter into a S278 agreement to carry out the dropped crossing works on Lands End Way and for the installation of the pedestrian refuge island.

Site & Surroundings

1. The application site is located on vacant land adjacent to the road junction between Hackamore Way and Lands End Way, on the opposite side of the road to the existing BP filling station to the north and Land End UK to the east.
2. To the west the application site is bordered by a mature copse of trees and to the south the land is open rough grassland that forms part of a much larger area of vacant land, which is allocated for employment use within the current Adopted Local Plan.

Proposal

3. The application proposes the construction of a freestanding restaurant with Drive-thru facility, car parking, landscaping and associated works including customer Order Displays.

Relevant Planning History

4. Planning permission was refused under reference no 2017/0832/MAJ for the erection of a new housing development comprising 161 new dwellings, including 56

affordable homes, with associated open space, landscaping, infrastructure and drainage.

5. Previously planning permission had been granted under reference number 2013/0598/FUL for an extension of time for planning application OUT/2003/1181/MS for the use of land as B1, B2 and B8 employment development.
6. An outline planning application was submitted recently under reference number 2019/1180/OUT with all matters reserved apart from the access for the construction of up to 120 (affordable) homes on the 'Hawksmead Area 11 site' at land End Way Oakham. The application site area in reality being land surrounding the current application site both to the east and south between Hackamore Way and Lands End Way. This application has been withdrawn by the applicant.

Planning Guidance and Policy

National Planning Policy Framework

Chapter 4 - Decision-making

Chapter 6 - Building a strong, competitive economy

Chapter 7 - Ensuring the vitality of town centres

Chapter 8 - Promoting healthy and safe communities

Chapter 9- Promoting sustainable transport

Chapter 11 - Making effective use of land

Chapter 12 - Achieving well-designed places Chapter 2 - Achieving sustainable development

Chapter 15 - Conserving and enhancing the natural environment

The Rutland Core Strategy (2011)

CS1- Sustainable development principles

CS02 - The Spatial Strategy

CS04 - The Location of Development

CS08 - Developer Contributions

CS13 - Employment & Economic Development

CS17 – Town centre and retailing

CS18 - Sustainable Transport & Accessibility

CS19 - Promoting Good Design

CS21 - The Natural Environment

Site Allocations and Policies DPD (2014)

SP1 - Presumption in Favour of Sustainable Development

SP5 – Built development in the towns and villages

SP12 – Town Centre area, primary and secondary shopping frontages

SP15 - Design and Amenity

SP19 - Biodiversity and Geodiversity Conservation

SP17 - Outdoor Lighting

Consultations

7. Barleythorpe Parish Council

Barleythorpe Parish Council is aware that Rutland County Council has for many years, designated the site concerned for use for commercial purposes rather than housing. The development of this current 'wasteland' would be welcomed as would the creation of new employment.

This proposal may have a deleterious effect on trade for eating establishments within Oakham; Oakham Town Council may have a view on this.

Barleythorpe Parish Council makes the following observations intended to help minimise the effects on the area should Rutland County Council be minded to allow the application:

- i. Increase the number of "Blue Badge" parking spaces from two to three to reflect the demographics of the community served, and in particular the use of Blue Badges for non-mobility users.
- ii. Ensure the statements contained within the supporting document regarding litter patrols (three per daily - see 6.22) are covered by appropriate planning conditions. Ideally, a minimum of 4 litter picks per day plus an additional one at close of business would seem appropriate.
- iii. Include within the Waste Management Plan, a method statement to determine segregation of waste for recycling and frequency of bin emptying.
- iv. The comments regarding delivery of supplies is noted with respect to frequency and duration on site - access to the site should reflect this and ensure minimal disruption to traffic on Lands End Way and adjoining roads.
- v. Ensure that the Community Engagement Plan and outreach programmes
- vi. Consult with the appropriate local community groups, including Barleythorpe Parish Council
- vii. Ensure that appropriate traffic management is in place to maximise road safety once the site is operational and due consideration should be given to the safe management of construction traffic during the building stage.
- viii. The safety of access for pedestrians and cyclists should be prioritised. It would appear that many people, particularly young people, will access the restaurant on foot, particularly during peak holiday times and local events e.g. The Rutland Show. It is important that appropriate, safe access is available with the necessary pavement improvements and crossings in place.

Recommend Approval subject to the above concerns being addressed.
Barleythorpe Parish Council
8th July 2019

Following further contact with Barleythorpe Parish Council an additional response was received on 27 September 2019 stating;

'With regard to the provision of additional bins, the Parish Council feels this is essential and responds to numerous concerns raised. Logically thinking, the Parish Council believes that locating probably 4/5 bins approximately a 5 minute walk from the site would be appropriate. Within Barleythorpe, this would include Lands End Way towards the top end near VAR, Burley Park Way towards the Langham roundabout, Maresfield Road ideally by the new shop/CCRC development'.

8. **Oakham Town Council**

This land is designated for commercial use but has lain waste for a number of years. It is important that the site is used for commercial enterprise to increase employment rather than for further housing.

Recommendations as highlighted in the specialist reports, ie Highways Department, Ecologists Report, Drainage, and Environmental Protection Report should be taken into account.

Any planning consent should require the following safeguards, and planning conditions.

- Increase the number of "Blue Badge" parking spaces from two to three to reflect the demographics of the community served, and in particular the use of Blue Badges for non-mobility users, as recommended by Highways.
- Ensure the statements contained within the supporting document regarding litter patrols (three per day - see 6.22) are covered by appropriate planning conditions. Ideally, a minimum of 4 litter picks per day plus an additional one at close of business would seem appropriate.
- Include within the Waste Management Plan, a method statement to determine segregation of waste for recycling and frequency of bin emptying, and the siting of additional bins leading away from the area as required.
- Parking bays should have permeable paving or similar to increase water retention in the soil and increase the green credentials of the build.
- This is a rural location and care should be taken that night-time light pollution is not excessive and in line with the Environmental officer's report.
- The safety of access for pedestrians and cyclists should be prioritised. It would appear that many people, particularly young people, will access the restaurant on foot, particularly during peak holiday times and local events, e.g. the Rutland Show. It is important that appropriate, safe access is available with the

necessary pavement improvements and crossing refuges in place, as specified in the Highways report.

- Signage should be kept to the minimum so as to make the site less visually intrusive and out of keeping with the location.
- This location is a very small commercial development and the Totem height of 12m suggested is inappropriate and out of proportion and would produce a negative visual impact. Other similar locations have much smaller totems.
- During the construction process, appropriate traffic management will need to be in place to maximise road safety, and due consideration should be given to the safe management of construction traffic.
- Safeguarding of employees going to and from work in hours of darkness.
- Opening hours – does it need to be 24 hours? Could the hours be restricted 6am – 10pm Monday to Thursday, 6am - 12am Friday & Saturday and 8am to 10pm Sunday.

Recommend Approval subject to the above concerns being addressed.

Following further contact with Oakham Town Council an additional response was received on 10 October 2019 stating;

'It was resolved at a meeting of Oakham Town Council on 9th October that regarding the provision of additional bins, the Council welcomes the offer and believes locating 4 bins approximately at the junction of Lands End Way and Burley Park Way, the junction of Lands End Way and Pilling's Road, junction of Maresfield Road and near Lidl, College Close'.

Council also request can considerations be given for recycle bins.

9. **Planning Policy**

The main policy consideration for alternative uses on this site is Core Strategy Policy CS13 - Employment & Economic Development.

Given this site is part of the employment allocation, the Council would expect this site to be developed for employment uses as set out in the Policy. Hawksmead Park is considered important as the main employment land option for the key town of Oakham and is by far the largest serviced and readily available site in the County.

Policy CS13 - Employment and Economic Development

Proviso d) of Policy CS13 does state that this site should be safeguarded unless it can be demonstrated that an alternative use would have economic benefits and would not be detrimental to the overall supply and quality of employment land within the County.

As such, the applicant will need to demonstrate the economic benefits of the proposal to the Council. The Council will need to consider whether the benefits outweigh the

loss of approximately 0.45 hectares of the employment land and whether this will be detrimental to the overall supply employment land in Oakham.

10. **RCC Highways**

Originally RCC Highways requested a Holding Objection.

The currently proposal only provides 2 x disabled bays. As per Site Allocations and Development Plan Document adopted in 2014 the business should have 3 disabled bays or 6% of total capacity whichever is greater.

The proposed development is providing one customer space per 4sqm area plus one staff space per 10 tables or 40spm. The applicant has provided 48 spaces for 137sqm. Using the above calculation the developer has provided 10 more spaces than required. Highways are satisfied that this provides sufficient parking for the site.

Pedestrians frequently use Lands End Way to access the show ground/event/work/supermarket etc. As this restaurant includes a drive-thru you would expect to see a lot of traffic entering and existing the site throughout the day. It is therefore essential that pedestrian movements are considered throughout the site. Highways request that a pedestrian refuge island is installed at the front of the site.

Please can the applicant provide details of deliveries to and from the site - to include information on where will these park, size of delivery vehicles, what sort of times will deliveries be expected etc.

I am satisfied that the applicant has provided sufficient methodology in relation to their parking standards and staffing levels. Therefore I have no Objections if built in accordance with drawing - 7499-SA-8681-P004M Site Layout Plan.

The developer will need to enter into a S278 agreement to carry out the dropped crossing works on Lands End Way and for the installation of the pedestrian refuge island.

11. **Lead Local Flood Authority Officer**

Even though this site is not classed as a MAJ development, the applicant should still consider the use of sustainable drainage. They are proposing to turn the majority of their site into hard standing. They have not provided any drainage details, infiltration, storage or outfall details.

The LLFA will object to this application until the applicant has provided a sustainable drainage plan.

The site lends itself to being constructed out of permeable paving, under the car parking bays. The road leading through the site can be angled towards the parking bays. This will allow for the water to be cleaned and stored within the substructure.

The applicant could also use swales and soakaway/storage crates to hold the water, prior to out falling into an AW system (at greenfield rate) if infiltration cannot be achieved.

The revised plans and information address concerns previously raised.

Recommended a condition requiring the building or use hereby permitted shall not be occupied or the use commenced until the sustainable drainage scheme for this site has been completed in accordance with the submitted details (Drawing 4180363-1200 Rev14). The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan detailed in 005_MD4180363_KLJ_AD005 issued 29th July 2019.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and maintained thereafter.

12. **Transport Strategy**

Passenger transport: The travel assessment outlines that 7 bus services pass the site. Having reviewed the information we have the following amendments:

146 - hourly between 10am and 2pm. 1 additional service around 4pm, Mon to Sat

184 - term time, 1 per day, Mon to Friday (no return journey)

o185 - 1 per day, Mon to Sat (no return)

R47 - 1 return journey / day, Mon to Fri

Furthermore, of the routes outlined, only service 146 passes in close proximity to the site. The other services are over 0.5 miles from the proposed restaurant - making them less likely to be used by employees and customers. In addition, none of the services operate after 6pm or on Sundays or bank holidays - and therefore may not tie in with staff shift patterns or peak operation times.

Site permeability: Access from north - it is unclear whether there is a segregated pedestrian access from the northern entrance to the main door. It appears that the access would cut across the delivery area, but it is not clear if this is the same level as the adjoining pedestrian facilities.

Walking provisions: It is requested that all footway provisions leading to, and within the site are of suitable width to enable them to be upgraded to a joint footway/cycleway. It was noted that the original block plan showed only a narrow footway provision to the south of the site, parallel to the vehicular access. The enhancements outlined in the revised plan are welcomed.

We would also request a pedestrian refuge be provided on the vehicular access, to enable pedestrians to cross.

Electric charging: We welcome the inclusion of electric vehicle charging on site.

Travel plan: The Travel Plan states that the Council will be notified of the Travel Plan Co Coordinator within 6 months of the store opening. We would request this information be provided within 2 months.

Targets are set for 'alternate modes' of transport. We would like to see monitoring include a breakdown by 'alternate modes' to see progress on specific travel modes.

The Travel Plans states that the Council provides free Bikeability training for all schools in Rutland. However, this primarily relates to primary school children. It is suggested that wording is altered to state 'The TPC will promote cycle training -

including training options available through the County Council, further details of which can be found on the Council's website: www.rutland.gov.uk/my-community/transport/road-safety/road-safety-training'.

Cycle parking: Despite complying with parking standards, it is felt that 8 cycle parking spaces would be insufficient for this site. The reasons for this are as follows:

- The site itself is located out of town and as such, a number of customers are likely to cycle to the restaurant rather than walk.
- The site is within close proximity of key cycle routes providing access to tourist destinations.
- The travel plan states that there may be 20 staff on site at any one time and that levels of car use by employees at other sites are very low (24%). Due to the sites out of town location, and lack of evening or Sunday buses operating via the site, it will be even more important to provide additional cycle parking provisions for staff.

It is therefore recommended that customer cycle parking is doubled with a further 8 spaces provided for those customers accessing via the northern entrance off Hackamore Way. It is also requested that these provisions also have an associated canopy.

To further encourage staff to cycle to work it is suggested that the developer consider installing additional cycle parking solely for staff use, ideally of a more secure construction and location for those leaving their bicycle locked up all day.

Finally, with regard to the latest designs, we would welcome further consideration as to the desire lines cyclists may take to the cycle parking when entering the site from the southern entrance. Indeed, we have some concerns that cyclists may cut across the mouth of the drive through exit, to reach the stands (to avoid going round the railing).

Encouraging active travel: We welcome the inclusion of staff changing rooms and lockers, however to encourage active modes of travel further, the developer could consider providing a shower facility and a drying room for wet clothes.

Lighting: An additional lighting pillar is requested close to cycle parking provisions for the purpose of security.

All responses noted. My main outstanding concern is as follows:

- Increased parking from 8 to 12 bicycles is welcomed, however no reference has been made to our request for a canopy. If McDonalds are committed to reducing car travel by their employees, covered cycle parking will be essential - to protect bikes from rain. We would request a clear canopy be provided here.
- We would welcome further consideration regarding the location of cycle parking. At present the suggested railings would allow cyclists to cut across the drive through exit. Instead, subject to the developers own assessment of safety, we question whether the railing would be better sited as per the red line in the attached plan, with a dropped kerb in the approximate location of the green line, and the actual shelter (with canopy) (blue line) moved back to the railings.

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Following revisions to increase cycle parking, provision of a cycle canopy, and the installation of a dropped kerb access, the changes are acceptable and we now have no objections to these issues.

13. **Leicestershire Police and RCC Community Safety Team.**

No objections received.

14. **Public Health - Rutland And Leicestershire County Councils**

Just to let you know that when Mike (DPH) came back from leave we had a discussion about this. We agreed that as we don't currently have any policies or by laws in place that could be used on planning grounds to object we were best not to do so. However, my colleague Kath Packham will be doing some work on Health in all Policies for the County Council. This work may lead to recommendations around future developments and approaches relating to health. Once she starts on this piece of work I will suggest she includes you and the rest of the planning team in discussions.

15. **Public Protection**

Objection was made against the original development. Areas of concern were as follows:

Cooking Odours

My concern relates to cooking odours and the potential for surrounding domestic development on currently undeveloped land and that the application lacks some details and assessment of the potential odour impact of the proposed development. Although some details about the extract ventilation system are included, there is no 'Risk Assessment of Odour' as set out in Appendix 3 of 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems, this establishes what level / type of odour control is required. Currently it isn't possible to complete the Risk Assessment as there are two key pieces of information that aren't available:

- 'Dispersion' including the height of the point of discharge above the eaves or ridge (or top of false roof/ external wall) and the efflux velocity at the point of discharge in meters per second.
- 'Proximity of Receptors' The distance of the closest sensitive receptor (domestic dwelling) to the location of the extract system, however this will depend on what currently undeveloped land is used for. It might be prudent to assume that land

immediately to the south and west of the site (currently vacant) includes sensitive receptors and design the system on that basis.

Artificial lighting

Modern lighting schemes can be sensitively designed whilst providing good illumination for staff and visitors, however no specific details have been provided. I would suggest agreeing a Planning Condition with the applicant, subject to Planning Permission being granted to ensure artificial illumination is in accordance with Environmental Zone E3 'suburban' as set out in the attached 'Guidance Notes for the Reduction of Obtrusive Light GN01 2011 issued by the Institute of Lighting Professionals (ILP). Again in designing the scheme it may be prudent to assume that the current vacant land, could be occupied by domestic dwellings, especially as no 'hours of use' are specified in the application, meaning the site could be illuminated after 11pm when the ILP 'post curfew' criteria would be applicable.

If you would like to discuss this or if the applicant comes back with further information, please let me know, it may then be possible to lift the holding objection.

Following submission of additional and revised information Public Protection confirmed that given the lighting scheme meets the E3 criteria I have no remaining concerns about the development.

With respect to the Acoustic Assessment Report submitted we are satisfied any impact would be negligible if the following conditions are applied: No fixed plant and/or machinery shall come into operation until details of the fixed plant and machinery serving the development hereby permitted, and any mitigation measures to achieve this condition, are submitted to and approved in writing by the local planning authority. The rating level of the sound emitted from the site shall not exceed 44 dBA between 0700 and 2300 hours and 30 dBA at all other times. The sound levels shall be determined by measurement or calculation at the nearest residential premises. The measurements and assessment shall be made according to BS 4142:2014.

To achieve an acceptable reduction of noise from the carpark and drive-through the approved 2m acoustic high boundary screen that is composed of 1m high double limestone wall to form a planter (planted with bamboo as agreed) at the base with a 1m high wooden acoustic screen on top as shown on the agreed plan.

With respect to the Odour Assessment Report, we are satisfied no noticeable odour at residents premises if the proposal to provide active odour control measures in the form of enhanced canopy filtration and ozone injection as described for the extraction system is built and maintained in accordance with the report (specifically chapters 7 to 10) titled 'Odour Control Assessment for McDonalds Restaurant, Hawksmead

Estate, Lands End Way, Oakham, 190729 McD Oakham Odour 2019' produced by CDM Partnership.

The lighting scheme meets the E3 environmental zone as prescribed by the Institute of Lighting Professionals (ILP) Professionals Guidance for the Reduction of Obtrusive Light and is therefore satisfactory for this site.

Further comments received concerning noise state.

The design of McDonald's screen has some potential flaws that our design did not have and these are:

- i. Firstly the acoustic screen we proposed is more attractive to those looking from outside the building as it has the limestone and greenery to break up what otherwise be a large monolith of a 2m high acoustic screen. At a human scale these fences are very imposing and stark.
- ii. Secondly if the outer acoustic fence is going to form part of the planter (which is likely) then it will be wet and liable to rot. Therefore the screen will not last long. Our design is meant to be robust and a long term feature.
- iii. Thirdly if the outer fence is a monolithic timber screen many yards long then it is a large blank canvas for graffiti artists. If people don't think this happens in Rutland then they only need to walk the jitty between Lodge Gardens and Stamford Road in Oakham to see the constant battle the residents have there with covering up graffiti on a large expanse of fencing. Again the new bypass bridge had the same issue within a week of opening. So providing a large blank canvass next to open ground of easy access would be an easy target. Our acoustic screen of a rough limestone wall is very hard to use for graffiti and the acoustic fence above has a dense growth of a reliable bamboo that will stop it being used.
- iv. Fourthly, bamboo is a stiff plant with rigid culms and leaves that in the slightest wind create a masking rustling noise that would partially hide the sound of traffic and people.

To conclude it is considered that the design of the acoustic barrier has real flaws.

16. **Economic Development & Tourism**

The new restaurant will be constructed on land set aside as employment land aimed at B1 & B8 use so the application is contrary to Core Strategy policy CS13 – Employment & Economic Development.

The applicant's ambition of creating 65 new jobs at the site is laudable. However, consideration needs to be given to where these new staff will come from and it is important to try and ensure that existing local businesses are not adversely impacted as many of them already find recruitment difficult and having to backfill some positions may exacerbate this. I would welcome dialogue with the applicant to understand their timescale & recruitment methodology if possible.

There is also a significant risk that, due to the out of town location, customers are drawn away from food & drink establishments in the town centre and footfall & spend in the town reduces as a consequence. Notwithstanding this, a McDonald's restaurant will undoubtedly offer customers across the local demographic a greater

choice, especially for certain demographic groups and provide a convenient drive-through option which is not currently available.

Hopefully the proposal will facilitate new opportunities for local suppliers and service businesses to offset any detrimental impact on the local business community. The extensive range of apprenticeships offered by McDonalds would also be welcomed. We can provide them with relevant contact details for local educational establishments working to provide apprenticeships & industry placements if required.

From a tourism perspective, the proposed cycle parking (8 spaces) is likely to be inadequate given the growing popularity of cycling in Rutland and the fact that the site will be serving significant commuter routes & recreational cycle-ways. It is recommended that provision be increased to accommodate at least 12 cycles. The provision of two electric vehicle charging bays is welcomed. It is encouraging to note that the applicant is proposing to use low-key materials & colour schemes to help the building to blend in with the local area. External lighting design should seek to minimise light pollution into surrounding rural areas and height of any signage kept to a minimum.

The greatest concern from a tourism viewpoint is the potential for a significant increase in litter along the bypass, other roads and at visitor destinations around the county. It is not uncommon to see branded litter assumed to originate from existing McDonald's drivethrough restaurants in nearby Melton & Stamford which has been ejected from vehicles passing through the county. As such, it is requested that discussions with the applicant are arranged to discuss the range of litter patrols being increased to cover a wider area or, subject to ongoing monitoring, the applicant be required to make an annual financial contribution to local waste management operations in order that any complaints can be addressed effectively.

17. **Forestry Officer**

Further to our discussion, I have considered the tree planting scheme and, in my professional opinion, there is a high risk that the green landscape they are proposing will not last in the long term. The retention of the green landscape (e.g. trees, shrubs, grass and flowers) would produce an annual cost that the restaurant would likely find unreasonable to sustain. The cost of retaining green landscaping includes:

- Monthly – biannually maintenance of shrubs,
- Fortnightly grass cutting,
- Triennial tree cutting and assessment,
- Greenery obstructing visibility of restaurant and advertisement boards.

We can put a condition on the development that they have to retain the green landscape for 5 to 10 years but we, as I understand, cannot use a longer period. Considering that this business may be present for several decades, it is likely that most of its life will be in an area significantly less decorative than the one currently proposed.

The trees selected are not suitable for this site. The Chanticleer pear tree produces foul smelling flowers that would encourage the business to remove them. The silver birches struggle in dry areas, which would be created by the development.

I recommend that that the trees are replaced with Italian alders (*Alnus cordata*). These trees tolerate alkaline soil, prolonged dry spells, and compacted soil.

It was discussed that decorative hedging could be adopted to soften the impact of the landscape in the moderate term (e.g. 5-10 years). Hedges of cherry laurel (*Prunus laurocerasus*) would meet with this aim.

Cherry trees are short lived and can attract wasps - recommend it is replaced with Italian alder.

18. **Oakham In Bloom**

I am writing as the Chairman of Oakham in Bloom, a local all-volunteer charity that has been working in Oakham for 22 years. Over that time we have won many Gold Medals in both the regional and National Competitions. Our aim as a charity is to improve the overall environment of Oakham in a sustainable manner, whether that is through our numerous planting schemes or by simply litter picking. As a charity we work with businesses and would like to offer the applicant an opportunity to work with us.

We greatly appreciate the great care and thoughtfulness you, as the planning officer is giving this application and the understanding of the key planning issues at stake for the community concerning this development. We fully support Rutland County Council's considered approach to the development and its attempts to find a better solution.

The proposed restaurant will be located on Lands End Way in Oakham. We are very disappointed by how little thought and care has gone into the design of the landscaping. This is in sharp contrast to the other businesses in the area that have recognised the important role they have to play in sustaining and improving the local environment in Oakham. Therefore, we feel obliged to object to the application as it currently stands.

In our opinion the landscaping would create a stark and ugly environment for people that would be incongruous with its surroundings. It would have a negative effect on the town. Such eye-sores, once built will there for decades.

Despite it being dismissed as 'an industrial estate' by the applicant, the site has in fact examples of award winning landscape design immediately surrounding it. For example Land End Factory has an award winning garden by Adam Frost that was exhibited at RHS Chelsea and was moved on-site. The factory landscaping is of the highest standard and has won RHS Gold awards for its landscaping. Likewise the border running alongside the BP Garage and maintained by Oakham in Bloom won the Best Permanent Planting Scheme in the East Midlands. This year we planted the roundabout with long lasting annual mixes, which won widespread acclaim. Again the UK headquarters of Mecc Alte has an attractive and well maintained landscape planting.

Land's End way is a gateway into the historic market town of Oakham and the site will be a prominent feature and help set the tone and expectation of visitors to the town. Therefore, a poorly landscaped site will give an instant impression of a depressed and declining town and give a largely negative view of the town, whereas, an attractive scheme will be an improvement to the street scene and give an overall positive impression of the town leading visitors to want to explore.

As a volunteer charity we are very well supported by businesses that recognise the importance to the local economy of an attractive environment. There are many businesses in Oakham reliant on tourism and therefore it is important that the initial impression to the town is a good one. Also the local people want the town to be attractive, and why shouldn't they, we do have a strong sense of civic pride.

Due to the importance of this site to Oakham, we believe the landscaping needs careful design. Given our considerable experience in landscaping in the area we believe we can help the applicant submit a far more thoughtful proposal that will significantly improve the overall appearance of the site, so as to make it a positive contribution to the town. OIB has a long and award winning history of landscape design, so therefore we taken the unprecedented step of designing for the applicant the landscaping. We have taken this step because as an organisation our whole approach is to roll-up our sleeves and improve things rather than carp from the sidelines and allow things to decline.

The scheme we propose has been very carefully thought through. It meets a whole host of design criteria but at its heart it will make a significant improvement to the landscaping of the scheme. It is a soft naturalistic scheme that blends into and complements the surrounding landscaped areas. The scheme will look good all year round. It is very low maintenance and the little maintenance required is simple and easy to do (our contractor could do this work for you). It is of the latest contemporary design that is normally reserved for prestigious developments (but we believe good design should be everywhere). We hope the applicant will take this opportunity to work with the community on this issue and look forward to working with them.

In response to the amended scheme Oakham in Bloom has stated that it:

'welcomes the concessions by the applicant to include some of our planting ideas namely: inclusion of bulbs, grasses, shrubs and perennials suggested by OIB; we also support the acoustic wall and bamboo screening; the removal of the cherry laurels and Italian Alders from the planting scheme and we support the inclusion of Silver Birch, Copper Beech Hedge and the flowering cherry.

Given the prominence of the site, we do feel the scale of the planting is still too small to have a positive and substantive impact on improving the appearance of the street screen and could easily be extended. We believe MacDonald's should submit an artist impression of the scheme at 1, 5 and 10 years old to show members what the scheme is expected to look like. We believe this will demonstrate our point about scale.

We believe care is needed to avoid informal pathways that follow desire lines crossing the site or small areas of planting liable to be trampled and produce bare ground.

We also believe a comprehensive planting and aftercare program for 5 years is an essential requirement to ensure the success of the planting scheme. We have witnessed where such a planting and aftercare program has not been specified with dying plants and weed infested borders. The planting scheme should ensure the soil preparation is properly undertaken and the plants properly planted and watered in and mulched. The aftercare program the scheme is weeded regularly 4 times a year and the beds mulched with weed suppressing mulch and it is regularly watered as required and looked after, with any dying plants being replaced.

We do believe MacDonald's can easily make these concessions and therefore we maintain our objection.'

19. **Ecology Unit**

The badger survey submitted in support of the application (Practical Ecology, July 2019) is satisfactory. No evidence of badgers was found in the site or the immediate surrounds and no further surveys are required. We would recommend that the applicants' attention is drawn to the recommendations in the report. Our comments surrounding light spill on the nearby spinney remain valid.

20. **Senior Environmental Services Manager, Places - Waste Service**

Supports a commuted sum for additional litter bins.

The purchase and installation of these is an average of £500 this year, with the costs payable by the parish councils where the bins are within the town / village boundary. Each 'emptying' costs RCC £1.72 this year. We empty most bins on a weekly basis.

Thus, over a 20 year commuted sum period with indexation, each additional bin has a cost of £2,673.16 attached.

The parish would need to advise how many additional bins they feel they need.

Neighbour Representations

21. 78 Representations following the advertisement of the application have been received both in support and objecting to the proposed development. Of these representations 55 have raised objections and 23 were in support of the development.

The representations received both in support and against the proposed application raised a number of different material and none material planning issues.

A summary is provided below of the most common objection topics and approximately the number of times they have been raised in the representations received:-

1. Development would result in more Litter near to and around the County – 40
2. No proper consultation undertaken by the council – 5
3. Contribution to plastic pollution and recyclable packaging – 11
4. Would have an adverse impact on Oakham Town centre and existing pubs and restaurants -35
5. Adverse impact on wildlife – 10
6. Environmental Impact -6
7. Attract anti-social behaviour – 16
8. Building unsightly – 2
9. Requires 3 disabled parking spaces not just 2
10. Need bike racks - 4
11. Noise – 8
12. Odour - 2
13. Out of keeping with the surrounding area -1
14. De-value nearby house prices – 1
15. No litter bins on Lands End Way - 1
16. Would result in the Council to undertake more street cleaning in the area at the cost to the local tax payer - 5
17. 24 hour opening near to residential properties -1

18. No connection to Rutland - 1
19. Roads will not cope with increased traffic flow -21
20. Promote increase car travel – 1
21. New mini roundabout or new access should be built at the junction of Hackamore Way -1
22. Would promote HGV parking -1
23. Poor street lighting in the area -1
24. Would turn Barleythorpe into a road service area - 3
25. Majority of workers will live outside the County- 1
26. No guarantee jobs will be local -1
27. Land allocated for light industrial /employment use -1
28. Should be located on the High Street -1
29. Vermin – 1
30. Within walking distance from Catmose Collage -1
31. Fast food/poor quality diet – 4
32. Exportation of kids for profit -1
33. Minimum wage jobs will not provide living wage -1
34. Will not support local produce suppliers or support services – 1
35. Adverse impact on health and wellbeing of the community -11
36. Increase obesity 11
37. There are fast food restaurants in Melton and Stamford – 4
38. Drive through promoting eating and drinking while driving -5
39. Adverse impact on tourism of the area -1
40. If the application is permitted it would attract other multi chain franchises – 3
41. No requirement for large chains
42. Would undermine 'The Rutland Brand' -14

A summary is provided below of the most common comments/topics in support of the application and approximately the number of times they have been raised in the 22 representations received:-

1. Amount of youth employment created -12
2. Good training and staff development - 1
3. Positive development for the County - 7
4. Alternative food option – 4
5. Little to no impact on Town centre -1
6. Avoid need to travel out of the County – 1
7. Applicant know to provide community support (with particular suggestions put forward) – 4
8. Would promote shopping in Oakham as many people combine trip to a fast food restaurant with a shopping trip – 1
9. Would not result in additional litter – 1
10. Will not result in antisocial issues - 1
11. New access will deter HGV parking in the area – 1
12. Would be built on overgrown and undeveloped plot of land -1
13. A place for local teenagers to meet up – 1
14. Anti-social behaviour and litter problems already exist in the County -1
15. More affordable place to eat -1

In addition pre application consultation undertaken by the applicant including a consultation event on the 22 May 2019 at the Victoria Hall in Oakham, a presentation was given by the applicant at Brightways, Catmose Campus on 8th August 2019. As a result of this a further 25 representations were received generally in support of the application. There were also numerous suggestions about improvements to the layout facilities and accessibility both inside and outside of the building and how staff could be more helpful.

