

## DEVELOPMENT CONTROL BOARD

11 June 2020

**Reference:** 20/00140/FUL

**Officer:** Mrs Emma Eisinger

**Location:** McDonalds  
London Road  
Greenhithe  
Kent  
DA9 9HY

**Proposal:** Provision of a new drive thru lane, ground floor extension to building with new drive thru booths, new site access/egress, with the re-arrangement of the car park, a new patio area, bin store and sub station

**Applicant:** McDonald's Restaurants Ltd

**Agent:** Planware Limited/Mrs Sarah Carpenter

**Parish / Ward:** Swanscombe And Greenhithe / Greenhithe & Knockhall

### RECOMMENDATION:

Approval

### SITE DESCRIPTION

(1) The application site lies on the eastern side of the roundabout junction of London Road and St Clements Way (A206/ B255). The site is accessed via Bean Road which joins the B255 - St Clements Way, approximately 100 metres to the south of the roundabout.

(2) The site contains an existing McDonald's restaurant which is a prominent three storey white rendered building. Car parking for the restaurant is to the south of the site.

(3) A Grade II listed church - St Mary's lies to the east of the site. This sits on a much higher ground level than the McDonalds building and car park and can therefore be seen from a number of viewpoints in the surrounding area and within the background to the application site. The application proposal has been advertised as being within the setting of this listed building.

(4) The surrounding area is characterised by residential properties with a new housing estate on the opposite side of the B255.

(5) The application site lies within an Air Quality Management Area. An Area of Special Character lies approximately 66 metres to the south of the application site. Part of the application site lies within land designated as Open Space within the Development Policies Plan 2017.

(6) The application building was previously used as a public house known as The Railway Hotel and is likely to date from the late 1700 to early 1800s. The façade of the building has retained much of its historic character and architectural features. It therefore holds some historic value as a non-designated heritage asset.

### THE PROPOSAL

(7) This application seeks planning permission for the provision of a new 'drive thru' lane facility incorporating two new 'drive thru' booths on the southeast elevation of the building facing the existing car park. They would consist of aluminium 'box' additions. The provision of the

drive thru lane would require the re-arrangement of the car park, some very limited re-grading to the hillside on the eastern boundary and re-arrangement of pedestrian routes through the site. Various changes are proposed to be made to the hard-surface material within the site to differentiate the parking spaces, pedestrian routes, outside dining space, drive thru lane and access road. A new planting scheme is proposed within the site which would see the removal of some trees and shrubs and the planting of a number of new and replacement trees and vegetation.

(8) A single storey flat roof extension would be provided to the southeast elevation and rear of the building to provide a stock room, freezer and chiller and a wash-up area. New ducting and condenser units would be provided to the rear of the building which would largely replace existing plant. The new ducting would sit above the proposed side/rear extension. There would be a new substation located approximately 15 metres to the south of the McDonalds building. This would be of a standard substation size and shape and would be accessed off of the circulation route through the site.

(9) A new external patio area with associated outdoor seating in the form of picnic benches would be provided to the front of the restaurant building, on the corner of London Road and St Clements Way. A bin store/corral is proposed to be located close to the eastern boundary of the application site and the rear of the McDonalds building. I have requested details of the enclosure of this bin store and will update Members at the meeting. The bin enclosure would consist of approximately 2m high wooden panels.

(10) Internally, there would be a general refurbishment of the restaurant including an increase in the amount of seating at first floor by removing an existing training room. These alterations would be internal only and would not require planning permission. The proposed ground floor extension would not provide extra seating capacity.

(11) The proposal would require the 'stopping up' of the part of Bean Road to the front of the McDonalds building under Section 247 of the Highways Act. An application will need to be submitted to the National Transport Casework Team and KCC as the Highways Authority will be consulted. The proposal would see the section of Bean Road, including the footway, turning head and cycle path, taken outside of the control of the Local Highway Authority and subsumed into the control of the McDonalds site.

(12) There is also a separate advertisement consent application (20/00140/ADV) for the display of a digital signage suite and individual non-illuminated information and directional signs to accommodate the new drive thru layout. The determination of this advert application will largely depend on the outcome of the planning application currently before Members and will be determined under delegated powers in due course. However, the advert application provides an indication of the overall visual impact of the proposal with associated signage and is a material planning consideration for the application before Members.

#### RELEVANT HISTORY

(13) 17/01955/FUL - Provision of a new drive thru lane, with side-by-side ordering and the refurbishment of the restaurant, which includes 30.6 sqm of extensions, incorporating new drive thru booths, enlarged freezer/chiller with new extraction ducting to rear, with associated works to the site. New site access/egress, with the relocation of the car park and a new patio area, remote corral at the north of the site, installation of 2 No. customer order displays with associated overhead canopies. Refused on the grounds of harm to the character and visual amenities of the area and the McDonalds building itself - a non-designated heritage asset. Also refused on the grounds of substantial harm to the setting of the grade II listed building - Church of St Mary.

