

Report to Planning Applications Committee

Item

8 September 2022

Report of Head of Planning & Regulatory Services

Subject Application no 22/00610/F Land at Mousehold Lane,
Norwich, NR7 8HA

**Reason
for referral** Objections

4a

Ward	Catton Grove
Case officer	Maria Hammond mariahammond@norwich.gov.uk
Applicant	McDonald's Restaurants Ltd

Development proposal		
Erection of a freestanding restaurant with drive-thru facility, car parking, landscaping and associated works, including Customer Order Displays (COD) and Play Frame (Class E/Sui Generis).		
Representations		
Original consultation		
Object	Comment	Support
40, plus petition with 244 signatures	0	33
Re-consultation		
Object	Comment	Support
5	0	0

Main issues	Key considerations
1	Principle of development: loss of existing use and provision of new use
2	Transportation
3	Amenity
4	Design
5	Ecology and trees
Expiry date	14 September 2022
Recommendation	Approve



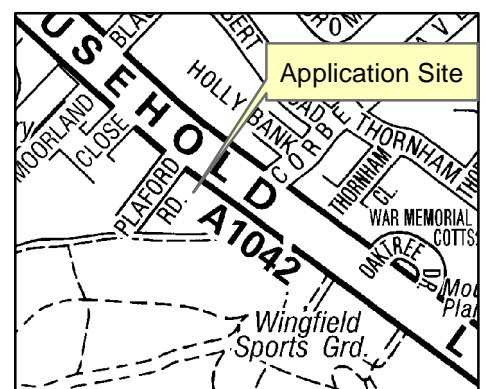
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Planning Application No 22/00610/F
Site Address Land at Mousehold Lane

Scale 1:1,000



NORWICH
City Council
PLANNING SERVICES



The site and surroundings

1. The 0.49 hectare site is located on the southern side of the A1042 Mousehold Lane, part of the outer ring road.
2. It is currently occupied by an established used car retailer and the site is largely open and hard surfaced, with a modest single storey sales building along the eastern boundary and two workshop buildings of a similar scale across the southern boundary. Low railings mark the boundary to the road and there is one totem sign near the two-way vehicle access. Floodlights exist on poles around the site.
3. On Mousehold Lane, a well-lit and busy 40mph route, there is a signal controlled pelican crossing outside the site and waiting restrictions along the carriageway.
4. To the east of the site there is a petrol filling station with retail store which is open 24 hours a day, seven days a week.
5. To the west and north, there are residential dwellings, and the surrounding area has a largely suburban character with occasional commercial uses, such as the application site. Two storey dwellings along Plaford Road to the west have reasonably sized gardens that back onto the site.
6. The southern boundary of the site adjoins Mousehold Heath, which is a designated county wildlife site, local nature reserve and popular and valuable recreational space. There is no direct access between the site and Mousehold Heath. The nearest point of access is an informal pedestrian route approximately 100 metres to the east, off Mousehold Lane.
7. In the wider area, Sprowston Retail Park lies approximately half a kilometre to the east and Open Academy is just beyond that. Infant, junior and secondary schools in Sprowston lie further north.

Constraints

8. The site is within a critical drainage catchment.
9. Mousehold Heath is a county wildlife site and local nature reserve and defined as green wedge of open space in the Local Plan.
10. In this area, Mousehold Lane marks the boundary between Norwich City Council and Broadland District Council.

Relevant planning history

11. The records held by the city council show the following planning history for the site.

Ref	Proposal	Decision	Date
4/1996/0658	Part internally illuminated gantry sign	TEMP	14/11/1996
22/00597/A	Display of: 1) 3 No. internally illuminated fascia signs;	PCO	

Ref	Proposal	Decision	Date
	2) 3 No. internally illuminated booth lettering signs; 3) 1 No. internally illuminated digital booth screen sign.		
22/00598/A	Display of: 4no. freestanding signs 1no. internally illuminated play land sign 1no. banner sign 24no. DOT signs 2no. internally illuminated digital menu boards	PCO	
22/00601/A	Display of: 1 no. freestanding internally illuminated totem sign.	PCO	

The proposal

12. The application proposes clearing the site and erecting a new detached single storey restaurant building with 'drive-thru'. The restaurant would accommodate 76 covers.
13. The building would be sited roughly at the centre of the site with car parking to the front and a one-way drive-thru lane passing around the building to collection points on the west elevation of the building. Play structures and seating are proposed within a fenced patio adjacent to the pedestrian entrance to the building on the east elevation.
14. The existing vehicle access would be closed off and a new two lane in and out arrangement would be located approximately nine metres west of this. A separate pedestrian access is also proposed closer to the pelican crossing and a gated maintenance access and substation are proposed in the northeast corner of the site fronting Mousehold Lane.
15. Within the highway, a new right turn lane is proposed.
16. Across the site, new landscaping is proposed.
17. Three separate applications for advertisement consent were submitted concurrently with this proposal and include a totem sign at the entrance, signage with the car park and around the site and signage on the building. These will be determined under delegated powers following a resolution on this planning application.

Summary information

Proposal	Key facts
Scale	
Total floorspace	350 square metres
No. of storeys	One
Max. dimensions	14.2 metres wide, 27.2 metres long and 5.8 metres high
Appearance	
Materials	Dark grey engineering brick, timber effect cladding, stone effect cladding, white canopies, black framed windows and doors
Construction	Modular construction
Energy and resource efficiency measures	LED lighting, auto shut-off taps, automatic closures and draft proofing to doors, building management
Operation	
Opening hours	24/7
Ancillary plant and equipment	Kitchen extract fan, air handling units, chiller units and AC condensing units located on roof
Transport matters	
Vehicular access	New access point with in and out lanes and pedestrian island. New right turn lane proposed on Mousehold Lane.
No of car parking spaces	41, including two accessible, two parent and child, two with EV charging and two in a 'fast forward lane' for collection from the drive-thru. Three motorcycle spaces.
No of cycle parking spaces	10 for customers, 2 for staff
Servicing arrangements	Delivery Management Plan submitted. Three to five deliveries a week between 07:00 and 23:00 but not between 16:00 and 18:00 weekdays and 12:00 to 14:00 weekends. Delivery vehicles collect waste cardboard, food, cups, oil and empty delivery crates. Landfill waste collected three times a week. Refuse storage and compactor in corral enclosure at rear of building.

Representations

18. Adjacent and neighbouring properties have been notified in writing of the original submission and there was a re-consultation on subsequent amendments.
19. In total, 84 letters of representation were received from 82 individuals in response to the original consultation. Of these, 40 raise objections and 44 are in support, but 11 of the representations in support make either no comment or raise no material considerations. In addition, a petition has been received. This has a total of 244 signatures. 200 signatories made additional comments but 37 of these raise no material considerations.
20. In response to the re-consultation, five representations in objection have been received, including one said to be on behalf of all petition signatories.

21. The issues which have been raised in the individual letters of representation are summarised in the table below. The petition sets out the reasons for objecting to the proposal, including:

- (a) Observations on content of submissions
- (b) Proposal does not enhance the environment for the community, contrary to DM1
- (c) Adding only jobs in fast food industry does not comply with DM1
- (d) Negative impact on similar takeaways in Heartsease and Sprowston Road
- (e) Noise survey would have more relevance if compared with real world data
- (f) Broadland District Council recorded 8 complaints about noise and anti-social behaviour between July 2020 and June 2021. Neighbours also complained about odours from cooking.
- (g) 24/7 opening
- (h) Adverse impacts on health, well-being and quality of life for residents
- (i) Air pollution from idling engines of queuing vehicles
- (j) Litter – proposals for litter picking inadequate and litter could have negative impact on flora, fauna, geological and physical features of Mousehold Heath
- (k) Car headlights and restaurant lighting will increase light dusk to dawn, seven days a week
- (l) Will extra light negatively impact animal species at Mousehold Heath?
- (m) Existing junctions along Mousehold Lane are difficult to pull out off. Proposal will lead to much more traffic than existing use at all times of day.
- (n) Proposed left turn out may be ignored.
- (o) Addition of right turn lane into site on Mousehold lane would reduce lane widths and cause queuing traffic
- (p) Sprowston Development Plan is trying to encourage traffic away from congested routes, proposal would exacerbate the problem at junctions
- (q) Boundary Road McDonalds is often full and has traffic overspilling onto highway, could be traffic queuing onto road, including outside times existing site is open
- (r) Not enough staff parking
- (s) Increased number of pedestrians will naturally increase number of accidents
- (t) Increase in traffic against DM1 and will increase carbon emissions
- (u) Highway safety will be compromised
- (v) Norfolk Police recorded 61 crimes at Boundary Road McDonalds between 2016 and 2021, including 28 classified as 'violence against the person'.
- (w) Excessive advertising (subject to different applications)
- (x) Necessity of site, suggestion of others
- (y) Two high schools within 600m. Decisions on planning should consider the Government's aim to halve obesity in children by 2030.
- (z) Proposal does not respect, enhance and respond to character of predominantly residential area
- (aa) Major residential amenity concern

