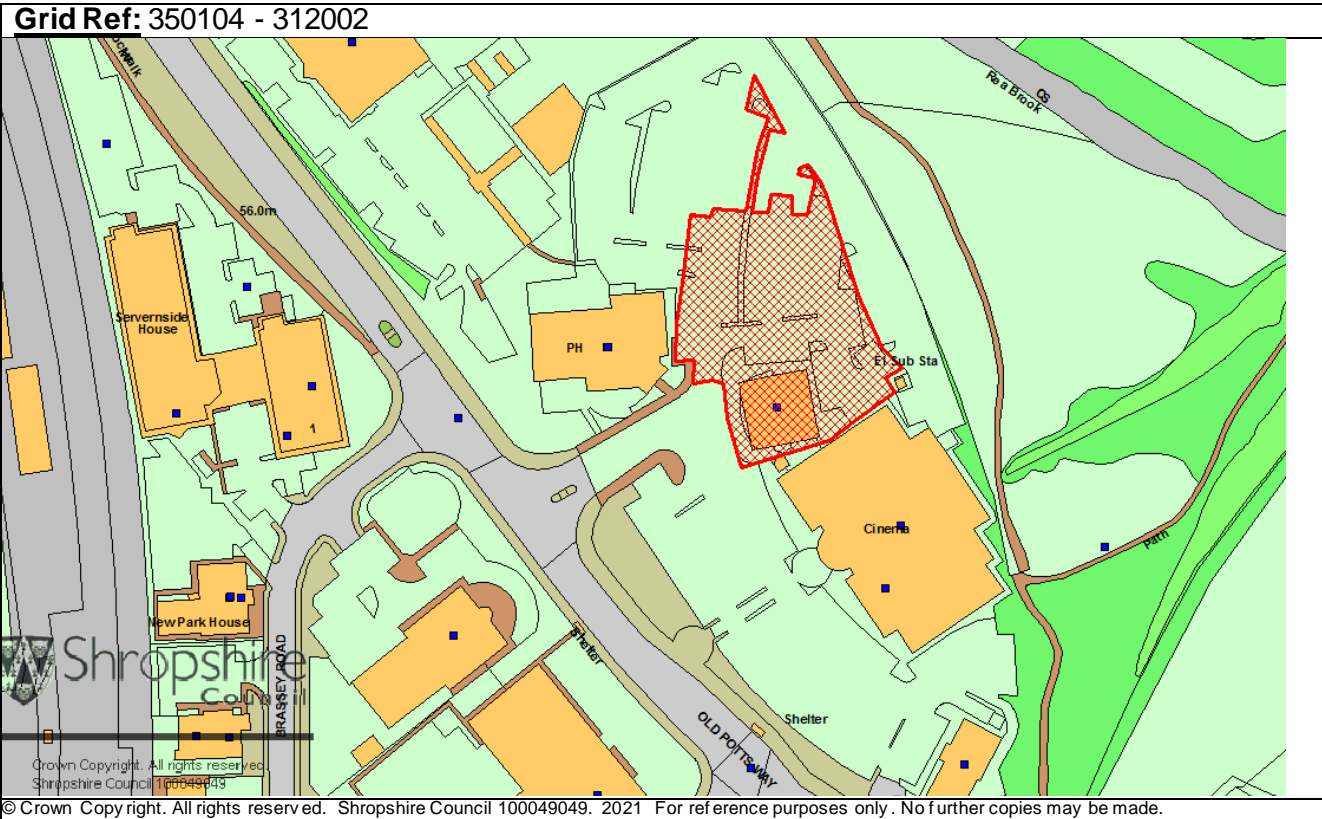


Development Management Report

Responsible Officer: Tracy Darke, Assistant Director of Economy & Place

Summary of Application

Application Number: 22/00252/FUL	Parish:	Shrewsbury Town Council
Proposal: Erection of drive-through restaurant following demolition of existing restaurant		
Site Address: Dragon King Old Potts Way Shrewsbury Shropshire SY3 7ET		
Applicant: ESN (Scotland) Ltd (SPPS)		
Case Officer: Jane Raymond	email	: jane.raymond@shropshire.gov.uk



Recommendation: Grant Permission subject to the conditions set out in Appendix 1.