(14) 17/01956/ADV - Provision of new signage suite (in connection with separate planning application DA/17/01955/FUL for proposed drive thru layout) comprising 1 No. gateway height restrictor, 10 No. freestanding signs, 1 No. banner unit and 1 No. side-by-side directional. Advertisement consent refused on the grounds of harm to character and visual amenities and

substantial harm to the setting of the grade II listed building - Church of St Mary and the McDonalds building itself - a non-designated heritage asset.

(15) 17/01958/ADV - Display of 1 No. freestanding internally illuminated 6.5m totem sign. Advertisement Consent refused on the grounds of harm to character and visual amenities and substantial harm to the setting of the grade II listed building - Church of St Mary and the McDonalds building itself - a non-designated heritage asset.#

(16) 09/01138/FUL - Refurbishment of restaurant and patio to include new timber screen, and aluminium louvered screen to hide plant equipment - approved.

(17) 09/01099/ADV - Display of 6 internally illuminated fascia signs on northwest, southwest and southeast elevations and 1 non illuminated free standing post mounted banner sign - consent given.

(18) 99/00200/ADV - Retention of 1 No. externally illuminated projecting hanging sign on north elevation - consent

(19) 99/00220/ADV1 Retention - of 1 No. Externally Illuminated Projecting Box Sign On North Elevation - consent

(20) 99/00828/ADV Display of 1 brass faced & painted steel logo on north west elevation & 1 brass faced & painted steel logo on south elevation together with brass faced McDonalds lettering on west elevation - consent

(21) 98/00386/FUL - Erection of ground floor & first floor extensions to provide lobby & staircase enclosure together with alterations to elevations & car park for McDonalds Restaurant - approved.

(22) 98/00440/ADV - Display of 1 set of internally illuminated McDonalds individual letters & logo on west elevation, & 2 McDonalds logo signs on the north-west & south elevations. - refused and dismissed at appeal.

(23) 98/00441/ADV - Display of internally illuminated free standing totem menu and directional sign - refused and dismissed on appeal.

(24) 98/00973/ADV - Retention of 1 No. non-illuminated logo sign on north-west elevation and 1 No. non-illuminated logo sign on south elevation - refused and dismissed on appeal.

(25) 98/00974/ADV - Retention of 1 No. non-illuminated logo sign on north west elevation, 1 No. non-illuminated fascia sign on west elevation, 1 No. externally illuminated projecting box sign on north elevation & 1 No. non-illuminated logo sign on south elevation - refused and dismissed on appeal.

#### COMMENTS FROM ORGANISATIONS

(26) Swanscombe and Greenhithe Town Council object to the application on the grounds of the impact on air quality from an increase in vehicles to the site and engine idling when using the drive thru; detriment to highway safety due to existing congestion and high number of vehicular movements; increase in litter; poor delivery vehicle arrangement which will obstruct other vehicles in the car park and substantial harm to the setting of the listed St Marys church.

(27) The Environment Agency have no objection and recommend a condition to ensure that contaminated land is addressed should it be found and that there is no infiltration of surface water to the ground without consent.

(28) Kent Police recommend that the applicant consult the local Designing out Crime Officers on the detail of the scheme. They recommend that swing barrier gates (or similar) are installed; CCTV and lighting to a particular standard should be provided and other details such as alarm systems.

(29) KCC Archaeology note that there is evidence of Ice Age deposits close to St Marys Church. They encourage the use of the heritage information boards at the site. They recommend a condition to secure the implementation of archaeological evaluation work prior to commencement.

(30) Southern Water note that the site lies over an existing public foul sewer. The exact position of the sewer must be ascertained with the possibility of diverting the sewer so long as it does not result in the loss of hydraulic capacity. No development of tree planting should be carried out within 3 metres of the foul sewer without their consent and no soakaways should be located within 5m of the public sewer. A condition is recommended to secure details of the sewer diversion prior to commencement. A formal application to them is required for connections to foul and surface water sewers.

(31) KCC Highways have no objection. They note that a Stopping Up Order will be required for the road to the front of the building and no development can commence until this is agreed. They agree with the crash data provided and note that this does not show a crash pattern in the vicinity of the site. The parking surveys undertaken at the existing restaurant in October 2017 reflect the current use of the car park and also take into account the existing parking provision on Bean Road adjacent to the restaurant. They consider that this is a robust assessment which represents the current car parking demand. The parking chapter in the TS demonstrates that the proposed car park of 38 spaces is sufficient to cater for demand, since it has been assessed assuming a 50% trade increase and 50% of the number of forecast visitors switching to use the 'Drive thru' facility. The applicant has provided evidence of existing restaurants which have been converted into 'Drive thru' restaurants to support this assumption and this showed the increase in trade varied from 15% to 44%. They consider 50% increase in trade to be a robust assessment. In respect of the increase in traffic attraction, the assessment is based on the 50% increase in trade. This equates to approximately 34 additional vehicles in to the site and 39 vehicles out the site in the Friday PM peak hour. As a result of the increase in traffic, the junction of the B255 and Bean Road will operate within capacity and they consider there is no significant impact on the wider highway network. If permission is granted they recommend conditions to secure a Construction Management Plan; retention of parking spaces, drive thru lane and turning areas; retention of cycle parking and submission of a Travel Plan.