Issues raised	Response
Creation of jobs	See main issue 1
Convenience/less far to travel	See main issue 1
New amenity in area	See main issue 1
Look better than existing car sales site	See main issue 4
Highway safety – dangerous junctions	See main issue 2

Issues raised	Response
Exacerbate traffic congestion	See main issue 2
Revisions to layout works better, still dangerous	See main issue 2
Applicant's comparable highway examples and justification not relevant, examples of existing/likely issues provided	See main issue 2
Damage to Mousehold Heath – litter, wildlife, lighting	See main issue 5
Litter	See main issue 3
Pollution from vehicles	See main issue 3
Proximity to schools	See main issue 1
Odour pollution	See main issue 3
Eyesore	See main issue 4
Noise pollution	See main issue 3
Light pollution	See main issue 3
Public health – fast food, obesity, children	See main issue 1
Anti-social behaviour and crime	See main issue 3
Too many already	See main issue 1
Encourage pests	See main issue 3
Timing of deliveries at anti-social hours – how will deliveries be managed? Existing impact from garage.	See main issue 3
Disturbance from 24/7 opening	See main issue 3
Staff parking in surrounding area	See main issue 2
Harm to residential area	See main issue 3
Loss of trees	See main issue 5
Should be discouraging car use	See main issue 2
Insufficient parking	See main issue 2
Statement of Community Involvement deliberately deceptive	It is noted the applicants carried out a pre-application consultation locally which received 387 responses with 217 objecting, 142 supportive, 18 supportive with reservations and 9 unsure.
Plans don't show houses opposite	The submitted 3D visuals do not show the full extent of neighbouring properties, but these are shown on the other plans and the site and its surroundings have been visited to assess the proposal.
House prices	Not a material planning consideration
Need – for and against	Not a material planning consideration
Better uses for land	The submitted application must be considered.
No site notices	Notification letters were sent to neighbouring properties in accordance with statutory consultation requirements.
Automatically generated support?	It is noted that several representations in support were received via a single

Issues raised	Response
	email address. It is acknowledged the applicant may have canvassed these responses and facilitated their submission. Each contained an individual's name and contact details so can be considered where the submitted comments raise material planning considerations.

Consultation responses

22. Consultation responses are summarised below the full responses are available to view at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Environmental protection

23. Contamination: In light of the reports submitted in support of the application, a condition is recommended.
24. Noise: If the noise report is fully implemented, then I would not object to this application. I would like to condition that the report is implemented in full and add the condition suggested in the report to manage noise levels and add a condition concerning timing of deliveries.
25. Noise & Anti-Social Behaviour: One area the noise report doesn't cover is people noise apart from ordering. Recommend conditions on CCTV and a management plan.
26. Odour: I am satisfied that the odour control system proposed shall eliminate the odour and prevent it creating a nuisance to the nearby properties subject to a condition requiring compliance.
27. Lighting: I have no objections, provided the lighting is installed in accordance with the submitted design.
28. Waste escaping from site: Is it possible to add a condition that McDonalds will litter pick the adjacent pathways and land regularly?

Highways

29. Following negotiations and the submission of revised drawings, it is the view of the highway authority that the applicant has now ensured that issues of concern have been adequately mitigated. Therefore subject to our recommended conditions, we believe it would be difficult to substantiate an objection.
30. The former use of the site as a car sales site had an ingress and egress vehicle access arrangement and a low amount of traffic. The proposed use of the site is a significant intensification and will generate more traffic movements over a longer period of the day, every day of the week and in particular at peak times compared to its extant planning use of the site.

31. Objections have raised concerns regarding increased traffic drawn to the site along Mousehold Lane and the adverse impact on congestion and safety affecting the outer ring road and nearby side roads such as Plaford Road and Corbet Avenue that may affect safety and delays for motorists wishing to turn out of these roads, as well as concerns of proximity of egress traffic from the adjacent petrol filling station.
32. It is accepted that this is a heavily trafficked location and that there are a number of different turning movements that occur at present. In planning terms extant traffic issues are a matter of fact and new development should not be used to resolve all those other issues in the locality. It is our assessment that the proposed access and egress is of adequate distance from the nearby pedestrian crossing facility and other side roads and site accesses. The proposed access also has adequate visibility in both directions, there is adequate time and distance for motorists leaving the site to assess when it is safe to turn outwards. For these reasons it is our view that in principle there is a reasonably safe and suitable means of access and egress from the proposed restaurant.
33. Further highway safety mitigation is proposed whereby a new right hand turn lane on Mousehold Lane will provide adequate space for vehicles to turn into the site. This right hand turn lane has the benefit of removing turning traffic from the carriageway which aids safety and reduces delays to through traffic.
34. The site will also be designed to operate as a left only egress to simplify traffic movements from the site. This traffic management technique can be effective in reducing right turn movements and associated conflict with live traffic. This left out arrangement will not be enforceable and is accepted that some motorists may turn right in an eastbound direction. Visibility has been assessed as meeting Manual for Streets standard, and therefore there is not a safety objection.
35. A service and delivery management plan (SDMP) will restrict the size and routing of trucks for the site. McDonalds will use smaller 11m rigid trucks which has helped ensure that vehicles used for deliveries and refuse collection can enter the site without traversing the pedestrian refuge and navigate the site layout without requiring extensive amounts of parking spaces to be cleared. These vehicles will also be required to only approach from the west and leave to the west, thus eliminating slowing, stopping, and turning movements from the east that might adversely affect traffic queuing over the pelican crossing. This also means that the larger vehicles can enter and leave the site easily and efficiently on a routine basis without adversely affecting traffic on Mousehold Lane. This will of course rely upon the operator to implement the SDMP and your Authority to enforce.
36. The extant pelican crossing provides a safe facility for pedestrians, and the extant waiting restrictions (double yellow lines and no stopping crossing wags) provide adequate parking management for the locality. Pedestrians wishing to enter the site have a choice of two walking routes with crossing markings within the site that are on a reasonable desire line from the road, making it direct and convenient and thus more likely to be used than other routes across the site car park and trafficked areas.
37. Overall the layout of the site assists safe pedestrian movement from the locality across the restaurant car park and does not conflict unduly with vehicular movement. It is our view that the extant pelican crossing is in suitable location in relation to the development and does not require further improvement.

38. Overall, there are a number of mitigation measures that have positively addressed concerns raised and help to ensure a safe and suitable means of access, an adequate layout and positive approach towards pedestrians and cyclists.
39. In terms of the amount of parking on site, the Transport Assessment has sought to demonstrate that the site can accommodate the amount of car spaces required for staff and customers, this assessment is accepted as reasonable.
40. For this location within an urban area and adjacent to a primary route it will experience a significant amount of 'pass by' trade, which is traffic already on the road network and making decisions to buy food and drink en route as part of a journey for another purpose, i.e., it's not operating as a remote destination restaurant in an out of town location.
41. During the construction phase it will be necessary for the developers to carefully consider the safe operation of the site, to protect the free flow of traffic on Mousehold Lane and the safety of pedestrians on the adjacent footway and crossing.
42. To maintain sustainable travel to the site by bus, foot and cycling, the applicant should encourage this for staff and customers to the premises. The operator of the premises should ensure that off-site parking is discouraged to prevent unsafe or nuisance parking on adjacent highway. This can be achieved by use of a Travel Information Plan.
43. To achieve an acceptable development in highway terms, the following mitigation measures and conditions are recommended:
 - (1) A new site access constructed to Light commercial standard with a 'left only out' egress, to include a new pedestrian refuge
 - (2) Ensure that the visibility splay of 2.4m x 55m in both directions is not obstructed
 - (3) Provision of a right hand turn lane on Mousehold Lane
 - (4) Use of 11 metre rigid trucks for deliveries and refuse collection
 - (5) Agreement to use a servicing and delivery management plan by condition, that will ensure that all deliveries and refuse traffic will approach from the west and leave to the west.
 - (6) Site layout to include two dedicated walking routes for pedestrians
 - (7) Reconstruction of the footway adjacent to the site to full kerb height (and closure of a redundant site access)
 - (8) A travel information plan will also assist management of the site to encourage
 - (9) Sustainable travel for staff and customers and to avoid problem issues such as off site staff car parking and to encourage travel by bus, walking and cycling.
 - (10) A Construction Traffic Management Plan to include provision for construction workers parking to be provided on site in addition to suitable turning and waiting

provision for other construction vehicles, and pedestrian safety measures (hoardings).