Planning Assessment

22. The main issues are policy, relating to the principle of development on this site, design, highway safety and residential amenity.
23. During the determination of the application amended drawings have been received to change details relating to lighting, fencing, landscaping, disabled parking numbers and layout, number of bicycle parking racks, cycle shelter, pedestrian and vehicle access to the site, improvements to the site drainage, improvements to the visibility splays to the proposed access, and a new splitter island on Lands End Way to assist pedestrians arriving from the south.

Design and Materials

24. The proposed restaurant and drive thru building is single storey and would be of a contemporary design having a footprint measuring 26.7m long and 14.2 m wide, and is shown to accommodate the dining area providing 94 covers, drive thru serving area, staff facilities, store, chiller, freezer, kitchen and toilets.
25. The design also incorporates three different roof levels at 3m, 4.6m and 5.2m and two different height projecting canopies at 2.7m and 4.4m. The west elevation incorporates 3 large glass panels extending from ground level to the canopy.
26. Adjoining the main building is a corral with footprint measuring 4.4m x 9.5m with external walls 2.7m high. This would be used for external storage with everything screened from view.
27. In order to improve the external appearance of the building the applicant has agreed to substitute the use of a dark grey engineering brick slips for reconstructed stone and corner slips from the Bradstone rough dressed Cotswold range for use on part of the walls of the main building. It is considered that the use of stone slips would be more in keeping with the vernacular of the surrounding area and complement the other materials proposed to be used on the exterior of the building which include anthracite and stone effect cladding panels and timber strips.
28. The materials used in the buildings elevations have been limited to complement the materials used in the hard surfacing patio and outside seating areas. Reference is taken from the building and the materials used in its design. This assists in providing a link from the external environs to the internal design of the store, and confirms the holistic approach.
29. In keeping with the design approach, the pallet of materials selected for the building are modern and directly connected to the company's brand. The colours proposed are natural and neutral. By using khaki green, timber effect aluminium and natural stone colours, the aim is to achieve a subtle natural feel to the building. The materials are a combination of timber effect, contemporary grey block and Italian walnut panels.
30. The proposed building has a distinctive glazed customer area which has been orientated to address the main frontage of the site. This allows views into the bright customer area providing a local urban form with the key active frontage.
31. The dining area benefits from views both into and out of the building, promoting natural surveillance by customers and staff alike. The drive thru lane is operated via staff located in service windows, thus covered by natural surveillance.

32. The building footprint and site has been designed to minimise any potential hiding spaces and lighting proposed has been designed to avoid any dark spots, whilst minimising skyglow/light pollution.

Consultation Undertaken

33. Concerns have been raised in relation to the level of consultation undertaken. In relation to the current application a site notice was displayed at the application site, in accordance with planning legislation and the Council's adopted consultation standards and the application was advertised in Rutland Times.
34. Consultation was also undertaken with (some more than once) Barleythorpe Parish and Oakham Town Council, Planning Ecologist, Archaeologist, Highways, Planning Policy, Public Protection, Local Flood Authority Officer, Transport Strategy, Forestry Officer. Leicestershire Police and RCC Community Safety, Public Health - Rutland and Leicestershire County Councils, Oakham in Bloom, Economic Development and Tourism, Planning Ecologist.
35. In addition McDonald's undertook their own programme of public engagement which centred on a consultation event on the 22nd May 2019 at Victoria Hall in Oakham between 14.00 and 20.00.
36. The objective of the community engagement was to give an opportunity to provide feedback on the proposals and ask questions before the application was submitted. It is understood that invitations were distributed to local residents in a 1km radius of the proposed site. In addition, McDonald's paid for an advert in the Rutland Mercury newspaper and online website and advertised on the town notice boards and social media. Rutland Radio and the BBC (online and local news) spoke about the exhibition ahead of the event and the Leicester Mercury, Stamford Mercury and the Rutland Mercury wrote comment pieces on the proposed exhibition.
37. According to McDonalds the consultation event was attended by 394 people throughout the day and gave residents the opportunity to ask questions about the proposed restaurant. Feedback was actively encouraged, with McDonald's providing:
- A contact telephone number and email address, which residents were invited to use to discuss the proposals;
 - Feedback forms which they could submit at the exhibition or by email.
38. The exhibition event resulted in 191 eligible response forms, including additional email and letter feedback. The event was reported by the BBC East Midlands news at 6.30pm and repeated after the national news later in the evening. The consultation event was supplemented by additional letters and emails sent to councillors and to residents who could not attend.
39. In addition McDonalds did a presentation on 8th August at Brightways, Catmose Campus.
40. In addition to the current application 3 other applications have been submitted by the applicant for advertisements associated with the proposed development.

Application No 2019/0610/ADV – site signage

Site notice displayed at the site.

Consultation undertaken twice with both Barleythorpe Parish and Oakham Town Council, and Planning Ecologist, Archaeologist, Highways, Planning Policy Public Protection and Lead Local Flood.

Application No 2019/0612/ADV – fascia signage

Site notice displayed at the site.

Consultation undertaken twice with both Barleythorpe Parish and Oakham Town Council, Planning Ecologist, Archaeologist, Highways, Planning Policy Public Protection and Lead Local Flood.

Application No 2019/0613/ADV – totem Signage

Site notice displayed at the site.

Consultation undertaken twice with both Barleythorpe Parish and Oakham Town Council., Planning Ecologist, Archaeologist, Highways, Planning Policy Public Protection and Lead Local Flood.

A significant number of people have commented on one or all the applications submitted.

41. During consideration of the current application media coverage both local and national has been ongoing.
42. Taking all of the above into account it is considered that there has been sufficient publicity of the proposed applications.

Parking

43. As submitted the proposal only provided 2 disabled parking bays. During negotiations the applicant has agreed to increase this to 3 bays to comply with the Council's adopted standards as per the Site Allocations and Development Plan Document adopted in 2014. In addition following feedback from the drop-in session held at Brightways at Catmose Park further revised drawing were submitted. These showed the relocation of the play space to allow minor alterations to the disabled spaces, setting them slightly forward, and thus allowing better ramped access to the rear of vehicles.
44. The proposed development provides one customer space per 4sqm area plus one staff space per 10 tables or 40spm. The applicant has provided 48 spaces for 137sqm. Using the above calculation the developer has provided 10 more spaces than required. RCC Highways are satisfied that this provides sufficient parking for the site.
45. The applicant has provided sufficient methodology in relation to their parking standards and staffing levels.
46. In order to improve the landscaping within the site the applicant was requested to delete one parking space in the north western corner of the back row of parking spaces in order to provide additional landscaping. Although this reduces the number

of parking spaces on site by one the proposed development would still provide 9 additional spaces above that required by the councils adopted standards.

Transport Statutory

47. In response to comments from the Transport Strategy Manager the applicant has stated the following.

Public Transport

The provision in Oakham is in-keeping with what we would expect in a town of this size. In terms of access by staff, a 0.5 mile walk as part of a journey to work from the nearest service is not considered to be unreasonable and would be in keeping with what staff at the existing ALDI and BP/Marks & Spencer already do.

Site permeability

The PFS route from the north linking Hackamore Way to the restaurant entrance is all provided on a single level, save for the zebra crossing at the entrance to the drive thru lane. The submitted plans show various paving finishes to allow a reinforced area for the delivery cages to be wheeled between the vehicle and building, however, this will be all at the same level for pedestrian access.

Walking provisions

The routes within the site have been improved to cater to pedestrians approaching from the south and the cycle stands are provided in a convenient location to allow those arriving by bicycle to park without needing to circulate around the car park. Cyclists arriving from the north would already need to be riding on the footway to access the site and we would not wish to encourage this further.

A pedestrian refuge in the access was considered and discussed with Robyn Green at Rutland Highways, however, this would have resulted in an impractically wide access in order to accommodate the delivery vehicle and a splitter island. Instead a new splitter island on Lands End Way is proposed, as well as a zebra crossing within the site access, to assist pedestrians arriving from the south.

Travel Plan

Comments noted on timings, this can be updated. A breakdown of alternate modes can also be provided, however, it should be noted that the over-arching intention is to reduce car use. The wording regarding cycle training can also be updated.

Cycle parking

Six stands are provided, providing parking for 12 bicycles. These are at the front “public facing” end of the building, which provides good overlooking from the restaurant. There is limited scope to increase these following changes to the enlargement of the space around accessible bays at the request of a community group.

This provision exceeds the calculated cycle parking standard by ten spaces.

With regard to cyclist desire lines, a small dropped kerb could be provided at the southern tip of the patio next to the cycle stands to encourage cyclists to approach from this direction.

Encouraging active travel

The modular building does not have space within to provide a staff shower or drying room. Staff changing rooms, toilets, sinks and lockers are provided none the less.

Lighting

This can be considered as part of the site-wide lighting proposals.

To address the agreement reached between the applicant and the Transport Strategy Manager on timings, the breakdown of alternate modes being provided and the wording regarding cycle training, it is recommended that a suitably worded condition is attached to require the submission of a revised Travel Plan. Revised drawings have been submitted to address the minor physical changes agreed.

Noise

48. With respect to the Acoustic Assessment Report submitted by the applicant the Council's Environmental Protection team has confirmed that they are satisfied any impact would be negligible if the following condition is applied:
 - No fixed plant and/or machinery shall come into operation until details of the fixed plant and machinery serving the development hereby permitted, and any mitigation measures to achieve this condition, are submitted to and approved in writing by the local planning authority. The rating level of the sound emitted from the site shall not exceed 44 dBA between 0700 and 2300 hours and 30 dBA at all other times. The sound levels shall be determined by measurement or calculation at the nearest residential premises. The measurements and assessment shall be made according to BS 4142:2014.
49. Originally a 2 metre high acoustic timber fence was proposed along the north western and south western boundary of the site to achieve an acceptable reduction of noise generated from the use of the carpark and drive-thru. In order to improve the visual appearance of the boundary treatment both externally and from within the site, the applicants agent was requested to amended the proposed boundary treatment.
50. The revised scheme submitted by the applicant was considered to represent an improvement. However it is considered that further amendments are required for the reasons outlined above.
51. In order to ensure that the issues raised by Public Protection and the visual amenity issues are properly addressed a condition is proposed requiring the submission of revised boundary details. These will include a 2m high acoustic high boundary screen, comprising of a 1m high double limestone wall, with a 1m high wooden acoustic screen on top of the external wall. The Internal wall will then be designed to provide a planter and planted up in accordance with the agreed landscaping scheme.

Odour

52. Environmental Protection have confirmed that with respect to the Odour Assessment Report, they are satisfied there will be no noticeable odour at residential premises if the proposal provides active odour control measures in the form of enhanced canopy filtration and ozone injection is installed and maintained in accordance with the report (specifically chapters 7 to 10) titled '*Odour Control Assessment for McDonalds Restaurant, Hawksmead Estate, Lands End Way, Oakham, 190729 McD Oakham Odour 2019*' produced by CDM Partnership. A suitably worded condition is proposed.

Lighting

53. The applicant's agent has confirmed that the proposed lighting meets the Institute of Lighting Professionals design guidance of E3 standard for The Reduction of Obtrusive Light. The proposed standards will have no upward light source. Environmental Protection have confirmed that as the lighting scheme meets the E3 environmental zone as prescribed by the Institute of Licensing Professionals Guidance for the Reduction of Obtrusive Light. The lighting scheme is satisfactory for this site. A condition is proposed to safeguard amenity and reduce the impact of night time illumination on the character of the area.

Landscaping

54. In response to revised consultation responses from OiB the applicant's agent has stated that:

'Having reviewed the comments by Oakham in Bloom (OiB), we are pleased to note that the organisation support the changes made to the proposed scheme but are disappointed they consider the scale of planting too small. We are disappointed to note that they OiB continue to object to the proposal. We suggest the use of appropriate planning conditions to control landscaping should officers agree with OiB's concerns. The use of planning conditions is an intrinsic part of the national planning process. There are no justifiable planning policy grounds to refuse this proposal on the current landscape design.

We note the request for artist's impressions of the landscaping at 1, 5 and 10 years from opening. Such a request is outside the scope of town planning and not required in order to determine the planning application. McDonald's have demonstrated their flexibility and willingness to work with both the council and OiB, and are disappointed the latter remain objectionable given the quality of scheme proposed. Should the council's landscape officer and planning officer consider that further amendments to the landscape scheme are justifiably required then landscaping should be conditioned, despite the applicant proposing an acceptable scheme in keeping with the surrounding landscape designs. A landscaping condition would meet the conditions tests set out in the framework if specifically and suitably justified in the reasons given.

We note and agree with Oakham in Bloom in terms of informal pathways. This is something that is regularly addressed in terms of design and will be continually monitored as part of the proposed ongoing maintenance. It is not always something that can be "designed out". We have experience of managing landscaping in this and other regards at a significant number of locations in the UK and Ireland.

In terms of maintenance, it is also typical for a landscape management condition to be included with any planning proposal. Such conditions go further than the requests of Oakham In Bloom, with dead plants required to be replaced as well as general maintenance. Again such a condition requesting management over a 5 year period would accord with the Framework and would be expected for a proposal such as this.

We believe these issues have easily been addressed above, as expected, and therefore request Oakham in Bloom remove their objection to the proposal. In any event, the proposal is suitable for presentation to planning committee in its current form.

55. As stated by the applicant the request by OIB for artists impressions of the landscaping at 1, 5 and 10 years from opening is not required in order to determine the planning application.
56. The revised scheme represents a significant improvement to the original scheme however given the standard of landscaping on the adjacent employment sites as identified by OIB in their original consultation comments the revised scheme is still not considered acceptable. It is considered that the applicants should consider further improvement by the way of increasing the number of plants and reducing the amount of space given over to turf. To this extent officers consider the revised comments received by OIB concerning the planting scheme to be relevant. It is proposed that a condition be attached to any consent seeking improvements to the landscaping scheme and a reduction in the grassed area in front of the site and the planting area adjacent Lands End Way increased in size.
57. A maintenance condition as drafted above for any future landscaping scheme agreed with the Local Planning Authority would as identified by the applicants' agent extend beyond the request of OIB.

Trees

58. Along the north western boundary of the site is a small mixed species woodland/copse of trees. A tree survey arboriculture impact assessment, arboricultural method survey and tree protection plan have been submitted in accordance with BS5837:2012. A number of standard measures are recommended in the report and to be implemented in full to protect the trees during the construction phase. The most notable works required to be undertaken to the trees adjacent to the site boundary is to crown lift them to 4m above ground level. In order to ensure all the other recommendations are undertaken to the required standard.

Boundary Treatment

59. Originally it was proposed to replace the post and rail fence around the north and eastern boundaries of the site with a 1m high close boarded fence along Lands End Way and Hackamore Way. It was requested that this should be deleted due to the adverse impact it would have on the street scene, and the existing post and rail fence retained or like for like replacement erected in its place. In order to address the potential issue of litter blowing underneath the fence it is proposed to plant a native and mixed species hedge adjacent to the fence.
60. Written confirmation has been received and amended drawings submitted showing the provision of a post and rail fence and a beech hedge adjacent to the fence. This has been proposed as an alternative to achieve a landscaped edge and to restrict

any litter being blown off site, notwithstanding the other provisions the applicant has proposed to stop litter being blown off the site. The proposed beech hedge is considered acceptable and would form part of the requirement of the landscaping condition as discussed above.

61. The 2m high boundary screening proposed along the north western and south, western boundary is discussed in detail above. From a visual aspect it is considered that a 2m high acoustic fence would be visually prominent when compared to the boundary's on surrounding employment sites, which are more open and visually softer. However subject to the planning conditions detailed above the proposed boundary treatments are considered to be acceptable and appropriate in this employment area.

Planning Policy

Impact on the Town Centre

62. The site is located approximately 1km from Oakham Town Centre. The applicant has undertaken a review of the surrounding area for alternative sites that are suitable, available and viable to support the proposed freestanding drive-thru restaurant (A3/A5).
63. In accordance with the NPPF, there is a requirement to undertake a sequential assessment to determine whether there are any sequentially preferable sites to the site which has been selected to accommodate the proposed development. The order of priority is set out in the Chapter 7 of the Framework and comprise of the Town Centre, Edge of Centre, and accessible location out of centre.
64. While the applicant has stated that they are willing to be flexible in their approach to their operations when considering alternative sites, they have ruled out a typical high-street shop/restaurant unit in the town centre as this would not provide the drive-thru element of the business.
65. Flexibility in the size of the restaurant proposed can be considered but intrinsic to this proposal as argued by the applicant is the drive-thru facility which provides an appropriate format of restaurant in line with the national development programme. One element cannot be present without the other. The applicant doesn't believe that it is the purpose of National Policy to disaggregate at this level and has submitted references to various appeal decisions which support this position.
66. The applicant has stated that the standalone drive-thru requires in the region of 0.3ha of available space.
67. Two alternative sites on the edge of Oakham town centre were considered by the applicant.
 - i. Land adjacent to Tesco - This site is located adjacent to the existing Tesco supermarket and car park but falls just outside of the allocated Town Centre of Oakham. However no viability assessment was undertaken by the applicant as the site is not available for purchase.
 - ii. Land on the corner of South Street and Tesco. This piece of vacant land is approximately 0.08 ha. The applicant has stated that the site is under offer. However they have confirmed that no viability assessment has been conducted due to the site not being large enough.

68. In justifying the location of the current site the applicants agent has stated that it is considered that the proposed development:
- ‘would comprise a complimentary retail use in relation to the existing supermarket and petrol filling station adjacent to the application site....has the potential to benefit from the number of joint and linked trips....’
69. The proposed site extends to 0.44ha which is of a sufficient size to meet the applications requirements and accommodate all the facilities for the proposed works.
70. The retail floor area of the proposed use would be 372 square metres. As this is less than 500m² gross floor area required by policy CS17 (f) no impact assessment on Oakham Town centre is required.
71. Consideration has been given to some sites within and around Oakham Town Centre. Most of Oakham town centre is formed by a range of terraced buildings with no obvious opportunities to locate a freestanding drive- thru restaurant within the setting of the existing High Street or along adjacent streets.
72. As such, the proposed site is considered to be an appropriate out of centre location given the degree of separation from residential development, complimentary form of development to the surrounding uses, and its location adjacent the A606.

Employment Land

73. Given this site is part of the employment allocation, the Council would expect this site to be developed for employment uses as set out in the Policy. Hawksmead Park is considered important as the main employment land option for the key town of Oakham and is by far the largest serviced and readily available site in the County.
74. Proviso d) of Policy CS13 – Employment and Economic Development states that this site should be safeguarded unless it can be demonstrated that an alternative use would have economic benefits and would not be detrimental to the overall supply and quality of employment land within the County.
75. As such, the applicant needs to demonstrate the economic benefits of the proposal to the Council. The Council need to consider whether the benefits outweigh the loss of approximately 0.45 hectares of the employment land and whether this will be detrimental to the overall supply employment land in Oakham.
76. The applicant recognises that the site is allocated for employment uses. They have undertaken a sequential assessment of Oakham, and consider this site to be the most suitable site for the proposed development. The proposal will create a minimum of 65 full and part time jobs. This equates to a minimum full time equivalent of 45 jobs. The density of employment is therefore greater than would be the case for office development, and is significantly higher than B2 or B8 development.
77. The applicant does not have any restaurants in Rutland, therefore they are only able to provide comparable information for South Kesteven District Council, and for the East Midlands as a whole. South Kesteven currently has four McDonald’s Restaurants having a direct economic impact of £4.1M and thus generating £4.87M of direct and induced impact. As a very rough assessment, if these figures are evenly distributed by four restaurants, the applicants agent has suggest that the

direct and induced impact of the proposed McDonald's in Oakham is likely to be in the region of £1.2M.

78. This, in addition to the job creation, and the applicant considers that this justifies an exception to the Council's employment allocation of the site, albeit the proposal will substantially contribute to the local economy.
79. In addition to the above, the agent has included an extract of the applicants' most recent evaluation of their economic contribution to the UK. This confirms a contribution of £245M to the East Midlands economy, the support of 12,739 jobs and £20M spend with local farmers.
80. The site area is less than half of 1 Ha. The level of employment and economic contribution of the proposal is higher than a typical B1 use, and significantly higher than a B2 or B8 use. The most recent Employment Land Supply dated January 2016 confirms that the level of supply has remained the same from the previous 2013 survey. With figures netted from the total supply to allow for some sites to not be developable, the report confirms that realistically only 21% of the supply is likely to come forward in a 0 to 5 year timescale. The report notes that there is a current under provision of allocated land in the long term period (19 years plus) but that this needs to be reviewed in three years, ie 2019. Previous take up between 2013 and 2016 was limited and had little impact on provision. No 2019 revision has taken place yet.
81. The Policy Manager has confirmed that the information provided by the applicant to justify the loss of safeguarding this land for B1, B2 or B8 adequately demonstrates that the proposed use would have comparable economic benefits and given the land-take the proposal would not have a significant detrimental impact on the overall supply and quality of employment land in Rutland.
82. In light of the above, it is consider the proposed development can be considered as an exception to the existing policy because it will bring about significant employment and economic benefits without compromising the overall supply of employment land within the County.

Litter

83. The largest number of objections received by far raised the issue of litter. Within the local vicinity of the site there are very few waste bins.

The applicant has stated within the supporting planning statement that it is

'committed to tackling litter in as many different ways as possible. It is company policy to conduct a minimum of three daily litter patrols, whereby employees pick up not only McDonald's packaging, but also any other litter that may have been discarded in a 100m vicinity of a restaurant.....'

...Litter bins are provided outside all restaurants, and packaging carries anti-littering symbols to encourage customers to dispose of litter responsibly. Anti-littering signage is displayed within restaurants and car parks, and support is given to Keep Britain Tidy, Keep Wales Tidy, Keep Scotland Beautiful, Keep Northern Ireland Beautiful and Capital Clean-up..'

It is also stated that the applicant was;-

‘..a founding member of Keep Britain Tidy’s Love Where You Live anti-littering campaign. The company organises regular clean-up events in local communities and raises awareness of the anti-littering message through its 1,280 UK restaurants. This has seen the company carry out over 3,000 events across the country involving over 50,000 volunteers. Individual restaurants also undertake their own anti-littering initiatives, such as litter picking sessions in local parks and open spaces with local community groups.

A majority of the company’s restaurants have a ‘Planet Champion’ who has the responsibility to help raise awareness of ways to be more environmentally friendly. The little changes that these Planet Champions have introduced have made a huge difference to reduce the energy that McDonald’s use. Planet Champions are also responsible for organising litter events alongside the local community.

Littering is an antisocial behaviour, and is covered by section 89(1) and (2) and sec 86(9) of the Environmental Protection Act 1990.... We have discussed the matter with the leader of the council and fully support the councils zero tolerance approach, and the use of fixed penalty notices....’

84. Following additional consultation between the Local Planning Authority and Barleythorpe Parish and Oakham Town Councils the applicant has agreed to enter into a unilateral undertaking for the provision of 4 new waste bins within close proximity of the site. The following locations have been identified as suitable areas for bins;
 1. Burley Park Way and Lands End Way
 2. Lands End Way and Pilling Road
 3. Land End Way and Saddlers Court
 4. Lands End Way and VAR/allotments
85. With regards to the proposed location of the bins the Senior Environmental Services Manager, Places - Waste has confirmed that the proposed locations are acceptable.
86. The bins to be provided are the ‘Victorianna’ style as requested by the Senior Environmental Services Manager and have a capacity of 112 litres measuring 965mm x 559mm x 559mm.
87. For the completion of the Unilateral Undertaking by the applicant the financial data was provided for the purchase, installation of the bins, and a cost for emptying the bins commuted over a 20 year period.
88. Further to the publication of an article concerning waste in the Telegraph on 21 November 2019 a number of members expressed interest in whether a car registration number plate details could be printed on to food packaging.
 1. Whether this could be introduced in Oakham?
 2. Could a planning condition be used to introduce this system?
 3. Would McDonald’s use Oakham as a pilot test.
 4. If so would the applicant introduce it in Oakham should the current application be considered favourable.

89. In response the applicant has stated that;
“.....the printing of car registrations isn’t something that we plan to bring to Oakham as it is not practically possible while also being compliant with the law.”
90. In relation to the use of a planning condition such a condition would in this instance not meet the relevant tests and therefore a condition could not be imposed as part of any decision to grant planning permission.
91. In order to safeguard the visual amenities of the surrounding area a suitably worded condition has been proposed requiring the applicant to produce and submit a Litter Management Plan which would include details of regular litter picking within and around the site as referred to in the applicants supporting information.

Planning Gain

92. The draft Unilateral Undertaking entered into by the applicant is considered acceptable and would result in the provision of waste bins in locations where there are currently none and allow disposal of waste in to bins within close proximity of the site. The provision also covers the cost of emptying the bins for a 20 year period.

Anti-Social Behaviour

93. A number of complaints were received relating to the development attracting anti-social behaviour. No objections have been received from Leicestershire Police and RCC Community Safety Team.
94. The applicant has stated in the supporting planning statement that:
- ‘External complaints are also taken extremely seriously, and in extreme cases the restaurant manager will liaise with the Council and Police to discuss noise and behavioural mitigation measures if the current proposal is not effective. The restaurant management is keen to work in partnership with the local Police in order to prevent crime and disorder in the local area, this will include such tasks as providing witness statements to the Police in the event of disorderly behaviour, as well as providing CCTV footage for evidence.
- The management team are trained to monitor the car park consistently, to ensure that customers who cause any undue disruption or noise are asked to leave the premises immediately, or if necessary, the Police will be alerted. Further to this, the restaurant operates an extensive digital CCTV system with external cameras to monitor and deter anti-social behaviour.
- The CCTV system can also be used to capture footage of customers’ vehicle registration plates, in the event that they act in an anti-social manner or litter on the site. This footage can then be passed on to the Police or local council for further action. Incidents of anti-social behaviour are kept to an absolute minimum through strategies such as staff training in dealing with incidents, liaison with community police officers and use of CCTV cameras where necessary.’
95. Refusal of the application could not be justified on the ground of anti-social behaviour given the lack of any evidence and the number of other restaurants and drive-thru operated by the applicant across the country.

Public Health Issues

96. The High Court have ruled that healthy eating and the proximity of a proposed hot food takeaway to a school is capable of being a material planning consideration. (The 'Cable Street' case) This reinforces the role of planning to reflect health and wellbeing strategies and take into account healthy eating policies and programmes. The planning system has a role to play in promoting healthy eating and controlling fast food outlets by restricting the number of new A5 hot food takeaways in an area created either through new development or through the change of use of existing premises. However, the role of the planning system is limited.
97. In relation to the application site the nearest education establishments would be;

Catmose Collage complex is approximately 850m via internal roads and/or approximately 100mm via Lands End Way.

Brooke Priory School - approximately 1188m.
98. It should be noted that there are a number of existing takeaway / food outlets located closer to the educations facilities listed above than the application site.
99. The applicant in the supporting information has provide background information concerning nutrition, ingredients, cooking methods, fat, sugar and salt levels, and the changes the applicant has made to both the food it sells and menu improvements.
100. Public Health - Rutland and Leicestershire County Councils have stated in their consultation response that there are currently no policies or by laws in place that could be used on planning grounds to object to the application.
101. In view of the above refusal of the application could not be justified on the ground of the proposed development being located near to schools/collages, obesity, and/or the perceived selling of unhealthy food.

Hours of operation

102. The applicant has requested that the proposed restaurant and drive through operates 24 hours per day and 7 days per week as many of its other locations. It accepts that within the business there is some flexibility where specific amenity issues dictate otherwise. The peak periods are usually lunchtimes, followed by evenings and breakfasts. It is noted that the filling station operates overnight on Thursdays, Fridays and Saturdays.
103. Given the location of the site within a site allocated for employment, existing commercial and service facilities that are open 24 hrs and the distance of separation from existing residential properties it is considered that in this instance the operational hours of the proposed used do not need to be restricted on residential amenity grounds.
104. The applicant would require separate approval under other legislation from Rutland County Council and the authority would be able to maintain a degree of control.

Impact on nearby residential properties

105. The proposed development is considered unlikely to have an adverse impact on the amenities of nearby residential due to the distance of separation and the safeguarding measures to be adopted concerning lighting, noise, odour etc. Visual impact will also be mitigated by the north western boundary being screened by a mature copse of trees and views from residential properties to the south west screened by existing employment building located along Lands End Way.
106. As referred to above supporting information shows that the illuminated signs have been designed in accordance with Table 2 (page 5) for Environmental Zone E3 'Urban' in 'Guidance Notes for the Reduction of Obtrusive Light GN01:2011' as prescribed by the Institute of Licensing Professionals Guidance.
107. There is unlikely to be any impact caused from light pollution/and glare due to the design lighting standards adopted by the applicant that would justify refusal of one or all the signs proposed.