(32) Environmental Health note that the Air Quality Assessment has identified a Damage Cost and recommends mitigation measures. The Noise Assessment indicates virtually negligible increased in noise exposure. However, it uses a previous version of British Standard noise level guidance and the Noise Assessment should be updated therefore. Further comments have been received from Environmental Health in response to an updated Noise Assessment based on the correct British Standard. They now have no concerns with the proposal in terms of its noise impact.

(33) The Council's Heritage Officer does not object to the application provided that the proposed landscaping is semi-mature stock and the trees are heavy standards as there needs to be an instant impact from the landscaping.

#### NEIGHBOUR NOTIFICATION

(34) A total of 342 representations have been received from the general public, some of whom live locally. 281 of these representations are in support of the proposal with the remaining 59 objecting to the scheme. In addition to the representations of support, we have received a petition supporting the proposal with a total of 1167 signatures. A summary of the supporting comments is as follows:

- Help those with disabled and young children
- Increase jobs
- Easier to access
- More people could access the restaurant
- More convenient
- Improvement to the grounds

- A good service to the community
- A meeting place for local residents
- Reduce queues inside the restaurant
- Reduce traffic and congestion
- Like the idea of outside seating
- More parking
- Safer at night
- A fresh look to an old restaurant
- McDonalds are taking the little issue seriously
- It will help the environment

A summary of the objections is as follows:

- Increase in air pollution
- Increase in anti-social behaviour
- Harmful to the setting of the listed church
- Noise impact on adjacent garden of remembrance
- Harmful to the character of the area
- Increase in carbon footprint
- Add to congestion and queuing along Bean Road
- Noise as staff take orders through the speaker and increase noise in general
- Engine noise
- Increased litter
- Increased burden on staff leading to bigger queues
- Where will delivery Lorries park?
- Pedestrian access through the site needs to be considered
- Existing trees and wildlife should be retained
- Trees will be lost
- Previous reasons for refusal not resolved
- Unhealthy eating should not be encouraged
- Overdevelopment of the site
- Increased risk of road traffic accidents
- Increased risk of dangerous driving in the area
- Potential return of a rodent problem
- Unnecessary as other drive thru and fast food restaurants close by

#### RELEVANT POLICIES

(35) The Dartford Core Strategy 2011, the Dartford Development Policies Plan 2017 and the Kent Minerals and Waste Local Plan 2016 form the Dartford's Development Plan and the application should be determined against this unless material considerations indicate otherwise.

(36) Adopted Dartford Core Strategy adopted 2011

CS1: Spatial Pattern of Development  
 CS7: Employment Land and Jobs  
 CS14: Green Space  
 CS15: Managing Transport Demand  
 CS25: Water Management

(37) Adopted Dartford Development Policies Plan 2017

DP1: Presumption in favour of sustainable development  
 DP2: Good Design  
 CP3: Transport Impacts of Development  
 DP4: Transport, Access and Design  
 DP5: Environmental and Amenity Protection  
 DP12: Historic Environment Strategy  
 DP13: Designated Heritage Assets  
 DP19: Food and Drink Establishments  
 DP24: Open Space

(38) Dartford Parking Standards Supplementary Planning Document 2012.

(39) The National Planning Policy Framework 2019 (NPPF) is also a material consideration. Of particular relevance to this application are paragraphs: 8 (sustainable development); 80 (economy); chapter 8 - promoting healthy and safe communities, chapter 9 - promoting sustainable transport; chapter 12 - achieving well designed places; chapter 16 - conserving and enhancing the historic environment.

## COMMENTS

### Key Issues

(40) A significant material planning consideration in this case is the previously refused application (17/01955/FUL) which was reported to the Development Control Board on 11th October 2018. This was also a proposal for a drive-thru facility with various structures and alterations to the car park and forecourt area. The report to Members raised concerns about the proposal in respect of the impact on the character and appearance of the area and the appearance of the McDonalds building itself which is considered to be a non-designated heritage asset. Substantial harm to the setting of the Grade II listed building to the rear of the site was also identified. As noted above, the application was subsequently refused on the grounds of the aforementioned harms. The current application reported here seeks to address these reasons for refusal.

(41) I consider the key issues to be the impact on the character and appearance of the area, the impact on the setting of the grade II listed church - St Mary's, the impact on highway safety and amenity, the impact on air quality and the impact on residential amenities.

### Character and appearance

(42) The previous reasons for refusal for the 2017 application (17/01955/FUL) are:

1. The proposed development, by virtue of the removal of soft landscaping and Open Space, introduction of additional hardstanding, outdoor seating, "drive thru" booths and other paraphernalia associated with the "drive thru" facility, would have a significant detrimental impact on the character and appearance of the area and the McDonalds building itself - a non-designated heritage asset. This is contrary to Policy CS14 of the Dartford Core Strategy (2011) and Policies DP2, DP12, DP24 of the Dartford Development Policies Plan (2017) and paragraphs 127 and 197 of the NPPF.
2. The proposed development would lead to substantial harm to the setting of the grade II listed building - Church of St Mary by virtue of the introduction of a cluttered and urbanised appearance to the land surrounding the McDonalds building, the disruption of the simplicity and symmetry of the McDonalds building and the increase in activity and disturbance at the site. This would be contrary to Policies DP12 and DP13 of the Dartford Development Plan 2017 and paragraph 195 of the NPPF.'

