

## **APPLICATION REPORT – 17/00764/FULMAJ**

**Validation Date: 1 August 2017**

**Ward: Astley And Buckshaw**

**Type of Application: Major Full Planning**

**Proposal: Erection of building comprising three business units (Class B1) and a restaurant takeaway with drive-thru including car parking, access, landscaping and associated works.**

**Location: Land At Barnes Wallis Way Barnes Wallis Way Buckshaw Village**

**Case Officer: Mr Iain Crossland**

**Applicant: Mr Paul McLoughlin**

**Agent: Ms Samantha Nicholls**

**Consultation expiry: 4 September 2017**

**Decision due by: 31 October 2017**

---

### **RECOMMENDATION**

1. It is recommended that planning permission is granted subject to conditions.

### **SITE DESCRIPTION**

2. The application site is a vacant plot of land located on Buckshaw Village and is an allocated employment site in the Chorley Local Plan. The site is bounded to the north by the main highway of Buckshaw Avenue, beyond which are school grounds, to the east by the War Horse Public House and car park, to the south by Barnes Wallis Way and employment units and to the west by existing housing. The site is relatively flat and there is an existing vehicular access point from Barnes Wallis Way.

### **DESCRIPTION OF PROPOSED DEVELOPMENT**

3. Planning permission is sought for the erection of a building comprising three business units (Class B1) and a restaurant takeaway with drive-thru including car parking, access, landscaping and associated works. The appearance of the buildings would be of a contemporary modern design.
4. The proposed employment units would be located to the southern area of the site and would provide 753m<sup>2</sup> of accommodation including mezzanine levels within each unit (each unit would provide 251m<sup>2</sup> of floorspace). The employment units incorporate a vehicle parking area, space for vehicle manoeuvring and turning (including larger commercial vehicles), disabled parking and cycle storage. A rear yard area is provided for waste storage and plant.
5. The restaurant takeaway unit (268.9m<sup>2</sup>) would be positioned to the northern area of the site fronting Buckshaw Avenue and includes associated vehicle parking, disabled parking and cycle storage. Facilities would also be provided for delivery via commercial vehicle with appropriate turning and manoeuvring hard standing space.

## REPRESENTATIONS

6. Representations have been received from the occupiers of 40no. addresses citing the following summarised grounds of objection:

### Environmental impact

- Smell
- Noise – from increase in number of cars / people day & night
- Increased litter at the site and surrounding area
- Increased chance of rats
- Pollution
- KFC in town already has issues with rubbish and rats
- Light pollution from signage
- Noise from pubs at night is already an issue

### Social impact

- Promotes teenagers and young adults to hang about in car park – increased noise, crime, litter
- Promotes unhealthy eating – primary school nearby and goes against ethos of promoting healthy eating for children
- Fast-food restaurants attract anti-social behaviour – increase pressure on police – likely increase in gangs of teens and older teens with cars congregating on car park
- No need or demand for fast food restaurant directly across from primary school
- Should be sited in a non-residential area which would reduce impact on families from potential anti-social behaviour
- Playgrounds already lead to anti-social behaviour

### Impact from built form

- Would be an eyesore – aesthetically it does not fit into surroundings
- Should be using land for more housing or business units
- Loss of light and privacy as a consequence

### Highways impact

- Would cause congestion due to drive-thru
- Potential to cause accidents, especially as many children walk to school
- Visibility of traffic and volume of traffic
- Barnes Wallis Way is not suitable access point, especially where there is also a pub and shops in vicinity. Particularly dangerous at peak times and leads to build up of traffic turning into and from railways station, Tesco, Aldi and industrial units in locality
- Traffic plans seem to be light – parking provision vastly more than very busy McDonalds in town centre
- No mention of road traffic accident history in area
- No mention of cycle/pedestrian shared pavement which crosses site entrance – what additional protection would there be for those that have to cross entrance?
- With an average spend of c£10, it would take approximately 112 years at the peak predicted traffic flow rate to reach the gross economic contribution that the application is claiming

### Other Issues

- Residents were lied to when they bought their house – told that only business / warehouse units (not fast food) were remaining in the plan
- Suggestion that unit should be put nearer station

- Expect to see KFC on retail parks – land could be used for something more beneficial to village
- Happy for it to be elsewhere in the village but not opposite primary school
- Residents moved to the village for local shops and community and didn't expect a fast-food restaurant on door step
- KFC already in Chorley Town Centre
- Brings down value of housing & area / devalue property
- What was nice village now has an abundance of shops and pubs – getting out of hand
- Would prefer a gym
- Chorley Council does not care about residents and is wasting money on schemes
- Half of Buckshaw has remained unadopted so nobody looks after it
- Land too near residential and primary school
- Goes against Council's own promotion of healthy lifestyles – most Councils have rules about the proximity of fast food restaurants to schools
- Suitable area would have been where new community centre is located
- Village needs other services such as post office, youth zone, independent stores and not a fast food chain – bring additional revenue in a more positive way – local businesses should be prioritised
- What was sold as a family environment slowly being commercialised
- Will cause damage to local businesses – lead to more empty units – previous developments like Costa has driven out some businesses
- Fast-food restaurants not seen in the middle of residential villages
- No demand from residents
- Will residents charge have to cover costs of increased littering, road maintenance, vandalism etc?
- Village needs to retain village feel – unlikely that surrounding villages such as Whittle-le-Woods or Clayton-le-Woods would even remotely consider placing a KFC in the centre of their villages so why should Buckshaw
- Village of two halves (nice northern side of housing and southern side of more social housing, pubs and food outlets) and southern side is getting KFC – original plans have significantly changed
- Planners need to consider location before agreeing to what someone wants to build there
- Use of additional units not made clear
- Electronic signage – no clear knowledge of what signs and where it would be located
- Downgrades area – first thing people would see when visiting the village
- Intended to be B1/B2/B8 use not A5, especially 400m from school
- For the application to claim that B2/B8 usage is not compatible with adjacent uses including the school, and 'inappropriate' due to proximity to residential land, whilst leaving out the crucial detail of the neighbouring B2/B8 units on Barnes Wallis Way is laughable to then claim that a fast food takeaway would cause less of a nuisance
- No mention of the 10m high bucket sign more akin to a motorway services than a community village other than on the lighting plan, inaccuracies relating to the type of land (green vs brownfield) and possible contamination.
- Turning estate into retail park – first a tanning salon and now this
- Opportunity to make village unique has been lost