44. The National Planning Policy Framework (NPPF) states:

'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

45. It is our view that this package of mitigation measures to be secured by condition, will be adequate and will enable the development to be acceptable in highway terms and therefore does not meet the NPPF tests of safety and severity of impact.

Landscape and ecology

46. The landscape proposals would involve replacing a significant area of existing hard surfacing with soft landscaping, including approximately 30 trees and areas of native shrubs/hedging. Most of this planting is located at the southern part of the site which adjoins Mousehold Heath. This is welcomed.

47. The site has negligible existing landscaping and a small quantity of low value habitat. Of most value and concern is the woodland habitat immediately adjacent to the south which forms part of Mousehold Heath. A number of Oak trees overhang the southern site boundary. It is therefore important that proposals for planting and fencing works within root protection areas are carefully undertaken in accordance with the recommendations of the AIA and AMS.

48. Hard landscaping

(1) Please could the material and appearance of 2m high acoustic fencing be clarified?

(2) New 1.1m high close boarded fence to provide anti-headlight glare screen is proposed which would block most views of the perimeter landscape planting, thereby obscuring a soft treatment which would contribute positively to the streetscape with a hard feature which would detract from it.

(3) Redevelopment of the site offers an opportunity to significantly improve the streetscape, which the proposals fail to fully take.

(4) Tall fence panels adjacent/perpendicular to the footway should be reduced in height to around 1m to provide sight lines for pedestrians, improve personal security and reduce adverse visual impact.

(5) Pedestrians using the footway would make a two-stage crossing away from the desire-line. The layout should be amended to give priority to pedestrians.

(6) The Site plan shows considerable lengths of pedestrian guard railing around the north and east sides of the building. Please could reducing the amount be considered.

(7) Pedestrian routes through car park are shown on Site plan with dropped kerbs. These should be replaced with flush kerbs to improve accessibility.

49. Soft landscaping

- (1) The landscape plan includes a maintenance specification. A longer-term Landscape management plan should be conditioned.
- (2) The landscape proposals include wildflower seeding which would have biodiversity benefits.
- (3) It would be preferable for hedging to be maintained at a greater height to provide more screening and biodiversity benefits.
- (4) There is quite a lot of street furniture/clutter around the building and car park. This, in combination with the extent of tarmac and other hard surfacing would tend to have an adverse visual effect on the setting of the building and would be visible from Mousehold Lane. The proposed landscaping would help to mitigate this to an extent. It would be preferable for a few additional trees to be provided along the frontage to soften the car park and contribute to the streetscape.

50. Ecology

- (1) Preliminary Ecological Appraisal (PEA) conclusions and recommendations are supported. The PEA has informed the Landscape proposals, which is welcomed.
- (2) The proposed landscape scheme and ecological enhancement measures are likely to provide a clear net gain against the baseline of the existing site which is of low ecological value and does not support any protected species.
- (3) PEA recommends a Construction Ecological Management Plan [CEMP] to ensure the protection of the priority habitats to the south of the site. This is supported and should be conditioned.
- (4) The PEA recommends that the loss of nesting habitat should be compensated for by including tree planting on site and 2 no. bird nesting boxes.

External lighting - A lighting plot has been provided which identifies the LUX levels within the site and on the boundaries. Lighting should be directed away from the habitat of Mousehold Heath to the south of the site, to minimise adverse effects on wildlife. Please could confirmation be provided that the lighting scheme accords with the recommendations of the PEA.

51. Suggested Conditions:

- Landscaping Details
- Mitigation Programme
- Bird Nesting Season
- Small mammal access
- Mitigation Details – for bee and bird boxes
- External lighting
- Construction Ecological Management Plan

Norfolk police (architectural liaison)

52. Encouraged to learn applicant will consider applying for Secured By Design award.
53. Some matters require consideration: design of entrance, layout to provide clear lines of sight and control access, natural surveillance, car parking, cycle parking, landscaping, lighting, alarms and CCTV.

Norwich Society

54. We have no objections in principle - this looks to be a standard MacDonald's drive-through and restaurant, carefully screened to cause no offence, conveniently located on the ring road. Our only concern is to the large area of parking exposed on the street frontage. It would provide a more enclosed and consistent frontage if the building could be located there, with parking principally at the rear.

Sprowston Town Council

55. Sprowston Town Council has made no objection to this application, but has requested the following points be taken into account when a determination is made:
- (a) Ask that safe vehicular access onto Mousehold Lane is assured for residents using Corbet Avenue, Blackwell Avenue, Alford Grove, Oaktree Drive, Playford Road and Moorland Close.
 - (b) Any lighting visible from the Mousehold Heath side of this site should be of a type that is not disruptive to bats and switched off at the times when artificial lighting is most likely to interfere with bat activity.
 - (c) Concerned about a possible increase in littering within Mousehold Heath. Note reference to regular litter picking within 150 metres of the proposed restaurant. This area is insufficient, request litter picking be extended to cover as wide an area of Mousehold Heath as practicable.
 - (d) Noise, odour, traffic and light pollution should be mitigated by restricting restaurant opening hours not beyond midnight.

Broadland District Council

56. Request that due consideration is given to the impact of the proposed development on the amenities of its residents which live opposite the site, in respect of highway safety; increased traffic movements; noise and disturbance; odour; light pollution etc. which could give rise to a detriment to our residents amenities.

Assessment of planning considerations

Relevant development plan policies

57. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
- JCS1 Addressing climate change and protecting environmental assets
 - JCS2 Promoting good design
 - JCS5 The economy
 - JCS6 Access and transportation

- JCS7 Supporting communities
- JCS12 The remainder of the Norwich urban area including the fringe parishes
- JCS19 The hierarchy of centres

58. Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)

- DM1 Achieving and delivering sustainable development
- DM2 Ensuring satisfactory living and working conditions
- DM3 Delivering high quality design
- DM5 Planning effectively for flood resilience
- DM6 Protecting and enhancing the natural environment
- DM7 Trees and development
- DM11 Protecting against environmental hazards
- DM17 Supporting small business
- DM18 Promoting and supporting centres
- DM24 Managing the impacts of hot food takeaways
- DM28 Encouraging sustainable travel
- DM29 Managing car parking demand in the city centre
- DM30 Access and highway safety
- DM31 Car parking and servicing

Other material considerations

59. Relevant sections of the National Planning Policy Framework July 2021 (NPPF):

- NPPF2 Achieving sustainable development
- NPPF4 Decision-making
- NPPF6 Building a strong, competitive economy
- NPPF7 Ensuring the vitality of town centres
- NPPF8 Promoting healthy and safe communities
- NPPF9 Promoting sustainable transport
- NPPF11 Making effective use of land
- NPPF12 Achieving well-designed places
- NPPF14 Meeting the challenge of climate change, flooding and coastal change
- NPPF15 Conserving and enhancing the natural environment

Case Assessment

60. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning Policy Framework (NPPF), the Councils standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

Main issue 1: Principle of development

61. Key policies and NPPF paragraphs – JCS1, JCS5, JCS6, JCS7, JCS12, JCS19, DM1, DM17, DM18, DM24, NPPF paragraphs 81, 86-88, 90-91, 92, 110, 130

Loss of existing use

62. The proposal would result in the loss of the existing car sales operation. This low intensity use does not benefit from any specific policy protection and there is no objection to its loss. For information, it is noted that the application states existing employees would be relocated to other sites operated by the same company.

Proposed new use

63. Restaurants and hot food takeaways are classified as main town centre uses. The 'drive thru' is an integral part of this proposal to facilitate collection of takeaways. In terms of use class, it is considered to be *sui generis*.
64. NPPF section 7 and Policy DM18 direct main town centre uses to defined centres. This principle is in accordance with Policy JCS6 which seeks to concentrate development close to essential services and facilities and DM1 which seeks to minimise the overall need to travel, reduce dependency on private car use and ensure ease of access to facilities and services. It also protects and enhances the vitality and viability of these centres which play a vital role at the heart of local communities in accordance with JCS12 and paragraph 86 of the NPPF.
65. The proposed site is not within a defined centre. The closest is the Sprowston Road/Shipfield Road district centre over 400 metres west of the site.
66. Where main town centre uses are proposed outside defined centres, Policy DM18 and paragraph 87 of the NPPF require applicants to undertake a sequential assessment to consider if there are suitable sites available in centres and, if not, on the edge of centres. Out of centre sites should only be considered if it can be demonstrated that sequentially preferable alternatives are available.
67. The applicant has submitted a Sequential Test and subsequently revised this to consider additional centres. In terms of suitability, they have identified that a site of approximately 0.3 ha is required to meet operational requirements, providing a restaurant of approximately 100 seats with parking and drive-thru. The drive-thru is said to be an integral part of the development which cannot be separated as it would account for around 50% of the site's trade. A drive-thru is said to require a location with 20,000 passing traffic movements for a roadside position or to be co-located with other 'attractors'.
68. In terms of location, McDonalds operate nine existing stores across Norwich and are seeking to add one to the north-east of the city. They state each store serves its own local market.
69. Their area of search has included the large district centres at Anglia Square and Riverside and Plumstead Road and Sprowston Road/Shipfield Road district centres. Given the location on the boundary with Broadland District Council, they have also looked at Dussindale district centre. No sites which are suitable to meet the needs of the development and currently available have been identified in any of these centres, nor on the edge of them.