Archaeology

108. The County Archaeologist has confirmed that the site has been subject to trial trench evaluation and relevant reports were submitted with the application. As a result of this investigation work being carried out and completed prior to the submission of the application no further archaeological work is required.

Ecology

109. The application site is adjacent to a small woodland. Badgers are present in the wider area and it is possible that they are present within this woodland, especially with the general development disturbance in this area that has happened in recent years. If badgers are present, they may be impacted by the proximity of the works.
110. In order to address the issues relating to protected species a condition is proposed to address the findings of the submitted ecology report.

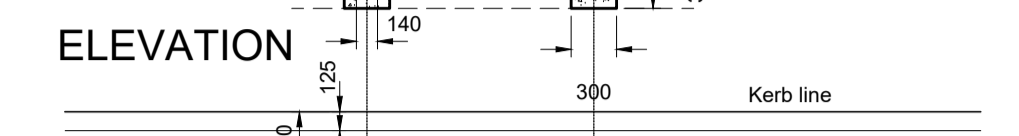
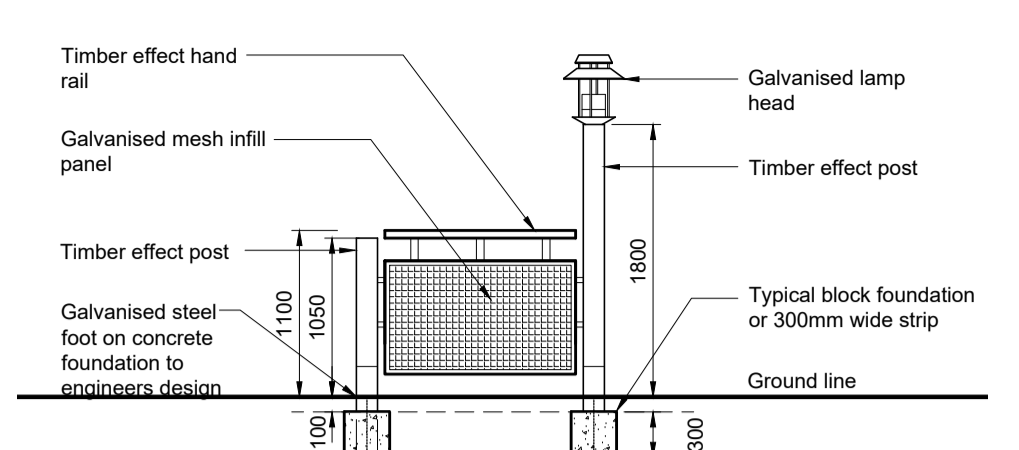
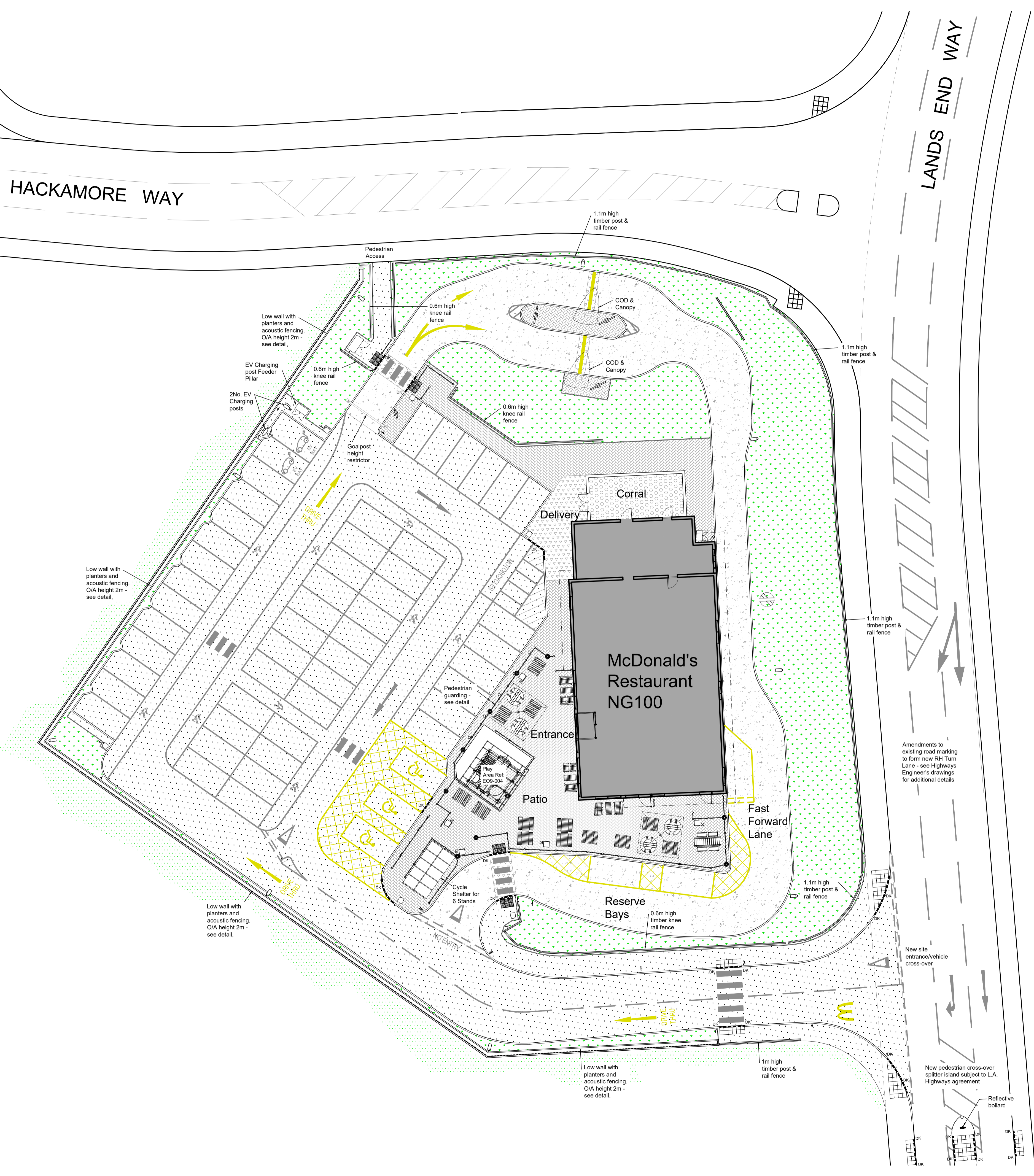
Conclusion

111. The relevant planning policy at national and local level have been reviewed and are supportive of proposals to develop a restaurant and drive thru falling within class A3/ A5 of the Town and Country Planning Use Class order, with associated works adjacent to the junction with Hackamore Way and Land End Way.
112. The proposed development would provide over 65 jobs.
113. Sufficient parking has been provided at the restaurant. The applicant is willing to encourage more sustainable methods of transport which will be detailed in the accompanying Transport Statement.
114. The design and layout of the proposal is appropriate in the area. Natural and neutral colours and materials will be used on the building and the size and design of the building would not have an adverse impact on the surrounding area or the amenities of nearby residential properties.

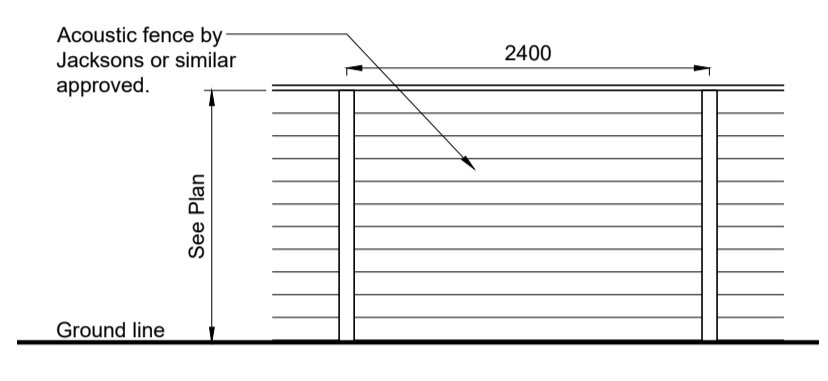
115. The site represents an appropriate location for a drive-thru restaurant.
116. Although the proposed development would be contrary to some of the Adopted Local Plan Policies it would comply with chapter 7 (Ensuring the vitality of Town Centres) and chapter 11 (making effective use of land) of the NPPF (2019). It is also considered that in this instance having considered all of the material planning considerations and weighing them up in the planning balance that the development would provide wider economic benefits and that the application can be recommended for approval.
117. Subject to the receipt of the completion of a Unilateral Undertaking for the provision of 4 waste bins it is recommended that conditional planning permission is granted.

HACKAMORE WAY

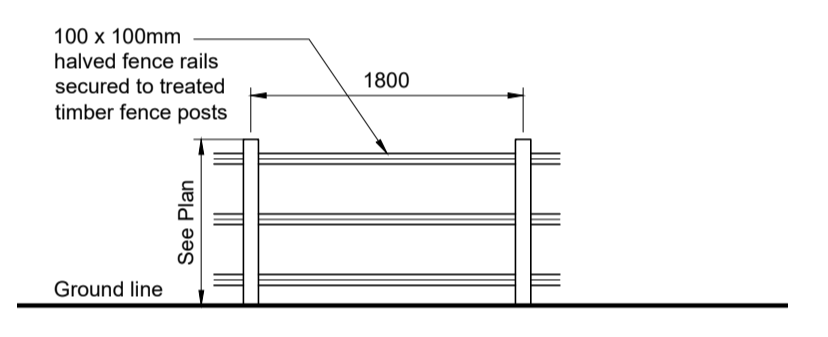
LANDS END WAY



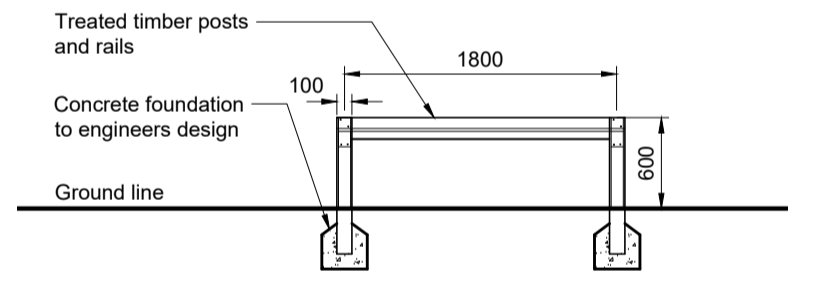
PLAN
PEDESTRIAN GUARDING &
LAMP POST DETAIL
@1:50



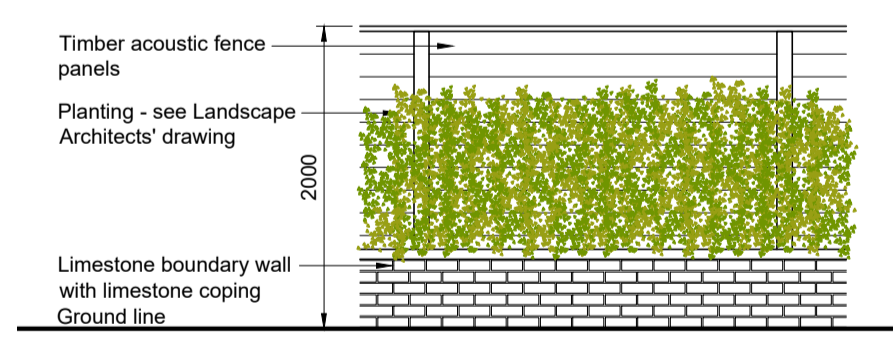
ELEVATION
ACOUSTIC FENCE @
1:50



ELEVATION
POST & RAIL FENCE
@ 1:50



ELEVATION
KNEE RAIL FENCE
@1:50

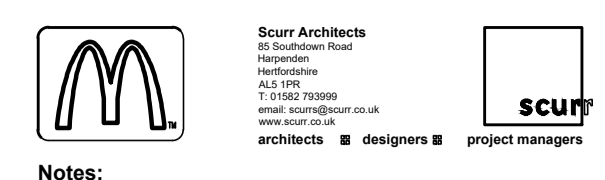


ELEVATION
BRICK PLANTER &
ACOUSTIC FENCE
@ 1:50

General Site Proposal Notes:

Golden arch road markings to be yellow thermoplastic.
Drive thru related road markings to be yellow thermoplastic.
Accessible parking bays to be lined in yellow thermoplastic - to current Part M standards.
Parked order bays and numbers to be lined in yellow thermoplastic.
All other road markings to be white thermoplastic material unless otherwise stated.

- DK Drop kerb - Adjacent to accessible parking, pedestrian crossings and along delivery routes.
- 6m Indicative lighting column - position to be confirmed by M&E consultant.
- Cranked Bollard McDonald's standard cranked bollard, painted white.
- Bollard A-Safe bollard heavy duty 225mm OD 1200mm high or similar approved.
- Gas Kiosk Green GRP G4 Gas Meter Housing. 1000w x 540d x 960mm High
- Electricity Kiosk Green Electricity Meter Housing. 1600w x 800d x 2265mm High
- COD (X2) PCC Aluminium Speaker Post (RAL 7022 Gray) 530w x 200d x 1570mm high with white acrylic Canopy over 2390w x 3500d x 3000mm high.
- Play Frame. (EO9-004) Tubular aluminium climbing frame with coloured (red, white & timber) laminate side panels, clear acrylic windows and fabric roof canopy. 3.8w x 3.8d x 4.5m high. See manufacturer's information for further details.
- Height Restrictor. PCC back 150mm dia circular hollow section steel 'Goal Post' height restrictor with warning bar suspended on chains. With panel above to read 'Maximum Height 2.7m / 8' 10" White text on green background. O/A size = 4450mm wide x 3200mm high
- Electric Vehicle Charging Point. 720w x 415d x 2230mm high.
- Electric Vehicle Charging Point Feeder Pillar. 1565w x 800d x 2325mm high. External finish Green.
- Cycle Shelter 6 No. Tubular steel cycle stands at 800mm centres, providing space for 12 cycles under Broxap Apollo cycle shelter. 5m long. Finished RAL 7022 or similar approved.



Notes:
All drawings to be read in conjunction with all other drawings as noted on issue sheet.

Proposed Site Finishes:

- Tarmacadam - Car park and footpaths as indicated.
- Marshall's 200 x 100mm Charcoal Keyblock paving - Patio
- Charcoal imprinted concrete - Drive thru lane.
- Charcoal brushed concrete - delivery route.
- Brushed concrete - Corral.
- Existing areas of soft landscaping.
- Soft landscaping - see drawing number ...P007 for further details.
- Tactile blister paving.

External Fixtures & Fittings:

Aubliam - Range Euroline 3 Mix 2015
Electro galvanised steel structure, PPC RAL 7022. Table legs made of extruded aluminium, PPC RAL 7022. Table seats & plate in 12mm HPL panel with 12mm beech plywood HPL veneer.
Coffee table, single chair, bench, round table, and 2 seat table must be fixed to the ground.

- 4 Seat Rectangular Table.
- 4 Seat Round Table.
- 2 Seat Rectangular Table.
- One Armrest Bench (left or right).
- Coffee Table.
- Single Chair.
- 8-Seat Rectangular Table
- 8 seats - Stand Up Table.
- Umbrella. 4 x 4m Force 10 umbrella - colour - 0853 Olive Green with Golden arch logo applied.
- Dust Bin with "Tidy Man" Sticker.
- Ash Bin.
- Pedestrian Guarding 1500mm or 600mm long x 1100mm high. Timber effect galvanised steel.
- Target Trash Bin Combo Delta Large Aperture Litter Bin by Glasdon. 530mm x 470mm high x 1550mm high. Bin body & door: Black.
- Cycle Stand Stainless steel Sheffield cycle stands @ 800mm centres.

REV.	DATE.	DRAWING REVISIONS.	BY.	CHECKED
N	25.11.2019	Updated to suit latest signage proposals.	NCC	
M	01.10.2019	Boundary treatment revised.	JK	
L	11.10.2019	Boundary treatment revised.	JK	
K	18.10.2019	Changes to cycle shelter amended. Parking bays and boundary treatment revised.	JK	
J	28.09.2019	Cycle shelter and guarding added.	JK	
I	12.08.2019	Parking bays and patio layout revised.	CP	
O	28.07.2019	Signage added to Lands End Way updated.	DM	
F	25.07.2019	EV charging bay notes updated.	JK	
E	19.07.2019	Accessible parking and cycle parking increased. EV bays revised.	JK	
D	19.06.2019	Pass door to South entrance and Canopies amended. IT Lane road markings updated.	JK	
C	05.06.2019	Public consultation amendments.	JK	
B	22.03.2019	ADL Tracking amendments.	JK	
A	20.03.2019	PLANNING ISSUE	JK	

GENERAL NOTES:
All works are to be undertaken in accordance with the Building Regulations and the latest British Standards.
All proprietary materials and products are to be used exactly in accordance with the manufacturer's recommendations.
All dimensions to be checked on site prior to construction.
All risks assessed to comply with the designer's responsibility under the Construction (Design Management) Regulations 2015.

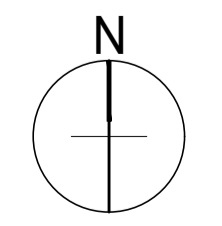
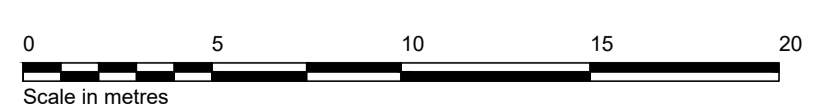
PROPOSED DEVELOPMENT AT
Hawkshead Estate, Lands End Way
OAKHAM LE15

ON BEHALF OF :-
McDonald's Restaurants Ltd
DRAWING TITLE :-
Site Layout Plan
As Proposed

DRAWN BY JK
SCALE & SIZE 1:200@A1
CHECKED BY JK
DATE Feb 2019
DRAWING NO. 7499-SA-8681-P004 N



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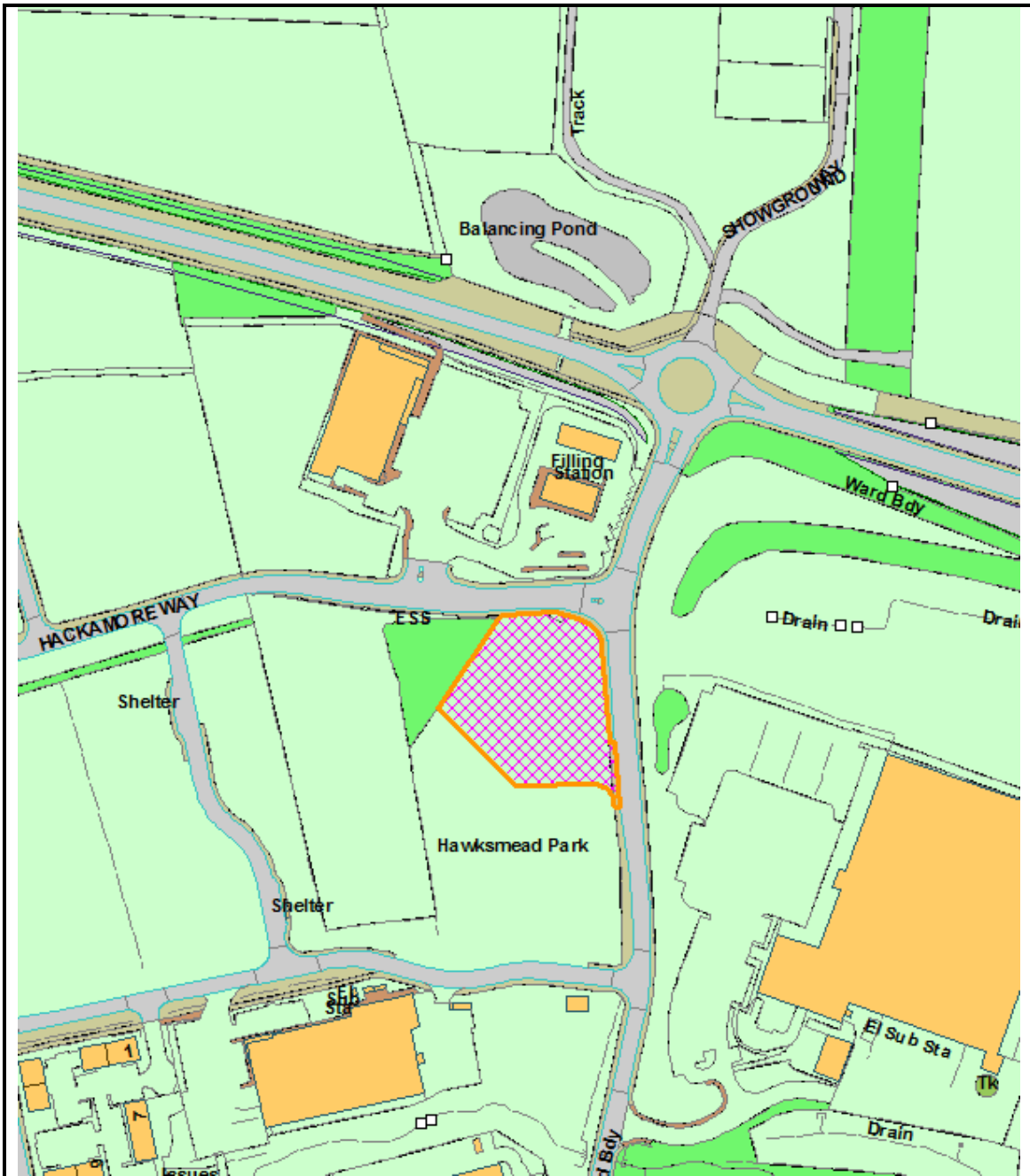
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Ordnance Survey [100018056]



Rutland County Council

Catmose,
Oakham,
Rutland
LE15 6HP

Application:	2019/0613/ADV	ITEM 2	
Proposal:	Installation of 1 no. freestanding 6.75m Totem Sign.		
Address:	Land Off, Lands End Way, Oakham, Rutland		
Applicant:	McDonald's Restaurants Ltd	Parish	Oakham Town Council
Agent:	Mr Matthew Carpenter, Planware Ltd	Ward	Barleythorpe
Reason for presenting to Committee:	Request by Chairman of the Planning and Licensing Committee		
Date of Committee:	14 th January 2020		

EXECUTIVE SUMMARY

This is 1 of 3 advertisement applications submitted by the applicant. The signs would be installed and displayed should planning permission be granted under reference number 2019/0614/FUL for the erection of a freestanding restaurant with drive-thru facility, car parking, landscaping and associated works, including Customer Order Displays (CODs) on the same site.

This application is for Installation of 1 no. freestanding 6.75m high totem Sign within the application site and adjacent Lands End Way.

The original proposal as submitted was for the installation of a 12m high totem sign. This has been reduced to 6.75m through discussions with the applicant's agent and as amended would be the same height as the totem sign granted advertisement consent at the adjacent BP Filling Station.

By virtue of the design, height and materials to be used, the proposal would not have a detrimental impact upon the character and appearance of the surrounding area, protected species, visual amenity, and/or highway safety.

Taking the above into account, it is considered that the proposal is necessary and appropriate for its context and is in accordance with the NPPF (Sections 9, 12 & 15) (2019), Policy CS1 & CS19 of the Rutland Core Strategy (2011) and Policies SP1, SP15 & SP16 of the Site Allocations and Policies Development Plan Document (2014). There are no material considerations that indicate otherwise although conditions have been attached.

RECOMMENDATION

Advertisement Consent is Granted, subject to the following conditions:

1. (i) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
- (ii) No advertisement shall be sited or displayed so as to:
 - a. endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - b. obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or

c. hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

(iii) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

(iv) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

(v) Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

2. The illumination of the sign(s) shall not be intermittent in operation. Reason: In the interests of highway safety.
3. Prior to the first use of any external lighting / floodlighting within the development site, the light source shall be so positioned and shielded to ensure that users of the highway are not affected by dazzle and/or glare.
Reason: To ensure that users of the highway are not subjected to glare and dazzle from lighting within the development in the interest of highway safety.
4. The proposed light source shall be so positioned and shielded to direct light towards the proposed advertisement sign and away from the Highway.
Reason: To ensure that users of the highway are not subjected to glare and dazzle in the interest of highway safety.
5. All the advertisement displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the local planning authority. Reason: To comply with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007.
6. No part of the proposed signage may be located in or encroach over or into the public highway. Reason: For the avoidance of doubt and in the interests of highway safety.

The illumination of the sign(s) shall be switched off when the premises are closed.

Reason: In the interests of amenity and to conform with policy SP16 – Advertisements of the Site Allocations and Policies Development Plan Document Adopted October 2014.

7. The advertisements hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 7499-SA-8681-P022M, Drive totem elevations and sections received 22 August 2019 and LiAS Design Notes & Luminaire Schedule received 9 August 2019.
Reason: For the avoidance of doubt and in the interests of proper planning.
8. For the avoidance of doubt and as stated in the email dated 2 September 2019 the lighting scheme shall meet the Table 2 (page 5) for Environmental Zone E3 'Urban' in 'Guidance Notes for the Reduction of Obtrusive Light GN01:2011' as prescribed by the Institute of Licensing Professionals Guidance
Reason: In the interests of amenity and reduce the impact of night time illumination on the character of the area.
9. For the avoidance of doubt and as stated in the email dated 2 September 2019 the lighting scheme shall meet the Table 2 (page 5) for Environmental Zone E3 'Urban' in 'Guidance Notes for the Reduction of Obtrusive Light GN01:2011' as prescribed by the Institute of Licensing Professionals Guidance

Site & Surroundings

1. The application site is located on vacant land adjacent the road junction between Hackamore Way and Lands End Way, to the north on the opposite side of Hackamore Way is Marks and Spencer and BP (Oakham) filling station and Land End UK to the east.
2. To the west the application site is bordered by a mature copse of trees and to the south the land is open rough grassland that forms part of a much larger area of vacant land. Within the current Adopted Local Plan the land is allocated for employment use.

Proposal

3. The application as submitted proposed the Installation of 1 no. freestanding 12m Totem Sign. During the consideration of the application the sign has been reduced in height to 6.75m.
4. The sign would be an aluminium totem sign painted khaki green and timber effect with moulded yellow acrylic internally illuminated 'Golden Arch to both sides and 'Drive thru' appendage internally illuminated.

Relevant Planning History

5. Planning permission was refused under reference no 2017/0832/MAJ for the erection of a new housing development comprising 161 new dwellings, including 56 affordable homes, with associated open space, landscaping, infrastructure and drainage.
6. Previously planning permission had been granted under reference number 2013/0598/FUL for an extension of time for planning application OUT/2003/1181/MS for the use of land as B1, B2 and B8 employment development.
7. An outline planning application was submitted recently under reference number 2019/1180/OUT with all matters reserved apart from the access for the construction of up to 120 (affordable) homes on the 'Hawksmead Area 11 site' at Lands End Way Oakham. The application site area in reality being land surrounding the current application site both to the east and south between Hackamore Way and Lands End Way. This application has been withdrawn by the applicant.

Planning Guidance and Policy

National Planning Policy Framework

Chapter 9- Promoting sustainable transport

Chapter 12 - Achieving well-designed places Chapter 2 - Achieving sustainable development

Chapter 15 - Conserving and enhancing the natural environment

The Rutland Core Strategy (2011)

CS1- Sustainable development principles

CS19- Promoting good design

CS21 - The Natural Environment

Site Allocations and Policies DPD (2014)

SP1- Presumption in favour of sustainable development

SP15 - Design and Amenity

SP16 – Advertisements

SP19 - Biodiversity and Geodiversity Conservation

Consultations

8. Highways

No Objections subject to the following condition;
SWHI15 Externally Illuminated Signs and SWHI17 Lighting affecting the highway

9. Ecology Unit

The proposed development does not appear to meet any biodiversity 'triggers'. We therefore have no comments on, or objections to, this application.

10. Barleythorpe Parish Council

While we understand the need to attract passing trade from the A606, a 12m high "Totem Sign" will be visually obtrusive, as noted by Oakham Town Council and the residents who have sent comments to Rutland County Council.
Recommend Refusal

11. Oakham Town Council

This land is designated for commercial use but has lain waste for a number of years. It is important that the site is used for commercial enterprise to increase employment rather than for further housing.

Recommendations as highlighted in the specialist reports, ie Highways Department, Ecologists Report, Drainage, and Environmental Protection Report should be taken into account.

Any planning consent should require the following safeguards, and planning conditions.

- Increase the number of "Blue Badge" parking spaces from two to three to reflect the demographics of the community served, and in particular the use of Blue Badges for non-mobility users, as recommended by Highways.
- Ensure the statements contained within the supporting document regarding litter patrols (three per day - see 6.22) are covered by appropriate planning conditions.

Ideally, a minimum of 4 litter picks per day plus an additional one at close of business would seem appropriate.

- Include within the Waste Management Plan, a method statement to determine segregation of waste for recycling and frequency of bin emptying, and the siting of additional bins leading away from the area as required.
- Parking bays should have permeable paving or similar to increase water retention in the soil and increase the green credentials of the build.
- This is a rural location and care should be taken that night-time light pollution is not excessive and in line with the Environmental officer's report.
- The safety of access for pedestrians and cyclists should be prioritised. It would appear that many people, particularly young people, will access the restaurant on foot, particularly during peak holiday times and local events, e.g. the Rutland Show. It is important that appropriate, safe access is available with the necessary pavement improvements and crossing refuges in place, as specified in the Highways report.
- Signage should be kept to the minimum so as to make the site less visually intrusive and out of keeping with the location.
- This location is a very small commercial development and the Totem height of 12m suggested is inappropriate and out of proportion and would produce a negative visual impact. Other similar locations have much smaller totems.
- During the construction process, appropriate traffic management will need to be in place to maximise road safety, and due consideration should be given to the safe management of construction traffic.
- Safeguarding of employees going to and from work in hours of darkness.
- Opening hours – does it need to be 24 hours? Could the hours be restricted 6am – 10pm Monday to Thursday, 6am - 12am Friday & Saturday and 8am to 10pm Sunday.

Recommend Approval subject to the above concerns being addressed.