#### Process Issues

- Not all relevant / interested parties consulted
  - Not fulfilled obligation to conduct pre-application consultation
7. Representations in support have been received from the occupiers of 14no. addresses. These make the following points:

#### Economic impact

- Buckshaw needs more amenities and businesses creating jobs
- Additional employment – 25% jobs would go to unemployed young people

- Provide residents with a popular choice of dining
- 3 x B1 employment units providing additional 52 jobs

#### Other Issues

- Likes idea as it is closer than existing stores

#### **CONSULTATIONS**

8. **Euxton Parish Council** – Comment that in the Chorley Local Plan (CLP) this land is allocated for employment purposes, defined in the Plan as Use Classes B1, B2 or B8. None of these include fast food takeaways (Class A5). EPC objects on the grounds that the proposal is not in accordance with the CLP and that the area already has sufficient food outlets. It is also unacceptable to many nearby residents (housing directly abuts the site) who assumed that the site would be fully taken by employment uses and not by a fast food outlet with drive in facility and large car park.
9. **Regulatory Services - Environmental Health** – Have assessed the associated documents in relation to odour and noise and the potential for these factors to give rise to a statutory nuisance to neighbouring properties and raise no objection.
10. **Waste & Contaminated Land** – Have no comments to make.
11. **Lancashire Highway Services** – Comment that the Transport Assessment and the associated documents submitted have been analysed and overall the proposed development is considered acceptable, subject to the provision of suitable mitigation.
12. **United Utilities** – Have no objection subject to conditions.

#### **PLANNING CONSIDERATIONS**

##### Principle of the development

13. The National Planning Policy Framework (The Framework) states that “the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore, significant weight should be placed on the need to support economic growth through the planning system”.
14. Paragraph 22 of the Frameworks states that policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of the site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.
15. The application site is located in the core settlement area at Buckshaw Village, which is a mixed use strategic site identified for growth and investment within the Central Lancashire Core Strategy policy 1 (c).
16. The site is an allocated employment site covered by policy EP1.13 (Southern Commercial) of the Chorley Local Plan 2012 – 2026 and is protected for business, general industrial or storage and distribution (B1, B2 or B8) for the plan period. The development of the proposed Class B1 business units on this site are, therefore, considered acceptable in principle.
17. The proposed development also includes a restaurant and takeaway that would take up part of the area allocated for employment. The applicant has referred to the Council’s Authority Monitoring Report (Jan 2017) and the Council’s Employment Land Monitoring Report (Aug 2016) including correct reference to the take up of employment land including allocations,

and loss of employment land to other uses during the monitoring of employment land in the borough between 2010 and 2016.

18. The adopted Core Strategy sets the overall employment requirement for Chorley as 112 ha to 2026. Table 2 of the Local Plan provides an employment land supply in Chorley for the period 2010 – 2026 as 100.61ha. This figure does not take into account vacant stock in the Borough. This figure includes Local Plan policy EP1 employment site allocations amounting to 88.74ha, including EMP1.13 (Southern Commercial).
19. The range of employment sites allocated in the Local Plan provides a variety of sites in order to provide choice and to meet a range of needs and uses of different types of employer. The Council can confirm at April 2017, 74.91 hectares of the Local Plan policy EP1 allocations remain available for employment use, of which 11.58 hectares has planning permission for employment use. In addition, at April 2017, 8.69 hectares of non-allocated land has planning permission for employment development including 4.22 hectares at existing business and industrial areas, and 4.47 hectares outside of existing employment areas.
20. Core Strategy Indicator 6 measures employment land take up, and assesses whether there is a shortfall of employment land release of more than 20% on a rolling 3 year average (target 7.46ha per year). In the last 3 year period (April 2014 – April 2017) 8.1 hectares of employment land (excludes A2 use) has been taken up, which falls short of the requirement by more than 20%.
21. The Council can confirm the remaining Local Plan allocations of 74.91 hectares (April 2017) need to cover the remaining 9 years (from April 2017) that remain of the Local Plan period. This equates to 8.3 ha of land that could be available per year until 2026.
22. The Council can confirm in the 2016/17 monitoring year 0.61 hectares of employment land was developed. It is estimated that some 23.72 hectares of land within the Borough has been developed for employment purposes between April 2010 and March 2017.
23. The proposal includes a loss of 0.28 hectares of an employment allocation of 0.55 hectares in this locality. Whilst the Class B1 units would generate in the region of 52 jobs on the site, the drive thru would be anticipated to create a further 35 jobs. It is considered that the 0.55 hectares of the application site would provide a range of employment generating uses that would contribute positively to economic growth and provide job opportunities in this locality, including skilled and unskilled employment opportunities. In addition, it is considered the proposed drive thru would not result in an unacceptable reduction in the type, quality or quantity of the employment land supply.
24. It is important nevertheless that the uses proposed on the application site are not varied during the development of this site and that the employment “ B” class uses are not reduced in land area or lost altogether and are protected by appropriate conditions and agreement.
25. Policy EP1 of the Chorley Local Plan 2012 to 2026 also requires that all sites allocated for employment be covered by criteria (a) to (h) of Core Strategy policy 10. These are assessed below:
26. *(a) there would not be an unacceptable reduction on the type, quality or quantity of employment land supply;*  
It is acknowledged by the applicant that this is one of the last remaining plots within Buckshaw Village to be developed and that the proposal to erect three Use Class B1 units is clearly in accordance with the provisions of policy EP1. The applicant acknowledges, however, that the harm, if any, of including an alternative use is minimal because:
  - the take up of employment land over the last 6 years is 51% of the employment land target
  - the loss is only of 0.28 hectares of employment land, the application includes 753m2 of employment uses
  - the proposed three units would generate approximately 52 jobs on site. Whilst the drive – drive –thru is not an employment use in the sense of Class B uses, it would create 35

jobs, far more than a Class B8 warehouse generating 3.5 jobs. A total of 87 full time equivalent jobs would be created.