70. In accordance with the hierarchy of centres in Policy JCS19, the city, large district or district centres would be most appropriate for a development of this scale, so it is considered that consideration has been given to the right locations. The submitted assessment does not identify any specific sites within or on the edge of these centres to explain why they are not suitable or demonstrate that they are not available. Therefore, there is no robust justification given to support the assertion there are no suitable sites available for the development in sequentially preferable locations.
71. However, it is acknowledged that a site of at least 0.3ha is relatively large for these centres, especially at district level. When considering 'suitability' of sites, regard must be had to the NPPF and Planning Practice Guidance (a material consideration) which advises some flexibility should be applied on issues such as format and scale but appeals and case law have established that alternative forms of development cannot be considered. It is therefore only the suitability of sites for the application proposal – a restaurant with drive-thru - that can be assessed in the sequential test. Therefore, sites within or on the edge of centres that could, for example, only accommodate a restaurant, of which there are likely many, cannot be considered as suitable.
72. It is also acknowledged that, as well as the stipulated size, vehicular access is a requirement of a suitable site. Whilst being considered a main town centre use, it is acknowledged that the drive thru element of the proposal with associated requirement for vehicular access does reduce the potential number of suitable sites within or on the edge of centres.
73. When consideration is given to the specific needs of a site to accommodate the proposed development and the size and nature of centres at the appropriate level of the hierarchy to the north-east of the city, it is accepted that it would be very difficult to find a sequentially preferable site within any reasonable period. The content and conclusions of the Sequential Test are therefore acceptable.
74. In addition to satisfying the sequential test, Policy DM18 also requires that out of centre proposals do not conflict with the overall sustainable criteria in Policy DM1. These criteria include minimising the overall need to travel, reducing dependency on private car and ensuring ease of access to facilities and services.
75. The proposed out of centre location is in a largely residential area from which it would draw custom and is also on a busy, principal route where it would attract passing trade. Pedestrian and cycle access is available along and via Mousehold Lane from the surrounding area and the nearest regular bus services run along Sprowston Road, over 400 metres to the west and Salhouse Road over 500 metres to the east. However, the location and nature of the use would attract a significant amount of travel by private car. The drive-thru element makes this largely inevitable wherever the site is located and any alternative site either within a defined centre or better located in relation to public transport and other services and facilities is unlikely to significantly reduce private car travel for the drive-thru element which is estimated to account for 50% of trade. McDonalds operate restaurants without drive-thrus, including two in the city centre, but the Planning Practice Guidance is clear that this element of the proposal cannot be disaggregated when considering the sequential test.
76. Traffic and transport matters are considered further below, but in terms of principle with regards DM18, it is accepted that there is unlikely to be an available site which

is suitable to meet the operational needs of the proposed restaurant with drive-thru and the drive-thru element will inevitably attract a proportion of private car travel wherever it is located. On balance, it is considered that the sequential test has been passed and accordingly the principle of the use in the location is not unacceptable in relation to Policy DM18.

77. Several objections have stated there is no need for the proposed use in this location and/or there are sufficient McDonalds branches elsewhere already. Other representations support the provision of a new branch in this location and note the reduced travel distance compared to existing branches. Concern has also been raised about the impact of additional competition on existing local takeaways, but none of these are material considerations.
78. Policy DM24 requires that new hot food takeaways do not give rise to unacceptable environmental effects and have safe and convenient access which is not detrimental to highway or pedestrian safety. These matters are considered further below.
79. Some representations have raised concern about the public health effects of fast food restaurant, including in relation to obesity and children, especially given the proximity to local schools and routes to/from them. Policy DM1 and paragraphs 92(c) and 130(f) of the NPPF all highlight the role of planning in creating places which promote and improve health and well-being and support healthy lifestyles. Planning Practice Guidance advises that planning policies can seek to limit the proliferation of uses which do not support a wide range of healthier food production and consumption choices, but only where it can be justified by evidence demonstrating this is appropriate, including from local public health colleagues. The adopted local plan and emerging Greater Norwich Local Plan do not contain any such policies and Norfolk County Council's public health team have been consulted on this application but not offered any response. In the absence of any specific policy concerning the provision or location of such services, any evidence that the proposal would unacceptably harm public health and the fact that in planning terms the proposal is not specifically for a fast-food restaurant and could sell food of any type, there are no grounds to resist the proposal in relation to public health, healthy lifestyles or proximity to schools.
80. Much of the support for the proposal refers to the creation of jobs and it is noted that the loss of seven existing employees would be outweighed by the creation of 30 full-time and 90 part-time jobs (62 full-time equivalent). This is a benefit weighing in favour of the proposal in relation to the economic objectives of sustainable development in the NPPF which is to be considered in relation to the social and environmental objectives in the planning balance.
81. In principle, the proposal is for a main town centre use in an out of centre location which would attract a significant proportion of travel by private car. When due consideration is given to the availability of sequentially preferable, more sustainably located sites that would be suitable for the development, it is concluded that the proposal cannot be resisted on this basis. There is no policy basis on which to oppose a drive-thru in principle and whilst this aspect of the proposal is regrettable in terms of the constraints it imposes on potential sites for a new restaurant and the poor environmental sustainability, Planning Practice Guidance and case law advises that sites for the proposal as a whole must be considered and the provision of a drive-thru cannot be separated out. The private car travel associated with this

therefore must be accepted to an extent and consideration is given to minimising this and promoting more sustainable travel in the Transport section below.

82. The employment creation does provide an economic benefit weighing in favour of the proposal and the scale and nature of the proposal is not so significant as to harm the viability or vitality of existing centres. Whilst there is some conflict with the sustainability objectives of Policies JCS1, JCS6, JCS7 and DM1, on balance, the principle of the proposal is not unacceptable with regards Policies JCS5, JCS12, DM17, DM18 and DM24.

Main issue 2: Transport

83. Key policies and NPPF paragraphs – JCS6, DM24, DM28, DM30, DM31, NPPF paragraphs 8, 102-111.
84. The A1042 Mousehold Lane is identified as a principal route and, as recognised in many of the representations, a busy part of the outer ring road with many junctions onto residential side roads. Objections have raised concerns about traffic, highway safety and parking.

Traffic

85. As acknowledged by the Highway Authority and objectors, the proposed use would be a significant intensification compared to the existing and generate more traffic movements over longer periods of the day and week. The submitted Transport Assessment uses analysis of what the consultants consider to be a similar existing restaurant to estimate there would be 128 traffic movements in and 121 out during a Saturday peak between 12:00 and 13:00, compared to 22 two-way vehicle trips for the existing use at peak time on a Saturday. The Assessment also identifies three potential types of trip visiting the site: additional trips specifically to the site; diverted trips where drivers are already on the road network but alter their route to visit; and, pass by trips. On Friday and Saturday peaks, it is estimated there would be 47 and 49 'additional trips' on the road network to the site. It is also estimated that 37% of trips would be 'transfer trips' that would otherwise be made to existing restaurants.
86. This is already a heavily trafficked location and the Highway Authority have no objection in relation to traffic movements and are satisfied the proposed access is an adequate distance from the pelican crossing and junctions to side roads to not unacceptably compromise their safe use. As considered above, the drive-thru element of the proposal will inevitably attract a high degree of private car use, but not to an extent that would unacceptably exacerbate existing traffic congestion. Measures can be taken to promote more sustainable travel by customers dining in and staff and it is considered necessary to secure compliance with the submitted travel plan to promote more sustainable travel options.
87. The drive-thru lane has capacity for 20 vehicles to queue and based on experience from the comparable existing store, it is estimated there would be a maximum of 12-13 in the queue at peak times, so would not result in queuing out of the site onto the highway.
88. Traffic routing and parking during construction should be agreed by condition to ensure there is no unacceptable disruption.