(43) The key concerns with the previous application were the loss of soft landscaping, increase in hardstanding and other fixed features which would have resulted in a very cluttered and urban environment. The drive thru booths proposed to be added to the McDonalds building would have detracted from the simplicity and symmetry of the building. The additional new signage (considered under a separate advertisement consent application) was considered to emphasise the detracting features of the drive thru proposal. The applicant has sought to address these concerns in the current application and I consider that they have achieved this successfully as will be discussed below. The applicant took on board all of the previous concerns and used this as a starting point to develop the current scheme with the impact on the listed church as a key consideration.

(44) It should be noted that the application site boundary for the current planning application is smaller than the previously refused application. The previous application site extended to the back edge of the footpath with St Clements Way which encompassed the whole of the existing landscaped space. The current application leaves a gap of between 2.5-4 metres ensuring that any existing trees within that space are not impacted upon at all by this proposal.

(45) The previously refused proposal would have also resulted in the drive-thru lane extending across the front of the McDonalds building up to the back edge of the footpath with London Road. Not only would this have negatively changed the nature and levels of activity to the front of the building - its setting, but it would have also resulted in a large amount of tarmac and other hardstanding. The current proposal is significantly altered in this respect. The area to the front of the building is now reserved for pedestrians and is proposed to be used as an outside eating space with carefully placed and designed picnic benches and the existing soft landscaping would be retained and enhanced. Notably, it is now proposed that the existing turning head, at the end of Bean Road, that is currently misused for parking would be removed and replaced with grass, trees and other shrubs. The proposed new hardstanding material would consist of block paving and compacted gravel to create a more suburban appearance. At present, the land to the front of the building consists of tarmac roadway, pavement and kerbs. The proposed space to the front of the building would provide a pleasant setting for the building in my view with car activity removed apart from 2 disabled parking spaces.

(46) A key consideration here is that the proposal would make a positive contribution to the setting of the McDonalds building by removing the potential for car parking immediately to the front of the building in the dead-end and turning area. My last visit to the site revealed that a number of cars park in these area, despite yellow line restrictions, instead of parking in the car park. It was my observation that this parking detracts, to a notable degree, from the appearance of the area. The proposal would remove this parking and replace the old roadway (which is a legacy of the alterations to the road network when St Clements Way was created), with a hard and soft landscaped area for outdoor seating as well as an information board about the history of the McDonalds building, the listed Church to the rear and the surrounding area. The setting of the McDonalds building would be significantly enhanced in this respect.

(47) Existing key areas of soft landscaping, notably the area closest to the roundabout, would retain all of the existing trees and vegetation. I also note that KCC Highways have planted new trees on the land to the southwest of the application site which will serve to enhance this soft landscaped setting and in time, help to increase the screening of the McDonalds site. Whilst there would be some loss of trees in the area 18 m to the south of the building adjacent to the internal road/access from Bean Road, this would only be noticeable from within the site and would therefore have no notable harm to the visual amenities of the area in my view. These trees would be replaced by new tree planting within the site. A greater number of plants is proposed within the car park and drive-thru area as part of the current application when compared to the previously refused scheme. Trees (planted as Heavy Standard and extra Heavy Standard), shrubs, native hedges and green screening structures are strategically positioned to ensure that the setting to the McDonalds building and the listed church is kept as green as possible. Areas of new hardstanding have been minimised and where hardstanding is proposed, the material have been carefully chosen to add texture and interest to the setting of the building.

(48) The scheme now has much less clutter in terms of fixed structures. The fixtures that are now proposed are of a much more sympathetic design responding well to the simplicity of the architecture of the McDonalds building and the setting in general.

(49) The elevations of the McDonalds building that front onto London Road would not be altered other than a replacement sliding doors, re-rendering and the windows frames painted grey. There would be no additional signage or extensions to these elevations. The previously refused application would have had a cash booth box projection to the Bean Road elevation which was considered to disrupt the symmetry of the building and add an awkward modern addition to this undesignated heritage asset. I consider that removal of this addition from the current proposed to be positive.

(50) The proposed rear and side extension, new duct work and extraction equipment would have a limited visual impact on the building or the surrounding area in my view. The majority of the additions/works would be to the rear of the building where views are restricted and there are already a number of rear additions. Any new ductwork could be painted to match the elevations of the building in a similar way to the existing ductwork and I have recommended a condition to secure this. This would reduce the visual impact further. I therefore consider these elements of the scheme to be acceptable in terms of visual amenity. The new substation would be visible from inside the site but would be surrounded by trees and vegetation for the most part. Its small size and screening will ensure that it would not detract from the appearance of the area in my view.

(51) The application documents include details of the proposed external lighting within the site. This consists of new, replacement and relocated 5m high lamp columns spread across the site. I noted on site that there are already a number of lamp columns within the site and along the adopted road (to be stopped up) which would be removed. I do not consider that the proposal would lead to a harmful increase in illumination within the site to the detriment of the character and appearance of the area. I also note that the accompanying but separate advertisement application as mentioned above, is for all non-illuminated signage apart from the digital display boards. I consider that the proposed lighting to the site would be acceptable.