The applicant indicates the socio-economic benefits arising from the development of a typical KFC restaurant would be:

- up to £1.8 million in economic output (GVA) during the construction phase.
- 35 jobs on this site, of which around 63% would go to people living locally.
- up to 25% of new jobs would go to unemployed young people.
- Around £77k in business rates.
- A contribution towards growing the UK economy of c.£428m through their supply chain.

27. *(b) the provision and need for the proposed use;*

The applicant indicates that the proposal has been designed to facilitate a mixed use scheme on the site, which incorporates 0.28 hectares of Class B use.

28. *(c) the relative suitability of the site for employment and for the alternative use;*

The applicant indicates that the one of the adjacent uses is residential and Class B2/B8 uses would be inappropriate due to noise and general disturbance. The applicant considers the three Class B1 use units proposed are wholly compatible with the neighbouring uses and would protect the residential amenity of the residential properties immediately to the west of the site.

29. *(d) the location of the site and its relationship to other uses;*

As above

30. *(e) whether the ability to accommodate smaller scale requirements would be compromised;*

The applicant has indicated the proposal facilitates a mixed use scheme, and that the three business units would directly support smaller scale requirements, which would be cross subsidised by the restaurant takeaway.

31. *(f) there would be a net improvement in amenity.*

The site is currently vacant but is allocated for employment use. The impact on amenity is addressed later in the report.

32. *(g) convincing evidence of lack of demand through a rigorous and active 12 months marketing exercise for employment re-use and/or employment redevelopment;*

The Framework states that planning policies should “avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose”. Core Strategy Policy 10 and the Central Lancashire Controlling the re –use of employment premises SPD supports this, and land allocations have been reviewed through the Chorley Local Plan 2012-2026. The Framework also states that “Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities”.

The applicant commenced a marketing campaign in May/June 2016 for an indicative commercial scheme utilising the following methods:

- Listed the opportunity on the CBRE website;
- Erected a large freestanding marketing board on the site;
- Sent out the particulars electronically to an initial selection of property agents, developers, investors, retailers, healthcare, roadside and bar restaurant operators;
- Wider imbedded email to CBRE’s property database of circa 5,000 property investors, developers and operators across the retail, healthcare (care home / supported living / children’s day nurseries), roadside users, public house, bar restaurant and hot food sectors;
- Utilised partners from the logistics, industrial and office park teams to undertake any supplementary discussions with relevant parties in conjunction with current market requirements.

The marketing campaign was shown to generate a number of positive leads and detailed enquiries. From the offers received, it was considered that a drive thru food option would anchor the scheme, provide the highest scheme rents and form the most suitable use of the frontage of the site, given roadside prominence with further units to be developed to the rear. Further marketing discussions are scheduled in relation to the business units in consideration of the determination of the current planning application

33. *(h) an assessment of the viability of employment development including employment re-use and employment redevelopment.*

The applicant has provided comprehensive financial evidence to demonstrate that the site needs the proposed mix of uses to make the development viable. The proposed restaurant takeaway scheme would anchor the scheme with a reliable and consistent operator, which would effectively help to cross subsidise and reduce the financial risk exposure associated with the proposed business units.

34. Overall, it is considered that the development of part of the employment allocation for a restaurant takeaway would not prejudice the overall aims of the development plan and the ability to supply the employment land necessary to satisfy the identified need. It is also recognised that the site has remained undeveloped for over 20 years following the original grant of outline planning permission, and that the Framework advocates flexibility where the prospect of a site being used for the allocated employment use is in doubt.

35. In relation to the restaurant takeaway element of the proposal, guidance contained within the Framework seeks to ensure the vitality of town centres and requires local planning authorities to, amongst other things, apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up to date Local Plan. When considering out of centre proposals preference should be given to sustainable sites that are well connected to the town centre. As such in accordance with the Framework a proposal for restaurant provision within an out of centre location requires a sequential test.

36. Policy EP9 of the Chorley Local Plan 2012 - 2026 (Development in the edge of centre and out of centre locations) reinforces the guidance contained within the Framework and permits out of centre retail development within accessible locations, which do not harm the amenity of the area, and which do not detract from the function, vitality and viability of the town centre.

37. Policy EP7 of the Chorley Local Plan 2012 - 2026 classifies the centre at Buckshaw Village as a District Centre as shown on the Policies Map. The proposal is outside of the District Centre. The applicant explains that no site is available for a drive-through restaurant in the District Centre. However, they go on to state that the site is located in an edge of centre location adjacent to the District Centre and is well connected to the town centre.

38. It has been demonstrated that there are no in-centre or edge-of-centre opportunities that are suitable and available and which should be favoured over and above the application site. There are also no other sites for consideration. The aim of the sequential test is to minimise the need to travel, provide a diverse range of services in one central location and make facilities accessible to all. The approach is intended to sustain and focus growth and investment in local centres. It is considered that the applicant has addressed policy EP9 criterion a) and c) of the Chorley Local Plan 2012 - 2026. The proposal has been designed to respond to local need through its flexibility and can be readily accessed in its catchment by walking, cycling or public transport. Given the relatively small scale of the proposed development, it would not detract from the function, vitality and viability of Buckshaw Village District Centre or Chorley Town Centre. The impact of the proposal on the amenity of an adjacent area – criterion b) EP9 is addressed later in the report.

Design and impact on the character of the area

39. Buckshaw Village is major strategic development site that has been developed over a period of around 20 years and continues to expand. It comprises a mix of development with large areas of residential and supporting community uses, massive storage and distribution

units, smaller employment units and offices, supermarkets, cafes, drinking establishments and shops. There are a range of businesses present throughout the employment and retail areas from local enterprises to national and multi-national chains.