Environmental protection - Given the lighting scheme meets the E3 criteria I have no remaining concerns about the development

Neighbour Representations

12. 5 objections have been received to this application raising objection on the following grounds
- i) Totem pole as this height and illuminated is not in-keeping with the local area. It will create skyglow and light pollution having an adverse impact on the wildlife including the local bat population.
 - ii) This type of signage is not seen at the other local McDonalds e.g. Melton Mowbray, Stamford etc which are in the centre of towns. So why would Oakham need this?
 - iii) A bright yellow M 12m tall is completely out of character in Oakham. That corner with Aldi, BP etc is already starting to resemble a suburb of an inner city without this
 - iv) Do not agree to such a large sign. We chose to live in Oakham because it still looked like a country town with individuality.
 - v) Excessively tall, out of scale and intrusive for the location.
 - vi) Totally out of character with the surroundings. Despite the proximity of a filling station and supermarket, this site is on the edge of town with open countryside extending beyond the bypass, and highly visible from many angles.

- vii) More suitable for a busy traffic services on a major motorway / major road network or an intensively occupied commercial zone within a large conurbation, and not in the least suitable for a small market town.
- viii) If any kind of freestanding sign of this nature is necessary, which in itself seems doubtful given the number and extent of other signage on and around the proposed premises, then it should be on a far more modest scale. It is not essential for the McDonalds brand to have such a sign on every site.
- ix) This application should be refused on the grounds that it is incompatible with the character of the town and unjustifiably intrusive in the semi- rural nature of the surroundings.
- x) The proposed location and 12 Metre, sign would only be portraying Barleythorpe Oakham as a service area and truck stop, promoting more on road HGV parking overnight in the local area.
- xi) The sign would adversely affect local wildlife being disrupted by unnatural bright lights.

In addition 55 representations have also been received objecting to Application No 2019/0614/FUL (for the restaurant and drive-thru). In these objections reference was also made to the advertisement applications received 'usually under the heading of 'signage' For the avoidance of doubt they have been included as an objection to the current application, raising the following issues;

- a) Light pollution x2
- b) Signage unsightly x4
- c) Light pollution from signs affecting wildlife x6
- d) Signs will promote the area as a service stop.

Planning Assessment

- 13. The main planning issues are, amenity of the surrounding area; number, location and size of signs; highway safety, and illumination of the signs. During the determination of the application, as stated above the height of the totem sign was reduced from 12m in height to 6.75m

Impact of the use on the character of the area

- 14. Advertisement consent has been granted for nearby totem/monolith signs on land to the north and north-west of the application site. Firstly, at the BP filling station to the north and on the opposite side of Hackamore Road, consent was granted under application number 2013/0930/ADV for the installation of 2 totem/monolith signs. One adjacent the A606 Burley Park Way and the other adjacent the access from Hackamore Way opposite the application site. Both of these signs are 6.75m high. The other totem/monolith sign was granted advertisement consent under application No 2016/0463/ADV and is located within the curtilage of Aldi. The sign is 6.4m high. The lower height for the sign for Aldi taking into account the higher ground level compared to that of the adjacent fuel station.
- 15. The reduction in height of the totem sign to 6.75m would result in the sign being no higher than surrounding signs and it is considered that it would not have an adverse impact on the amenity of the surrounding area. The reduction in height address some of the objections received to the original proposal.

16. The illuminated sign is, considered to be made of appropriate materials and colour, and is sited within the application site adjacent to the highway, so as to not conflict with passing traffic. It is proportionate in scale in that it would not appear as an overly incongruous feature in the landscape, while also being visible enough to serve its purpose of directing traffic and use by customers within the site.
17. Supporting information shows that the illuminated signs have been design in accordance with Table 2 (page 5) for Environmental Zone E3 'Urban' in 'Guidance Notes for the Reduction of Obtrusive Light GN01:2011' as prescribed by the Institute of Licensing Professionals Guidance It is therefore considered that the illuminated sign would not have an adverse impact on amenity and the character of the surrounding area.
18. There is unlikely to be any issues from light pollution and/or glare due to the design lighting standards adopted by the applicant.

Impact on the neighbouring properties

19. The proposed totem sign would not have an adverse impact on the amenities of nearby residential properties due to the, orientation of the sign, (facing north and south), the separation distance, and the north western boundary being screen by a mature copse of trees. Views from residential properties to the south west are screened by the existing employment building located along Lands End Way.
20. As referred to above supporting information submitted by the applicant shows that the he illuminated sign has been design in accordance with Table 2 (page 5) for Environmental Zone E3 'Urban' in 'Guidance Notes for the Reduction of Obtrusive Light GN01:2011' as prescribed by the Institute of Licensing Professionals Guidance.
21. There is unlikely to be any impact caused from light pollution/and glare due to the design lighting standards adopted by the applicant that would justify refusal of the illuminated sign.

Highway issues

22. No objection from RCC subject to two conditions about the light source of the illuminated sign.

Impact on protected species

23. With regards to the representations received concerning the impact the advertisements may have on wildlife in the surrounding area, the Senior Planning Ecologist has confirmed that there are no objections to the proposal and requested no mitigation measures.

Crime and Disorder

24. It is considered that the proposal would not result in any significant crime and disorder implications.

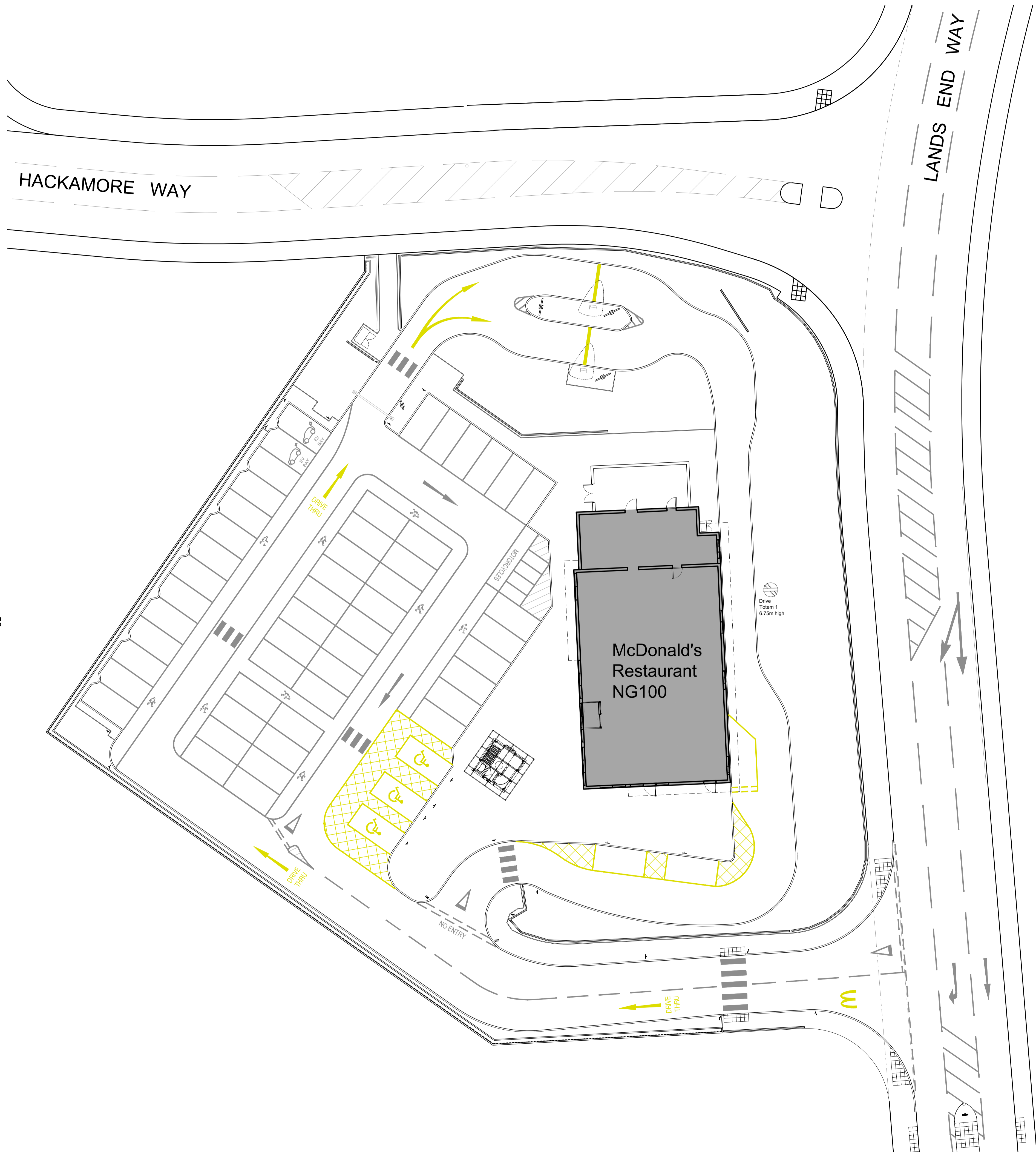
Human Rights Implications

25. Articles 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation. It is considered that no relevant Article of that act will be breached.

Conclusion

26. By virtue of the design, height, location and materials, the proposal totem sign would not have a detrimental impact upon the character and appearance of the surrounding area, protected species, visual amenity, and/or highway safety.
27. Taking the above into account, it is considered that the proposal is appropriate for its context and is in accordance with the NPPF (Sections 9, 12 & 15) (2019), Policy CS1 & CS19 of the Rutland Core Strategy (2011) and Policies SP1, SP15 & SP16 of the Site Allocations and Policies Development Plan Document (2014).

SIGNAGE SCHEDULE - ERDAS SIGNAGE (BUTTERFIELDS SIGNS)									
ADVERT REF	SIGN TYPE	QTY	SIZE (mm)	MATERIALS	COLOUR	HEIGHT (mm) ABOVE GROUND	EXTENT (mm) OF PROJECTION	HEIGHT (mm) OF TEXT	ILLUMINATION
DRIVE TOTEM 1 (6.75m)	1A	1	1440W x 320D x 6750H	PPC Aluminium Totem Sign in RAL 6015 and Timber effect, with moulded Yellow acrylic internally illuminated "Golden Arch" to both sides. 'Drive Thru' appendage is internally illuminated.	Khaki Green RAL 6015, Timber, Yellow, White & Red	6750	N/A	N/A	(STATIC - Max. 600cd/m ²)



58

REV.	DATE	DESCRIPTION	BY	CHECKED
M	25.11.2019	Updated to suit latest signage proposals.	NCC	-
L	16.10.2019	Parking bays and boundary treatment revised.	JK	-
K	20.08.2019	Totem sign amended.	JK	-
J	12.08.2019	Parking bays and patio layout revised.	CP	-
H	01.08.2019	Totem height reduced.	JK	-
G	26.07.2019	Splitter island to Lands End Way updated.	DM	-
F	19.07.2019	Accessible parking increased. EV Charging bays revised.	JK	-
E	21.06.2019	Drive Totem width amended.	JK	-
D	18.06.2019	Phase door to South elevation and Canopies amended. DT Lane road markings updated.	JK	-
C	05.06.2019	Public consultation amendments.	JK	-
B	22.03.2019	ADL Tracking amendments.	JK	-
A	20.03.2019	PLANNING ISSUE	JK	-

GENERAL NOTES:
 All works are to be undertaken in accordance with the Building Regulations and the latest British Standards.
 All proprietary materials and products are to be used strictly in accordance with the manufacturer's recommendations.
 All dimensions to be checked on site prior to construction.
 All risks assessed to comply with the designer's responsibility under the Construction (Design Management) Regulations 2015.

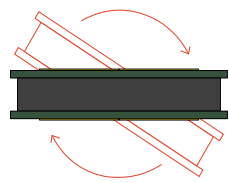
PROPOSED DEVELOPMENT AT:
 Hawksmead Estate, Lands End Way
 OAKHAM LE15

STORE No: -
 NB8681

ON BEHALF OF: -
 McDonald's Restaurants Ltd

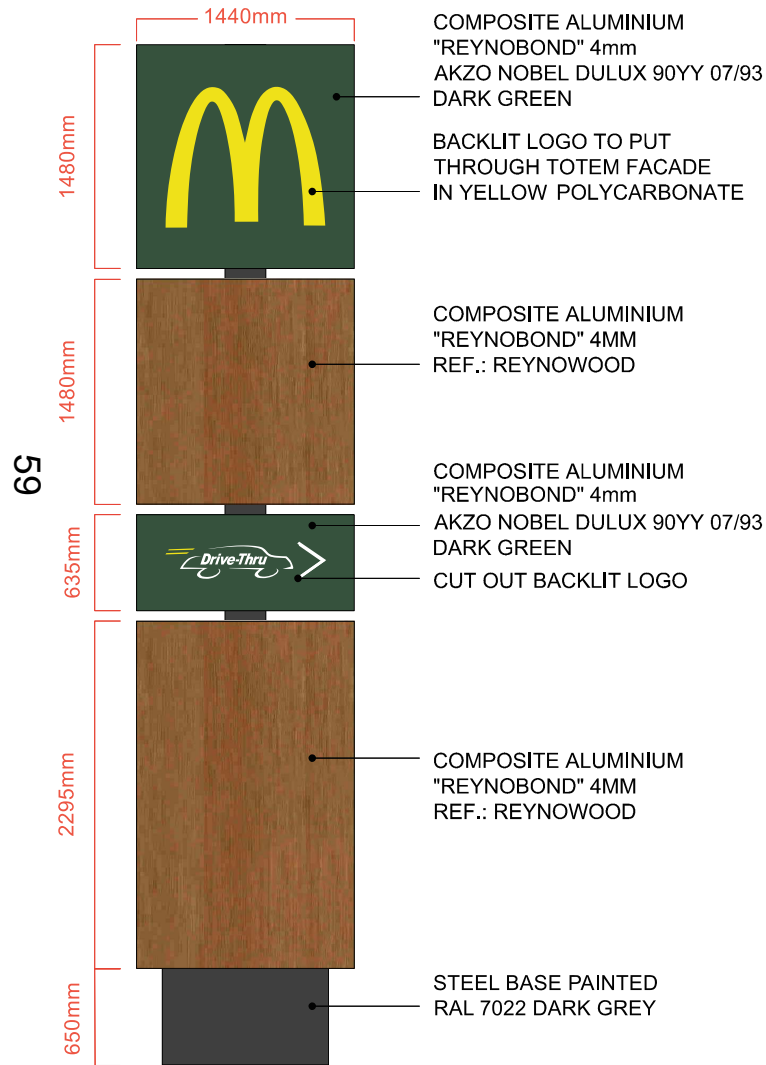
DRAWING TITLE: -
 Site Layout Plan
 Drive Totem

DRAWN BY: JK
 SCALE & SIZE: 1:200@A1
 CHECKED BY: JK
 DATE: Feb 2019
 DRAWING No.: 7499-SA-8681-P022 M



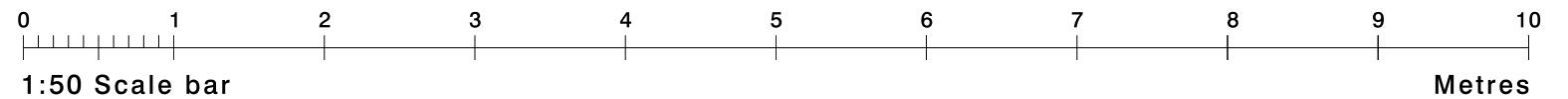
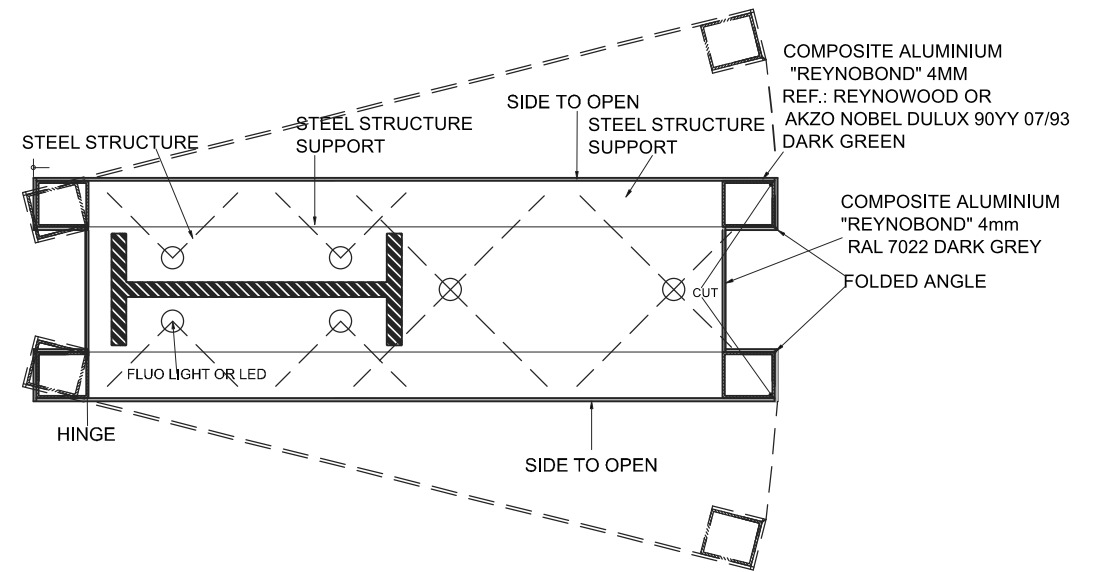
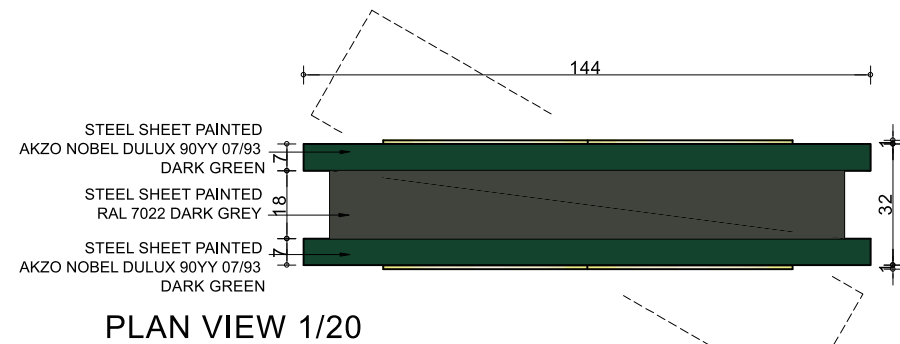
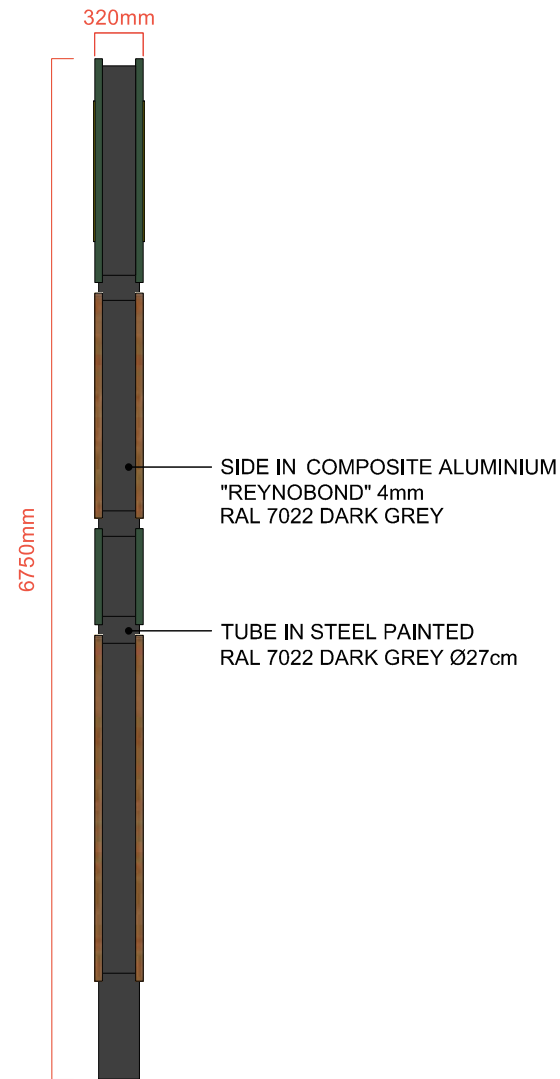
McDRIVE LOGO BOX IS ADJUSTABLE AND POINTS TO THE DRIVE-THRU LANE.

Front View



70mm gaps between panels

Side View



Site
McDonald's
Various

Job Number
96533B Page 2

Drawing Location
U:\2019\2019 Drawings\McDonalds\

Scale
as shown @ A3

Issue / Rev
1

Drawn By
BF

Checked By
PM

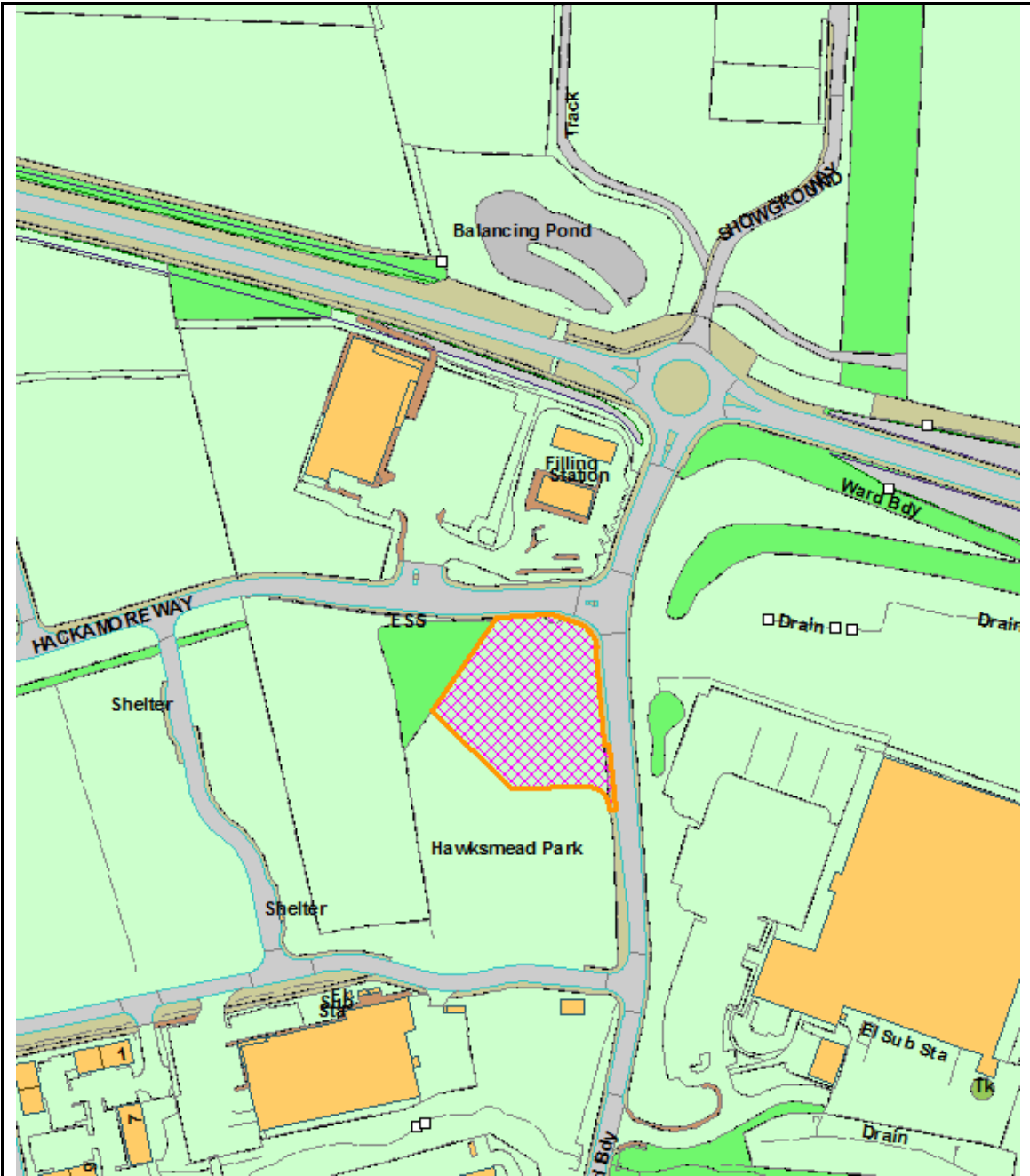
Sales Rep
CAS

Date
15/08/2019



BUTTERFIELD SIGNS LTD
174 Sunbridge Rd
Bradford
West Yorkshire
BD1 2RZ
Tel: 01274 722244
Fax: 01274 848996
Web: www.butterfieldsigns.co.uk

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Ordnance Survey [100018056]



Rutland County Council

Catmose,
Oakham,
Rutland
LE15 6HP

Application:	2019/0612/ADV	ITEM 3	
Proposal:	The installation of 9 no. fascia signs.		
Address:	Land Off, Lands End Way, Oakham, Rutland		
Applicant:	McDonald's Restaurants Ltd	Parish	Oakham Town Council
Agent:	Mr Matthew Carpenter, Planware Ltd	Ward	Barleythorpe
Reason for presenting to Committee:	Request by Chairman Of the Planning and Licensing Committee		
Date of Committee:	14th January 2020		

EXECUTIVE SUMMARY

This is 1 of 3 advertisement applications submitted by the applicant. The signs are proposed to be installed and displayed on the restaurant and drive through building should planning permission be granted under reference number 2019/0614/FUL for the erection of a freestanding restaurant with drive-thru facility, car parking, landscaping and associated works, including Customer Order Displays (CODs).on the same site.

The application seeks advertisement consent for the installation of 9 no. fascia signs on the restaurant and drive-thru building.

By virtue of the design, number, scale and materials to be used, the proposal would not have a detrimental impact upon the character and appearance of the surrounding area, protected species, visual amenity, and/or highway safety.

Taking the above into account, it is considered that the proposal is necessary and appropriate for its context and is in accordance with the NPPF (Sections 9, 12 & 15) (2019), Policy CS1 & CS19 of the Rutland Core Strategy (2011) and Policies SP1, SP15 & SP16 of the Site Allocations and Policies Development Plan Document (2014). There are no material considerations that indicate otherwise although conditions have been attached.

RECOMMENDATION

Advertisement Consent is Granted, subject to the following conditions:

1. (i) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
- (ii) No advertisement shall be sited or displayed so as to:
 - a. endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - b. obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - c. hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
- (iii) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

(iv) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

(v) Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

2. The illumination of the sign(s) shall not be intermittent in operation. Reason: In the interests of highway safety.
3. Prior to the first use of any external lighting / floodlighting within the development site, the light source shall be so positioned and shielded to ensure that users of the highway are not affected by dazzle and/or glare.
Reason: To ensure that users of the highway are not subjected to glare and dazzle from lighting within the development in the interest of highway safety.
4. The proposed light source shall be so positioned and shielded to direct light towards the proposed advertisement sign and away from the Highway.
Reason: To ensure that users of the highway are not subjected to glare and dazzle in the interest of highway safety.
5. All the advertisement displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the local planning authority. Reason: To comply with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007.
6. No part of the proposed signage may be located in or encroach over or into the public highway. Reason: For the avoidance of doubt and in the interests of highway safety.
7. The illumination of the sign(s) shall be switched off when the premises are closed.
Reason: In the interests of amenity and to conform with policy SP16 – Advertisements of the Site Allocations and Policies Development Plan Document Adopted October 2014.
8. The advertisement's hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 7499-SA-8681-P009E, 7499-SA-8681-P023E, Drive Through Signage 7655-SA-XXXX-SK42, Alfresco roof arch -Drawing No McDonalds/132/2010 and Alfresco roof letters - Drawing No McDonalds/ 132/2010,7905-SA-NG100-V013 Front Left View, 7905-SA-NG100-V014 Right View and 7905-SA-NG100-N015-ISO and LiAS Design Notes & Luminaire Schedule received 9 August 2019.
Reason: For the avoidance of doubt and in the interests of proper planning.
9. For the avoidance of doubt and as stated in the email dated 2 September 2019 the lighting scheme shall meet the Table 2 (page 5) for Environmental Zone E3 'Urban' in 'Guidance Notes for the Reduction of Obtrusive Light GN01:2011' as prescribed by the Institute of Licensing Professionals Guidance
Reason: In the interests of amenity and reduce the impact of night time illumination on the character of the area.

Site & Surroundings

1. The application site is located on vacant land adjacent the road junction between Hackamore Way and Lands End Way, to the north on the opposite side of Hackamore Way is Marks and Spencer and BP (Oakham) filling station and Land End UK to the east.
2. To the west the application site is bordered by a mature copse of trees and to the south the land is open rough grass land that's forms part of a much larger area of vacant land. Within the current Adopted Local Plan the land is allocated for employment use.

Proposal

3. The application proposes the installation of 9 illuminated fascia signs located in various locations on the elevations of the proposed building.

Relevant Planning History

4. Planning permission was refused under reference no 2017/0832/MAJ for the erection of a new housing development comprising 161 new dwellings, including 56 affordable homes, with associated open space, landscaping, infrastructure and drainage.
5. Previously planning permission had been granted under reference number 2013/0598/FUL for an extension of time for planning application OUT/2003/1181/MS for the use of land as B1, B2 and B8 employment development.
6. An outline planning application was submitted recently under reference number 2019/1180/OUT with all matters reserved apart from the access for the construction of up to 120 (affordable) homes on the 'Hawksmead Area 11 site' at Lands End Way Oakham. The application site area in reality being land surrounding the current application site both to the east and south between Hackamore Way and Lands End Way. This application has been withdrawn by the applicant.

Planning Guidance and Policy

National Planning Policy Framework

Chapter 9- Promoting sustainable transport

Chapter 12 - Achieving well-designed places Chapter 2 - Achieving sustainable development

Chapter 15 - Conserving and enhancing the natural environment

The Rutland Core Strategy (2011)

CS1- Sustainable development principles

CS19- Promoting good design

CS21 - The Natural Environment

Site Allocations and Policies DPD (2014)

SP1- Presumption in favour of sustainable development

SP15 - Design and Amenity

SP16 – Advertisements

SP19 - Biodiversity and Geodiversity Conservation

Consultations

7. **Ecology Unit**

The proposed development does not appear to meet any biodiversity 'triggers'. We therefore have no comments on, or objections to, this application.