REPORT

1.0 THE PROPOSAL

- 1.1 This planning application is for the erection of drive-through restaurant following demolition of the existing restaurant.
- 1.2 The proposal also includes re-arrangement of some of the parking spaces and roadways within part of the car park to the north of the proposed single storey restaurant building.

2.0 SITE LOCATION/DESCRIPTION

- 2.1 The application relates to the former Chinese restaurant and part of the car park north of the cinema (Cineworld) situated off Old Potts Way within the Abbey Foregate area north of Shrewsbury town centre.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

- 3.1 The proposal does not comply with the scheme of delegation as set out in Part 8 of the Shropshire Council Constitution as the Town Council have submitted a view contrary to officers and the Principal planning officer in consultation with the Committee Chairman and Vice Chairman consider that the application should be determined by committee.

4.0 Community Representations

4.1 Consultee Comment (latest comments only)

- 4.1.1 **WSP on behalf of SC Drainage (20.04.22):** *The proposed surface water drainage is now acceptable and a pre- commencement drainage condition is not required.*
- 4.1.2 **SC Highways (11.04.22):** *Following the submission of the revised layout and further information, I can confirm that Shropshire Council as Highway Authority raises no objection to the granting of consent.*

Recommends Planning conditions to be attached to any permission granted.

- 4.1.3 **SC Trees (03.05.2022):** *An amended landscape scheme and updated planting details have been provided. To replace the loss of the existing car park trees 17 new trees are proposed and have been moved to the existing tree belt to the front of the site and consist of native specimens of Silver Birch, Hornbeam and Pine.*

These new proposals mean the trees have a better chance of establishment and will add to screening provided by the boundary planting.

Has no objections on the grounds of trees subject to the imposition of a landscaping condition being imposed on any approval.

4.1.4 **SC Ecology:** Advised prior to the submission of the application that an Ecological assessment is not required and that standing advice should be followed.

4.1.5 **SC Regulatory services**

(05.04.2022): Odour *I have examined the details of the amended odour report '220312 McD Shrewsbury Odour control RevA' and consider the additional odour abatement and maintenance proposals detailed in section 8 and 9 suitable to control impact upon the locality.*

(02.03.2022) Amenity/Noise *Based upon the noise assessment provided and the location of the site I would not expect the proposals to have any adverse noise impact upon amenity of residential dwellings in the surrounding area.*

(02.03.2022) Contaminated Land *A report by DTS Raeburn, Geotechnical, & Environmental Engineering; Preliminary Risk Assessment for a Site at Old Potts Way, Shrewsbury; Contract No. E13548/1, Issue 1 November 2021, FINAL has been submitted in support of this planning application.*

This report is essentially a Phase I Desk Study and at the time of reporting, a ground investigation was being undertaken to enable a quantitative assessment of the extent of ground contamination, including potential risks from soil gas present at the site, and the potential associated risks to the identified receptors.

Recommends that if planning permission is granted a contaminated land condition should be included on the decision.

4.1.7 **SC Conservation** (03.03.2022): *This application follows on from a formal Pre-application enquiry where we would repeat our comments provided at that time - This block along Old Potts Way comprises a series of modern commercial buildings and the demolition of the existing restaurant would not raise objection in terms of loss of a heritage asset. The boundary of the Shrewsbury Conservation Area (Abbey Foregate Special Character Area) runs along the Rea Brook to the north-east of the subject site where these commercial properties are outside of the Conservation Area boundary. With this in mind and given the proximity of higher level designated heritage assets in the wider area such as the Shrewsbury Abbey to the north along Abbey Foregate, while there would be no objection to a new restaurant here it should comprise an acceptable and recessive colour scheme and external finishes suitable to the context of the area, and signage should be kept modest and not of an excessive height if of the stand alone type, with external illumination kept to a low level.*

4.2 **Public Comments**

4.2.1 **Shrewsbury Town Council:** The Town Council object to this application. There is insufficient information provided on sustainable travel to the site and the potential mitigating environmental impacts that may occur. Concerns were raised that littering may be an issue and this may have a detrimental impact upon the neighbouring Reabrook Valley. Members fully support the comments made by

Shropshire Council Tree Officer with the regards to their concerns that they were not consulted at the pre-application stage and the proposed removal of a large number of trees, which seems an unnecessary action to take.