Highway safety

89. Negotiations during the course of the application have secured amendments to the layout of the proposed new access. The Highway Authority are satisfied that this would benefit from adequate visibility in both directions. There would be dedicated in and out lanes, segregated by a pedestrian island, and road markings and signage within the site would identify vehicles should exit to the left (west) only. This should reduce potential for right turns and associated conflict with live traffic but as it would not be within the public highway, it would not be enforceable. On the basis that the visibility to turn right is acceptable, the Highway Authority do not have a safety objection to this aspect of the proposal.
90. A new right turn lane is proposed within the highway on Mousehold Lane which the Highway Authority advise has been satisfactorily designed and would remove turning traffic from the carriageway to aid safety and reduce delays to through traffic. Completion of this new lane and other necessary works within the highway prior to first use of the development can be secured by condition.
91. Pedestrian safety across the new vehicular access has been considered. Tactile paving, dropped kerbs and a central pedestrian refuge are included. It is noted that these would not be in alignment with the existing footway along Mousehold Lane, so pedestrians passing the site would need to inconveniently divert off their direct route to make a safe crossing. This aspect of the access layout is necessary to allow large delivery vehicles to safely manoeuvre in and out of the site and this pedestrian crossing area would be dedicated as public highway and subsequently maintained as such. This is recognised to be a compromise of the design but is acceptable.
92. An alternative pedestrian access into the site is also proposed closer to the pelican crossing and would directly cross the car park to the building with zebra crossing demarcations. This and other pedestrian routes would need to traverse the car park which is regrettable, but appropriate signage and road markings are proposed, and the Highway Authority are satisfied there would be no undue conflict with vehicle movements.

Parking

93. In total, 41 car parking and three motorcycle spaces are proposed within the site. The Transport Assessment justifies this level of parking with reference to the comparable existing site and other sites within Norfolk which have an average of 45.
94. Local Plan parking standards would allow for a maximum of 18 spaces for restaurants and takeaways in this location, so the proposed provision is far in excess of this. The provision does include two bays for drive-thru customers with large orders to pull over and wait, rather than delaying the rest of the queue, so these may be infrequently used. The Transport Assessment estimates that the maximum parking demand at a peak time would be 31 (staff and customers) so the need and justification for such provision that is also in excess of this has been questioned, however the applicant wishes to retain the proposal for 41 spaces and notes this would mitigate any risk of overspill parking off-site. The Highway Authority consider the assessment justifying the parking provision to be reasonable,

but it should be noted they do not apply or comment on the City Council's parking standards.

95. Representations have raised concern about parking, particularly by staff, overspilling to local residential roads where there is reported to be existing parking congestion. Indeed the Highway Authority raised this risk as a concern at pre-application stage. The Transport Assessment estimates there would be a maximum of 15 staff on site at any time and the travel plan suggests four of these would drive to work. There would be three spaces dedicated for staff, as well as access to the other spaces. Given the above-standard parking provision, it is considered unlikely there would be overspill parking outside the site but that the submitted travel plan should promote sustainable travel options for staff and be secured by condition.
96. Two spaces are proposed to have EV charging points which is in excess of standards and welcomed.
97. A total of 12 cycle spaces are proposed: 10 in a covered shelter by the building entrance for customers and 2 secure cycle lockers for staff. This total provision is in accordance with standards, however there should be 4 for staff. As the covered shelter would be available for staff to use, this is acceptable. It is noted that delivery riders may also use the customer shelter which is conveniently located by the building entrance.

Servicing

98. The vehicular access has been re-designed and delivery management plan amended to propose that no vehicles larger than an 11 metre rigid truck are used for deliveries and servicing and that they must enter from and egress to the west.
99. This has overcome initial concerns about the safety of the access, impact on traffic from the east and dependency on a convoluted management plan that would have required certain parking spaces to be vacated ahead of deliveries to allow space for larger lorries to manoeuvre through the site. Three parking spaces are identified for staff only and would still need to be vacated to facilitate deliveries, as would two drive-thru collection spaces. As McDonalds use one distributor who has a messaging system to advise stores of arrival times within specific delivery slots, it is considered that the delivery management plan could effectively mitigate any risk of highway issues. The submitted plan does, however, need to be more robust in terms of monitoring and enforcement and a revised plan should be secured by condition.
100. Refuse storage is proposed in a fenced corral at the rear of the building and collection arrangements are in place.

Summary

101. Policy DM28 expects new development to be consistent with the criteria for sustainable development set out in policy DM1, particularly in relation to reducing the overall need to travel and for parking areas and vehicles movements not to dominate. Furthermore, Policy DM31 requires developments to incorporate parking within the limits prescribed. In these respects, the proposal conflicts with these policies. There would, however, be no unacceptable traffic or highway safety impacts and a balanced assessment must be made, as considered below.

Main issue 3: Amenity

- 102. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 8 and 127.
- 103. Representations have raised concern about noise, 24/7 disturbance, anti-social behaviour and crime, odour and air pollution, litter and pests, light pollution and impacts on neighbouring residents' health, well-being and quality of life.

Noise and disturbance

- 104. A noise assessment has been submitted which considers impacts from the proposed plant, drive-thru activity, car parking activity and deliveries in relation to an on-site survey of existing background noise levels. It proposes the use of attenuators on the plant to achieve compliance within World Health Organisation (WHO) guidelines and finds that noise from drive-thru activity would be within these guidelines, albeit above the existing background noise levels at some points.
- 105. Noise from car parking activity is proposed to be mitigated with a 2 metre high acoustic fence along the western boundary in order to result in noise levels below the existing and within WHO guidelines at the nearest dwellings. Door slamming would result in occasional peak events but, when taken into account, this remains within WHO guidelines
- 106. The delivery management plan proposes restricted delivery periods and measures such as switching off engines on arrival and switching off on-board refrigeration units to mitigate noise impacts.
- 107. The assessment concludes that, subject to the attenuated plant being limited to prescribed noise levels by condition, the development could trade 24/7 without noise causing a significant adverse impact to neighbouring occupiers. Environmental Protection have no objection in relation to noise subject to this condition on plant and another securing compliance with the delivery management plan.
- 108. Sprowston Town Council have requested that the premises should not operate beyond midnight, however as the noise assessment has not found there to be any unacceptable impacts at night, a condition restricting opening hours would not be reasonable. It is noted the adjacent petrol station and shop are open 24/7.
- 109. It is noted objections refer to existing noise from the adjacent petrol station and this would have been recorded during the on-site noise survey, thereby capturing cumulative impacts.

Anti-social behaviour and crime

- 110. The proposed 24/7 operation has potential to give rise to behaviour within the site which could be detrimental to local amenity. Norfolk Police have made some observations and recommendations which largely relate to the operation of the site, rather than material planning considerations
- 111. It is considered appropriate to require agreement of a management plan to consider how staff would prevent and respond to any anti-social behaviour in the interests of protecting local amenity. Additional information about the provision and use of

external CCTV is also considered necessary in the interests of minimising potential for crime, disorder and public nuisance.

Odour and air pollution

112. An Odour Control Assessment has been submitted which identifies there is a 'high' odour risk rating from the proposed development, However, in recognition of the proximity of residential dwellings, it takes a more cautious approach and treats the situation as 'very high' risk. An odour and grease abatement system consistent with this 'very high' category is proposed with an appropriate maintenance programme. Subject to a condition ensuring compliance with these measures, Environmental Protection are satisfied that it would eliminate odours and prevent nuisance to nearby properties.
113. Representations have also raised concern about air pollution from additional traffic, including vehicles queuing within the site. These concerns are appreciated. The delivery management plan includes measures to prevent the large delivery vehicle engines idling to manage noise and pollution. The site is outside the air quality management area, Environmental Protection have raised no objection in this respect and Policy DM11 does not require any specific action.

Litter and pests

114. Litter has been raised as a concern in many representations, including the impact this could have on Mousehold Heath and wildlife. The Government's Planning Practice Guidance (updated in August 2022) stresses that there is as an extensive legislative framework governing littering and that the importance of ensuring appropriate measures are in place to secure compliance should be emphasised to applicants. Furthermore, it advises that LPAs can ask premises to undertake litter picking and, if appropriate, secure this by condition on planning applications for hot food takeaways.
115. The application states it is company policy to conduct a minimum of three daily litter patrols within 150 metres of a restaurant. Objections have commented that this radius would not be sufficient to protect Mousehold Heath and the wider area. It is considered reasonable and necessary to require agreement of a detailed litter management plan across an appropriate defined area by condition and subsequent compliance can be monitored and enforced as necessary, in addition to enforcement under the non-planning legislation by the appropriate authorities. This should protect the amenity of the local area, wildlife and the character of Mousehold Heath and also manage the risk of pests.

Light pollution

116. An external lighting scheme for the site has been submitted which demonstrates that light levels would be below recommended limits for a suburban area and would not overspill into Mousehold Heath. Compliance with the submitted lighting design should be secured by condition.
117. It is noted that some representations have reported the existing floodlights on site affect neighbouring occupiers and this proposal offers an opportunity to secure better designed and managed lighting.

Health, well-being and quality of life

118. Representations have also raised concern about the general impacts of the proposed development and its operation on the health, well-being and quality of life of neighbouring occupiers in this predominantly residential area. It is appreciated that the proposed use would be more intensive than the existing car sales and therefore have a greater impact on neighbours at all hours. However, subject to the conditions above to manage noise, anti-social behaviour, CCTV, odour, litter and lighting, it is not considered there would be any unacceptable impacts and the proposal accords with Policies DM2, DM11 and DM24.