8. **Highways**

No Objections subject to the following conditions:
SWHI15 Externally Illuminated Signs and SWHI17 Lighting affecting the highway

9. **Oakham Town Council**

Recommend Approval

10. **Barleythorpe Parish Council**

No objections. Recommend Approval

11. **Environmental Protection**

Given the lighting scheme meets the E3 criteria I have no remaining concerns about the development

Neighbour Representations

12. 1 objection has been received to this application raising objections on the following ground;

13. The proposed building and associated signage will be unsightly.

In addition 55 representations have also been received objecting to Application No 2019/0614/FUL (for the restaurant and drive-thru). In these objections reference was also made to the advertisement applications received 'usually under the heading of 'signage' For the avoidance of doubt they have been included as an objection to the current application, raising the following issues;

- a) Light pollution x2
- b) Signage unsightly x4
- c) Light pollution from signs affecting wildlife x6
- d) Signs will promote the area as a service stop.

Planning Assessment

14. The main planning issues are, amenity of the surrounding area; number, location and size of signs; highway safety, and illumination of the signs.
15. During the determination of the application the applicant submitted revised images of the proposed building. This was because on the original drawings one sign did not look correct, in its position on the building. The applicant's agent has stated that

'Whilst we note that these might not look 100% correct when shown in elevation, once constructed the advertisements are actually properly located. We attach a very approximate building models to show this.'
16. The images supplied have address the concern about the position of the sign.

Impact of the use on the character of the area

17. The illuminated signs are made of appropriate materials and colour. The number and size are considered proportionate in scale to the size of the building and would not appear as an overly incongruous feature in the landscape, while also being visible enough to serve its purpose of directing traffic to and within the site.

Impact on the neighbouring properties

18. The proposed signs are unlikely to have an adverse impact on the amenities of nearby residential properties due to the separation distance, and the north western boundary being screened by a mature copse of trees. Views from residential properties to the south west are screened by the existing employment building located along Lands End Way.
19. As referred to above supporting information shows that the he illuminated signs have been design in accordance with Table 2 (page 5) for Environmental Zone E3 'Urban' in 'Guidance Notes for the Reduction of Obtrusive Light GN01:2011' as prescribed by the Institute of Licensing Professionals Guidance .
20. It is therefore considered that the illuminated signs would not have an adverse impact on amenity and the character of the surrounding area.
21. There is unlikely to be any issues from light pollution and/or glare due to the design lighting standards adopted by the applicant.

Highway issues

22. RCC Highways have confirmed that there is no objection to proposed signs subject to 2 conditions

Impact on protected species

23. With regards to the representations received concerning the impact that the advertisements may have on wildlife in the surrounding area, the Senior Planning Ecologist has confirmed that there are no objections to the proposal and requested no mitigation measures.

Crime and Disorder

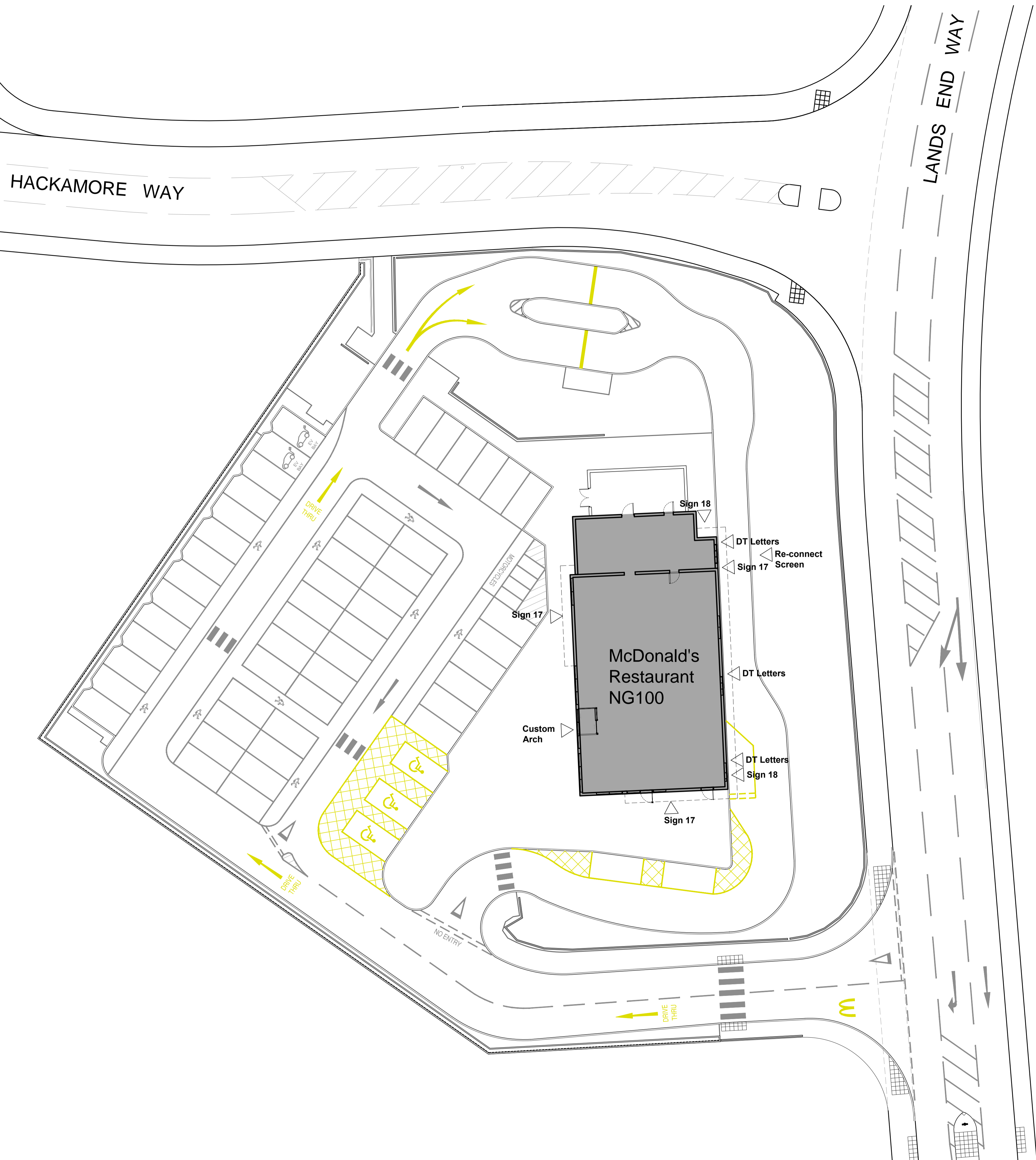
24. It is considered that the proposal would not result in any significant crime and disorder implications.

Human Rights Implications

25. Articles 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation. It is considered that no relevant Article of that act will be breached.

Conclusion

26. By virtue of the design, scale, location and material, the proposal fascia would not have a detrimental impact upon the character and appearance of the surrounding area, protected species, visual amenity, and/or highway safety.
27. Taking the above into account, it is considered that the proposal is appropriate for its context and is in accordance with the NPPF (Sections 9, 12 & 15) (2019), Policy CS1 & CS19 of the Rutland Core Strategy (2011) and Policies SP1, SP15 & SP16 of the Site Allocations and Policies Development Plan Document (2014).



Notes:
 All drawings to be read in conjunction with all other drawings as noted on issue sheet.
 To be read in conjunction with drawing number 7499-SA-8681-P009 Signage Elevations for further details.

REV.	DATE	PLANNING ISSUE	BY	CHECKED
E	16.10.2019	Parking bays and boundary treatment revised.	JK	-
D	12.08.2019	Parking bays and patio layout revised.	CP	-
C	26.07.2019	Splitter Island to Lands End Way updated.	DM	-
B	19.07.2019	Accessible parking bays increased. EV Charging bays revised.	JK	-
A	21.06.2019	PLANNING ISSUE	JK	-

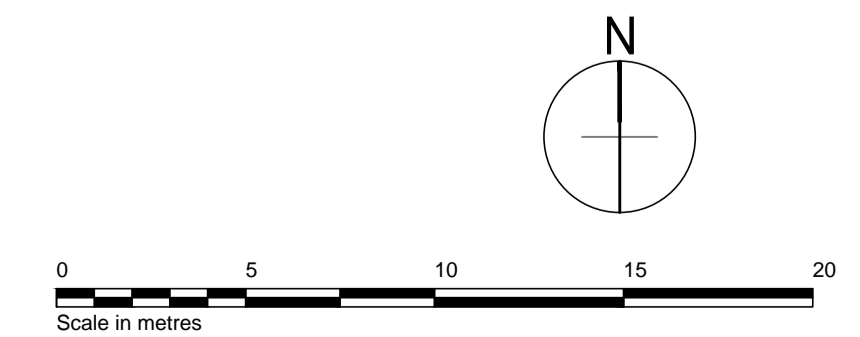
GENERAL NOTES:
 All works are to be undertaken in accordance with the Building Regulations and the latest British Standards.
 All proprietary materials and products are to be used strictly in accordance with the manufacturer's recommendations.
 All dimensions to be checked on site prior to construction.
 All risks assessed to comply with the designer's responsibility under the Construction (Design Management) Regulations 2015.

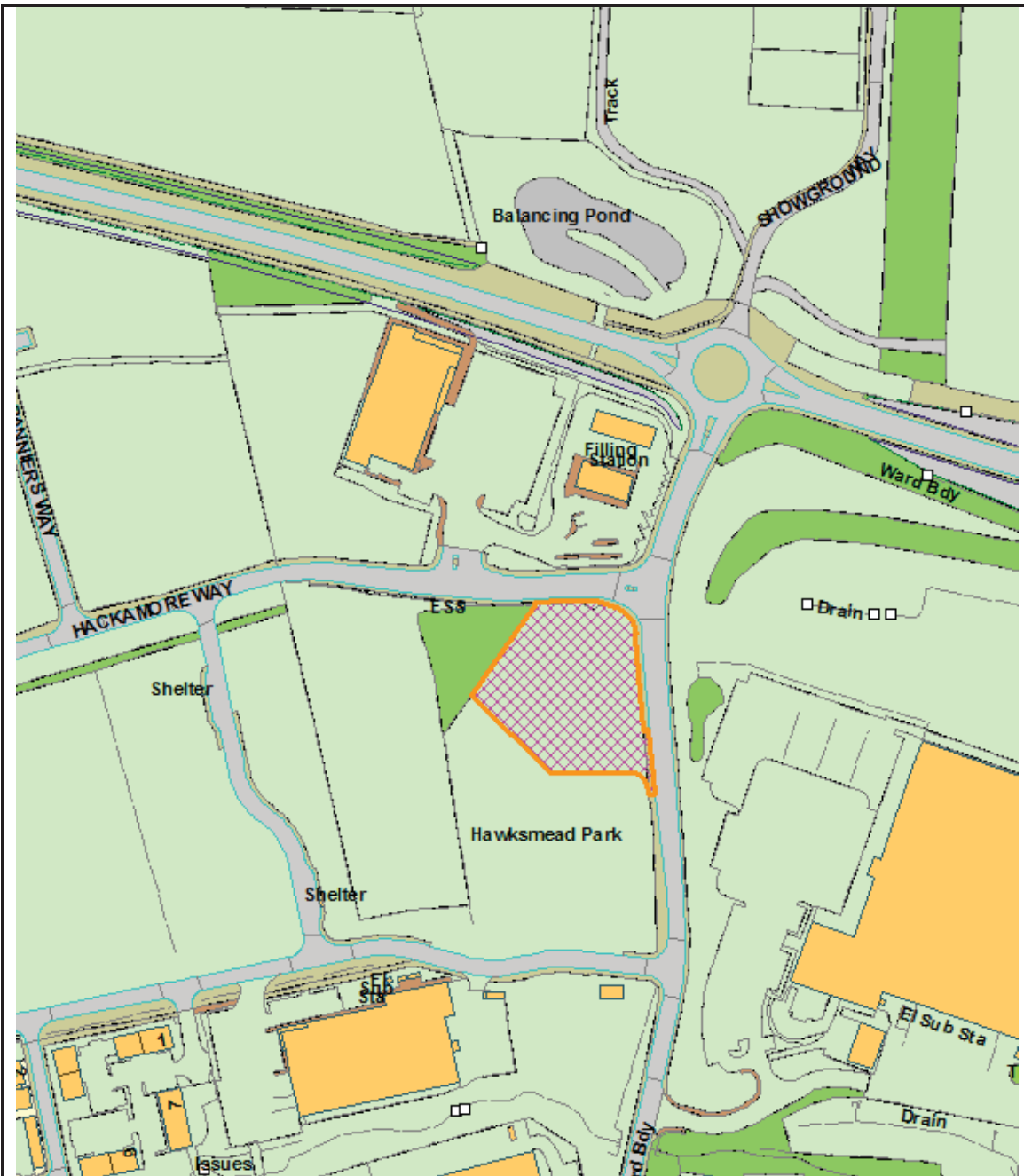
PROPOSED DEVELOPMENT AT: **McDonald's Restaurants Ltd**
 Hawkhead Estate, Lands End Way
 OAKHAM LE15

STORE No: **NB8681**

ON BEHALF OF: **McDonald's Restaurants Ltd**
 DRAWING TITLE: **Building Signage Location Plan**

DRAWN BY: **JK** | CHECKED BY: **JK** | DESIGNED NO: **7499-SA-8681-P023 E**
 SCALE & SIZE: **1:200@A1** | DATE: **June 2019**





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Ordnance Survey [100018056]



Rutland County Council

Catmose,
Oakham,
Rutland
LE15 6HP

Application:	2019/0610/ADV	ITEM 4	
Proposal:	Various site signage including 4 no. Freestanding Signs, 1 no. Banner Unit, 20 no. Dot Signs, 1 no. Digital Booth Screen and 1 no. Playland Sign.		
Address:	Land Off, Lands End Way, Oakham, Rutland		
Applicant:	McDonald's Restaurants Ltd	Parish	Oakham Town Council
Agent:	Mr Matthew Carpenter, Planware Ltd	Ward	Barleythorpe
Reason for presenting to Committee:	Request by Chairman of the Planning and Licensing Committee		
Date of Committee:	14th January 2020		

EXECUTIVE SUMMARY

This is 1 of 3 advertisement applications submitted by the applicant. The signs would be installed and displayed should planning permission be granted under reference number 2019/0614/FUL for the erection of a freestanding restaurant with drive-thru facility, car parking, landscaping and associated works, including Customer Order Displays (CODs) on the same site.

This application is for various site signage including 4 no. Freestanding Signs, 1 no. Banner Unit, 20 no. Dot Signs, 1 no. Digital Booth Screen and 1 no. Playland Sign.
Address: Land Off, Lands End Way, Oakham, Rutland

By virtue of the design, scale and materials to be used, the proposal would not have a detrimental impact upon the character and appearance of the surrounding area, protected species, visual amenity, and/or highway safety.

Taking the above into account, it is considered that the proposal is necessary and appropriate for its context and is in accordance with the NPPF (Sections 9, 12 & 15) (2019), Policy CS1 & CS19 of the Rutland Core Strategy (2011) and Policies SP1, SP15 & SP16 of the Site Allocations and Policies Development Plan Document (2014). There are no material considerations that indicate otherwise although conditions have been attached.

RECOMMENDATION

Advertisement Consent is Granted, subject to the following conditions:

1. (i) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
- (ii) No advertisement shall be sited or displayed so as to:
 - a. endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - b. obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - c. hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

- (iii) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
 - (iv) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
 - (v) Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.
2. The illumination of the sign(s) shall not be intermittent in operation. Reason: In the interests of highway safety.
 3. Prior to the first use of any external lighting / floodlighting within the development site, the light source shall be so positioned and shielded to ensure that users of the highway are not affected by dazzle and/or glare.
Reason: To ensure that users of the highway are not subjected to glare and dazzle from lighting within the development in the interest of highway safety.
 4. The proposed light source shall be so positioned and shielded to direct light towards the proposed advertisement sign and away from the Highway.
Reason: To ensure that users of the highway are not subjected to glare and dazzle in the interest of highway safety.
 5. All the advertisement displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the local planning authority. Reason: To comply with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007.
 6. No part of the proposed signage may be located in or encroach over or into the public highway. Reason: For the avoidance of doubt and in the interests of highway safety.
 7. The illumination of the sign(s) shall be switched off when the premises are closed. Reason: In the interests of amenity and to conform with policy SP16 – Advertisements of the Site Allocations and Policies Development Plan Document Adopted October 2014.
 8. The advertisements hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, 7499-SA-8681-P002J Block Plan received and individual drawings showing 10mph Disc, Accessible parking Bay 1, Caution look left and right, Give way sign., Digital drive through, Double banner unit, No entry sign, Litter sign, Pedestrian crossing, play land sign, Parked order bay 1, Parked order bay 2 received 27 June 2019 and LiAS Design Notes & Luminaire Schedule received 9 August 2019.
Reason: For the avoidance of doubt and in the interests of proper planning.
 9. For the avoidance of doubt and as stated in the email dated 2 September 2019 the lighting scheme shall meet the Table 2 (page 5) for Environmental Zone E3 'Urban' in 'Guidance Notes for the Reduction of Obtrusive Light GN01:2011' as prescribed by the Institute of Licensing Professionals Guidance
Reason: In the interests of amenity and reduce the impact of night time illumination on the character of the area.

Site & Surroundings

1. The application site is located on vacant land adjacent the road junction between Hackamore Way and Lands End Way, to the north on the opposite side of

Hackamore Way is Marks and Spencer and BP (Oakham) filling station and Land End UK to the east.

- To the west the application site is bordered by a mature copse of trees and to the south the land is open rough grassland that forms part of a much larger area of vacant land. Within the current Adopted Local Plan the land is allocated for employment use.

Proposal

- The application proposes the display of various site signage including 4 no. Freestanding Signs, 1 no. Banner Units, 20 no. Dot Signs, 1 no. Digital Booth Screen and 1 no. Playland Sign. These signs are of various sizes as set out below;

ADVERT REF	SIGN TYPE	QTY	SIZE (mm)	MATERIALS	COLOUR	HEIGHT (mm) ABOVE GROUND	ILLUMINATION
SINGLE DIGITAL SCREEN	N/A	1	853W x 108D x	Single sided PPC aluminium housing panel with internally mounted digital media on steel	Grey RAL 7022	2167	(Max. 600cd/m ²)
DOUBLE DIGITAL SCREEN	N/A	3	1648W x 108D x 2167H	Single sided PPC aluminium housing panels with internally mounted digital media on steel support post.	Grey RAL 7022	2167	(Max. 600cd/m ²)
SINGLE DIGITAL 'RE-CONNECT' SCREEN	N/A	1	390W x 90D x 350H	Single sided PPC aluminium housing panel with internally mounted digital media fixed to Cash Booth Window.	Grey RAL 7022	955	(Max. 600cd/m ²)
DOUBLE SIDED BANNER UNIT	22	1	4820W x 150D x 2060H	PPC punched steel panel with 'McDonalds' wording. Sheet steel support & steel base	Green (Dulux 90YY 07/93) & Dark Grey	2060	None
DOT SIGN 14a 'ACCESSIBLE PARKING BAY'	24	3	280W x 700H	Aluminium sign panel with applied vinyl graphics on metal sign post fitted via mass concrete foundation.	White, Yellow & Black	1500	None
DOT SIGN 14b & 14c 'PARKED'	24	2	280W x 700H	Aluminium sign panel with applied vinyl graphics on metal sign post fitted via mass concrete foundation.	White, Yellow & Black	1500	None
DOT SIGN 16c 'LITTER'	24	3	280W x 700H	Aluminium sign panel with applied vinyl graphics on metal sign post fitted via mass concrete foundation.	White, Yellow, Red & Black	1500	None

DOT SIGN 25a 'NO ENTRY'	25	2	450 Dia	Aluminium sign panel with applied vinyl graphics on metal sign post fitted via mass concrete foundation.	Red & White	1500	None
DOT SIGN 25d 'PEDESTRIAN CROSSING'	25	5	412W x 360H	Aluminium sign panel with applied vinyl graphics on metal sign post fitted via mass concrete foundation.	Red, White & Black	1500	None
DOT SIGN 25e 'GIVE WAY'	25	2	412W x 360H	Aluminium sign panel with applied vinyl graphics on metal sign post fitted via mass concrete foundation.	Red, White & Black	1500	None
DOT SIGN 'SPEED LIMIT 10mph'	N/A	1	450 Dia	Aluminium sign panel with applied vinyl graphics on metal sign post fitted via mass concrete foundation.	Red, White & Black	1500	None
DOT SIGN 'PEDESTRIANS LOOK LEFT'	N/A	2	450W x 300H	Aluminium sign panel with applied vinyl graphics on metal sign post fitted via mass concrete foundation.	White & Black	1500	None
DOT SIGN 'PEDESTRIANS LOOK RIGHT'	N/A	5	450W x 300H	Aluminium sign panel with applied vinyl graphics on metal sign post fitted via mass concrete foundation.	White & Black	1500	None
PLAY LAND SIGN	N/A	1	1100W x 1100H x 110D	Aluminium sign panel with fret cut inset internally illuminated acrylic letters and applied vinyl graphics fitted to play frame.	Khaki Green RAL 6015, White & Red	3124	(STATIC - Max. 600cd/m ²)

Relevant Planning History

4. Planning permission was refused under reference no 2017/0832/MAJ for the erection of a new housing development comprising 161 new dwellings, including 56 affordable homes, with associated open space, landscaping, infrastructure and drainage.
5. Previously planning permission had been granted under reference number 2013/0598/FUL for an extension of time for planning application OUT/2003/1181/MS for the use of land as B1, B2 and B8 employment development.
6. An outline planning application was submitted recently under reference number 2019/1180/OUT with all matters reserved apart from the access for the construction of up to 120 (affordable) homes on the 'Hawksmead Area 11 site' at Lands End Way Oakham. The application site area in reality being land surrounding the current application site both to the east and south between Hackamore Way and Lands End Way. This application has been withdrawn by the applicant.

Planning Guidance and Policy

National Planning Policy Framework

Chapter 9- Promoting sustainable transport

Chapter 12 - Achieving well-designed places Chapter 2 - Achieving sustainable development

Chapter 15 - Conserving and enhancing the natural environment

The Rutland Core Strategy (2011)

CS1- Sustainable development principles

CS19- Promoting good design

CS21 - The Natural Environment

Site Allocations and Policies DPD (2014)

SP1- Presumption in favour of sustainable development

SP15 - Design and Amenity

SP16 – Advertisements

SP19 - Biodiversity and Geodiversity Conservation

Consultations

7. Barleythorpe Parish Council

We are in agreement with other comments submitted to Rutland County Council in that the element of this application referring to banner signage should be refused unless their number, location and size is considerably reduced. Conditions should be imposed requiring all signage not required for safety and security purposes to be switched off outside normal trading hours. The Double Banner Unit, for example, appears excessive. There is no objection to the vehicle movement and safety-related signage.

8. Oakham Town Council

This land is designated for commercial use but has lain waste for a number of years. It is important that the site is used for commercial enterprise to increase employment rather than for further housing.

Recommendations as highlighted in the specialist reports, ie Highways Department, Ecologists Report, Drainage, and Environmental Protection Report should be taken into account.

Any planning consent should require the following safeguards, and planning conditions:

- Increase the number of "Blue Badge" parking spaces from two to three to reflect the demographics of the community served, and in particular the use of Blue Badges for non-mobility users, as recommended by Highways.
- Ensure the statements contained within the supporting document regarding litter patrols (three per day - see 6.22) are covered by appropriate planning conditions.

Ideally, a minimum of 4 litter picks per day plus an additional one at close of business would seem appropriate.

- Include within the Waste Management Plan, a method statement to determine segregation of waste for recycling and frequency of bin emptying, and the siting of additional bins leading away from the area as required.
- Parking bays should have permeable paving or similar to increase water retention in the soil and increase the green credentials of the build.
- This is a rural location and care should be taken that night-time light pollution is not excessive and in line with the Environmental officer's report.
- The safety of access for pedestrians and cyclists should be prioritised. It would appear that many people, particularly young people, will access the restaurant on foot, particularly during peak holiday times and local events, e.g. the Rutland Show. It is important that appropriate, safe access is available with the necessary pavement improvements and crossing refuges in place, as specified in the Highways report.
- Signage should be kept to the minimum so as to make the site less visually intrusive and out of keeping with the location.
- This location is a very small commercial development and the Totem height of 12m suggested is inappropriate and out of proportion and would produce a negative visual impact. Other similar locations have much smaller totems.
- During the construction process, appropriate traffic management will need to be in place to maximise road safety, and due consideration should be given to the safe management of construction traffic.
- Safeguarding of employees going to and from work in hours of darkness.
- Opening hours – does it need to be 24 hours? Could the hours be restricted 6am – 10pm Monday to Thursday, 6am - 12am Friday & Saturday and 8am to 10pm Sunday.

Recommend Approval subject to the above concerns being addressed.

9. Highways

No Objections.

The signs proposed are set back from the site boundary. The applicant has ensured that the signs are not blocking vehicular or pedestrian visibility splays and therefore highways have no objections.

Highways request that the following conditions are included on the decision notice: SWHI15 Externally Illuminated Signs and SWHI17 Lighting affecting the highway.

Environmental protection - Given the lighting scheme meets the E3 criteria I have no remaining concerns about the development.

Ecology Unit-The proposed development does not appear to meet any biodiversity 'triggers'. We therefore have no comments on, or objections to, this application.

Neighbour Representations

10. 6 specific representations of objection have been received to the current application. These include objections relating to the following

- i) High illuminated signage is not in-keeping with the local area and the image of Rutland as a rural County.
- ii) They will create skyglow and light pollution having an adverse impact on the wildlife including the local bat population. Can a bat survey be undertaken to ensure our wildlife is protected.
- iii) This type of signage is not seen at the other local McDonalds e.g. Melton Mowbray, Stamford etc. So why Oakham?
- iv) The proposed building and associated signage will be unsightly:

- v) Why it is necessary to have three banner advertisements on this site. They are each approximately the size of a family car, at some 4.8m (16 feet) long by 2m (6ft 6in) tall. In our view they are far too large and it is certainly unnecessary to have three such signs, especially as one of them will be facing more towards a residential area than to any possible passing
- vi) Concerned at the extent of light pollution likely to be caused by these and other signage on site.
- vii) Recommend that the element of this application referring to banner signage should be refused unless their number, location and size is considerably reduced, and that conditions should be imposed requiring all signage not required for safety and security purposes to be switched off outside normal trading hours.
- viii) Object to the adverts and signs.
- ix) Ensure that if the application must be granted then it ensures the signage is greatly reduced from this application.
- x) The local wildlife being disrupted by unnatural bright lights

In addition 55 representations have also been received objecting to Application No 2019/0614/FUL (for the restaurant and drive-thru). In these objections reference was also made to the advertisement applications received, usually, under the heading of 'signage' For the avoidance of doubt they have been included as an objection to the current application, raising the following issues;

- a) Light pollution x2
- b) Signage unsightly x4
- c) Light pollution from signs affecting wildlife x6
- d) Signs will promote the area as a service stop.

Planning Assessment

- 11. The main planning issues are, amenity of the surrounding area; number, location and size of signs; highway safety, and illumination of the signs.
- 12. During the determination of the application amended drawing have been received showing the removal of 2 of the proposed 3 banner signs. The 1 remaining banner sign would be located within the application site facing onto the junction between Hackamore Way and Lands End Way.

Impact of the use on the character of the area

- 13. The signs both illuminated and non-illuminated, are made of appropriate materials and colour, and are sited off the highway, so as to not conflict with passing traffic. They are considered to be proportionate in scale in that they would not appear as overly incongruous features in the landscape, while also being visible enough to serve their purpose of directing traffic and customers within the site.
- 14. Supporting information shows that the illuminated signs have been design in accordance with Table 2 (page 5) for Environmental Zone E3 'Urban' in 'Guidance Notes for the Reduction of Obtrusive Light GN01:2011' as prescribed by the Institute of Licensing Professionals Guidance. It is therefore considered that the illuminated signs would not have an adverse impact on amenity and the character of the surrounding area.
- 15. There is unlikely to be any issues from light pollution and/or glare due to the design lighting standards adopted by the applicant.

Impact on the neighbouring properties

16. The proposed signs are unlikely to have an adverse impact on the amenities of nearby residential properties due to the separation distance, and the north western boundary being screened by a mature copse of trees. Views from residential properties to the south west are screened by the existing employment building located along Lands End Way.
17. As referred to above supporting information shows that the illuminated signs have been design in accordance with Table 2 (page 5) for Environmental Zone E3 'Urban' in 'Guidance Notes for the Reduction of Obtrusive Light GN01:2011' as prescribed by the Institute of Licensing Professionals Guidance.
18. There is unlikely to be any impact caused from light pollution/and glare due to the design lighting standards adopted by the applicant that would justify refusal of one or all the signs proposed.

Highway issues

19. RCC Highways have confirmed that there is no objection to proposed advertisements subject to 2 conditions.

Impact on protected species

20. With regards to the representations received concerning the impact that the advertisements may have on wildlife in the surrounding area, the Senior Planning Ecologist has confirmed that there are no objection to the proposal and requested no mitigation measures.