4.2.2 **Shrewsbury Civic Society:** Shrewsbury Civic Society endorses the report from the Shropshire Council Tree Officer concerning the proposed removal of a large number of trees. It is our opinion that there is no substantive reason for this. The society is also concerned about the potential increase in litter and its likely effect on the Rea Brook Valley. Shrewsbury Civic Society objects to this application.

4.2.3 17 letters of objection summarised as follows:

The cinema and Nandos' and all businesses that operate here bring traffic, noise and lights but they stop operating at midnight.

This proposal will result in increased traffic resulting in noise and air pollution for 24 hours (particularly at night)

Increased use of car park (particularly at night)

Reduced access in car park for junior football teams at weekends

Loss of car park spaces for emergency use during town flooding

Old Potts Way is already a busy and major route into Shrewsbury town centre and already suffers congestion at busy times and the proposal will exacerbate this and result in increased traffic and congestion in Old Potts Way during the day

Concerned that drivers seeking to avoid the congestion in Old Potts Way will instead use the residential streets of Sutton Lane, Adams Ridge, Grove Road, Reabrook Avenue and Rocke Street as a short cut.

There can be long queues at the Meole Brace drive through.

There are already two 24 hour drive through McDonalds restaurants in Shrewsbury and due to the proximity of another branch there is no need for another one at this site.

It will result in cars racing around the car park late at night

Increase in the level of vandalism, ant-social behaviour and drug dealing on the car park particularly at night.

There will be an increase in litter that will find its way into the hedgerows and surrounding areas, including streets, the football pitch and park at Rocke Street and also the Reabrook Nature Reserve with consequences for wildlife and increases in rodent numbers.

The proposal would be detrimental to quality of the local residential areas nearby.

The 24 hour availability of fast food has played a large part in encouraging people to eat the wrong food and its ready availability has exacerbated the problem.

It is reckless to be supporting another fast food outlet when we have two thirds of the population overweight with an increasing burden on the NHS

Providing local employment does not negate the more damaging long term problem of the impact on people's health

There is no provision for electric vehicle charging points.

4.2.3 A petition signed by approximately 115 residents has been received.

5.0 THE MAIN ISSUES

Principle of development

Visual impact

Landscaping, trees and ecology

Traffic, parking and highway impact

Residential amenity

6.0 OFFICER APPRAISAL

6.1 Principle of development

6.1.1 The site is an established commercial site currently providing a cinema (Cineworld) and three restaurants (Harvester, Nando's and the former Dragon King). The original planning permission for this site was granted in November 1997 (SA/97/0079/020/97) for the 'Erection of a multiscreen cinema, pub/restaurant with staff accommodation, restaurant and drive thru restaurant, provision of car parking spaces together with access onto Old Potts Way.' The site of the now Nando's restaurant was for a drive through restaurant and was originally occupied by Burger King.

6.1.2 The principal of there being a drive through restaurant as part of the wider site has therefore previously been established. The proposal is for a 371 square metre restaurant in place of a 367 square metre restaurant. Due to the minimal increase in floor area and that the overall size is less than the 500 square metre threshold outlined in policy MD10b, a town centre impact assessment is not required.

6.1.3 The applicant has undertaken a sequential assessment as required by paragraph 87 of the NPPF. Paragraph 88 of the NPPF indicates that when considering edge of centre locations (such as this site) for main town centre uses preference should be given to accessible sites which are well connected to the town centre. The submitted statement provides the following parameters for the search for alternative and suitable sites within or on the edge of Shrewsbury Town Centre:

- *Have a site area of at least 0.3 hectares; and*
- *Be capable of accommodating a building of at least 371 square metres; and*

- *Be capable of being served by circa 50 car parking spaces; and*
- *Be in a prominent roadside location close to the strategic road network; and*
- *Be financially viable.*

The Practice Guidance indicates that '*If there are no suitable sequentially preferable locations, the sequential test is passed*'. The search undertaken demonstrates that there are no suitable available alternative sites for the proposed development that meet the requirements of the proposal.

