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**Rutland County Council**

Catmose,  
Oakham,  
Rutland  
LE15 6HP

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

## **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 details

Reason- 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](http://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.

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.

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 8<sup>th</sup> 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 8<sup>th</sup> 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 500m<sup>2</sup> 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.

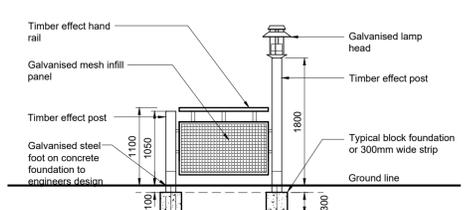
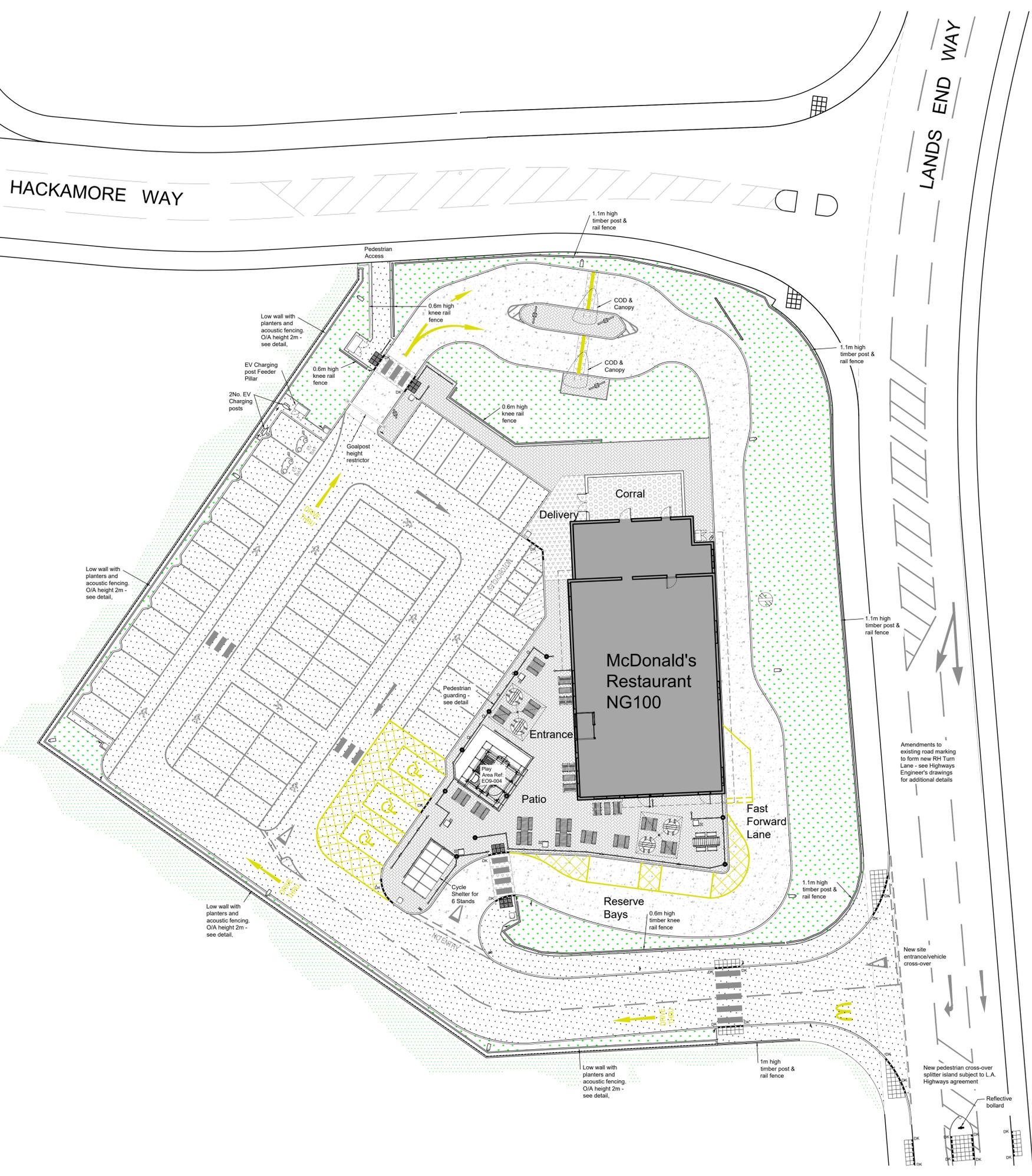
## **Conclusion**

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.

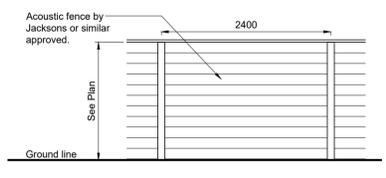
115. The site represents an appropriate location for a drive-thru restaurant.
116. Although the proposed development would be contrary to some of the Adopted Local Plan Policies it would comply with chapter 7 (Ensuring the vitality of Town Centres) and chapter 11 (making effective use of land) of the 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

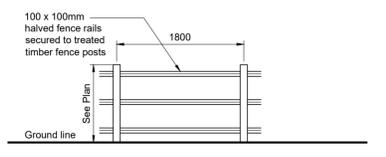
LANDS END WAY



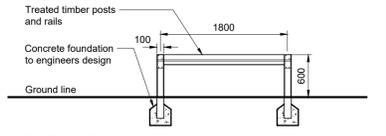
PLAN  
PEDESTRIAN GUARDING &  
LAMP POST DETAIL  
@1:50



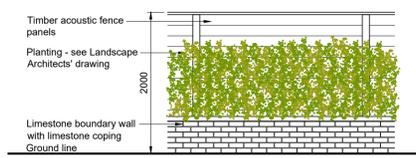
ELEVATION  
ACOUSTIC FENCE @  
1:50



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  
Electrogalvanised 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	01.12.2019	Boundary treatment revised.	JK	
L	11.02.2019	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.

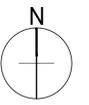
PROPOSED DEVELOPMENT AT  
Hawkshead Estate, Lands End Way  
OAKHAM LE15

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

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



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NG100



McDonald's



McDonald's





McDonald's



COLLECT

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PAY