Main issue 4: Design

119. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 124-132.
120. The scale of the proposed single storey flat roofed building would be modest relative to the scale of the site and set well-back from the road and boundaries to neighbouring properties. It is an 'off the shelf' design for a McDonalds restaurant which consequently fails to positively respond to or reflect local character, however by virtue of its modest scale and setting adjacent to the petrol station, it is not considered it would cause any unacceptable harm to local character.
121. In terms of the wider site layout, the large hard surfaced car park and vehicular and pedestrian circulation would dominate, partly as a result of the above-standard level of car parking provision. The wide vehicular access would provide open views into the site of this vehicle dominated design. However, the existing site is entirely hard surfaced, fully open to views from the road and occupied by parked cars for sale. The proposal does include areas of soft landscaping around all boundaries, so compared to the existing site there would be an improvement in appearance and more positive contribution to the streetscene, subject to the success of the landscape design.
122. Elements of the soft and hard landscape proposals have been amended in response to the Landscape comments at paragraphs 46-48 above. The amendments include the siting of a hedge to the front of the fence along the road boundary to provide a green appearance to the road boundary and four trees are proposed behind this. An anti-headlight glare screen does, however, remain which would block any views that might otherwise be available through the hedge and appears unnecessary, but the applicant wishes to retain it within the proposal. Further tree, hedge and shrub planting is proposed along the western boundary to the dwellings on Plaford Road and full details of a 2 metre high timber acoustic fence along this side have now been submitted. The most extensive area of soft landscaping is across the southern boundary where it would provide a green backdrop to the development in views from the road and a buffer for visual and amenity impacts to Mousehold Heath. A hedge along part of the eastern boundary has been increased in height to screen a 1.8m high fence, but exposed sections would remain which is regrettable.
123. It is also regrettable that a new gated access and small sub-station are proposed fronting the highway in the northeast corner which present a tall, hard boundary adjacent to the public footway, but this is a small proportion of the frontage which would otherwise present a softer and more welcoming environment for pedestrians. Similarly, there is an excessive amount of 'off the shelf' guard railing around the

building. The applicant has been asked to rationalise this but advised it is proposed to ensure the safety of customers and children on the patio. A standard McDonalds playframe, drive-thru canopies and shelter are also proposed across the site. These additional ancillary structures add to clutter across the site but are subservient in scale and not individually harmful in appearance. The small area of green roof on the 2.4m by 3.4m shelter adjacent to the western boundary is welcomed.

124. Whilst it is considered that the landscape scheme does not fully take the opportunity to improve the streetscape, it would be an enhancement compared to the negative contribution the existing site makes and it is not unacceptable. It shall be necessary to agree provision of the landscaping, a long-term landscape management plan and tree pit detail by condition.
125. In design terms, whilst it is regrettable that a bespoke building that responds to local character and a more beneficial landscape scheme is not proposed, the appearance of the site as a whole would represent an improvement on the existing and is acceptable with regards Policy DM3.
126. The additional impacts of signage shall be considered in the separate advertising applications.

Main issue 5: Ecology and trees

127. Key policies and NPPF paragraphs – JCS1, DM6, DM7, NPPF paragraphs 8, 170, 175-177.
128. The existing site has a small area of low value habitat (hedge) that would be lost and replaced with more extensive areas of soft landscaping which have been informed by the findings of a Preliminary Ecological Appraisal.
129. In the long-term, the proposed tree planting (31) would provide nesting habitat to compensate for that lost and in the short term two bird boxes are proposed, full details of which should be agreed by condition. Bee posts and pollinator friendly planters are proposed and areas of wildflower are incorporated within the more substantial planted margins. Whilst any biodiversity net gain has not been quantified, it is considered there would be enhancements compared to the low baseline of the existing site.
130. Priority habitats and wildlife within Mousehold Heath to the south should be protected by a construction ecological management plan to be secured by condition and it is not considered there would be any longer term harm.
131. It has been confirmed that the lighting design has been reviewed by the applicant's ecologist who advises the level of lighting at the site boundary would be insignificant to all species of bat which may use the tree corridor to the south for foraging or commuting.
132. Conditions should secure ecological mitigation measures, the design and implementation of the biodiversity enhancements, timing of work outside the nesting season, compliance with lighting scheme, provision of small mammal access in new boundaries and construction ecological management plan. Subject to these, the proposal is considered acceptable in accordance with Policy DM6.

133. There are no existing trees within the site to be affected, but some along the western boundary would require crown works. The existing buildings along the southern boundary are proposed to be demolished under arboricultural supervision and protective fencing is proposed to the south and west boundaries throughout construction. Subject to securing these protection measures by condition, the proposal is acceptable with regards trees in accordance with DM7.

Compliance with other relevant development plan policies

134. A number of development plan policies include key targets for matters such as parking provision and energy efficiency. The table below indicates the outcome of the officer assessment in relation to these matters.

Requirements	Relevant policy	Compliance
Sustainable urban drainage	DM3 & DM5	A Flood Risk Assessment has been submitted which proposes draining surface water to infiltration tanks, via a treatment chamber and sand filter. This system has been designed to provide storage for the 1:100 year plus 40% climate change event and is considered an acceptable sustainable drainage solution. A condition should require implementation and subsequent maintenance.
Contamination	DM11	An intrusive contamination investigation found low level lead, copper, zinc, asbestos and hydrocarbon contamination. Remediation is proposed, comprising of removal of made ground from areas of soft landscaping and replacement with clean subsoil and topsoil. Subsequent verification is also detailed. Environmental Protection are satisfied this is acceptable, subject to a condition securing the remediation and verification.

Assessment of Impacts under the Conservation of Habitats & Species Regulations 2017 (as amended)

Site Affected: (a) Broads SAC/Broadland Ramsar
(b) Wensum SAC

Potential effect: (a) Increased nitrogen and phosphorus loading
(b) Increased phosphorous loading

The application represents a 'proposal or project' under the above regulations. Before deciding whether approval can be granted, the Council as a competent authority must determine whether or not the proposal is likely, either on its own or in combination with other projects, to have any likely significant effects upon the Broads SAC, and if so, whether or not those effects can be mitigated against.

The Council's assessment is set out below and is based on advice contained in the letter from Natural England to LPA Chief Executives and Heads of Planning dated 16th March 2022.

(a) Broads SAC/Broadland Ramsar

- i. Does the plan or project create a source of water pollution or have an impact on water quality (e.g. alters dilution)? AND
- ii. Is the plan or project within the hydrological catchment of a habitats site which includes interest features that are sensitive to the water quality impacts from the plan or project?

- Answer: NO
- The proposal does not:-
 - Result in an increase in overnight accommodation in the catchment area of the SAC;
 - By virtue of its scale and existing provision of other stores within and outside the catchment, draw people into the catchment area of the SAC;
 - Result in additional or unusual pollution to surface water as a result of processes forming part of the proposal.

Consequently, the proposal would not result in an increase in nutrients flowing into the SAC in the form of either nitrogen or phosphorous.

Conclusion: It is not necessary to carry out an assessment under the Habitats regs.

(b) Wensum SAC

- i. Does the plan or project create a source of water pollution or have an impact on water quality (e.g. alters dilution)? AND
- ii. Is the plan or project within the hydrological catchment of a habitats site which includes interest features that are sensitive to the water quality impacts from the plan or project?

Answer: NO

The proposal does not:-

- Result in an increase in overnight accommodation in the catchment area of the SAC;
- By virtue of its scale and existing provision of other stores within and outside the catchment, draw people into the catchment area of the SAC;
- Result in additional or unusual pollution to surface water as a result of processes forming part of the proposal.

Consequently, the proposal would not result in an increase in nutrients flowing into the SAC in the form of either nitrogen or phosphorous.

Conclusion: It is not necessary to carry out an assessment under the Habitats regs.

Equalities and diversity issues

135. There are no equality or diversity issues.

Local finance considerations

136. Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant or the Community Infrastructure Levy. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority. In this case local finance considerations are not considered to be material to the case.