40. It is noted that the development that has occurred across Buckshaw Village is of a particularly varied character. Many of the residential dwellings have been designed to reflect a traditional design style, however, there are also examples of modern and contemporary design. The commercial industrial and retail uses are of mainly contemporary modern and functional design styles, although the public houses and high street have been designed to reflect a more traditional form.
41. The proposal includes the erection of two new structures of contemporary modern design comprising the business units and a separate restaurant takeaway. The proposed business unit building would be of a modern functional form with a mono pitched roof, grey cladding to the front and rear and red brick to the side elevations. This would result in a simple modern design that is not uncommon amongst modern commercial units and provides the flexibility required to suit a range of business needs. The building would be face onto the car parking area with a side elevation facing Barnes Wallis Way.
42. The scale and massing of the employment units is designed to minimise the impact on the adjacent housing by a mono-pitch roof pitching towards the western boundary to reduce the eaves height at the point near to the boundary and dwellings. The building height is reduced as far as possible to allow for a mezzanine to the front half of the building only. The rear elevation height adjacent to the housing is similar to the eaves heights of the houses and the unit is comparable in scale, size and massing to the employment units on the opposite side Barnes Wallis Way.
43. The restaurant takeaway is also of a modern functional form with a mono pitched roof, grey cladding, timber cladding and large glazing panels to the elevations. This would result in a simple modern design that is not uncommon amongst modern commercial units and complements the design of other buildings in the locality. The restaurant takeaway would be lower in height, scale and massing than the employment units and would be positioned parallel to Buckshaw Avenue. This would help to generate some form of frontage along this part of Buckshaw Avenue.
44. An adequate buffer of landscaping would be planted to the periphery of the site to frame the development and soften the visual impact.
45. Given the range of building types in the locality and in particular the prominence of modern functional commercial buildings in close proximity, it is considered that the design and layout of the proposed development would be compatible with the appearance of the site and character of the area. The development is, therefore, considered to be in accordance with policy BNE1 of the Chorley Local Plan 2012 – 2026.

#### Impact on neighbour amenity

46. The proposed employment units would be located approximately 7m to the east of the nearest dwelling at 2 Barnes Wallis Way, and it is noted that there is a 1.8m high close boarded fence running along the western boundary of the site between the site and adjacent housing development. The scale and massing of the employment units is designed to minimise the impact on the adjacent housing through incorporating a mono-pitch roof pitching towards the western boundary to reduce the eaves height at the point near to the boundary. As such the impact on outlook and light would be limited, and there would be no impact on privacy.
47. The proposed restaurant takeaway would be located approximately 24m to the east of the nearest dwelling at 26 Buckshaw Avenue. Given the boundary fencing and the scale of the proposed building, its siting and separation, there would be no impact on light, outlook or privacy in relation to the amenity of nearby occupiers.

48. It is acknowledged that a number of local residents have raised concerns in relation to the impact that the restaurant takeaway drive-thru would have on their amenity through noise and disturbance. This is understandable given that the site is currently vacant and the outdoor drinking area to the public house is approximately 80m away. Given these concerns, an acoustic report was requested by the Council.
49. The acoustic report and all other information provided in support of the application were assessed by the Council's Environmental Health Officer in relation to odour and noise and the potential for these factors to give rise to a statutory nuisance to neighbouring properties.
50. With regards to the impact of odours, it is proposed that a 'Purified Air UV-O 1000' unit is to be installed to reduce the amount of kitchen exhaust fumes to lessen the nuisance of odours to the neighbouring residential and commercial properties. The supporting evidence suggests that providing the proposed maintenance works outlined in Section 2.04 of the 'Mechanical Ventilation and Environmental Control Equipment' are carried out that the three-stage odour control system should prevent an odour nuisance occurring. Therefore, a condition is recommended that requires that the proposed maintenance works to the electrostatic precipitators and the UV-O system are carried out at the proposed frequency to prevent the establishment giving rise to a statutory nuisance caused by odours.
51. Section 1.04 states that all fan equipment, ductwork and filter housing shall be mounted and installed so as not to give rise to a noise nuisance. It further states that any noise generated by extraction systems shall not exceed the pre-existing hourly background noise level at nearby residential properties by more than 5dB(A), when measured and rated in accordance with BS4142, entitled Method of Rating Industrial Noise Affecting Mixed Residential and Industrial Areas 2014.
52. In relation to noise an environmental noise survey has been undertaken at the site by an independent Acoustic Consultant to determine the existing sound levels and assist in assessing the potential noise impact as a result of the proposal. Assessments have been undertaken to establish the likely impact on nearby noise sensitive dwellings resulting from the deliveries and refuse collection to and from the restaurant, the fixed building services equipment associated with the store and the actual use of the drive-thru facilities themselves.
53. From assessing the report, this concludes that there would be no adverse effect on the closest noise sensitive dwelling, 26 Buckshaw Avenue and consequently less of an impact on dwellings further away. It is noted that this property has windows on the front and rear (northern and southern) facades, but does not have windows on the eastern façade directly overlooking the application site.
54. The assessment was carried out in general accordance with the relevant guidance set out in BS 4142:2014 and based on existing noise data obtained through measurements undertaken at the site. The most dominant existing ambient sound levels at the site are generated by road traffic using Buckshaw Avenue in the main, but also from Barnes Wallace Way and Ordnance Road. The assessment has shown that the levels of noise generated by activities associated with servicing and deliveries to the site are generally likely to result in a low impact at the nearest and most affected residential receptor.
55. In addition to the BS 4142-based assessment, consideration was given to the night-time LAFmax noise levels in relation to any potential deliveries between 23:00 and 00:00 hours. It has been found that the highest maximum noise level likely to be associated with deliveries, as predicted outside the nearest residential dwelling, is similar to the existing LAFmax levels for the relevant period. Given there are only three deliveries to the store per week and it is unlikely they would frequently occur during this late hour, they are not expected to result in a significant impact. However, the applicant has agreed to a condition limiting delivery times to hours between 09:00 and 20:00 hours, and it is recommended that a condition is attached to control this.