(52) Overall, I consider that of key importance to any development within the area surrounding the McDonalds building is to retain its simplicity, soft landscaping and uncluttered appearance. I am of the view that the current scheme achieves all of these things and has clearly responded positively to the previous reasons for refusal. The revised proposal before Members has altered the design to the extent that my previous concerns have been alleviated. I cannot identify any demonstrable harm that would amount to a reason for refusal on design grounds.

(53) The 'green' land to the front of the McDonalds building is identified within the Development Policies Plan as Open Space. Policy CS14 seeks to protect and enhance existing open spaces and Policy DP24 states that land shown as open spaces will not be permitted unless it is clearly demonstrated that certain criteria are satisfied (summarised here):

- The proposal must not lead to any significant loss or deterioration in quantity and level of open space.
- Where the development will result in a significant loss in the quantity of the open space, replacement provision should be provided elsewhere.
- The development would result in the loss of some of this 'greened' open space.

The landscaped area to the front of the building is a valued parcel of open space, providing visual relief, in a prominent location close to a busy junction. The open space is given more weight because of its designation under Policy DP24. However, as noted above, the application site area has been reduced so that it includes less of this open space land and trees and grass are to be retained and more planting provided to increase the landscaping in the front of the building. In addition, the seating area and removal of the turning head, regularly occupied by parked cars contributes to the open space value and character. I therefore consider that this proposal does not offend Policy CS14 and DP24.

#### Impact on setting of listed church

(54) As noted above, St Mary's Church is a grade II listed building and lies immediately to the northeast of the McDonalds site. The listing description states that it was built between 1855-6 by George Vulliamy and J Johnson. It is built of stone rubble and is tiled. The bellcote to the west end of the building is noted and this is certainly a prominent feature of this listed building. Views of this listed church and the bellcote are mainly appreciated from the west and south. Its elevated position approx. 5 metres above the ground level of the McDonalds building makes it a landmark feature within the surrounding area. The McDonalds building and the surrounding land, including the existing car park clearly lie within the setting of the listed church.

(55) The previous report to Members for the refused scheme noted that the simplicity of the McDonalds building in terms of its architecture and also the existing McDonalds signage which is fairly subtle and well placed preserves the setting of the listed church. In addition, it was considered that the uncluttered car park, simple road layout and organic soft landscaping to the front and side of the McDonalds building ensures that there is a mostly unchallenged transition between the dominant listed church and lower level of the spacious road and pedestrian footways below. It is my view that the uncluttered nature of the existing McDonalds site helps to retain the dominance of the listed building in the background and preserve its character or appearance.

(56) It was considered that the previously proposed changes to the land surrounding the McDonalds would have detracted from this setting by way of the loss of soft landscaping, the introduction of additional hard-surfaced areas, and the introduction of external seating and associated paraphernalia and the provision of the drive thru booths to the southwest elevation of the building. In addition, there would have been illuminated and non-illuminated signage that would have detracted from the setting further. However, as noted above, I am of the view that the current proposal manages to achieve a much more simplified and improved setting to the McDonalds building and importantly, to the listed church. The current proposal has a notable reduction in clutter within the site, increase in soft landscaping and retained soft landscaping as well as the reduction in signage all of which will help to preserve the setting of the listed church in my view.

(57) Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that:

"In considering whether to grant planning permission, for development which affects a listed building to its setting, the local planning authority...shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

(58) In accordance with Policy DP13 of the Development Policies Plan (2017) development affecting the setting of a designated heritage asset should have special regard to the desirability of preserving that asset or its setting. In determining planning applications, the Local Planning Authority will pay close regard to the significance of the heritage asset. If substantial harm to the heritage asset is identified then planning permission should be refused (unless there is substantial public benefit). If there is less than substantial harm, this will be weighed against the public benefits of the proposal. This is in line with the guidance contained within the NPPF. For the current proposal I have not identified any harm to the setting of the listed church. The Council's Heritage Officer is supportive of this view.

(59) Local residents have raised concerns about the impact on the use of the church and church grounds. In particular the impact on the memorial garden. I am also concerned about the impact of the increased activity (cars) and noise as a consequence of the proposal. On the previously refused scheme, this intensity of use of the external land within the application site was considered detract to some degree from the setting of the church. However, this was in the context of a poorly designed proposal that was considered to be substantially harmful to the setting of the listed building. I am convinced that the current proposal would be acceptable in all other respects and as such, I cannot find that the proposal would be so harmful in terms of the impact of noise and activity on the church grounds to warrant a reason for refusal. The existing vegetated bank on the eastern boundary of the application site which adjoins the church land is shown to remain unaffected by the proposals on the submitted plans. I note that the church and its surrounding land sit at least 3-4m above the level of the McDonalds site with intervening vegetation and in this respect would be separated.

(60) I therefore conclude that the current proposal would have no harm to the setting of the listed church and should not be refused on these grounds.