Crime and Disorder

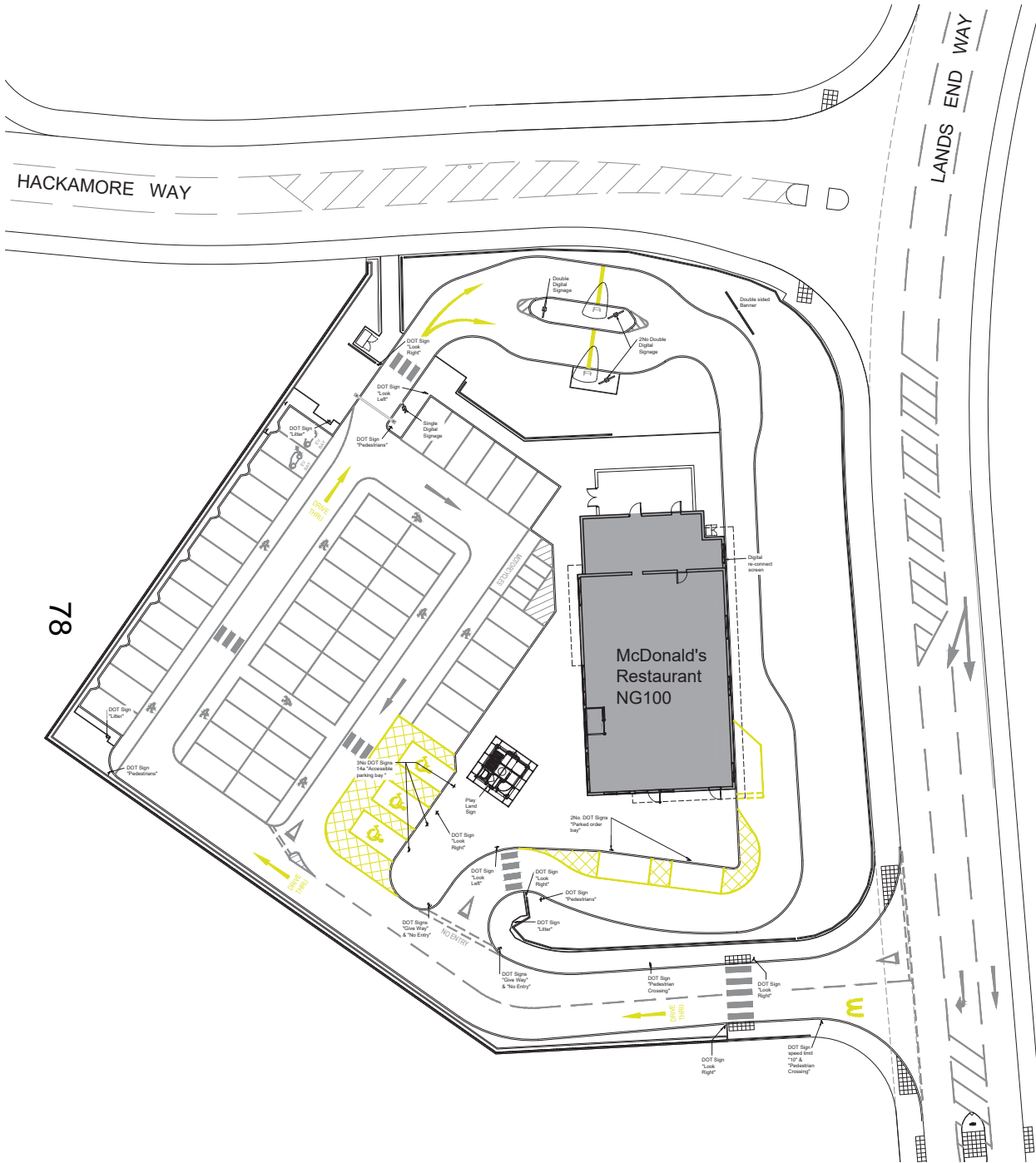
21. It is considered that the proposal would not result in any significant crime and disorder implications.

Human Rights Implications

22. Articles 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation. It is considered that no relevant Article of that act will be breached.

Conclusion

23. By virtue of the design, scale and materials to be used, the proposal would not have a detrimental impact upon the character and appearance of the surrounding area, protected species, visual amenity, and/or highway safety.
24. Taking the above into account, it is considered that the proposal is necessary and appropriate for its context and is in accordance with the NPPF (Sections 9, 12 & 15) (2019), Policy CS1 & CS19 of the Rutland Core Strategy (2011) and Policies SP1, SP15 & SP16 of the Site Allocations and Policies Development Plan Document (2014). There are no material considerations that indicate otherwise although conditions have been attached.



SITE SIGNAGE SCHEDULE - DIGITAL SIGNAGE (BUTTERFIELDS SIGNS)										
ADVERT REF	ADVERT TYPE	SIGN QTY	SIZE (mm)	MATERIALS	COLOR	HEIGHT (mm) ABOVE GROUND	EXTENT (mm) OF PROJECTION	HEIGHT (mm) OF TEXT	ILLUMINATION	
SINGLE DIGITAL SCREEN	N/A	1	853W x 108D x 2167H	Single sided PPC aluminium housing panel with internally mounted digital media on steel support post.	Grey RAL 7022	2167	N/A	N/A	(Max. 600cd/m ²)	
DOUBLE DIGITAL SCREEN	N/A	3	1648W x 108D x 2167H	Single sided PPC aluminium housing panels with internally mounted digital media on steel support post.	Grey RAL 7022	2167	N/A	N/A	(Max. 600cd/m ²)	
SINGLE DIGITAL RE-CONNECT SCREEN	N/A	1	390W x 90D x 350H	Single sided PPC aluminium housing panel with internally mounted digital media fixed to Cash Booth Window.	Grey RAL 7022	955	N/A	N/A	(Max. 600cd/m ²)	
DOUBLE SIDED BANNER UNIT	Z2	1	4820W x 150D x 2050H	PPC punched steel panel with 'McDonald's' wording. Sheet steel support & steel base.	Green (Daux 90YY 0710) & Dark Grey RAL 7022	2050	N/A	N/A	None	
DOT SIGN 14x ACCESSIBLE PARKING BAY	Z4	3	280W x 700H	Aluminium sign panel with applied vinyl graphics on metal sign post fitted via mass concrete foundation.	White, Yellow & Black	1500	N/A	N/A	None	
DOT SIGN 14x & 14x PARKED ORDER BAY	Z4	2	280W x 700H	Aluminium sign panel with applied vinyl graphics on metal sign post fitted via mass concrete foundation.	White, Yellow & Black	1500	N/A	N/A	None	
DOT SIGN 16c LITTER	Z4	3	280W x 700H	Aluminium sign panel with applied vinyl graphics on metal sign post fitted via mass concrete foundation.	White, Yellow, Red & Black	1500	N/A	N/A	None	
DOT SIGN 25a PEDESTRIAN CROSSING	Z5	2	450 Dia	Aluminium sign panel with applied vinyl graphics on metal sign post fitted via mass concrete foundation.	Red & White	1500	N/A	N/A	None	
DOT SIGN 25d PEDESTRIAN CROSSING	Z5	5	412W x 360H	Aluminium sign panel with applied vinyl graphics on metal sign post fitted via mass concrete foundation.	Red, White & Black	1500	N/A	N/A	None	
DOT SIGN 25e DRIVE WAY	Z5	2	412W x 360H	Aluminium sign panel with applied vinyl graphics on metal sign post fitted via mass concrete foundation.	Red, White & Black	1500	N/A	N/A	None	
DOT SIGN SPEED LIMIT 10km/h	N/A	1	450 Dia	Aluminium sign panel with applied vinyl graphics on metal sign post fitted via mass concrete foundation.	Red, White & Black	1500	N/A	N/A	None	
DOT SIGN PEDESTRIAN LOOK LEFT	N/A	2	450W x 300H	Aluminium sign panel with applied vinyl graphics on metal sign post fitted via mass concrete foundation.	White & Black	1500	N/A	N/A	None	
DOT SIGN PEDESTRIAN LOOK RIGHT	N/A	5	450W x 300H	Aluminium sign panel with applied vinyl graphics on metal sign post fitted via mass concrete foundation.	White & Black	1500	N/A	N/A	None	
PLAY/LAND SIGN	N/A	1	1100W x 1100H x 110D	Aluminium sign panel with free cut inset internally illuminated acrylic letters and applied vinyl graphics fitted to play frame.	White, Green RAL 6015, White & Red	3124	N/A	400	(STATIC - Max. 600cd/m ²)	





 Notes:
 All drawings to be read in conjunction with all other drawings as noted on issue sheet.

REV.	DATE	DESCRIPTION	BY	CHECKED
L	10/11/2019	Revised signs created	JK	JK
M	16/11/2019	Parking bays and boundary treatment revised	JK	JK
J	20/11/2019	Signs created	JK	JK
H	28/01/2020	Parking bays and joints layout revised	JK	JK
D	20/02/2020	Lettering to Land End Drive updated	JK	JK
F	10/03/2020	Accessible parking bay created. 10' Change to 12' width	JK	JK
E	17/03/2020	Signage Schedule updated	JK	JK
D	18/04/2020	Plans done to South entrance and Carport created. 10' Car wash ramp added	JK	JK
C	05/05/2020	Public consultation comments	JK	JK
B	20/05/2020	10' Car Wash ramp removed	JK	JK
A	03/07/2020	PLANNING ISSUE	JK	JK

REVISIONS:
 All works are to be carried out in accordance with the Building Regulations and all other applicable legislation.
 All drawings are the property of Sour Architects and are not to be used without the written consent of Sour Architects.
 All work is to be carried out in accordance with the Building Regulations and all other applicable legislation.

PROPOSED DEVELOPMENT: McDonald's Restaurant Ltd
LOCATION: Lands End Way, GOSHAM LE15

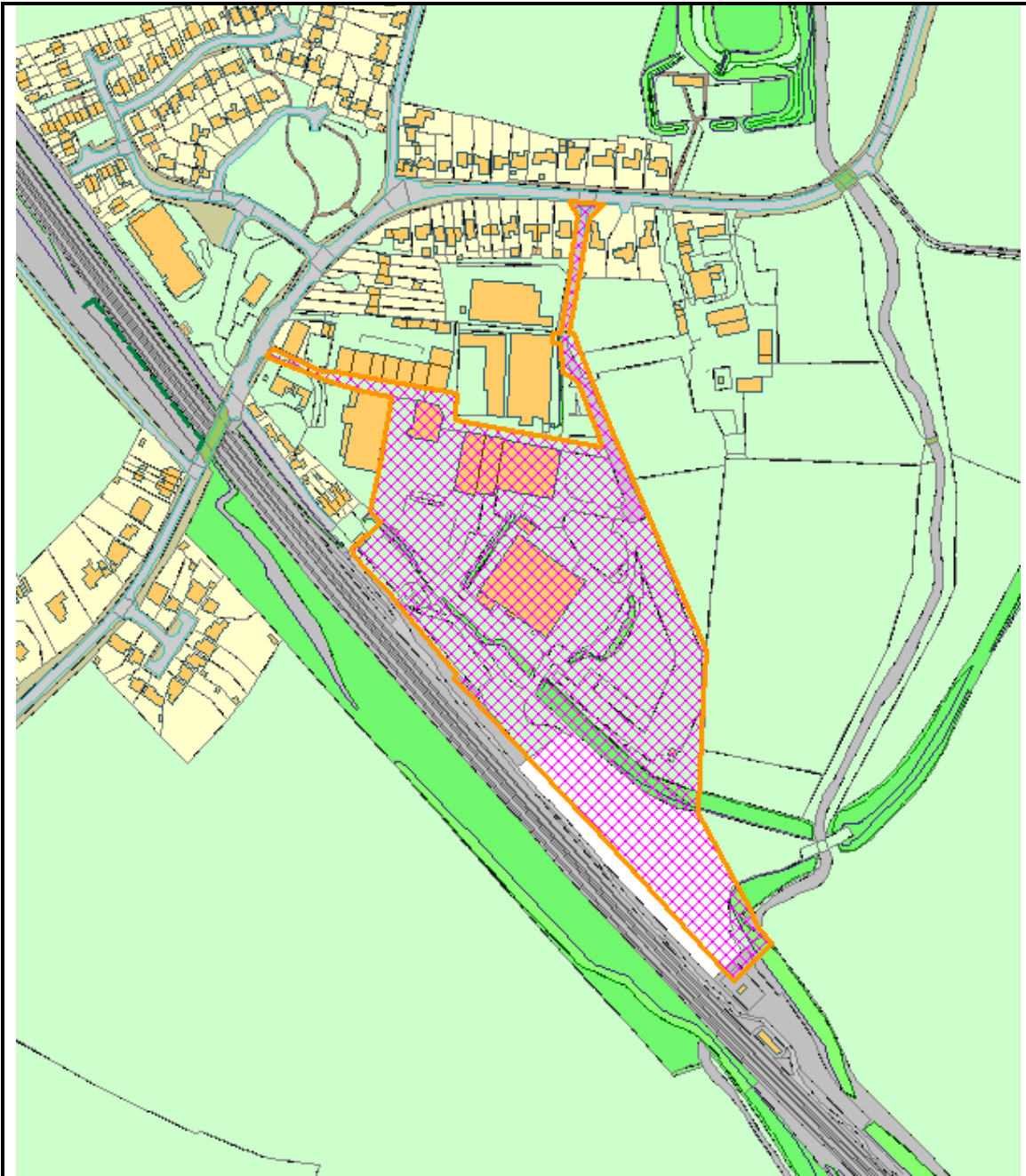
IN CHARGE OF: McDonald's Restaurants Ltd
DESIGNED BY: Sour Architects
DATE: 12/08/2019

PROJECT NO.: 7499-SA-8681-P008 L
DATE: Feb 2019





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Ordnance Survey [100018056]



Rutland County Council

**Catmose,
Oakham,
Rutland
LE15 6HP**

Application:	2019/0628/FUL	ITEM 5	
Proposal:	Change of use for parking of coaches. Construction of workshop for maintenance of coaches. Installation of 2 No. modular units to house toilets and office relating to workshop.		
Address:	Building 27, Meadow Park Industrial Estate, Essendine, Rutland PE9 4LT		
Applicant:	Stamford Storage Ltd	Parish	Essendine
Agent:	Arctica Ltd	Ward	Ryhall & Casterton
Reason for presenting to Committee:	Objections and Ward Member request		
Date of Committee:	14 January 2020		

EXECUTIVE SUMMARY

The scheme is for a coach depot and workshop on a long established industrial estate. It is to be relocated from a garage site nearer to Ryhall. The scale of the building is acceptable and would not impact on residential or visual amenity. The impact of the coaches on local residents and the highway network is limited and acceptable. The proposal is therefore recommended for approval as it complies with the relevant development plan policies.

RECOMMENDATION

APPROVAL, subject to the following conditions:

1. The development shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers DR-PL001 Rev 03, DR-PL002 Rev 03, DR-PL003 Rev 03, DR-PL004 Rev 02, DR-PL005 Rev 01, and the Vehicle Movement Statement V2, dated November 2019.
Reason: For the avoidance of doubt and in the interests of proper planning.
3. No coaches or buses from this site shall use the western access to Bourne Road at any time.
Reason: In the interests of highway safety as the western access is too narrow to allow for 2 commercial vehicles to pass clear of the highway.
4. Before the proposed workshop is brought into use it shall be fitted with a working exhaust scavenger system the details of which shall have been submitted to and approved by the local planning authority. This system shall be retained and maintained in working condition whilst the workshop remains in use.
Reason: To ensure that any emissions from the workshop are discharged in a satisfactory manner to ensure that pollution does not impact on nearby residents or adjacent workers.
5. Any artificial lighting used at the site shall be installed to comply with Table 2 (page 5) for Environmental Zone E3 'Urban' in 'Guidance Notes for the Reduction of Obtrusive Light GN01:2011' and in accordance with details that shall have previously been submitted for the approval of the Local Planning Authority.
Reason: In the interests of preventing light pollution in a relatively dark rural area.

Site & Surroundings

1. The site is located within the established industrial estate in Essendine. It is surrounded on the north side by existing industrial buildings. To the south, a row of 10 new employment units has recently been constructed.
2. There is also a small area with Hazardous Substance Consent for storage of bromine, hence the Health & Safety Executive has been consulted.

Proposal

3. It is proposed to relocate Mark Bland Travel from behind the former petrol filling station on Essendine Road in Ryhall (now a car wash) and use the open part of this site for parking of 15 coaches. There is also a proposed new workshop for maintenance of coaches, together with 2 portable units for office and employee facilities. The coaches appear to mainly operate during school term time as school buses.
4. The workshop would be a maximum of 12 metres wide, 18 metres long and 8.5 metres to the ridge. However, the levels on site mean that this building would be significantly lower than the ones behind it (see Appendix 1)
5. The application has been amended and subject to re-consultation because the original access to the west was too narrow. The revision states that the existing industrial estate access to the north will now be used instead.
6. The workshop building would be clad in grey materials similar to the nearby new units.
7. The applicant provides supporting information reproduced in Appendix 2.

Relevant Planning History

2005/1252 – Extension to building 25 Approved April 2006 – Not built – now expired

A previous building, No.27, has been demolished from the site of the proposed workshop.

Planning Guidance and Policy

National Planning Policy Framework

Chapter 6 – Building a strong competitive economy
Chapter 8 - Promoting healthy and safe communities

The Rutland Core Strategy (2011)

CS4 – Location of Development (Essendine is a ‘Smaller Service Centre’)
CS13(c) – Employment & Economic Development

Site Allocations and Policies DPD (2014)

SP5 – Built Development in towns and villages
SP15 – Design and Amenity

Consultations

8. Parish Council

Concerns raised at additional volume of traffic, also large vehicles sharing a fairly narrow road with residential traffic. The condition of the road surface is also poor.

See later Parish response at Appendix 3.

9. RCC Highways

Objection to the original access as it was not wide enough to allow 2 commercial vehicles to pass.

On the revised access –

No Objections if built in accordance with drawing Nos. DR-PL005 Rev 01 and DR-PL002 Rev 03, and operated in accordance with the Vehicle Movement Statement Version 2 November 2019.

The proposed access road to the north is a private road. Therefore whoever owns this road could impose their own parking restrictions if they wanted, such as DYL. These lines would only be enforced by the land owner

The access to the north would result in vehicles turning left through Essendine, however this is the A6121 and part of the strategic network and is therefore catered to take large vehicles.

10. Network Rail

No objections

11. Health & Safety Executive

Does not advise against the development (in relation to the nearby Hazardous Storage Consent)

12. Ecology

It appears that this proposal is for a development on existing hardstanding, with no loss of vegetation or demolition of existing buildings. Based on this, the site does not appear to meet any of the biodiversity 'triggers' contained in the Local Validation Criteria and we have no comments on, or objections to, this application.

13. National Grid

No objections

14. Environment Agency

No objections

15. Environmental Protection

It's likely the workshop will require a vehicle exhaust gas scavenger system to extract vehicle exhaust fumes, while engines are running inside the workshop, however I haven't seen any details in the application regarding this.

This is an industrial estate not a residential area. The objectors state that there is already movement of lorries and drone of vehicles so it is not a quiet village but one with an industrial estate with the associated noise. It won't add any significant air pollution to the existing levels or to the overall traffic noise to the area. The bus depot operates between the villages already.

16. Further Environmental Protection Comments

These comments are made following receipt of the 'Vehicle Movements Statement' dated August 2019, from the applicant's agent, which has at least clarified that buses/coaches will be using the proposed site as a depot/parking area, not just parking/storing vehicles for maintenance purposes.

The applicant has confirmed that the proposed site has existing permissions for industrial, storage and distribution uses. There are a few specific points that I understand the applicant has provisionally agreed, that could be conditioned with the aim of minimising impacts, where possible.

- The applicants have confirmed that the vehicle exhaust scavenger system will discharge 1m above the ridge of the building, although detailed plans aren't available at this stage. I would suggest that if Planning Permission is granted, a Planning Condition should be attached requiring details of the scavenger system to be submitted to the Local Planning Authority and should be subject to our written approval and the installation should be in accordance with the approved details.
- The applicant's agent has suggested that if Planning Permission is granted they would agree to a Planning Condition for artificial lighting, although they state that use of any such lighting will be of limited duration i.e. it wouldn't be on throughout the whole night. On that basis and if you deem it appropriate in Planning terms I would suggest a Planning Condition, the following wording maybe useful:
'Artificial lighting at the site shall be installed to comply with Table 2 (page 5) for Environmental Zone E3 'Urban' in 'Guidance Notes for the Reduction of Obtrusive Light GN01:2011' unless otherwise agreed in writing by the Local Planning Authority. Development shall only be carried out in accordance with these standards.'
- Buses/Coaches leaving the site from about 6:30 to 7:30 am for the reasons outlined above would appear to fit within the existing permissions for the site and wider area. It is also noted that in terms of overall traffic flows on the A6121, Bourne Road, the numbers from this site are very low and will already use the local road network as the business is currently based about 1 mile away on the A6121.

Neighbour Representations

17. There were 23 objections from residents in the village to the original proposal and many similar to the revised access. These can be viewed on line in detail but can be summarised as follows:

- This is a village in the countryside, not an industrial estate
- 10 new units being erected nearby already
- Additional fumes from vehicles pulling away, especially when cold pulling uphill from revised access
- Buses only meet old regulations (Euro 3 – 2000), not today's standards (Euro 6 since 2014)
- No carbon offset has been offered
- Children cross the road to get school bus

- Access not wide enough – cars often parked blocking width
- Access is not suitable for 2 HGV's pulling in and leaving at the same time
- Impact on residential access off the estate road
- Use of tools in workshop will cause nuisance
- Speeding is already an issue through the village – difficult to join the road, buses will make it worse
- Existing depot close by – saturation with this type of business
- Unsocial hours of use – engines noisy early in the morning
- Extractors will cause noise and fumes
- Residents will monitor NO2 and seek damages from RCC and the bus company -
- Diesel engine exhaust known as carcinogenic to humans
- Bus depot in the middle of a residential area is madness

Planning Assessment

18. The main issues are policy, residential amenity and highway safety. The applicants' agent has supplied a response to the objections that have been received and is reproduced at Appendix 2. It is also referred to in the further comments from Environmental Protection above.

Planning Policy

19. Core Strategy Policy CS13 seeks to safeguard all existing employment areas to maintain the choice and variety of employment sites around the County. These contribute significantly to the economy and sustainability of the County. Other new units have recently been approved and are under construction/complete. The principle of development on this industrial site is therefore well established and acceptable.

Residential Amenity

20. The nearest residential properties to the actual site are a terrace of cottages at 5-8 Station Road. There are houses either side of and opposite the revised access onto Bourne Road and others on Bourne Road and surrounding areas.
21. The prevailing wind would take any emissions from the workshop away to the north east of the village, away from the main residential area.
22. Environmental Protection Officers state that the use will not adversely impact on local residents. The site is in the centre of an existing industrial estate where existing general industrial uses do not have any planning restrictions on times and emissions etc.
23. There is approximately 12,961m² of B1, B2 and B8 uses on site at present. The new workshop would be 258m² so is insignificant in terms of intensifying the use of the overall site. It would have a smaller footprint than the building that was previously on this site.
24. The relatively small increase in potential vehicle movements and noise would not be significant enough to justify refusal of planning permission in this industrial area.
25. Subject to conditions, the proposal is acceptable in line with SP15.

Highway Safety

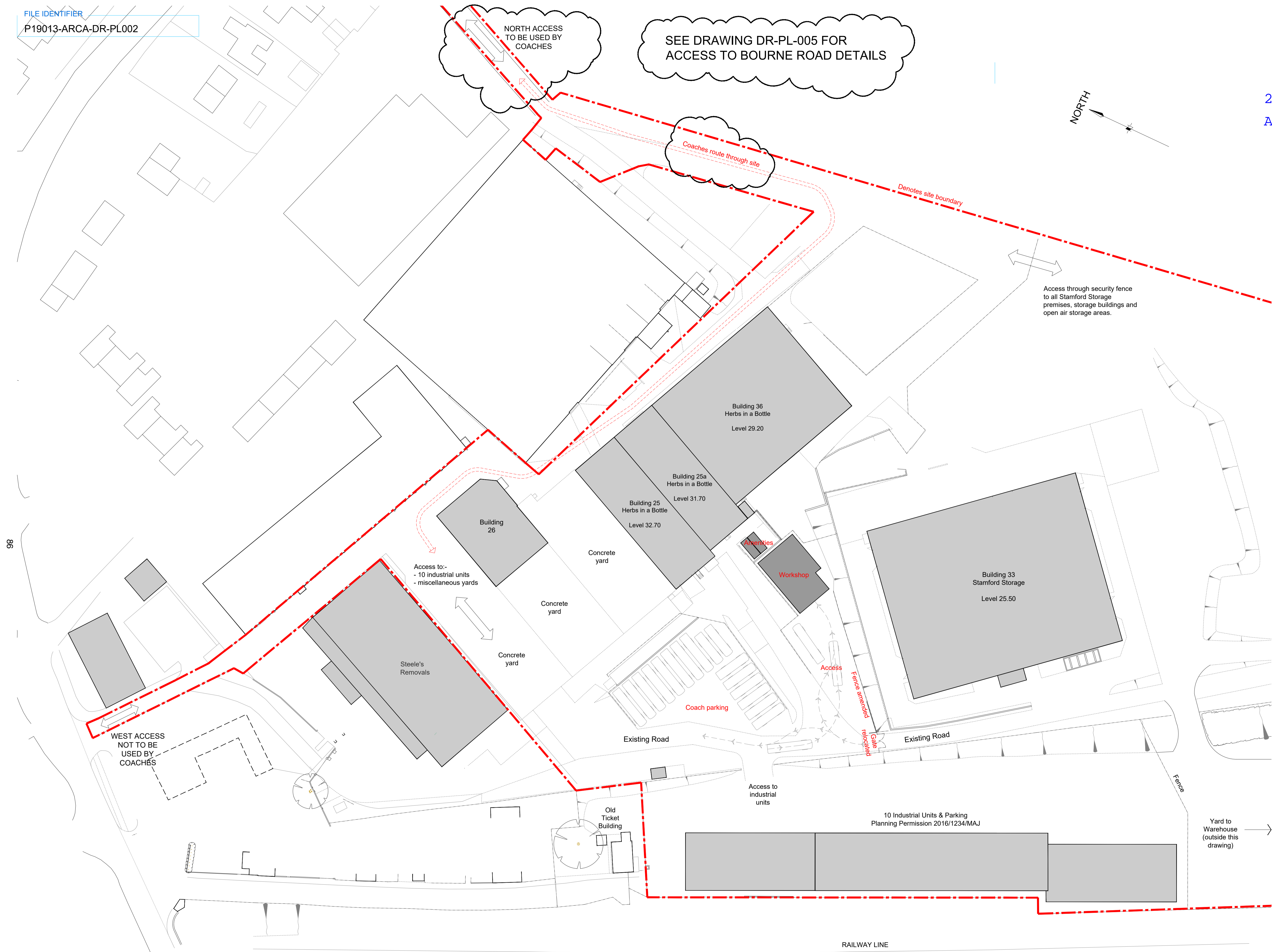
26. The existing coach site between Essendine and Ryhall is located just inside the newly revised 30mph limit road. The revised access to the application site is to Bourne Road to the north which is the main access to the industrial estate. There was a planning permission to create this access road in 1963. The carriageway here is 5.7m wide. The

highway authority advises that this is of adequate width and has adequate visibility to cater for the proposal. The access is within the 30mph limit where visibility splays are reduced to 2.4m x 43m.

27. The highway authority has examined the accident records for Essendine in the past 10 years. There have only been 10 accidents in that period. The last accident was in 2018 which involved a motorbike losing control around the bend. There was only 1 incident close to the industrial estate access road which involved a vehicle failing to slow behind a vehicle pulling into the access road in wet conditions, colliding with the rear of the turning vehicle. There have been no fatalities but 3 serious injuries to individuals, 2 of them in one incident.
28. 6 of these incidents were well outside the village towards Ryhall at the junction with Uffington Road. The remaining 3 were on the bend to the east of the access
29. The Highway Authority recently installed a large section of high friction surfacing to prevent any further accidents at this location. Additionally speed surveys have recently been carried out which show vehicles are generally complying with the speed limit.
30. There is no highway objection to the use of the existing access for this user, complicit with SP15.

Conclusion

31. Whilst the concerns of the village are acknowledged, this is an industrial estate with several general industrial uses. Policies support the local economy and the retention of employment land. The advice from Environmental Protection is that the uses will make little difference to the amenities of local residents and there is no highway objection to the use of the (revised) existing access. The scheme generally complies with the policies of the development plan and should be approved in accordance with Para 11 of the NPPF.

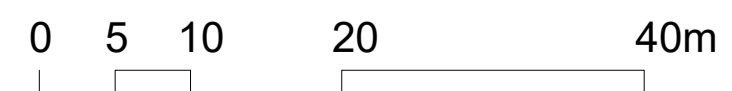


ISSUE	DATE	DRAWN	NOTES	CHECK
03	09.11.19	LKD	ACCESS FOR COACHES CHANGED TO NORTH ACCESS ROAD. ROUTE THROUGH SITE ADDED.	LKD
02	09.06.19	LKD	WEST ACCESS DETAIL AMENDED. NOTE ADDED TO NORTH ACCESS. VISIBILITY SPLAYS ADDED.	LKD
01	06.06.19	LKD	FIRST ISSUE	LKD



PROJECT
MEADOW PARK ESTATE
ESSENDINE - COACH
PARKING & WORKSHOP

DRAWING
BLOCK PLAN
AS PROPOSED



A1 SCALE	A3 SCALE	JOB
1:500	1:1000	P19013
NUMBER	REV	
DR-PL002	03	

96

Additional Information in relation to the proposal

- The parking area for 16 coaches is intended as a depot for routine school transport services.
- Mark Bland operate 15 school coaches, during term time only.
- The operation of school coaches is thus: -
- 5 days a week for 38 weeks (that is 52 weeks minus 14 weeks' holiday (6 in the summer; 2 in October; 2 at Christmas; 1 in February; 2 at Easter; 1 in June)).
- Therefore, maximum of 190 days, depending on bank holidays.
- 5 to 6 Saturdays during term time.
- Incredibly occasional ad hoc use out of those days.
- The 15 vehicles all leave the site between 06:30 and 07:30, with most departures at 07:00. All vehicles return for the night between 18:30 and 19:00.
- Because of this pattern, it is extremely unlikely that two coaches will have to pass each other.
- Half of the coaches would come back into the depot after the morning school trips and leave again for the afternoon school trips.

Based on the information above, the daily vehicle movements would be: -

- 15 leaving in the morning
- 8 returning mid-morning
- 8 leaving mid-afternoon
- 15 returning early evening

Those daily movements currently occur at Mark Bland's site in Ryhall and half their vehicles travel through Essendine already to do so.