56. The plant noise assessment, also undertaken in accordance with BS 4142, has shown that the predicted plant noise rating level is below the existing background sound level outside most affected receptor. Therefore, a low impact on the local residents is expected.
57. The drive-thru assessment has shown that the predicted activity noise levels are below the existing ambient sound levels at the site. Given the local sound climate is also dominated by road traffic, this too is expected not to result in adverse impacts at the neighbouring dwellings.
58. Overall, therefore, whilst taking the context of the surrounding area into account the noise impact associated with the operation of the proposed development is not anticipated to be significant.
59. It is noted that the access road has been located to the east of the site and would be adjacent to the public house car park and access, which would enable traffic noise to be kept as far away from the residential development to the west as possible. The orientation of the restaurant takeaway unit is such that the voice order position would be directed to the south of the site and not towards the dwellings. In addition the pick-up point would face Buckshaw Avenue and not the dwellings.
60. It is acknowledged that there may be some noise due to car doors slamming, music played in cars or loud conversations from customers. However, the close boarded fencing and the distance between the car park and the nearest dwellings would ensure that such noise would not result in harmful conditions for nearby residents, even on those occasions when there is little or limited background noise from traffic or nearby business units.
61. With regards to the filtration and odour-suppressing equipment specified it is considered that the installation of a fume extraction system and acoustic control of equipment and machinery would ensure that nearby local residents would not be significantly affected by smells or noise resulting from the operation of the restaurant.
62. It is recommended that conditions controlling hours of operation are attached to any grant of planning permission to ensure that the amenities of the neighbours are protected.
63. On the basis of the above it is considered that the proposed development would not result in unacceptable harm to the amenity and living conditions of nearby residents.

#### Impact on highway safety

64. Lancashire County Council (LCC) as the Local Highway Authority (LHA) is responsible for providing and maintaining a safe and reliable highway network. With this in mind, the present and proposed highway systems have been considered and areas of concern that potentially could cause problems for the public, cyclists, public transport, motorists and other vehicles in and around the area have been identified.
65. A Transport Assessment (TA) has been submitted setting out the transport issues relating to the proposed development. In line with its obligations, LCC has, with regard to relevant policies, analysed the TA and the associated application documents to ensure the proposed development does not potentially endanger safe movement of pedestrians, cyclists, residents, the general public and movement of goods on the highway network. The TA was therefore analysed taking into account the proposed access strategy, measures proposed to reduce need to travel by car, accessibility of the site by sustainable modes of travel such as walking, cycling and public transport; the impacts of trips associated with the development on the existing highway network and the applicant's proposed measures towards managing and mitigating such impacts. An officer from LCC has undertaken a site visit as part of the highway authority assessment of the proposed development.

#### *The site:*

66. The site lies to the south west of the Buckshaw Avenue/Village Way and Ordnance Road roundabout and bordered to the east by the War Horse public house, to the west by existing residential developments, north by Buckshaw Avenue across which lies The Trinity CE

Methodist Primary School and to the south by Barnes Wallis Way. There are existing commercial outlets including the Tesco Superstore and the Buckshaw Parkway Train Station beyond Barnes Wallis Way to the west. Buckshaw Avenue and Ordnance Road are adopted highways, but Barnes Wallis Way is unadopted and currently privately maintained.

67. The TA investigates the accident record of the area and noted a single recorded 'slight' accident within the past 5 years involving a car and a motorcycle and concluded based on the single accident occurrence that there were no highway safety concerns. However, there have in fact been a total of 5 recorded traffic accidents in the past 5 years, two of which resulted in personal injuries and as such recorded as 'serious'. The 'serious' personal injury accidents occurred at Buckshaw Avenue/Sharrock Street and on Village Way approximately 50m north of the Buckshaw Avenue/Village Way/Ordnance Road roundabout. Both accidents involved pedal cyclists. Two 'slight' accidents occurred at the Buckshaw Avenue/Village Way/Ordnance Road roundabout with one involving a motorcyclist and the other a pedal cyclist. The third 'slight' accident occurred outside the War Horse public house on Buckshaw Avenue approximately 30m west of the roundabout and involved a pedal cyclist.
68. From the above it is apparent there are safety issues that need to be addressed, especially given the pedal cyclists involvements in these accidents. LCC, therefore, do not agree with the applicant that the accidents do not raise highway safety concerns and as such require improvements measures to mitigate the impact of the accidents.
69. Buckshaw Avenue has 40mph speed limit and the speed limits of Ordnance Road and Barnes Wallis Way are 30mph. The applicant has not commissioned traffic speed surveys of roads on the periphery of the site to establish the speed at which vehicles were travelling. However, analysis of speed survey data held by LCC shows the 85<sup>th</sup> percentile speed of vehicles travelling in both directions of Buckshaw Avenue to be above the prevailing speed limit of 40mph which is of highway concern.
70. The applicant undertook traffic turning counts at the Buckshaw Avenue/Village Way/Ordnance Road roundabout to establish existing traffic flow levels during traffic peak hours of 07:30-09:30 hours weekday mornings and 16:00-18:00 hours weekday afternoons and also over the 12 hour period from 07:00-19:00 hours on a Saturday. The survey data is shown in Figure TA3 of the TA. The figures in the TA have been checked against current highway traffic flow data of the locations and found to be satisfactory.
71. Developments of this nature generally have their greatest impacts during the AM, PM and Saturday peak hours of 07:00-09:00, 16:00-18:00 and 11:00-13:00 hours respectively and as the developer has based their impact analysis around these hours, LCC are satisfied that the appropriate time periods have been assessed.

*Site Access:*

72. The site has an existing stub access provided central to its width on Barnes Wallis Way. However, although the site would still be accessed from Barnes Wallis Way, as part of the proposed access strategy, the stub access would be stopped up and a new 6.0m wide access provided closer to the site's eastern boundary. The access would be extended into the site and linked with two separate accesses into the business units and the restaurant takeaway unit. The layout of the site access is generally acceptable, however, as indicated above, Barnes Wallis Way is currently un-adopted, as such its use to access the site must be with the consent of the owner(s) who are likely to be the existing frontagers to the satisfaction of the Local Planning Authority.