- 6.1.4 The proposed replacement restaurant that also offers a drive through facility is considered acceptable in principle in this edge of town centre location and would accord with CS2, CS15, CS16 and MD10a.

6.2 **Visual impact**

- 6.2.1 SAMDev Policy MD2 (Sustainable Design) and Core Strategy Policy CS6 (Sustainable Design and Development Principles) requires development to protect and conserve the built environment and be appropriate in scale, density, pattern and design taking into account the local context and character.

- 6.2.2 The proposed site is not within a conservation area but Shrewsbury Conservation Area (Abbey Foregate Special Character Area) is to the north east. The proposal therefore also has to be considered against national policies and guidance including section 16 of the National Planning Policy Framework (NPPF) and Shropshire Council policies MD13 and CS17 which seek to ensure that development protects and enhances the local character of the built and historic environment. Special regard has to be given to preserving or enhancing the character or appearance of the Conservation area as required by section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 6.2.3 The Conservation officer has reviewed the proposal and has no objection to the proposed replacement building subject to external finishes suitable to the context of the area and that signage should be kept modest and illumination kept low. Any signage (illuminated or non-illuminated) would be the subject of a separate application for advert consent.

- 6.2.4 The proposed building is a contemporary design with a mixed palette of external materials including brick, wood cladding and stone effect cladding and grey framed windows and doors. It is considered that the scale, design and appearance of the building is appropriate given the context of the site and is an improvement compared to the existing building. It is therefore considered that the proposal would have no adverse impact on the character and appearance of the locality or the adjacent conservation area.

6.3 **Landscaping, trees and ecology**

- 6.3.1 Due to the footprint of the new replacement building, the required changes to the car park layout and internal roads to facilitate the drive through element and the associated construction works, the proposal will require the removal of 29 trees. SAMDev policy MD12 seeks to ensure that development proposals avoid harm to

Shropshire's natural assets and '*encouraging development which appropriately conserves, enhances, connects, restores or recreates natural assets, particularly where this improves the extent or value of those assets which are recognised as being in poor condition*'. With regards to trees it refers to the protection of important woodlands, trees and hedges and visual amenity.

- 6.3.2 The submitted arboricultural report puts the trees in to categories in accordance with BS 5837 and indicates that the existing trees are not exceptional probably due to poor planting and ground conditions. BS 5837 indicates that Category U trees should be recommended for removal due to their poor condition rather than to facilitate development; Category C trees are smaller trees and/or are considered to be of low quality and have a limited life expectancy and such trees should not be considered as a constraint against development; Category B trees are smaller trees that have a longer life expectancy than category C trees and Category A trees are generally large, high-quality trees that significantly contribute to the visual amenity of the environment and retained when ever possible.
- 6.3.3 The report indicates that none of the trees are category A and of the 29 trees proposed to be removed 8 are category U (which need to be removed anyway), 14 are category C and 6 are category B. The tree officer concurs with the categorisation but initially objected to the proposal as the proposal did not indicate satisfactory compensatory tree planting and suggested that it could be subject to planning condition.
- 6.3.4 A revised layout and landscaping plan has now been provided that indicates 17 new trees to be planted within the wider site area which is under the same ownership. The landscaping plan also indicates a planting specification and details of future maintenance to demonstrate that the new trees can become established and grow to reach maturity.
- 6.3.5 The tree officer has no objection to the application and does not consider that more tree planting is required to compensate for the loss of 14 category C and 6 category B trees. The proposal will not result in the loss of significant higher quality trees, and it is considered that the 17 new trees proposed more than compensate for the loss of these predominantly poor quality trees and will provide enhanced tree planting that will contribute to the visual amenity of the area in accordance with MD12.
- 6.3.6 At the pre-app stage the Councils Ecologist requested that an Ecological assessment be submitted to support any application. The site area comprises a brick building constructed in the 1990s with no potential for bats situated within significant areas of existing tarmac car parking that is punctuated by individual juvenile trees planted in tree pits that are generally of poor quality and success and offer low ecological value. The proposal indicates that the existing hedgerow boundary with the Rea Brook Valley corridor will be retained and the ecological network provided by the Valley corridor would therefore not be affected.
- 6.3.7 The Councils Ecologist prior to the submission of the application concurred with the applicants assessment that given the existing site function, surface finishes and conditions and the very limited 'green content' within the existing site an Ecological