Conclusion

137. The application proposes a restaurant with drive-thru on an existing car sales site. There have been some amendments to the proposal since it was first submitted, primarily to the highways access, but the applicant wishes to retain other elements as submitted and the application must be determined on this basis.
138. It represents a main town centre use proposed in a location outside any defined centre. A sequential assessment has not found any suitable sites which are available within or on the edge of centres for this development and this conclusion is accepted given the specific requirements of the proposal and nature of the centres assessed. In undertaking the sequential test, the drive-thru element cannot be separated from the restaurant element. Therefore whilst the proposal would rely on a proportion of private car travel, this is accepted as an inevitable consequence of the development whether it were in sequentially preferable location, or not.
139. Whilst the proposed use does raise some conflict with the sustainability objectives of Policies JCS1, JCS6, JCS7 and DM1 and the environmental and social sustainability objectives of the NPPF, the applicant's travel plan provides evidence that the number of additional car trips that the proposal will generate will be low. The above-standard level of car parking proposed also conflicts with these sustainability objectives and Policy DM31, and whilst this is regrettable in terms sustainability and visual impact, it would mitigate the risk of overspill parking and congestion onto the local highway network in this busy area on a principal route.
140. Following the amendments and subject to various conditions, the Highway Authority have no objection and conditions can also ensure there is no unacceptable harm in respect of amenity, ecology, trees, contamination and drainage. Whilst the building and landscape design could be improved to better respond to local character and take the opportunity to enhance the appearance of the site, on balance, the proposal is not unacceptable in these respects.
141. The environmental and social sustainability objectives of the development plan and NPPF attract significant weight and must be balanced with the economic objectives. It is acknowledged that the out of centre location does represent some compromises to environmental and social sustainability objectives, but the

development has satisfactorily passed the sequential test to justify the location and any harm is balanced to some extent by the economic benefits of a more efficient use of the land and creation of additional job opportunities and economic activity.

142. Therefore, on balance, the development can be considered to be in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

Recommendation

To approve planning application no 22/00610/F Land at Mousehold Lane, Norwich, NR7 8HA and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Construction management plan, including measures to manage traffic, ecological and amenity impacts;
4. Ecological mitigation;
5. Works outside bird nesting season;
6. Tree protection;
7. Detailed scheme for vehicular crossing prior to first use;
8. Detailed scheme for all off-site highway works;
9. Completion of off-site highway works;
10. Parking, servicing and manoeuvring areas laid out prior to first use;
11. Provision of cycle storage;
12. Revised delivery management plan;
13. Travel plan;
14. Access only as shown, existing closed and footway reinstated;
15. Demarcation of new highway boundary;
16. Tree planting details;
17. Design and details of sub-station;
18. Details of bee posts and bird boxes;
19. Completion of contamination remediation and subsequent verification;
20. Anti-social behaviour management plan;
21. External CCTV design and management;
22. Detailed litter management plan;
23. Landscape management plan;
24. Surface water drainage maintenance plan;
25. Landscape implementation;
26. Noise limits for plant;
27. Odour mitigation measures implementation and maintenance;
28. External lighting as submitted, no additional without approval;
29. Small mammal access in boundaries;
30. Maintain visibility splay.



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

Application Boundary:

Drawing based on Ordnance Survey map number 400256 / 4101 revision A dated May 2005.
Survey drawing to be used for site setting out and check measurements.

Survey has been undertaken to an accuracy commensurate with a scale of 1:200.

Plan co-ordinates are based on modified Ordnance Survey National Grid from CHNS derived co-ordinates of station 04 relative to 102 and with a scale factor of 1.0000.

Levels are above ODN (Ordnance Datum Newlyn) based on CHNS observations to the National GPS network, transformed using OSGBM15.

Levels on kerb lines are channel levels unless specified.

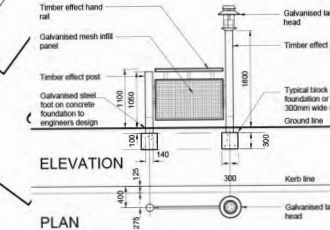
The position and level of adjacent buildings that overlook the site have been obtained using topographic measurements from within the site. For this reason some details may not be shown as they are either below the line of sight or are obscured.

ABBREVIATIONS	
ACU	Air Conditioning Unit
AL	Access Ladder
AR	Assured Route
AV	Air Valve
BB	Belted Beacon
BS	Borehole
BL	Basement Light
BO	Boiler
BP	Block Paving
BW	Brick Retaining Wall
BS	Bus Stop
BSN	Bus Shelter
BT	British Telecom IC
BW	Brick Wall
BWF	Barbed Wire Fence
CB	Control Box
CBF	Cable Board Fence
CCTV	Closed Circuit Television
CF	Corrugated Iron Fence
CK	Containment Kerb
CL	Cover Liner
CLF	Chain Link Fence
CLSF	Chain Link Security Fence
CNC	Concrete
CS	Columns
CPS	Concrete Paving Stone
CPF	Concrete Paving Fence
CPH	Concrete Pile
CR	Cycle Rack
CRW	Concrete Retaining Wall
CS	Coldstore
CT	Cable TV IC
CW	Concrete Wall
DC	Duct Covers
DCH	Drainage Channel
DK	Deep Kip
DP	Down Pipe
DPC	Damp Proof Course Level
EL	Electricity IC
EP	Earthling Road
ER	Electricity Pole
FB	Flow Bed
FFL	Finished Floor Level
FL	Fire Hydrant
FL	Flood Light
FP	Fuel Pump
FR	Fuel Road
FWM	Foot Water Marsh
GA	Gate
GB	Off Box
GR	Grass
GP	Gate Post
GU	Guard Rail
GU	Gully
GV	Gas Valve
HW	Head Wall
IB	Illuminated Bollard
IC	Inspection Cover
IL	Invert Level
IRF	Iron Railing Fence
IRS	Illuminated Road Sign
KD	Drainage Kiosk
KO	Kerb Outlet
LB	Litter Bin
LP	Lamp Post
MH	Manhole
MP	Marker Post
MPF	Mesh Panel Fence
MS (S)	Multi-Screened Tree (No. of Stems)
NB	Notice Board
NP	Street Name Plate
OW	Overhead Wire
OSM	OS Bench Mark
P	Pillar
PB	Paved Box
PC	Pedestrian Crossing
PCF	Post & Chain Fence
PF	Palisade Fence
PK	Portakabin
PL	Plaster
PL	Plinth
PM	Parking Meter
PO	Post
PP	Post & Rail Fence
PSF	Palisade Security Fence
PWF	Post & Wire Fence
RM	Roadside
RH	Road Ramp
RL	Ridge Level
RS	Road Sign
RSF	Retaining Wall
SEF	Service Entry Point
SL	Soil Level
SM	Stump Level
SP	Island Pipe
SRW	Stone Retaining Wall
SW	Stone Wall
SWM	Surface Water Marsh
TV	Television
TDR	Telephone Call Box
TL	Threshold Level
TL	Top of Kerb Level
TL	Top of Kerb Level
TL	Top of Kerb Level
TM	Ticket Machine
TP	Telegraph Pole
TPS	Traffic Planning Signs
TP	Top of Wall
UTL	Unlikely To Lift
UTL(1)	Unlikely To Lift
UTL(2)	Unlikely To Lift
UTL(3)	Unlikely To Lift
UTL(4)	Unlikely To Lift
UTL(5)	Unlikely To Lift
VP	Vandal Pipe
WB	Wheel Barrier
WL	Water Level
WM	Water Meter
WO	Washdown
WV	Water Valve
VDL	Vehicle Detector Loop

McDonald's Restaurants Ltd
8078-SA-8738-AL03
Site Layout Plan
As Existing

Scale in metres

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PLAN

100

KNEE RAIL FENCE
DETAIL SCALE 1:50

150 x 25mm stained and treated feather edge boarding on 100 x 100mm halved fence rails secured to treated timber fence posts

1800

Refer to main plan for fence heights


Varies


Ground line


CLOSE BOARDED FENCE
DETAIL SCALE 1:50

ACOUSTIC FENCE
DETAIL SCALE 1:50

General Site Proposal Notes:
 Outline and 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.

 Denotes items to be removed / demolished.

 Drop kerb - To be flush with road - located adjacent to accessible parking, pedestrian crossings and along delivery routes.

 6m Indicative Lighting column. Refer to Signify Lighting Plot drawing for further

details

Cranked Rollout
McQuay's standard cranked rollout, painted white.

Rollout
115mm GSD 1300mm high SSB rollout as door panel. By Group or similar approved.

Electricity Kiosk
Green Electricity Meter Housing, 2000mm x 1000mm x 2250mm high. Indicative location only. Position to be agreed with MMC. Consultation after service entry positions have been established.

Electric Vehicle Charging Point & Bollards

COD
PCC Aluminium Speaker Post, RAL 7032
Grey 150mm x 200 x 1200mm high with
white canopy over 230mm x 300mm x 1200mm high.