Highway safety and amenity

(61) The proposed drive-thru would result in additional traffic travelling to and from the site and accessing/egressing the site. The applicant has submitted a Transport Statement, a

supplementary transport note, additional traffic data and details of parking numbers. These demonstrate that the increase in trade as a result of the additional drive thru facility would be approximately 30%. The assessment of traffic within the submitted documents has assumed an increase of 50% as the worst case scenario. This would equate to approximately 34 additional vehicles into the site and 39 vehicles out of the site in the Friday PM peak hour. Based on these numbers, KCC Highways agree that the junction of St Clements Way and Bean Road would continue to operate within capacity. They therefore consider that there would be no significant impact on the wider highway network. KCC Highways are content with the crash data analysis provided by the applicant's agent and agree that there is no crash pattern within the vicinity of the site.

(62) The current car park provides 35 spaces. The proposal would increase this to 38 parking spaces (including 2 grill order bays, 2 disabled parking spaces and 2 electric vehicle parking spaces). The Transport Assessment states that approximately 50 customers would be expected to park and eat in store per hour with an average length of stay at 24 minutes. KCC Highways note that the parking data presented by the applicant is robust and accept the level of parking proposed. The Council's Parking Standards SPD require 1 space per 2 staff and 1 space per 6 m<sup>2</sup> of floorspace for a restaurant. Applying these standards to the restaurant as a whole, the required number of spaces would be 82. This is based on an average of 25 staff per shift and a usable floorspace within the restaurant of 414 m<sup>2</sup>. However, the SPD requires only 1 space per 10m<sup>2</sup> for a takeaway would lead to a requirement of 53 spaces. McDonalds restaurants are unusual in that they have a higher turnover than a normal restaurant plus a significant takeaway element and so I consider the parking requirement could be argued to be bespoke. As noted above, the existing number of parking spaces is 35 and so there is already a shortfall of parking when considered against the Parking Standards SPD. Mindful of this existing shortfall, I am further inclined to take an evidence based approach to the parking requirements for this site. This would require Members to consider the particular circumstances of the application site and the data presented as opposed to strictly applying the parking standards within the SPD. In addition, this development would not increase the dining space by way of the ground floor extensions, the main additional parking requirement would be from the additional members of staff.

(63) Taking an evidence based approach, there are a number of reasons why I consider the parking proposed at the site would be sufficient. Firstly, the nature of the restaurant is to supply fast-food. Information provided with the application demonstrates that the average length that customers stay at the site is 24 minutes. This would allow for a high turnover of the use of the parking spaces. It is also worth noting that the current proposal is for a drive-thru facility which by its very nature would result in customers picking up their order in their cars and driving off to another location and would not therefore require a parking space. Alternatively they may wish to park in the restaurant car park (if a space is available) for a very short period of time (maybe 15 minutes) to eat their food. This would allow a high turnover of parking space use. The drive-thru facility would increase turnover by 30-50% but given the nature of the development and the particular anticipated behaviour of the customers of the drive thru facility as noted above, it is my view that it would be wrong to conclude that this would lead to a requirement for additional parking spaces.

(64) Secondly, the applicant has put forward evidence based on the parking usage/requirements at other McDonald's restaurants as well as a parking survey at the application site that demonstrates that the parking proposed at the application site would be sufficient. As noted above, this has been accepted by KCC Highways and I would find it difficult to provide robust evidence to dispute this. The data presented confirms the high turnover of the use of the spaces, shows that not all spaces are taken up during peak times at present and asserts that 50% of all customers would use the drive thru as opposed to parking and eating within the restaurant. I also note that the current proposal increases the number of parking spaces at the site from 35 to 38. In addition, I consider that it is likely that people arriving at the site by the car would have the option of using the drive-thru facility under the current proposals, should the car park be full and therefore the current proposal is likely to reduce the occurrence of on-street parking outside of the site at peak times.

(65) In terms of highway amenity, it is possible that overspill parking could occur further to the south, along Bean Road opposite Cobham Terrace. There are existing double yellow lines along the first part of Bean Road up to the point of no. 1 Cobham Terrace. This would prevent on-street parking along that stretch of road. The remainder of Bean Road is already fairly heavily parked but some properties have off-street parking. I note that the responses from local residents do not identify a particular problem in respect of over-spill parking from the McDonalds site along Bean Road. I cannot therefore provide Members with any evidence that there would be a highway amenity issue as a consequence of the development and the level of parking proposed.

(66) Six cycle parking racks would be provided within the site providing cycle parking for 12 bikes. The Transport Assessment note suggests that these could be weather-proofed with a curved glazed canopy and an example image has been submitted. This level and type of cycle parking exceeds the required number as set out in the Parking Standards SPD and is therefore acceptable. I have recommended a condition to secure the submission of a travel plan which will aim to encourage sustainable modes of transport to and from the site.

(67) Some local residents have expressed concern that their walking route through site - from Bean Road to the Railway Station, would be removed. I note that whilst this is a short cut, there is a well-lit footway and cycleway built to KCC adoption standards along St Clements Way that would only add a few metres onto this route if the route through the McDonalds site is lost. However, I also note that the new drive thru layout provides for pedestrian crossing across the roadways within the site and that a continuous safe pedestrian route would still be maintained through the site.