Agents Response to Objections

Up to and including 8th August, there were 21 objections from different people who raised concerns about the following: -

Air pollution (17)
Light pollution (1)
Noise / hours (14)
Increase in traffic (16)
Excessive speed (11)
Access road (8)
Pedestrian safety (1)
Other miscellaneous comments

Most of the questions raised have been answered in the attached report which gives additional details about the access to the site, how and when the business will operate and, what types and numbers of vehicles will use the site.

This e-mail should be read in conjunction with the report.

Air pollution:

This is a relocation of the Mark Bland Travel depot in Ryhall
All coaches are Euro 3 emission compliant
The age of the fleet has been massively reduced in the last three years
The workshop will have an exhaust extraction system

Light pollution:

This was a general comment about the existing industrial estate.

Noise / hours of operation:

15 coaches will depart between 06:30 and 07:30

8 coaches return mid-morning

8 coaches depart mid-afternoon

15 coaches will return between 18:30 and 19:00

Monday to Friday, term time only (38 weeks out of 52 weeks)

Also 5 to 6 Saturdays during term time but reduced numbers

Half of the coaches already pass through Essendine from the existing facility in Ryhall

Increase in traffic:

A survey carried out in 2016 identified 7,924 vehicles on average per day

The development will add 18 cars per day during term time, Monday to Friday therefore 36 movements

The development will add 23 coaches per day (46/2 as half already pass through Essendine) during term time, Monday to Friday

Excessive speed:

A survey carried out in 2016 identified that the average speed through Essendine was between 27mph and 30mph.

If speeding has increased since, it should be addressed but this is a separate issue.

Safety of access road:

This is an existing access to the site

The report shows the width of the road and sight lines

Pedestrian safety:

A pertinent comment from one of the respondents

Mark Bland Travel have indicated that they would induct their drivers about the specific characteristics of the new access

Other comments were made which do not relate directly to the application but we wish to make a response nonetheless.

Current noise and light disruption:

Some respondents have complained about noise and light disruption coming from the site at night and week-ends.

The current site does not operate at night and week-ends.

The new coach facility will not operate at night and week-ends.

The applicant suspects that this noise comes from Network Rail who are regular visitors to the rail line and the adjacent land as they can only do work overnight and / or at week-ends.

This would continue in any event and is nothing to do with any of the occupiers of the industrial estate.

Residential and industrial uses:

The development is described as being "in the middle of a residential area" or in a "quiet village.

As some other respondents commented, the acreage of Essendine is mostly industrial. Whilst residents should not be adversely affected by new development, the existing businesses on the existing and established industrial estate are also entitled to pursue and develop their business interests.

Additional Parish Comments

1) On Tuesday 19 November Cllrs Ian Collis and Bob Bainbridge visited Rutland House at the request of the owner. They discussed the impact of this new access route with the owner of Rutland House (by the proposed entrance to the site) and took the opportunity to ensure the occupant of the other property directly affected was aware of the change and the date of the next EPC meeting. They also walked round the proposed route to evaluate the feasibility. Following additional reviews of the original application Cllr Bainbridge then organised an escorted visit with Stamford Storage to assess the security measures if this proposal was approved.

2) The escorted visit offered some additional information which may well restrict the ability of the village to make any worthwhile representation on the application. Given the strong feelings in the village expressed on social media and at the open meeting held by EPC Cllr Bainbridge contacted Rutland County Council (RCC) on Friday 22 November expressing his concerns and asking for clarification on the following issues:

- a) That RCC Highways Department visited the site since the original application and advised that the use of the Western Access was not suitable due to the width of the access road. They asked for an alternative solution which resulted in the new application being submitted. Why RCC did not consider it appropriate to include a village representative, in the process, seems very blinkered given the amount of negative correspondence from the village on the application.
- b) It has been suggested that Stamford Storage already has the appropriate authorisation for the buses to use the site as commercial vehicles already access and park on the premises.
- c) It appears that the bus company already has an operating licence for the Essendine site from the Department for Transport.
- d) No additional warning notices were displayed advising residents of the changes to the application.

3) The industrial site has been expanding in a rather piecemeal manner for many years and is now significantly larger than was originally envisaged. The site has two narrow access roads used by an increasing number of heavy goods vehicles. The Parish Council is concerned that in the event of a major incident (such as another fire) access for emergency vehicles could be difficult and evacuation of at risk people could be problematic. RCC has designated Essendine as a "small service centre" -this hardly seems appropriate given the size of the area.

4) Access Issues

a) Paragraph 2 Access to the site. This paragraph uses two photographs from Google maps to show the initial access to the site from the A6121. These photographs do not reflect the actual access conditions during the normal working day when the access width is restricted by constant parking of vehicles. The following two photos give a more realistic view of the entrance road during the day. It should be noted that there are no pavements for pedestrian access.

Photo 1 - View from the A6121 showing that numerous cars are parked outside S James Prestige premises during the working day.

Photo 2 - View from the industrial estate to the A6121 showing that there is only space for a single HGV to use the access.

b) As these photographs show that, while the road may be 5.7m wide between kerbs, that is not the width usually available. It should be noted that there is a health and safety issue with no footpaths for pedestrians. Parents frequently walk their children or push prams to the nursery on the site.

c) This access road passes between 2 residential houses, these houses will be subjected to additional noise and pollution between 0530 when the drivers arrive to prepare the buses and 0700 when the buses have left the site. There is already evidence of vehicle damage to both the kerb and fencing alongside these houses.

d) The majority of the buses will then be turning left up the hill introducing significant increase in traffic noise to residents of Bourne Road.

e) The buses will also impact on the traffic flow through the village as they turn in and out of the access road. The last speed survey was in 2016 since then several new large housing estates have been built in Bourne increasing the traffic flow through the village.

f) The buses have also to pass between two car parks one servicing a gym and children's play park before/after manoeuvring through a narrow 'S' chicane and passing through a gate. EPC are concerned that this gate may well be left opened by the buses (see para 4b below). Health and Safety Executive regulations do state that on industrial sites there should be "separation of pedestrians and vehicles", also "designated walkways and crossing points".

5) Paragraph 3 Number of coaches and coach movements

a) The applicant suggests that the due to the movement schedule of the buses it is extremely unlikely that two coaches will have to pass each other. However, it does not consider the fact that there are also HGVs entering and leaving the site. There is also significant LGV and car traffic using this access road and there is often insufficient space for two cars to pass due to the parking on one side of the road.

b) The proposed route passes through two gates currently closed. Stamford Storage advises the first gate will be secured every evening (although both the bus company and the industrial units will have access codes). The second gate will allow vehicles access through the site from the Western Access to the Northern Access and its security will be dependent on the bus company. This has the potential to impact on which access route will be used to access units on the site.

Particularly on the 10 new industrial units about to become active who potentially can also use the northern access route rather than the western access route detailed in their planning application. As the road is used by pedestrians, many of them mothers with pushchairs any increase in traffic flow on this route through the site would have a negative impact on the site safety.

6) Increased Air and Noise Pollution. Particular concerns are:

a) The planning application states that all the buses are Euro III compliant. As this standard was superseded in 2005 by Euro IV, in 2008 by Euro V and in 2012 by Euro VI, it does not offer significant reassurance. Euro III emissions standard allows more than 11 times the amount of highly poisonous nitrous oxide than the current Euro VI. The occupants of the two residential properties as the buses leave in the morning will have 16 cold engines (and therefore even less efficient) waiting outside their properties between 0630 and 0700. Does this mean they are expected to keep their bedroom windows shut at night to avoid the noise and air pollution?

b) Within the industrial site the proposed extractor system for the maintenance shed will be running regularly and will cause noise and pollution.

c) During winter months buses are notorious for running engines to warm the vehicles before starting their journeys, again causing significant pollution and noise.

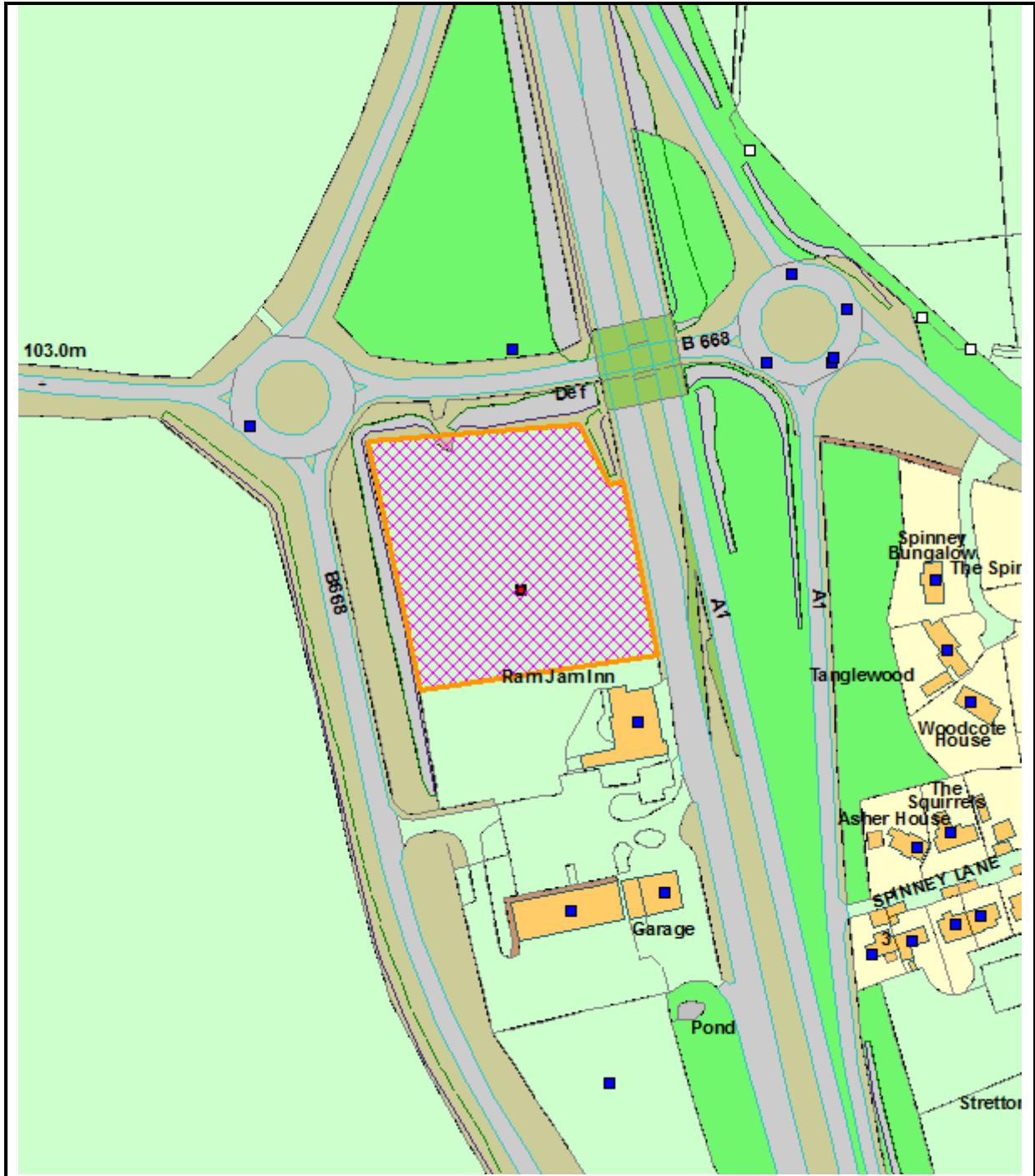
7) Increased Industrialisation of the village. The considerable increase over the last few years of small industrial units on the site has had a detrimental effect to the people living here. It has also had a significant impact on the traffic through the village. With noise and speed of particular concern.

8) Additional observation - in Paragraph 1 End User it states that 'The access to the current base is located in a 50mph stretch of the A6121'. This is no longer an accurate statement, as the access is now within Ryhall's 30mph speed limit.

Summary

Essendine Parish Council is not supporting this application because of concerns over;

- Noise and air pollution
- Health and safety of people using the site (particularly parents with children)
- Road safety
- Increased industrialisation of the village.



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Rutland County Council

Catmose,
Oakham,
Rutland
LE15 6HP

Application:	2019/0620/FUL	ITEM 6	
Proposal:	Construction of artisan bakery together with ancillary staff and office accommodation: B1 (c) light industrial. Existing access improved, internal road, parking and loading areas and ancillary works and landscaping		
Address:	Land North of Ram Jam Inn, Great North Road, Greetham		
Applicant:	Mr T Hart	Parish	Greetham
Agent:	Robert Weighton	Ward	Greetham
Reason for presenting to Committee:	Contrary to Development Plan		
Date of Committee:	14 January 2020		

EXECUTIVE SUMMARY

The scheme to expand a local business is located on a greenfield site in open countryside but there are mitigating factors that would in this case allow material considerations to outweigh the development plan.

RECOMMENDATION

APPROVAL, subject to the following conditions:

1. The development shall be begun before the expiration of three years from the date of this permission.
Reason – To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1982-01D, 1982-03D 1982-04H, 1982-05H, 1982-07H, 1982-08H, 1982-15E, 1982-16F, 1982-17A, the Arboricultural Report and Plan 3886.Hambleton.Weighton.TPP Rev C, received on 24 December 2019.
Reason - For the avoidance of doubt and in the interests of proper planning.
3. No development above damp course level shall be carried out until precise details of the manufacturer and types and colours of the external facing and roofing materials to be used in construction have been submitted to and agreed, in writing, by the Local Planning Authority. Such materials as may be agreed shall be those used in the development.
Reason: To ensure that the materials are compatible with the surroundings in the interests of visual amenity and because no details have been submitted with the application.
4. All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details shall be carried out during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of 5 years of being planted die are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species.
Reason: To ensure that the landscaping is carried out at the appropriate time and is properly maintained.
5. No development shall take place until the existing trees on the site, agreed with the Local Planning Authority for inclusion in the scheme of landscaping / shown to be

retained on the approved plan, have been protected by the erection of temporary protective fences in accordance with BS5837:2012 and of a height, size and in positions shown on the approved plan 3886.Hambleton.Weighton.TPP Rev C. The protective fences shall be retained throughout the duration of building and engineering works in the vicinity of the trees to be protected. Within the areas agreed to be protected, the existing ground level shall be neither raised nor lowered, and no materials or temporary building or surplus soil shall be placed or stored there. If any trenches for services are required in the protected areas, they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5cm or more shall be left unsevered.

Reason - The trees are important features in the area and this condition is imposed to make sure that they are properly protected while building works take place on the site.

6. The development shall be carried out in accordance with the Conclusions set out in the updated Phase 1 Habitat and Species Survey by Ecology Resources dated 18 October 2019.

Reason: To ensure that any protected species and habitats are protected.

7. No development shall take place until details of the implementation, maintenance and management of the sustainable urban drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- (i) a timetable for its implementation, and
- (ii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable urban drainage scheme throughout its lifetime.

Reason: To minimise the risk of surface water flooding in the locality.

8. Any artificial lighting used at the site shall be installed to comply with Table 2 (page 5) for Environmental Zone E3 'Urban' in 'Guidance Notes for the Reduction of Obtrusive Light GN01:2011' and in accordance with details that shall have previously been submitted for the approval of the Local Planning Authority.

Reason: In the interests of preventing light pollution in a relatively dark rural area.

9. Within 3 months of the building coming into use, the Travel Plan submitted with the application shall be brought into operation and shall be operated from the applicant's sites in perpetuity.

Reason: The site is within an area of restraint requiring a greater degree of control over sustainable travel to encourage reduced dependence on the car having regard to policies CS1, CS18, SP7 and SP15.

10. Prior to the construction of the parking areas shown on the approved plans, details of the amount, location and design of electric charging points shall be submitted to and approved in writing by the Local Planning Authority. The approved facility shall be provided prior to occupation of any part of the development in accordance with the approved details and retained for that purpose at all times.

Reason: To ensure an appropriate level of charging for electric vehicles is provided in the interest of highway safety and provision of alternative fuels for sustainable means of travel.

Site & Surroundings

1. The site is a piece of ground approximately 100 metres square (0.93Ha) to the

north of the Ram Jam Inn, once used as a quarry but has long since been restored and does not constitute brownfield or previously developed land. Historic photographs do however show a tennis court on the land in what was then a larger garden of the Ram Jam Inn.

2. The site is bounded on the west, north and east sides by high hedges and trees. There is an existing access onto the site from the north between the 2 roundabouts either side of the A1.
3. The land slopes gently down to the north and is generally open in nature other than on its boundaries.
4. To the east of the site is the A1, to the west the B668 and to the south the northern boundary of the Ram Jam.

Proposal

5. The proposal is to build a new bakery facility for Hambleton Bakery, currently operating from rented premises on the Exton estate. Planning permission has recently been granted for alterations to that building and its site boundaries to allow it to be used for a bakery, including an existing brick oven which is too expensive to move, a bakery school, café and revised parking areas. This current proposal is for purely commercial baking to allow the existing site to diversify slightly whilst the business expands. The Exton site was not large enough to expand and is only rented. The current site has been in the ownership of the applicant for a long time as he was the former owner of the Ram Jam but retained this land when the Inn was sold.
6. The proposal originally involved a new access midway between the 2 roundabouts but that would have involved loss of highway trees. The existing access is now to be improved.
7. Landscaping would take place on site to compliment the layout and a sustainable drainage system would also be installed, as would photo voltaic panels and ground source heat exchange. This would put excess heat from baking into the ground and draw it out when required in colder weather. This prevents the longer term cooling of the ground when heat is only extracted. The upper part of the building is designed to create air flow through to take out excess heat from the electric ovens.
8. Materials would be a terne coated steel roof, timber/render cladding and replica local stone facing on the end elevations.
9. The application is accompanied by a transport assessment and an analysis of delivery routes for the current fleet of delivery vans together with information on employment levels and the settlements where employees currently live.
10. See details in the **Appendix**.

Relevant Planning History

None

Planning Guidance and Policy

National Planning Policy Framework (NPPF)

Chapter 2 - Achieving sustainable development
Chapter 6 - Building a strong, competitive economy
Chapter 9 - Promoting sustainable transport
Chapter 12 - Achieving well-designed places

Site Allocations and Policies DPD

SP7 - Non-residential development in the countryside
SP15 - Design and Amenity

Core Strategy DPD

CS1 - Sustainable Development Principles
CS2 – The Spatial Strategy
CS4 - The Location of Development
CS16 - The Rural Economy
CS18 - Sustainable Transport & Accessibility
CS19 - Promoting Good Design

Consultations

11. RCC Highways

No objection to the revised access details.

12. Environmental Protection

I have examined the contaminated land reports and the area is suitable for use as a bakery. The air quality assessment shows the site has negligible impact on air quality. There would be no impact on the building/use from air quality issues on the A1. Therefore, I have no objections to this development.

13. Ecology

I am pleased to see that an updated survey has been submitted in support of this application (Ecology Resources, October 2019). This was completed towards the end of the survey season, but is acceptable. The survey only recorded one Local Wildlife Site (LWS) indicator species and the site does not therefore meet Local Wildlife Site criteria as it is of relatively low botanical interest. I would therefore have no objections to this application, but would request that opportunities for ecological enhancement are taken for this development. This would include the use of locally native plant species in the proposed balancing pond and possible wildflower planting if the remaining grassland is to be seeded.

I would also recommend that a sensitive lighting scheme is designed to minimise light spill onto the boundary hedgerows, especially as the road network (apart from the roundabout) does not appear to be lit. Our standard advice is that the hedgerows should not be subject to light spill of more than 1lux.

No evidence of protected species were recorded on site, although the site was considered to have some potential to support protected species. No further surveys are

required at this stage and the working methodology identified in the report may be dealt with via condition.

14. **Archaeology**

The desk based assessment has established that the site was used a quarry in the past. For this reason no archaeological invention is required.

15. **Highways England**

No objection

16. **Greetham Parish Council**

Confirms Support – Comments: Firstly, the supporting documentation raised a number of environmental issues and a particular concern is pollution of ground water. Secondly, the report on wildlife impact was thought to be inadequate. RCC are urged to thoroughly investigate these matters.

17. **Stretton Parish Council**

The Parish Council at a meeting on 15th October 2019 had no objections to the planning application.

18. **Forestry Officer**

On original access

Plans would result in tree loss. Potential landscape impact and loss of Rutland County Council trees.

On revised access:

The revisions to the existing access will impact on hawthorn trees and require crown lifting of a sycamore to maintain visibility. Financial contributions are requested to compensate and cover maintenance respectively.

19. **Anglian Water**

The foul drainage from this development is in the catchment of Cottesmore Water Recycling Centre that will have available capacity for these flows

The sewerage system at present has available capacity for these flows.

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

Suggest note to applicant:

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of

apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

Neighbour Representations

20. None

Planning Assessment

21. The main issues are policy, relating to the principle of development on this site, design and highway safety.

Principle

22. The site is a greenfield site in open countryside. Several policies of the Development plan are directly relevant. The relevant elements are as follows:

23. CS1 (Sustainable Development Principles) states (inter alia) that:

- new development will be expected to minimise the impact on climate change and include measures to take account of future changes.
- Be located where is minimises the need to travel, priority to walking, cycling and public transport access.
- Make use of previously developed land or re-development of underused land before greenfield. Minimise the use of resources and meet high environmental standards in terms of design and construction with particular regard to energy and water efficiency, use of sustainable materials and minimisation of waste.
- contribute towards creating a strong, stable and more diverse economy.

24. CS2 (The Spatial Strategy) states:

The Strategy is to promote sustainable development to meet the needs of the local economy through:

- focussing new development in the most sustainable locations, primarily in the towns and the local service centres away from areas prone to flooding and ensuring that development is accessible by other modes of transport without reliance upon the private car;
- new development being of an appropriate scale and design that reflects local character and is consistent with maintaining and enhancing the environment and contributes to local distinctiveness
- supporting small scale developments for appropriate employment and tourism uses in the towns, villages and rural areas;
- promoting sustainable transport measures and focus improving accessibility around the key transport hubs of Oakham and Uppingham and linkages to the villages and nearby cities and towns
- promoting energy efficiency, renewable energy, prudent use of resources and sustainable waste management

25. CS4 (Location of Development) states:

- Development in the Countryside will be strictly limited to that which has an essential need to be located in the countryside and will be restricted to particular types of development to support the rural economy and meet affordable housing needs; and;
- New development will be prioritised in favour of the allocation and release of previously developed land within or adjoining the planned limits of development where it can support sustainable patterns of development and provides access to

services by foot, public transport and cycling.

26. CS16 (The Rural Economy) states (inter alia) the Strategy is to:
- d) safeguard existing rural employment sites and permit the improvement and expansion of existing businesses provided it is of a scale appropriate to the existing development where this would be consistent with maintaining and enhancing the environment, and contribute to local distinctiveness of the area
27. CS18 (Sustainable transport and accessibility) states:
- supporting development proposals that include a range of appropriate mitigating transport measures aimed at improved transport choice and encourage travel to work and school safely by public transport, cycling and walking, including travel plans;
28. SP7 (Non-residential Development in the Countryside) states:
- Sustainable development in the countryside will be supported where it is (inter alia):
- e) new employment growth comprising small scale, sustainable rural tourism, leisure or rural enterprise that supports the local economy and communities;
- Provided that:
- the development cannot reasonably be accommodated within the Planned Limits of Development of towns and villages;
 - the amount of new build or alteration is kept to a minimum and the local planning authority is satisfied that existing buildings are not available or suitable for the purpose;
 - the development itself, or cumulatively with other development, would not adversely affect any nature conservation sites or be detrimental to the character and appearance of the landscape, visual amenity and the setting of towns and villages;
 - the development would not adversely affect the character of, or reduce the intervening open land between settlements so that their individual identity or distinctiveness is undermined; and
 - the development would be in an accessible location and not generate an unacceptable increase in the amount of traffic movements including car travel.
29. The legislation states that where development does not accord with the development plan it should be refused unless there are material planning considerations that would indicate otherwise.
30. In this case the development is contrary to the locational policies of the plan in that it is a greenfield site in the open countryside, although it is not part of an agricultural holding. On the other hand, policies CS16, CS18 and SP7 are at least partially supportive of the proposal. This is a successful local business that needs to expand with a significant investment in the local economy.
31. There are currently 53 total employees. 19 employees currently at Exton will remain there, and the applicant expects this to grow to 26 in the first year
32. 34 employees would transfer from Exton and this is forecast to increase to 40 in the first year and 45 over 3 to 5 years
33. The application includes an analysis of where the deliveries of bread take place which indicates that this site is virtually at the centre of those operations. Deliveries are made north and south on the A1 and east and west of this site.
34. Current employees live in Oakham, Stamford, Melton, Grantham and other villages. The

- site is centrally located for them to travel to work. The shift starts at 0300 so there is no public transport available at that time, regardless of where they work. The new site will not involve additional travelling by private vehicle and provides the opportunity for a Travel Plan and shared travel in particular to reduce car journeys.
35. The Core Strategy states that *'new development in Rutland will need to be located and designed to reflect the fact that much of the county has limited public transport services and is relatively inaccessible without private transport'*; and
- "... there are a limited number of suitable new sites – with even fewer supported by strong road and rail networks. Such limitations may deter businesses from moving to Rutland and could constrain the growth of our existing businesses," and "We will also look to capitalise on opportunities that may arise in close proximity to the A1 strategic transport corridor ..."*
36. This is one such opportunity.
37. The Local Transport plan states that one of its main proposals is:
- "working with partners to make sustainable travel a viable option for local people ... by developing travel plans, car sharing opportunities and encouraging the use of public transport". We aspire to work with businesses ... helping them to develop site specific travel plans"*
- "We aim to encourage and work with Rutland's businesses to produce workplace travel plans and monitor their progress on an annual basis. In addition, we will extend our car share scheme to include many of these employers"*
38. The NPPF at Para 83 states:
39. Planning policies and decisions should enable (inter alia):
- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings
40. Para 84 states:
- Planning policies and decisions should recognise 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 that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable
41. These policies and the NPPF guidance indicate how there are some which do not support the proposal and some that support the rural economy and enterprise.
42. The artisan bread making has outgrown the space available at the existing building and site. It needs a new purpose designed building, almost double the size of the existing and because of the processes carried out, the space should be taller, have a greater volume and be well ventilated.
43. There are two types of product which require different environmental conditions. Making bread is done overnight, with baking during the early hours so that it is fresh for consumption the same day. It is essentially a hot, dry process using just organic flours and water. Pastries and savouries incorporate other ingredients most of which are temperature sensitive and production needs lower temperatures.

44. Night time baking means that wherever the bakery was to be located, even in Oakham, it would not be served by public transport. Access to work will always be an issue unless all employees were required to live within walking distance.
45. The 6 delivery vehicles serving routes in 2017/18 covered some 259,851 miles. Expansion of the business over the past year has seen this grow by 6% with 7 delivery vehicles. In the 3 – 5 year term with a greater number of routes this is projected to increase to about 350,000 miles.
46. Travel to work by employees is about half that of the delivery mileages. This would be the same even if the bakery were to remain where it is, or relocate to an urban area with no public transport during the night. However, employee travel is open to travel planning and any reduction would enhance sustainability. The applicant claims that with a successful travel plan for employees, delivery mileage would account for 75% of all mileage and be the major factor for determining a sustainable location. Electric delivery vehicles will be used in the future and charging facilities will be provided for on site as part of this proposal.
47. A travel plan has been submitted as part of the proposal.

Design

48. The design is bespoke to the needs of the business resulting in an asymmetric roof that is designed to draw fresh air through to vent hot air. Other sustainable heating and ventilation facilities are proposed. The design and facilities comply with policies in terms of energy generation and water management. There is also a significant amount of new tree planting proposed.
49. Materials include the use of terne coated steel roof. This has been approved for use on many listed churches where the lead has been stolen so is appropriate for this industrial building.
50. The walls are proposed to be timber and glazing panels.
51. The building would be sunk into the site such that it would be well screened by the existing hedges and new tree planting from outside the site. Only the roof would be mainly visible but that material is appropriate. There would therefore, be little if any harm to the character and appearance of the countryside in this location alongside a major strategic route.
52. It would be located adjacent to land where there are existing buildings and where planning permission has been granted for 2 large new employment units, albeit that was considered to be previously developed land. A revised scheme for the adjacent site is likely to be submitted in the near future. The proposal would not thereby be isolated in the countryside.
53. Whilst the appeal decision at the adjacent Ram Jam site was critical of the contemporary appearance of the scheme, it was also considered prominent and over-development. In this case the building would not be prominent at all and is clearly not an overdevelopment of the site. With the additional landscaping proposed and the reference to local materials, it would have a minimal impact on the character and appearance of the countryside.

Landscaping

54. The scheme indicates a substantial landscaping scheme comprising, mainly, new tree planting within the site. This would add to the already robust screening of the site from

the public realm and would mitigate any specific impact on the rural area.

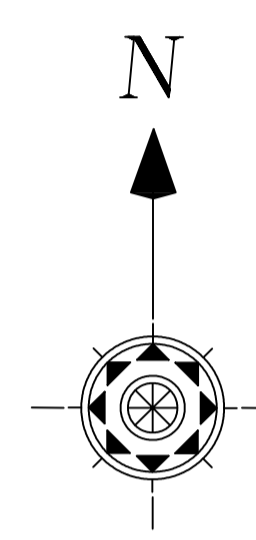
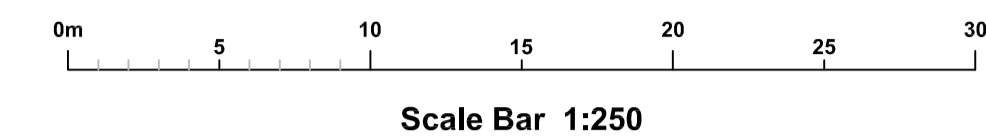
Highway Safety

55. As set out above, the proposal originally proposed a new access, midway between the 2 roundabouts. This would have involved the loss of highway trees. The revised proposal is to improve the existing access.
56. The highway authority has had regard to a speed survey carried out on this short section of road where the speed limit is 30mph. The 85th percentile speeds are below 30 mph in both directions. The available visibility from the existing access to the 2 roundabouts is therefore adequate to meet highway standards.
57. There is a wide verge between the northern boundary of the site and the carriageway which assists visibility along this short straight section of road.
58. There would be parking for employees on site together with spaces for delivery vans. The agent has discussed electric charging with Western Power Distribution and electric charging facilities for cars will be provided for in the implementation of the development, with a minimum of ducting for cabling when it is required as a main stream fuel source for later vans.
59. A Travel Plan has been produced (**See Appendix 2**) to encourage employees to car share or use alternative means of transport.
60. The verge along this section of road between the 2 roundabouts is wide. The trees within the highway verge are set back in front of the site boundary. Visibility is thereby available across an open verge in both directions without interference by trees.
61. The existing access can be improved without major harm to the highway trees, although this issue is still being considered with the Forestry Officer and an update will be made in the addendum.
62. On that basis the scheme complies with the development plan in terms of highway safety, in line with SP15.