*Traffic impact assessment:*

*Trip rates:*

73. The applicant derived trip rates for the proposed development from comparable trip rates from the TRICS database. The trip rates derived are shown on Table TA5.1, paragraph 5.1.3 of the TA for the proposed Class B1 business use and Table TA5.3, paragraph 5.1.5 of the TA for the proposed restaurant takeaway unit.

*Trip generation:*

74. For the proposed Class B1 business use, based on the trip rates derived and the proposed GFA of 753m<sup>2</sup>, the applicant estimates that the proposed business units would generate a total 8-two way trips each during the weekday AM peak hours of 08:00-09:00 hours and PM peak hours of 16:00-17:00 hours. Trip generation for weekend peak was not assessed as there were no comparable 'industrial' use trip rates on TRICS due to this use class not typically generating much trips during the weekends.
75. The trip rate to be generated by the proposed restaurant takeaway unit was also assessed based on comparable 'fast food drive-through' use trip rates on TRICS. Using the proposed GFA of 269m<sup>2</sup> and the derived trip rates, it was estimated that the restaurant takeaway unit would generate a total of 68 two-way trips during the weekday AM peak and a total of 61 two-way trips during weekday PM peak. A total of 128 two-way trips would be generated during the Saturday peak from 12:00-13:00 hours.
76. The combined trip generation for both the proposed business use and the restaurant takeaway unit is therefore, 76 two-way trips for the weekday AM peak and 69 two-way trips for the weekday PM peak. The total trip generation for Saturday peak would be 128.
77. The highway authority is satisfied that this level of trip generation, which the applicant estimates to be equivalent to the addition of one vehicle movement every minute during the weekday AM and PM peaks to the highway network and two additional vehicle movements every minute during the Saturday peak should not adversely impact the smooth operation of the highway network. The trip generation potential of the proposed development is, therefore, considered reasonable and as such acceptable.

*Trip distribution and assignment*

78. The result of the turning survey carried out at the Buckshaw Avenue/Village Way/Ordnance Road roundabout has been used to assess the distribution of traffic associated with the proposed development. The applicant assumed all traffic to and from the development would travel via the roundabout for robustness. Based on the excise shown on Figures TA9 and TA10, it would appear the development trips have been fairly distributed and assigned.

*Traffic growth*

79. The applicant has used a specialised software, TEMPRO to calculate background traffic growth from the survey year of 2017 for the proposed opening year of 2018 and applied base flows to obtain flows for the design year of 2023 which were then used to assess the impact of the proposed development. A summary of the TEMPRO adjusted NTM growth factors are shown on Table TA6.1, paragraph 6.2.2 of the TA. The predicted future year traffic flows used to assess the impact of development trips are also shown in Figures TA13 and TA14 of the Transport Assessment. The growth figures are acceptable.

*Committed developments*

80. The applicant makes no assessment of committed developments as they state that they are not aware of any such committed developments with the potential to generate trips that can materially impact the baseline traffic conditions in the area. A check by highways does not reveal any major development proposal in the area with significant traffic generating potential, as such, there are no highway concerns in this regard.

*Impact of development trips*

81. The assessment of the impact of link flows for the opening year of 2018 is demonstrated on Tables TA7.1 and TA7.2, paragraph 7.2.3. Based on this, the applicant assumed 10% impact of development trips on background flows on the surrounding highway network during weekday and Saturday midday peaks. As noted from Table TA7.2, at 12.5% the impact on Ordnance Road exceeds the assumed 10% during the Saturday midday peak. However, the applicant indicated that this should not give rise for concern given that the total traffic flows during the period would fall below baseline peaks levels and that the greater impact on Ordnance Road is to be expected since all development traffic would use Ordnance Road. The applicant's explanation is accepted and as the other approaches are

noted to be below the assumed 10% it is accepted that there would generally be minimal impact in highway capacity terms.

82. As a guide, it is accepted that at junctions and roundabouts, when the ratio of flow to capacity (RFC) value for the approach arm is between 0-0.85, it is an indication of stable and an acceptable traffic condition. If the RFC value is between 0.85-1.00, it is an indication of possible queue build up and if the RFC value is above 1.0, then there would be congestion with queues leading to delays.
83. The applicant has assessed the impact of development traffic on Buckshaw Avenue/Village Way/Ordnance Road roundabout using ARCADY specialised software and obtained results as summarised on Tables TA7.3 and TA7.4, paragraph 7.3.3 of the TA. From the values shown, apart from the eastern approach of Buckshaw Avenue, which would be up to 0.85 during the PM peak in the design year of 2023, all other RFC values are well below 0.85. It is, therefore, considered that there would be minimal impact of development trips on the Buckshaw Avenue/Village Way/Ordnance Road roundabout.

*Sustainability/Accessibility by Non-Car Modes  
Pedestrians and cyclists*

84. The site is in an area with adequate provision for pedestrians and cyclists, however, although the Buckshaw Avenue/Village Way/Ordnance Road roundabout has dropped crossings provided at all the pedestrian crossing points, the crossings do not incorporate tactile pavings and as such not compliant with the Equality Act 2010. Given the accident occurrences at the roundabout as pointed out above, it is considered that the applicant should improve accessibility and facilitate safe crossing at the roundabout by installing tactile pavings on all arms of the roundabout currently with existing dropped crossings including the traffic islands.
85. The applicant's proposal to provide a pedestrian link from the site to Buckshaw Avenue is noted, however, this should be provided as a pedestrian/cycle link to a width of 3.0m to provide access for both pedestrians and cyclists. The cycle storage provision for the Class B1 business use and the restaurant takeaway unit are noted. The applicant should ensure that the shorter length of the proposed 2.0m wide footway on the east side of the site access does not extend less than 10.0m from the back of footway of Barnes Wallis Way.