assessment is not required. The proposal now includes a landscape proposal to include native tree and shrub species selected for appropriateness for location and these trees have a better chance of establishment than the previous tree planting. The proposed landscaping should therefore provide some ecological enhancement compared to the existing.

6.4 Traffic, parking and highway impact

- 6.4.1 The site access is off Old Potts Way that provides access to the cinema and 2 other restaurants and no changes are proposed to this access. There are currently a total of 458 parking spaces including 18 spaces reserved for Blue Badge Holders within the overall car park. The proposal includes reconfiguration of the car park to facilitate the development with an overall loss of 44 parking spaces to 414 spaces including 18 reserved for Blue Badge Holders and two grill bays. Customers are free to choose where they park to suit the venue/venues they are visiting. The proposal also indicates parking for up to 6 bicycles adjacent to McDonald's with the provision of 3 sheffield stands.
- 6.4.2 A Transport Assessment has been submitted that considers the potential highways and transport effects of the proposals in relation to access, accessibility, parking, servicing and traffic impact. Highways have reviewed the application and have no objection to the proposal with regards to car park capacity, traffic generation and/or impact on congestion in the local area or highway network.
- 6.4.2 Highways, however, initially raised concern that the proposal gave priority to vehicles within the site rather than to pedestrians and that the application needed amending in order to ensure the safe and free movement of pedestrians across the frontage and between the existing on-site facilities and the adjacent car parking areas. The site layout as amended now indicates 2 pedestrian crossings within the leisure/retail park where pedestrians can cross the internal roads to go between the site and the cinema and the other two restaurants and car parking areas. Highways have no objection to the internal layout and crossing points as now proposed.
- 6.4.3 The town council in their initial comments raised concern that insufficient information has been provided on sustainable travel to the site. The proposal includes a drive through element which is designed to serve customers in their car but it will also provide a sit-in and take-away facility (as did the existing restaurant). The site is situated within reasonable walking distance of the town centre and is accessible by other modes of transport beside the private car including walking and cycling and public transport. It is considered that the site is sustainably located with regards to customers being able to access the site by a variety of means and the proximity to other services and facilities in the locality and also within the town centre would also promote combined trips.

6.5 Residential amenity

- 6.5.1 The Town Council, the Civic Society and some local residents have raised concern regarding litter in the surrounding streets and adjacent nature reserve as a consequence of the proposal. The proposal includes adequate provision of litter

bins and provides a litter management plan which is recommended to be the subject of condition. However, the perception that customers will not use the litter bins provided or would litter the surrounding streets whether from their cars or on foot is not a justifiable reason to refuse a planning application.

- 6.5.2 Other issues raised by residents relate to the 24 hour trading and the potential for noise and disturbance and anti-social behaviour in the car park and surrounding streets. A noise and odour survey has been submitted and Regulatory Services are satisfied that the proposal would not impact on amenity with regards to noise and odour from cooking and extraction equipment. The proposal in any case replaces an existing restaurant and is sited some way away from residential properties.
- 6.5.3 With regards to 24 hour opening an additional statement has been provided that indicates that 'McDonald's restaurants take approximately two hours to close and two hours to open, requiring intensive working and resulting in only two hours when limited staff would not be at work and therefore overnight opening makes sense'. It also explains that 'the restaurant provides for shift workers, the limited transient population and typically the emergency services' and is 'a family restaurant and has no intention of causing undue problems'.
- 6.5.4 This statement also points out that 'opening after 11pm and before 5am requires a licence issued by the council and licencing can therefore restrict opening hours should the proposed store cause problems at any time'. Regulatory Services have also not raised any concern about 24 hour opening resulting in noise and disturbance from customers or vehicles and highways are not objecting and do not consider that the proposal would result in a significant increase in traffic. It is therefore not considered necessary to impose a planning condition to restrict opening hours.
- 6.5.4 Some objectors refer to existing anti-social and criminal activity on the existing car park overnight when the businesses have closed and that this proposal will exacerbate this. However, staying open all night and maintaining a presence on site and with some staff and customer use of the car park would hopefully deter this activity. With regards to comments that the proposal should not be permitted as it would encourage people to eat the wrong food and contribute to obesity and health problems it should be noted that the site is not within walking distance of a school and also replaces an existing restaurant and takeaway.