(68) KCC Highways note that a Stopping Up Order (subject to a separate application to the relevant Government department) is required to cease the use of the road immediately to the front of the McDonalds building (the dead-end) and that the development cannot commence until that is agreed. I understand that the applicant is aware of their requirements in this respect. KCC Highways also note that a cycle route that had previously run to the front of the McDonalds building has now been re-routed to align with the footway along St Clement's Way.

(69) Deliveries to the site would be carefully managed. The proposal is that a delivery vehicle would park over 9 spaces on the north edge of the car park. These spaces, and others that may be required for vehicles to manoeuvre into the spaces, will be coned off by staff in advance of the vehicle arrival. Spaces will then become free for customer use immediately after the delivery vehicle leaves. The restaurant will manage the delivery times to ensure that there is no clash with peak times. I am satisfied that these arrangements are sufficient and would cause no harm highway safety or amenity.

(70) Given the conclusions reached by KCC Highways and the transport data submitted to support the application, I consider that there would be no case to substantiate a reason for refusal on highway safety/amenity grounds.

#### Air Quality

(71) The application site lies within the London Road Air Quality Management Area (AQMA). It lies at the bottom of a hill at a busy junction. Readings from nearby air quality monitoring stations demonstrate that this area suffers from raised levels of air pollution because of these locational factors. The Government objective for Nitrogen Dioxide levels is 40 mg/m<sup>3</sup>. Readings at the monitoring station 50 metres to the north of the application site have exceeded this objective over a number of years.

(72) The applicant has submitted an Air Quality Assessment (AQA) to address the potential impact of the development on air quality. This identified 15 receptors (residential properties) within the vicinity of the site. The AQA concludes that there would be no harmful impact from the development in respect of fine particles (PM<sub>10</sub> and PM<sub>2.5</sub>).

(73) The predicted increases in Nitrogen Dioxide (NO<sub>2</sub>) levels as a result of the development at the closest receptors are between 3% and 5% taking NO<sub>2</sub> levels to 37.2 mg/m<sup>3</sup>

at its highest. Given the fact that the objective level is 40 mg/m<sup>3</sup>, the AQA demonstrates that NO<sub>2</sub> levels would not be exceeded as a consequence of the development at any of the receptors. The AQA describes the impact of the development as 'negligible' and 'slight adverse' and concludes that the air quality effects without mitigation are judged as 'not significant'. No site specific or off site mitigation measures are proposed in the AQA.

(74) Environmental Health have considered the submitted AQA and are in agreement with the conclusions reached. They have suggested that some on-site mitigation should still be considered. I have suggested a suitably worded condition to ensure the installation of two electric vehicle charging points within the site as shown on the proposed plans as well as ducting to all parking spaces to allow cabling to be laid in the future as demand increases. I also note that some of the planting has been carefully chosen to include plants that capture particulates that contribute towards air pollution. In this respect, these plants will be of some small benefit in reducing air pollution levels. I therefore consider that there would be no significant effect on human health as a consequence of the development.

#### Residential amenity

(75) The application site lies close to residential properties to the north, east, south and west. The properties to the north and southwest are on the opposite side of London Road and St Clements Road respectively. Given the distance between the site and these residential properties as well as the busy nature of London Road and St Clements Way, I conclude that it is unlikely that they would be directly affected by the proposal in terms of noise or disturbance. The properties to the east, including The Rectory, are positioned approximately 5-6 metres above the ground level of the application site and are a minimum of 64 metres away. Given this particular relationship between the application site and these properties, I am of the view that noise and disturbance from the new drive thru facility would have a limited impact.

(76) The property that would be affected the most by this proposal is 'Ashirwad', a large detached house immediately to the southeast of the application site. This property fronts onto Bean Road and is slightly elevated above the application site. There is some vegetation along boundary between the two sites and the only windows on within the flank elevation of Ashirwad facing the application site appear to serve non-habitable rooms and/or are secondary windows. The garden to this property is mainly to the southeast of the dwelling and away from the McDonalds site. The applicant has submitted a Noise Assessment to consider the impact of the increased noise and activity on residential properties close by.

(77) The submitted Noise Assessment considers noise from the proposed renewed external air handling equipment and the new drive thru facility. The Assessment notes that the replacement plant is inherently quieter than the old style equipment. It also provides the noise levels of each of the proposed plant and demonstrates that this will be below the required 36 dB. I also note that the plant is located to the rear of the McDonalds building and at least 68 metres from the closest neighbouring property. Environmental Health requested an updated noise assessment based on the most up to date version of British Standard guidance. The applicant has submitted an updated assessment and Environmental Health accept the findings and conclusions that there would be no undue noise impact. I consider that this element of the proposal would cause no undue harm to residential amenities.

(78) At present the restaurant is closed between midnight and 5am Monday to Friday with 24 hour trading on Saturdays and Sundays. I understand that there are currently no plans to alter these hours. The noise from engine idling whilst waiting in the queue for the drive thru, customers ordering food at the electronic ordering points and general increased levels of activity associated with the new drive thru facility, including an increase in cars using Bean Road, will need to be carefully considered in respect of the residential amenities of Ashirwad. This is particularly given the 24 hour use of the site at the weekend.