Wheel Restraints
Steel plate 150mm dia circular hollow section steel 'Gate' Post Wheel restraints with warning light illuminated on both sides. White panel above to read 'Maximum Weight 7.5m (P 17)' (white text on green background).
Size = 3700mm wide x 3200mm high

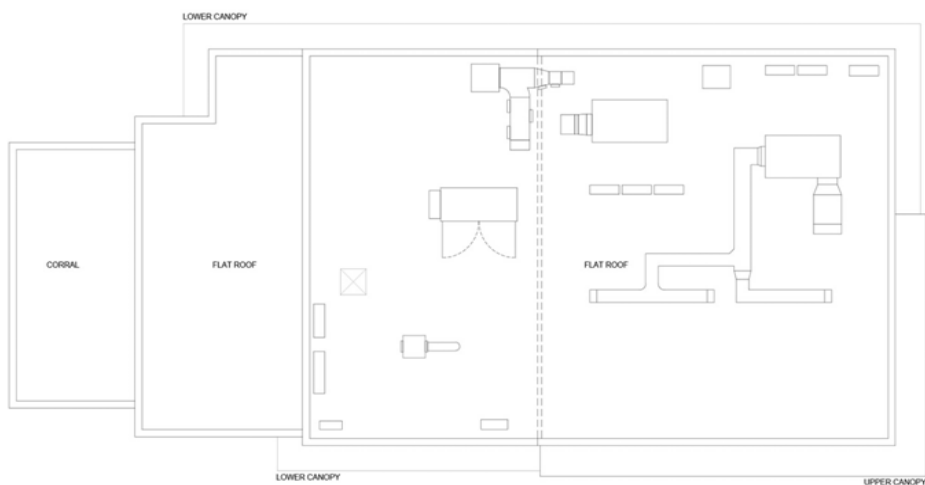


Play Frame: (E09-004)
Tubular aluminium clamping frame with coloured (red, white & timber) laminate side panels, clear acrylic windows and fabric roof canopy. 3.9m x 3.0m x 4.5m high. See manufacturers information for further details.

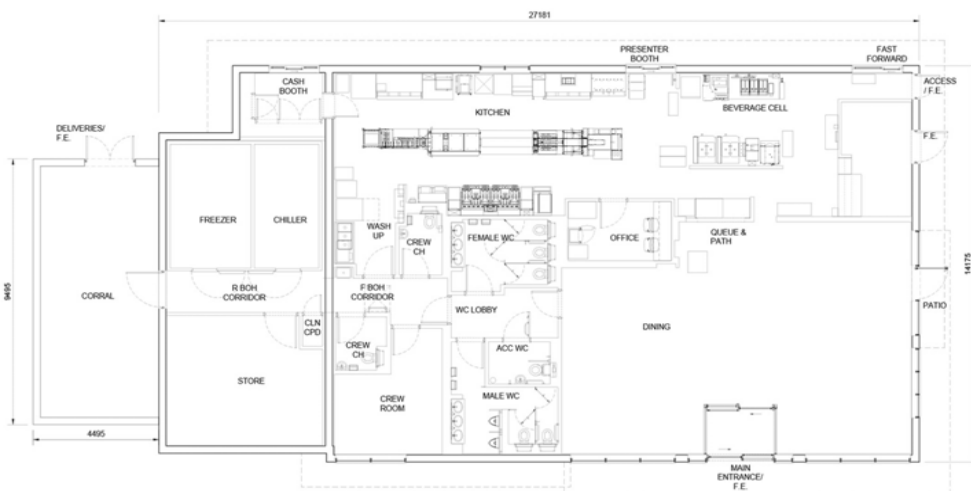


Shelter 3400mm x 2400mm x 2300mm high.
Steel frame with panels to 3 sides and profile metal roof. Complete with 2x6 benches and waste bin. See technical drawing 8076-SA-8738-P034

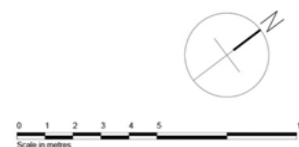
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ROOF PLAN



GROUND FLOOR PLAN



REVISIONS			
NO.	DATE	DESCRIPTION	BY
A	28.10.21	Updated to latest BCTF standards	JM
NO.	DATE	DESCRIPTION	BY
1	28.10.21	Updated to latest BCTF standards	JM

GENERAL NOTES
All works are to be undertaken in accordance with the Building Regulations and the latest British Standards.
All proposed materials and products are to be used in accordance with the manufacturer's recommendations.
All work is to be completed in accordance with the latest British Standards.
All work is to be completed in accordance with the latest British Standards.

PROPOSED DEVELOPMENT AT
McDonald's Lane
NORWICH NR7 8HE

THE CLIENT: **McDonald's Restaurants Ltd**

DRAWING NO: **NG100**

Scale in metres

Scale in metres

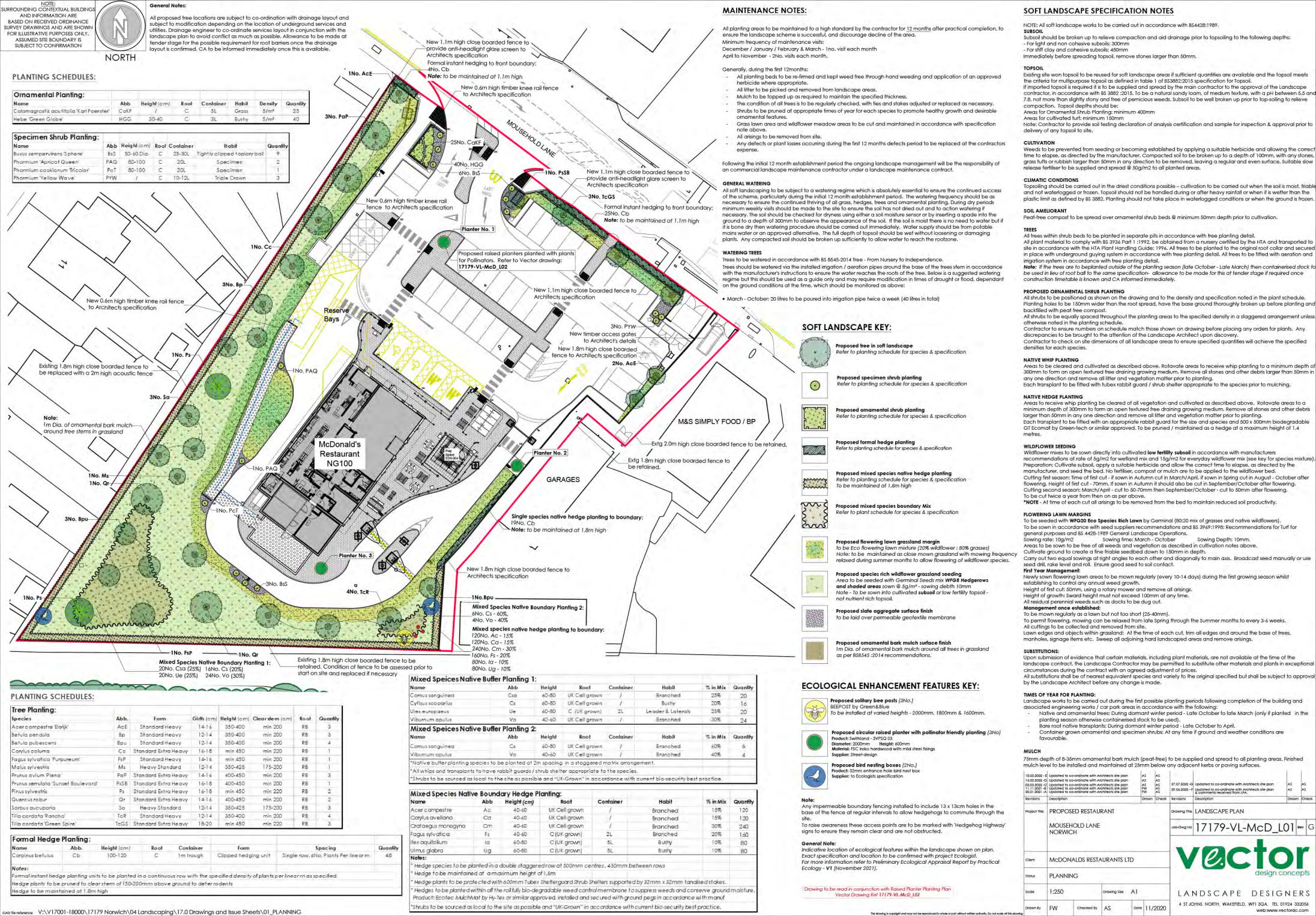
Scale in metres

Scale in metres

Scale in metres

Scale in metres

Scale in metres





SITE SCENE



B	11.03.2022	Gate added to service strip. Additional existing elements added PPS site.	BV	-
A	11.03.2022	3m Landscape zone introduced to front Mousehold Lane.	BV	-
REV	DATE	DESCRIPTION	BY	CHECKED

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

Mousehold Lane
NORWICH NR7 8HE

IN BEHALF OF —
McDonald's Restaurants Ltd

DRINKING TITLE : --
Street Scene
Tree Year 1

DESIGNED BY	CHECKED BY	DRAWING No.
RV		

8076-SA-8738-SK04 B



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