7.0 CONCLUSION

- 7.1 The proposed replacement restaurant that also offers a drive through facility is considered acceptable in principle in this sustainable edge of town centre location that is accessible by other modes of transport beside the private car and is located in proximity to other services, facilities and employment that provides opportunity for combined trips. It is also considered that the proposal would have no highway safety implications with regards to car park capacity, traffic generation and/or impact on congestion in the local area or highway network.
- 7.2 It is considered that the scale, design and appearance of the building is appropriate

given the context of the site and is an improvement compared to the existing building. The proposal will not result in the loss of high quality trees and it is considered that the specification for the planting of native tree species indicated on the revised landscaping proposal will have a better chance of establishment than the previous tree planting and will more than compensate for the loss of these predominantly poor quality trees and will also provide some ecological enhancement. It is considered that the proposed replacement building combined with the enhanced tree planting that will contribute to the visual amenity of the area would preserve and enhance the character and appearance of the locality and the adjacent conservation area.

7.3 Regulatory Services have confirmed that the proposal would not impact on amenity with regards to noise and odour from cooking and extraction equipment and have also not raised any concern about 24 hour opening resulting in noise and disturbance from customers or vehicles, and highways do not consider that the proposal would result in a significant increase in traffic. It is considered that the proposal would have no significant adverse impact on residential and local amenity compared to the existing use and it is not considered necessary to restrict opening hours as opening after 11pm and before 5am requires a licence which can be restricted should the 24 hour opening cause problems.

7.4 Having regard to the above it is considered that the proposal accords with the policies relevant to the determination of this application including CS2, CS6 CS15, CS16, CS17, MD2, MD10a, MD12 and MD13

8.0 Risk Assessment and Opportunities Appraisal

8.1 Risk Management

There are two principal risks associated with this recommendation as follows:

- As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal, i.e. written representations, hearing or inquiry.
- The decision may be challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or perverse. Therefore they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be made a) promptly and b) in any event not later than six weeks after the grounds to make the claim first arose.

Both of these risks need to be balanced against the risk of not proceeding to determine the application. In this scenario there is also a right of appeal against non-determination for application for which costs can also be awarded.

8.2 Human Rights

Article 8 gives the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community.

First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents.

This legislation has been taken into account in arriving at the above recommendation.

8.3 Equalities

The concern of planning law is to regulate the use of land in the interests of the public at large, rather than those of any particular group. Equality will be one of a number of 'relevant considerations' that need to be weighed in Planning Committee members' minds under section 70(2) of the Town and Country Planning Act 1990.

9.0 Financial Implications

There are likely financial implications if the decision and / or imposition of conditions is challenged by a planning appeal or judicial review. The costs of defending any decision will be met by the authority and will vary dependent on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining this planning application – insofar as they are material to the application. The weight given to this issue is a matter for the decision maker.