*Public transport*

86. There are currently two temporary bus stops each on the eastern, southern and western arms of Ordnance Road. It is proposed that these stops are made permanent. However, the bus stops on the southern and western arms of the road are located on un-adopted roads. As the eastern arm of Ordnance Road is adopted, LCC considers it appropriate to require the developer to upgrade these bus stops with raised boarding area to encourage the use of public transport and assist those with mobility issues to meet the requirements of the National Planning Policy Framework (the Framework). The Framework requires developers to maximise their efforts in creating a modal shift toward more sustainable modes of travel.

*Internal layout:*

87. The pedestrian crossing provided to facilitate access from the restaurant takeaway unit car park towards Buckshaw Avenue is noted, however, the position of the proposed planter nearest the crossing should not hinder access for wheel/push chair users and those using prams. With regard to the two 'large order bays' located east of the main entrance to the restaurant takeaway unit, it is not considered people wanting to use this service would be willing to join the drive-through queue until they get to the 'large order bays', as such there would be tendency for them to drive straight ahead to the two bays on entering the site. After service, vehicles in the two bays would possibly have to reverse out risking collisions with traffic leaving the site and those entering the drive-through queue. The applicant should therefore reconsider this aspect of the proposal.

*Car parking:*

88. The proposed development would make parking provision for a total of 24 and 31 spaces provided respectively for the Class B1 business use and the restaurant takeaway, which

includes 2 spaces for disabled people within each car park. There would also be provision for cycle and motorcycle storage and parking. No additional parking spaces are, therefore, required and the development accords with policy ST4 of the Chorley Local Plan, which requires parking for development proposals to be made in accordance with standards set in the Local Plan.

*Servicing:*

89. The service area for the restaurant takeaway unit is located west of the site. The associated tracking drawings provided have been analysed and found satisfactory.

*Section 278 agreement of the Highways Act 1980:*

90. All works within the highway, including works associated with the installation of tactile pavings at the Buckshaw Avenue/Village Way/Ordnance Road roundabout, improvements to the bus stops and the proposed pedestrian/cyclist link from the site to Buckshaw Avenue must be carried out through an s278 agreement with LCC with the full cost borne by the applicant.

*Construction:*

91. During the construction period significant vehicle movements would take place. To ensure that the movements can be facilitated safely, LCC consider it appropriate for a Construction Management Plan (CMP) including a Construction Method Statement (CMS) to be in place and adhered to.

*Summary:*

92. The TA and the associated documents submitted have been analysed and overall the proposed development is considered acceptable, subject to the provision of suitable mitigation. There are no highway objections to the proposed development on the basis that appropriate highway safety measures are implemented and the proposal is, therefore, considered acceptable in relation to parking and highway safety.

Impact on health

93. A number of concerns have been received in relation to the perceived impact of a fast food restaurant takeaway on the health of local residents, and in particular the health of local children. Policy 23 of the Central Lancashire Core Strategy seeks to integrate public health principles and planning, and help to reduce health inequalities by managing the location of fast food takeaways, particularly in deprived areas and areas of poor health. The policy suggests that in such areas consideration should be given to the preparation of a Supplementary Planning Document to manage this. There is no such SPD to consider at present and there is no evidence base to demonstrate that Buckshaw Village suffers deprivation or areas of poor health. As such there is no policy basis on which to assess the proposed restaurant and takeaway from a public health perspective.
94. The restaurant and takeaway would be located approximately 250m walking distance from the nearby Trinity C Of E Methodist Primary School. Although this is within close proximity it is noted that primary school children are not permitted to leave the school premises at lunch times, and that parents would have an adequate degree of control over their children's dietary requirements and eating habits despite the visual presence of a fast food restaurant and takeaway. Given the absence of an SPD or evidence of local poor health it is not considered that a refusal of planning permission could be sustained on this basis.

Other matters

95. *Anti-social behaviour:* Concerns have been raised about the attraction of youths to the area and the speculation of a correlation in the rise of crime and damage with the opening of a fast food restaurant. The applicant has confirmed that when the building is in operation, the restaurant teams are trained in conflict management to resolve issues that may occur on the premises quickly and effectively.
96. In addition, KFC have worked closely with the police architectural liaison services to incorporate the principles of Secure by Design Guidance, as well as maintaining a close working partnership with the local police during the lifetime of the restaurant. It is noted that KFC operate a Good Neighbour Guide that sets out the ways in which they work with local

police in accordance with Designing Out Crime. In response to this the proposed lighting scheme has been developed to ensure that customers are within a safe environment on arrival and departure from the premises.

97. *Litter*: It is recognised that unfortunately people sometimes discard packaging and half eaten food. However, there would be litter bins to serve the restaurant and it is noted that KFC operate a litter-picking policy, which should reduce the likelihood of any nuisance caused by litter dropped by customers.

## CONCLUSION

98. The proposed development would have the benefit of providing a mix of small business units and a restaurant and takeaway that together would contribute to economic growth in a sustainable location, and would have only a very limited impact on the long term supply to available employment land. The proposal would have no unacceptable detrimental impact on the amenity of neighbouring occupiers and would result in an overall improvement in the appearance of the site and character of the area. In addition there would be no unacceptable impact on highway safety. On the basis of the above, it is recommended that planning permission be granted.

## RELEVANT HISTORY OF THE SITE

**Ref:** 14/00380/FULMAJ **Decision:** Approved **Decision Date:** 11 June 2014  
**Description:** Erection of part single storey and part two storey restaurant / public house (Class A3/A4) with ancillary residential accommodation at first floor and associated external play area, together with new access, car parking, landscaping and ancillary works.

**Ref:** 11/01080/FULMAJ **Decision:** Approved **Decision Date:** 08 March 2012  
**Description:** Proposed warehouse, office and trade counter building and associated infrastructure.

**RELEVANT POLICIES:** In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposal has had regard to guidance contained within the National Planning Policy Framework (the Framework) and the development plan. The specific policies/guidance considerations are contained within the body of the report.