Planning Balance

63. In cases such as this where there are conflicts with the development plan but also some considerations in support of the proposal, it is necessary to look at the overall planning balance to weigh up what the recommendation should be.
64. In this case there is technical conflict with the development plan in terms of locational policies and arguably sustainability. On the positive side, there is little visual impact, additional tree planting, little difference in terms of car journeys and opportunity to improve that issue through a travel plan. The impact from deliveries is arguably less as vehicles would have direct access to the A1 rather than travelling through Greetham to the A1 early each day. There is no impact on any neighbours and both local Parish Councils support the proposal. The scheme involves sustainable renewable energy proposals.
65. There is also an opportunity for an increase in local employment, and whilst baking is a specialist job, there are other opportunities for staff at both premises as a result of the overall proposals for the business. This positive element of the proposal meets the policies on employment creation and helping local businesses expand.

66. Weighing all the issues in the balance, these positive demonstrable factors are considered to be supported by elements of Policies CS1, CS2, CS16, SP7, SP15 and the advice in the NPPF and outweigh the negative technical factors in the development plan such that a recommendation for approval can be made in this case.



H	Parking layout amended	9 Dec '19
G	Recontouring and planting added	27 Nov '19
F	Details of swale and infiltration bed added	31 Oct '19
E	Existing access retained and Improved Parking on lower bounded area	28 Oct '19
D	Natural ventilation flow reversed	29 July '19
C	Visibility splays and turning head details added	24 May '19
B	Details added	28 March '19
A	Access position revised	11 March '19

REVISION

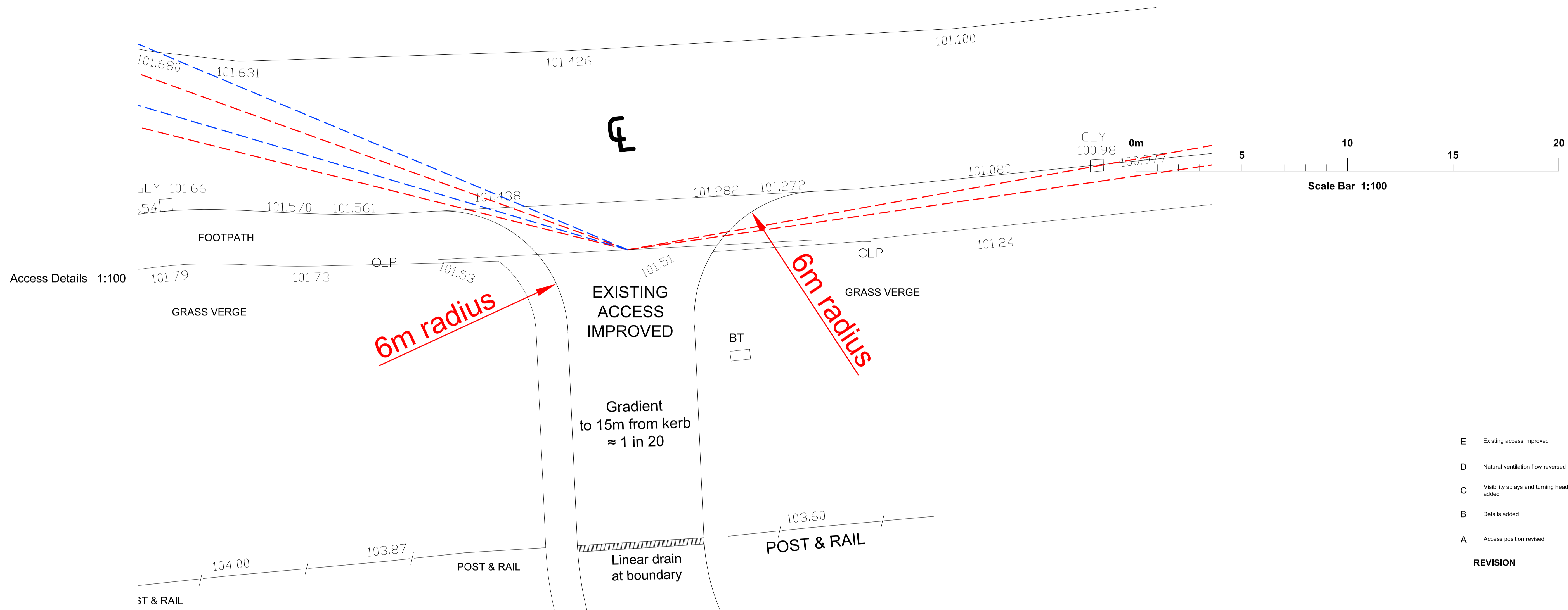
SITE PLAN PROPOSED

Hambleton Bakery
Hooby Lane
Greetham

Scale: 1:250 @ A1
Date: February '19

Drawing Number
1982 - 04 - H

NOTES:
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This drawing must not be scaled from
Contractors are to take and verify all dimensions on site before proceeding with the Works

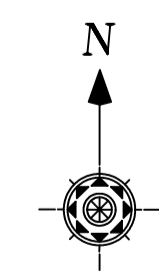
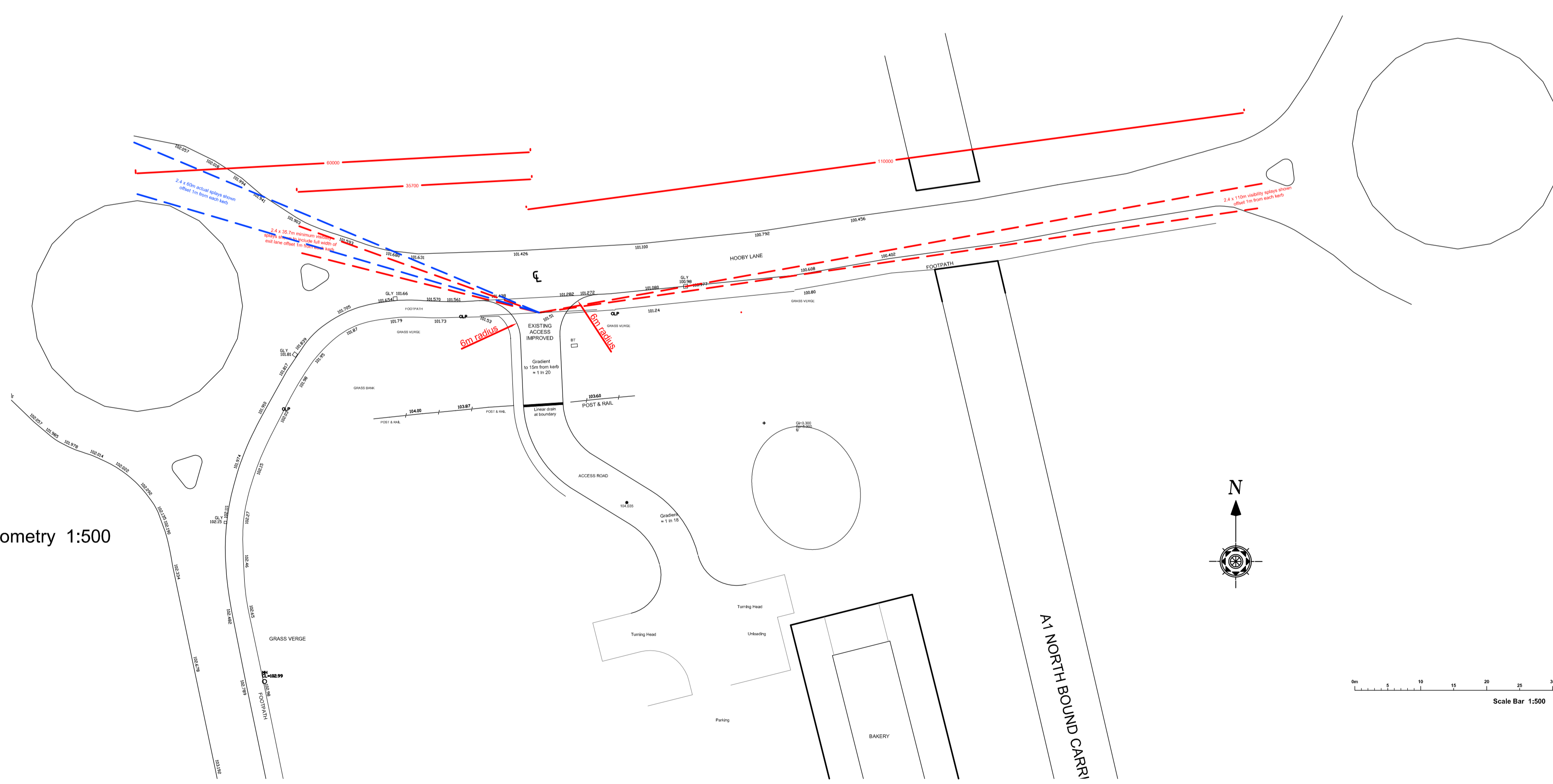


REVISION		
E	Existing access improved	28 Oct '19
D	Natural ventilation flow reversed	19 July '19
C	Visibility splays and turning head details added	24 May '19
B	Details added	28 March '19
A	Access position revised	11 March '19

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Access Geometry 1:500



ACCESS GEOMETRY

Hambleton Bakery
 Hooby Lane
 Greetham

Scale: As noted @ A1
 Date: February '19

Drawing Number
 1982 - 15 - E

ARBORICULTURAL METHOD STATEMENT

General

This Method Statement provides recommendations for the protection of trees during development of the layout shown on the drawing.

Statutory implications

Trees and other vegetation can often provide nesting, roosting and feeding opportunities for protected species, including bats. Providing guidance on these issues is outside my expertise, so I recommend that appropriate advice is sought before any tree work proceeds on site.

Supervision and Monitoring

It is important that the tree protection measures are understood and adopted at all levels from client to project manager and any sub-contractors in order that the measures can be successful.

A qualified Arboricultural Consultant will be retained during the period of construction to:

- Mark trees for removal
- Meet with the treework contractors to discuss the treework required
- Meet construction contractors prior to construction to discuss the implementation of the tree protection measures, the location of the site compound and facilities (if not already known) and any phased construction that may affect the protection of trees
- Inspect barriers prior to the commencement of construction

Communication between the Client, Main Contractor (and their sub-contractors), the Project Manager and the Arboriculturalist are of high importance.

The Site Manager will monitor the physical and managed protective tree measures continually.

ARBORICULTURAL WORKS

Standards

Tree work is skilled and potentially dangerous work, which must be carried out by trained and certificated staff working to BS3998: 2010 and working in accordance with the various Regulations within the Health and Safety at Work Act 1974

Contractors must have Public Liability Insurance (preferably £5 million) and Employer's Liability Insurance (preferably £10 million)

Machinery and equipment must be maintained, inspected and operated in accordance with the various Regulations within the Health and Safety at Work Act 1974

Prior to works

Tree work must be the first operation, before any other activity on site involving plant, machinery or materials.

Before the commencement of any treeworks, the contractor will ensure that the proper checks for bats and nesting birds have been carried out by an appropriately-qualified inspector.

The Contractor will be responsible for producing their own Method Statement for the works that will include Risk Assessments, staff profiles and certification, machinery and equipment inspection records and certificates.

Disposal of timber, brush and other arising to be agreed with the Client.

Stump removal may be required and will be agreed with the Client, including the disposal of arisings as appropriate.

Work required

Remove the following trees:

- Group B
- Sycamore 5551

Prune the western side of the crowns of trees in Group F by up to 1.5m to facilitate development

Trim the western end of Group D by up to 2m sufficient to facilitate development.

Remove dead wood greater than 25mm from retained trees where they overhang the site.

PROTECTIVE MEASURES

Barriers

Once the treeworks and advance tree planting have been completed, a number of barriers will be erected to protect established and newly planted trees during the earthworks phase of development.

Barriers will be a combination of either the proposed site perimeter fence; temporary construction hoarding or robust barriers similar to those illustrated in British Standard 5837.

Barrier locations are illustrated by the broad blue or dot-dash orange and light blue lines on the Tree Protection Plan.

Weather-proof notices stating: 'PROTECTED AREA - DO NOT ENTER' to be erected on the fencing not less than 5m apart.

The site manager will assess the integrity of the protective barrier protection measures continually relative to the phase of works being undertaken.

The Site Manager will keep a copy of the Tree Protection Plan on site for reference during construction and for site induction where staff or contractors' work may implicate working near trees so they understand the purpose of the measures.

CONSTRUCTION PHASE

General notes

Once the barriers have been checked by the Project Arboriculturalist, the development will then continue in accordance with the Approved Plans.

No fires will be lit on site where flames can reach within 5m of the crown of a tree taking the size of the fire, wind speed and direction into account

No storage or discharge of materials within 10 metres of a tree bole.

No mixing of cement or dispensing of fuel or chemicals within 15 metres of the tree bole.

No stripping of topsoil, excavation or changing of levels to occur within a RPA.

Any damage that occurs to the trees during construction will be rectified to BS3998: 2010.

Trees must not be used as anchor points for winching or for supporting wires/cables.

Earthworks

The earthworks will be carried out as a preliminary construction operation.

On completion of the earthworks, barriers will be relocated to suit the needs of the developer whilst protecting the planted and existing trees, and as much of the proposed planting areas as practical.

Installation of Services

Any trenching for the installation of services or other excavations for soakaways etc. will be located at least 1m from the radial extent of the RPAs drawn.

POST CONSTRUCTION PHASE

General notes

Once all the construction and hard landscaping works are completed, the protective barriers will be removed and the landscaping works will be completed.

Soil cultivation within the previously protected zones (i.e. within the Root Protection Areas) will be carried out by hand only. No machine cultivation will take place within these zones whatsoever.

Planting within Root Protection Areas will be carried out by hand using hand tools only.

Retained trees will be re-inspected post-development by a qualified arboriculturalist and any works arising carried out within the time limits specified.

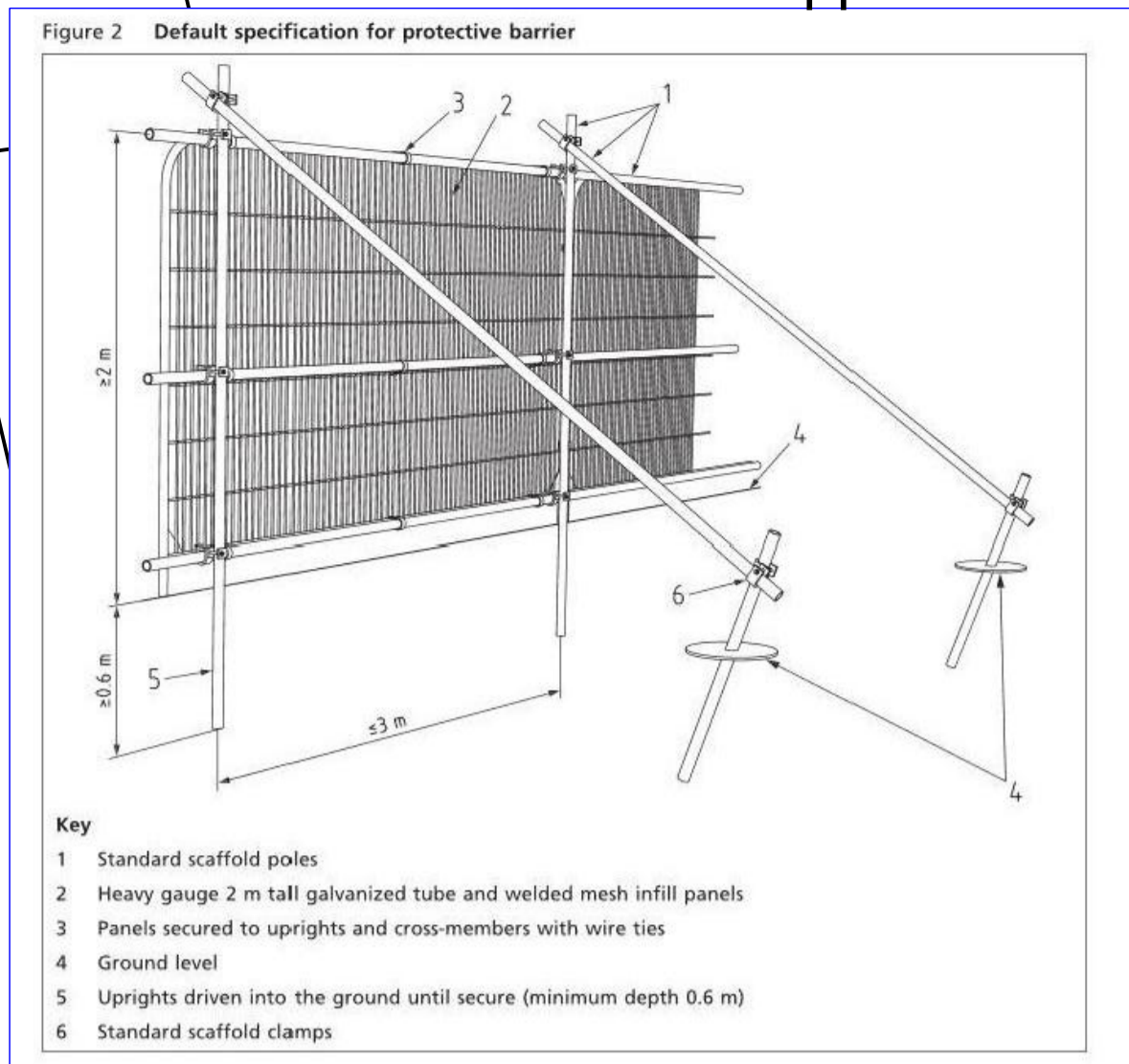


Illustration of robust barrier to BS5837

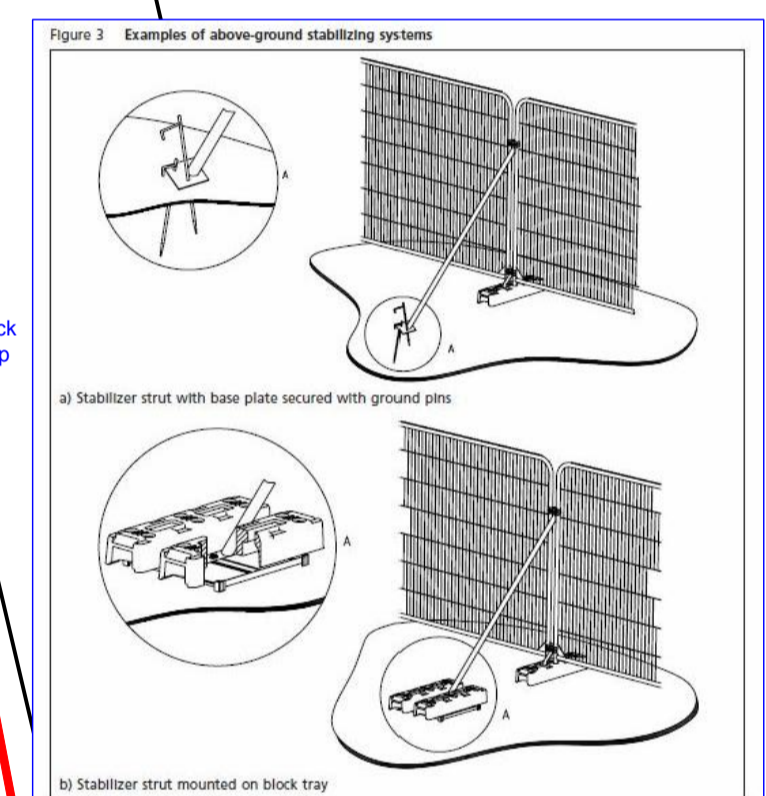


Illustration of alternative robust barrier to BS5837

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NOTES: Based on 1982 - 03 D Site Plan Existing and 1982 - 04 F Site Plan Proposed. The original of this drawing was produced in colour - a monochrome copy should not be relied upon.

- KEY**
- ROOT PROTECTION AREA
 - CANOPY OUTLINE - INDIVIDUAL TREE
 - CANOPY OUTLINE - GROUPS
 - TREES IMPLICATED FOR REMOVAL
 - BARRIER TO BS5837
 - BARRIER LOCATION BEFORE EARTHWORKS COMMENCE
 - BARRIER LOCATION IF PERIMETER FENCE IS NOT INSTALLED BEFORE CONSTRUCTION
 - AREAS FOR PRUNING

Rev	Description	Date
C	Barrier and Method Statement revisions	23/12/19
B	Minor revisions	05/12/19
A	Revised layout	25/11/19
O	Initial issue	15/10/19

Purpose of Issue

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Client: **Hambleton Bakery Limited**

Project: **Land at Hooby Lane, Greetham**

Drawing Title: **TREE PROTECTION PLAN**

Drawn	Checked	Reviewed	Date
AMB	--	--	23/12/2019

Job No.	Scale	Sheet Size	Revision
3886	1:250	A1	C

Drawing Number: 3886.Hambleton.Weighton.TPP

TRANSPORT STRATEGY AND TRAVEL PLAN

6.1 The site is immediately adjacent to an A1 junction with good communications for deliveries of fresh bakery products on a daily basis and in overall transport terms is the most sustainable location for the enterprise

6.2 The access to Hooby Lane between the two slip roads serving the A1 would be moved slightly and improved so that it would have excellent visibility for any emerging traffic where other users are travelling slowly, whilst giving almost no view into the site itself. This section of road also has the benefit of street lighting. Most traffic movements would be outside the busiest times with bakery shifts from 9pm to 6am and delivery vehicles leaving before 6am and returning at noon.

6.3 Relocating the bakery at the geographic centre of the distribution network would increase the efficiency of the operation, not just by shortening the routes but reducing delivery times and allowing expansion. It would be the most sustainable transport solution.

6.4 The business would continue to use route analysis on an ongoing basis to minimise distances travelled, and to maximise efficiency and sustainability

6.5 Stretton is within easy walking distance via the existing, well-lit footpath that connects to the site along the southern side of the B668 Hooby Lane. Call connect bus services are available from Stretton at certain times

6.6 However, it is important to consider the actual nature of the operation of the proposed development, i.e. functioning as an artisan bakery from which the products are delivered on a daily basis and at times when there is no public transport anywhere in Rutland, or the surrounding counties.

6.7 The proposed bakery is above all focused on distributing its products over a wide area via the road network. There is no retail activity proposed on the site.

6.8 Considering the proposed land-use and the specific nature and operation of the development, the accessibility of the site in terms of public transport and foot/cycle links is not the most important factor as in a residential or commercial uses

6.9 Total staff numbers are forecast to be circa 33 full time when operational, with an anticipated 12 staff members on-site at any one time. The business wishes to keep its existing skilled workforce and recognises that it is important for localised employment trips to be made sustainably, where practicable and possible.

Measures and Initiatives

6.10 Working times for bread production will always be an issue as there is no public transport available anywhere in Rutland, or the surrounding areas at these times and the existing skilled workforce lives over a wide area. This would be the same wherever the bakery were located.

6.11 Employee travel can be minimised through instituting good planning for sustainable travel. The main aim of the Travel Plan is to put in place the tools necessary to enable employees to make informed decisions about their travel to the site, whilst at the same time minimising any adverse impacts of travel on the environment. Improving the transport choices available to people, rather than focusing on providing for the private car, will lead to a more equitable and sustainable development that provides travel options for everyone regardless of whether, or not, they own a car.

6.12 The transport principles for the site reflect sustainable objectives, which include sustainable transport choices for employees, encouraging employee car sharing, especially among employees who live near to one another; and increased awareness of the environmental and social benefits of using more sustainable alternatives to the private car.

6.13 These objectives accord with the aims of National and Local Government. The objectives will provide focus and direction to the Travel Plan, leading to appropriate measures and targets being set.

6.14 By meeting these objectives, the Travel Plan will bring about improved quality and reliability of employee journeys to, and from, work at less cost and a reduced need for parking on site. This is a factor in retaining skilled workers if they can spend relatively less on travel. At

a wider level there would be an on-going reduction in vehicular generated traffic on the local highway network and in travel emissions with increased air quality.

6.15 It is intended that these objectives will be met by identifying and implementing initiatives that provide employees with a variety of travel choices and reduce the need to travel by private car. By meeting the objectives set out above, the business will fulfil its desire to contribute to the wider societal and environmental benefits of car sharing

6.16 The business is an artisan bakery where local people make bread from local produce for local consumption. Sustainable travel fits squarely with the company ethos and would be a demonstration of its established environmental credentials

Travel plan strategy

6.17 The business will appoint a member of the team as the Travel Plan Coordinator, (TPC), responsible for overseeing the management, development, implementation, monitoring and review of the Travel Plan. Because of the overall significance of the distribution mileage this is likely to be the delivery manager

6.18 The TPC will be the point of contact for all employees and manage the development and implementation of the Travel Plan measures, promoting the objectives and benefits of the Travel Plan, monitoring its success and reporting the results to Rutland County Council. The overall aim would be to reduce employee travel by 10% by year 3 and up to 20% by year 5

6.19 The following measures will be implemented prior to, and during occupation, in order to promote and support the use of sustainable travel modes, including walking, cycling, public transport use, and car sharing. The TPC will promote the use of alternative travel modes to minimise car dependency to achieve the targets Smarter travel choices are a collection of actions that individuals and businesses can make to support sustainable travel. These measures focus on providing employees with the appropriate information to allow them to make better decisions about their travel choices.

6.20 Car sharing is an effective method of reducing mileage, congestion and car parking, and would be encouraged, especially for late night / early morning shifts. Car share schemes have the potential to reduce the number of single occupancy car trips to the site and will be mainly promoted by the TPC through internal discussion and by coordinating shift working for employees who live close enough to each other

6.21 Although Local and regional car share websites will be promoted to employees, working times make this a less attractive possibility. The sites match users with potential partners as a driver or passenger. Once matched, users can choose to car share as little, or often, as they like

6.22 Distribution vehicles deliver to the local towns of Oakham, Stamford and Grantham and numerous villages at the end of the baking shift and would be used to take employees to these local towns, or public transport hubs

6.23 The site has the benefit of a wide footpath and within easy walking distance of Stretton and its bus shelter although public transport does not normally run to and from there at the right times, however it is possible to use buses in one direction and the delivery fleet in the reverse.

6.24 It would also be possible to share a taxi service with the site next door taking employees to one and back from the other in one trip. The TCP would be responsible for seeking to coordinate this with adjoining businesses

6.25 As importantly the Travel Plan would include all employees on the existing site, some 3½ miles away and coordinate car and taxi sharing.

7 Monitoring and Reporting

7.1 The monitoring programme will begin with an initial travel survey, to be undertaken before any development commences. Further surveys up to Year 5 will be carried out to monitor progress towards the interim and final targets.

7.2 An annual Travel Plan review will be undertaken by the TPC for a period of 5 years from the opening to assess the progress of the Plan. This will outline the results of the monitoring in the preceding period, measures that have been implemented and any suggested changes to targets and measures as a result of the survey data. This report will be submitted to Travel Plan Officers at Rutland County Council

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PLANNING AND LICENSING COMMITTEE

14th January 2020

APPEALS

Report of the Deputy Director of Places

Strategic Aim:	Ensuring the impact of development is managed	
Exempt Information	No	
Cabinet Member Responsible:	Councillor Gordon Brown - Deputy Leader; Portfolio Holder for Planning Policy & Planning Operations	
Contact Officer(s):	Rob Harbour, Deputy Director of Places (Environment, Planning & Transport & Highways)	Tel: 01572 750909 rharbour@rutland.gov.uk
	Justin Johnson, Development Control Manager	Tel: 01572 720950 jjohnson@rutland.gov.uk
Ward Councillors	All	

DECISION RECOMMENDATIONS

That the Committee notes the contents of this report

1. PURPOSE OF THE REPORT

- 1.1. This report lists for Members' information the appeals received since the last meeting of the Planning & Licensing Committee and summarises the decisions made.

2. APPEALS LODGED SINCE LAST MEETING

- 2.1 **APP/A2470/W/19/3243021 – Mr Kevin Williams - 2019/1134/FUL**
 9 Main Street, Barrow, Rutland, LE15 7PE
 Retrospective application for two storey and single storey extensions including juliet balcony.
Appealing conditions on decision notice – was not originally refused.

3. DECISIONS

3.1

4 APPEALS AGAINST ENFORCEMENTS LODGED SINCE LAST MEETING

4.1 None

5. ENFORCEMENT DECISIONS

5.1 None

6. CONSULTATION

6.1 None

7. ALTERNATIVE OPTIONS

7.1 Alternatives have not been considered as this is an information report

8. FINANCIAL IMPLICATIONS

8.1 None

9. LEGAL AND GOVERNANCE CONSIDERATIONS

9.1 As this is only a report for noting it has not needed to address authority, powers and duties.

10. EQUALITY IMPACT ASSESSMENT

10.1 An Equality Impact Assessment (EqIA) has not been completed for the following reason; because there are no relevant service, policy or organisational changes being proposed.

11. COMMUNITY SAFETY IMPLICATIONS

11.1 There are no such implications.

12. HEALTH AND WELLBEING IMPLICATIONS

12.1 There are no such implications

13. CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

13.1 This report gives details of decisions received since the last meeting for noting.

14. BACKGROUND PAPERS

14.1 There are no such implications

15. APPENDICES

15.1 None

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.

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