10. Background

Relevant Planning Policies

Central Government Guidance:

National Planning Policy Framework

Core Strategy and Site Allocations and Management of Development (SAMDev) Plan:

CS2, CS6 CS15, CS16, CS17, MD2, MD10a.MD12 and MD13

RELEVANT PLANNING HISTORY:

SA/97/0079 Erection of a multi screen cinema, pub/restaurant with staff accommodation, restaurant and drive thru restaurant, provision of car parking spaces together with access onto Old Potts Way. PERCON 3rd November 1997

11. Additional Information

List of Background Papers

22/00252/FUL - Application documents associated with this application can be viewed on the Shropshire Council Planning Webpages <https://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=R5X67FTDKWV00>

Cabinet Member (Portfolio Holder) - Councillor Ed Potter

Local Member - Cllr Ted Clarke Cllr Tony Parsons Cllr Rosemary Dartnall

Appendices

APPENDIX 1 – Conditions

APPENDIX 1**Conditions****STANDARD CONDITION(S)**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91(1) of the Town and Country Planning Act, 1990 (As amended).

2. The development shall be carried out strictly in accordance with the approved plans and drawings

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details.

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

3. a) No development, with the exception of demolition works where this is for the reason of making areas of the site available for site investigation, shall take place until a Site Investigation Report has been undertaken to assess the nature and extent of any contamination on the site. The Site Investigation Report shall be undertaken by a competent person and conducted in accordance with current Environment Agency guidance 'Land Contamination: Risk Management (LCRM)'. The Report is to be submitted to and approved in writing by the Local Planning Authority before development commences.

b) In the event of the Site Investigation Report finding the site to be contaminated a further report detailing a Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

c) The works detailed as being necessary to make safe the contamination shall be carried out in accordance with the approved Remediation Strategy.

d) In the event that further contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of (a) above, and where remediation is necessary a

remediation scheme must be prepared in accordance with the requirements of (b) above, which is subject to the approval in writing by the Local Planning Authority.

e) Following completion of measures identified in the approved remediation scheme a Verification Report shall be submitted to and approved in writing by the Local Planning Authority that demonstrates the contamination identified has been made safe, and the land no longer qualifies as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to human health and offsite receptors.

4. No development shall take place, including any demolition works, until a construction management plan incorporating a method statement has been submitted to and approved in writing by the Local Planning Authority. and shall provide for:

- i. A construction programme including phasing of works;
- ii. 24 hour emergency contact number;
- iii. Hours of operation;
- iv. Expected number and type of vehicles accessing the site:
 - o Deliveries, waste, cranes, equipment, plant, works, visitors;
 - o Size of construction vehicles;
 - o The use of a consolidation operation or scheme for the delivery of materials and goods;
 - o Phasing of works;
- v. Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction):
- vi. Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residential roads;
- vii. Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
- viii. Locations for storage of plant/waste/construction materials;
- ix. Arrangements for the turning of vehicles, to be within the site unless completely unavoidable;
- x. Arrangements to receive abnormal loads or unusually large vehicles;
- xi. Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;
- xii. Any necessary temporary traffic management measures;
- xiii. Measures to protect vulnerable road users (cyclists and pedestrians);
- xiv. Arrangements for temporary facilities for any bus stops or routes;
- xv. Method of preventing mud being carried onto the highway;
- xvi. Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

The plan shall be adhered to throughout the construction period

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development

CONDITION(S) THAT REQUIRE APPROVAL DURING THE CONSTRUCTION/PRIOR TO THE OCCUPATION OF THE DEVELOPMENT

5. All hard and soft landscape works shall be carried out in accordance with details indicated on the approved plans. The trees are to be planted into properly prepared planting pits and in accordance with BS8545:2014 'Trees: from nursery to independence in the landscape: Recommendations' with specific reference to the procurement of tree stock, species selection, aftercare and maintenance. Any trees that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season.

Reason: To ensure the establishment and maintenance of a reasonable standard of landscape and mitigate for the loss of existing trees.

6. The external materials shall be as indicated on the approved drawings and within the submitted planning statement or in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the external appearance of the development is satisfactory.

7. The submitted travel plan shall be implemented within one month of the first opening of the development. The travel plan measures shall relate to the entirety of the development, as appropriate.

Reason: To promote sustainable modes of transport in line with both local and national objectives.

8. The submitted Litter Management Plan shall be implemented on the first opening of the proposed development and adhered to throughout the lifetime of the development.

Reason: To ensure the provision of adequate facilities for the disposal of waste and to reduce the overall environmental impact on the surrounding highway network.