### Suggested Conditions

No.	Condition						
1.	<p>The proposed development must be begun not later than three years from the date of this permission.</p> <p><i>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</i></p>						
2.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1"> <thead> <tr> <th>Title</th> <th>Drawing Reference</th> <th>Received date</th> </tr> </thead> <tbody> <tr> <td>To be confirmed</td> <td></td> <td></td> </tr> </tbody> </table> <p><i>Reason: For the avoidance of doubt and in the interests of proper planning</i></p>	Title	Drawing Reference	Received date	To be confirmed		
Title	Drawing Reference	Received date					
To be confirmed							
3.	<p>The external facing materials, detailed on the approved plans, shall be used and no others substituted unless alternatives are first submitted to and agreed in writing</p>						

	<p>by the Local Planning Authority, when the development shall then be carried out in accordance with the alternatives approved.</p> <p><i>Reason: To ensure that the materials used are visually appropriate to the locality.</i></p>
4.	<p>No temporary refrigeration units are to be used in the outdoor areas of the service yard other than in exceptional circumstances (such as the failure of internal refrigeration units). In such exceptional circumstances full written permission will be sought from the Local Planning Authority prior to, or within 24 hours of, the temporary refrigeration units being used in the outdoor areas of the service yard.</p> <p><i>Reason: To safeguard the amenities of the occupiers of nearby residential accommodation.</i></p>
5.	<p>Deliveries, servicing and collections to and from the units hereby permitted, including waste collections, shall not take place outside the following hours: 09:00 to 20:00 hours.</p> <p>Where exceptional circumstances require deliveries/servicing/collections to take place outside these stated hours, full written permission will firstly be sought from the Local Planning Authority.</p> <p><i>Reason: Based upon the submitted information and to safeguard the amenities of the occupiers of nearby residential accommodation.</i></p>
6.	<p>The restaurant takeaway drive-thru unit hereby permitted shall only operate between 09:00 and 24:00 hours Mondays to Saturday and 09:00 and 23:00 hours on Sundays.</p> <p><i>Reason: In the interests of the amenity of the area and adjoining and nearby residential properties.</i></p>
7.	<p>The business unit building hereby approved shall only be used for Class B1 (business) purposes of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).</p> <p><i>Reason: To protect the vitality and viability of the nearby local centre and in accordance with the submitted supporting information.</i></p>
8.	<p>The condenser units and air extraction systems shall be installed in accordance with the approved details prior to the commencement of the use of the restaurant takeaway drive-thru hereby permitted and shall thereafter be retained and maintained in accordance with the approved details at all times. Specifically any maintenance works to the electrostatic precipitators should be carried out at the proposed frequency to prevent the establishment giving rise to a statutory nuisance caused by odours.</p> <p><i>Reason: To protect the amenities of occupiers of nearby property.</i></p>
9.	<p>No part of the development hereby approved shall be occupied before all walls and fences, associated with the development have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.</p> <p><i>Reason: To ensure a visually satisfactory form of development and to protect the amenities of occupiers of nearby property.</i></p>
10.	<p>Before the development hereby permitted is first commenced, other than enabling works, full details of existing and proposed ground levels and proposed building finished floor levels (all relative to ground levels adjoining the site) shall have been</p>

	<p>submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plan(s). The development shall be carried out strictly in conformity with the approved details.</p> <p><i>Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.</i></p>
11.	<p>All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the earlier, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species..</p> <p><i>Reason: In the interest of the appearance of the locality.</i></p>
12.	<p>The parking and associated manoeuvring facilities shown on the plans hereby approved shall be surfaced or paved, drained and marked out and made available in accordance with the approved plan prior to the occupation of units they serve; such parking facilities shall thereafter be permanently retained for that purpose (notwithstanding the Town and Country Planning (General Permitted Development) (England) Order 2015).</p> <p><i>Reason: To ensure provision of adequate off-street parking facilities within the site.</i></p>
13.	<p>No development shall take place including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:</p> <ol style="list-style-type: none"> <li>i. the parking of vehicles of site operatives and visitors</li> <li>ii. hours of operation (including deliveries) during construction</li> <li>iii. loading and unloading of plant and materials</li> <li>iv. storage of plant and materials used in constructing the development</li> <li>v. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate</li> <li>vi. wheel washing facilities</li> <li>vii. measures to control the emission of dust and dirt during construction</li> <li>viii. a scheme for recycling/disposing of waste resulting from demolition and construction works</li> </ol> <p><i>Reason: In the interests of highway safety and to protect the amenities of the nearby residents.</i></p>
14.	<p>No part of the development shall be occupied or brought into use until a scheme for the construction of the site access and the off-site works of highway improvement have been submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.</p> <p><i>Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.</i></p>
15.	<p>No part of the development hereby approved shall be occupied until the approved scheme for the construction of the site access and the off-site works of highway improvement has been submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. The highway improvements shall thereafter be constructed in accordance with the agreed timescale.</p> <p><i>Reason: In order to satisfy the Local Planning Authority and Highway Authority that</i></p>

	<p><i>the timescales for the highway scheme/works are acceptable before work commences on site and in order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.</i></p>
16.	<p>The development hereby approved shall not be occupied until the details of covered and secured cycle storage have been submitted to and approved in writing by the Local Planning Authority. The details shall accord with the Chorley Council Parking Standard. The scheme shall be implemented in accordance with the approved details before the first occupation/use of the development. The facilities shall be retained at all times thereafter.</p> <p><i>Reason: To encourage sustainable transport modes.</i></p>
17.	<p>Prior to the commencement of any development, other than enabling works, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the public surface water sewer, the pass forward flow rate to the public surface water sewer must be restricted to 5 l/s.</p> <p><i>Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.</i></p>
18.	<p>Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:</p> <ol style="list-style-type: none"> <li>a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and</li> <li>b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.</li> </ol> <p>The development shall subsequently be completed, maintained and managed in accordance with the approved plan.</p> <p><i>Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.</i></p>
19.	<p>Prior to the first use of the restaurant takeaway drive-thru hereby permitted details of a scheme to prevent access to the entrance/exit to the restaurant car park and drive thru shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the first occupation/use of the takeaway drive-thru and access shall be prevented at all times when the takeaway drive-thru is closed, other than to allow access for staff. The facilities shall be retained at all times thereafter.</p> <p><i>Reason: In the interest of protecting the local residents from the potential of a public nuisance.</i></p>