(79) The Noise Assessment notes that background noise levels are shown to be fairly high due to road noise from St Clements Way and that this background noise levels provides a 'high degree of sound masking' for Ashirwad. The Noise Assessment provides details of the typical noise levels from cars and vans, considers the average time taken to complete the drive thru

process and the number of vehicles likely to use the drive thru at various times of the day/evening. The Assessment demonstrates that the highest noise levels from the McDonalds site would be at lunchtime. Overall, the Assessment shows that the additional noise level generated from cars and vans using the drive thru above background noise would be minimal or "negligible" in accordance with the Institute of Environmental Management & Assessment criteria.

(80) There is no specific mention of noise from the ordering of food at the electronic ordering points or from the use of the bin store in the Noise Assessment. However, these are planned to be located a minimum of 45 metres and from the closest neighbouring property. The use of the ordering system would be unlikely to be any louder than the engine noise from waiting cars and vans using the drive thru in my opinion. There is an existing external bin store at the site. The new bin store would be located in a slightly different position but would still be over 50 metres from residential properties. Any noise impact from the use of the bin store would therefore be limited and I am mindful that the site already functions as a McDonald's restaurant with a certain level of noise and activity.

(81) No specific mention of the noise from an increase in cars using Bean Road has been included within the Noise Assessment. However, noting the data provided on background noise levels and the predicted number of additional vehicles as a consequence of the drive thru, I do not consider that it could be concluded that there would be any undue or notable impact on the residents of Ashirwad.

(82) The NPPG on Noise, sets out that there are different levels of noise impact - 'no observed effect' at the bottom level and 'unacceptable adverse effect' at the top level. Various actions are suggested for each level of noise impact with mitigation suggested for an 'observed adverse effect' and actions to avoid and prevent for noise impacts greater than this i.e. significant and unacceptable adverse effects. Based on the submitted Noise Assessment and subject to the updated comments from Environmental Health, when applying this guidance, I conclude that the proposal would create a 'noticeable and not intrusive' impact.

(83) In terms of levels of disturbance, this cannot be easily quantified and is dependent on the perception of the residents living close to the site and also the behaviour of individuals using the site. The level of disturbance would be largely dependent on how the site is managed. The new drive thru facility would not necessarily result in anti-social behaviour from its patrons. I do acknowledge that there may well be patrons in 'high spirits' using the drive thru as passengers on their way home from a local pub or club. However, I do not anticipate that this would be notably worse than the current set up as an eat-in restaurant. It may even reduce instances of anti-social behaviour in that customers of the drive thru would not need to leave their cars. Any loud music played in cars late at night would need to be dealt with by the managers on duty and I do not anticipate that this would be likely to be such a regular occurrence that planning permission should be refused on this basis. I consider it reasonable to apply a condition to ensure that details of a noise and disturbance management plan for the site are submitted. This could include details of signage requesting customers are respectful of nearby residential properties and details of how often staff would inspect the car park, CCTV etc.

(84) Overall, I consider that the proposal would not increase noise levels by a harmful degree and that there would be no undue disturbance to local residents. Instances of anti-social behaviour could be considered in a noise and disturbance management plan for the site which can be secured by condition. Anti-social behaviour could also be dealt with by the Police or Community Safety Officers if necessary.

#### Other issues

(85) I acknowledge that local residents raise litter as a particular issue giving accounts of rubbish from the McDonalds site being spread out along surrounding roads. I do not anticipate that the proposal would result in a significant increase in litter in and around the site over and above the current use. The impact of litter will largely depend on the management of the site and I note that a Litter Management Plan has been submitted with the application. I suggest a

suitably worded condition to ensure that the content of this plan is adhered to. I note that McDonalds require employees to carryout litter patrols within the vicinity of their sites and that efforts have been made to connect with a local litter picking group - SEGS Litterpickers. This demonstrates an awareness of the impact that their restaurants can have in this respect.

(86) I have given due consideration to the nature of this development which would result in an increase in the use of a fast-food restaurant. The proposal would not be likely to contribute to healthy-lifestyles, something which is encouraged in paragraph 91 of the NPPF. However, the application site does not lie close to, or within walking distance of, a secondary school and would not therefore encourage school age children to eat unhealthy at lunchtime or after school. There is a primary school close by but any access to the McDonalds restaurant would be largely controlled by their parents. I am also mindful of the fact that the McDonalds restaurant already exists and the degree of additional harm to health from the drive thru facility would be difficult to demonstrate. The Planning Statement provides information about how McDonalds are seeking to improve the nutritional value of their food and how they are providing healthy choices on their menus. I give this some weight.

(87) The proposal would see the loss of some trees (although they would be replaced) within the site. This will be likely to have some impact on wildlife, in particular birds. I therefore recommend a suitably worded condition to ensure that details of ecological enhancements are secured across the site and an informative to ensure that the applicant is aware of the need to avoid the clearance of trees and vegetation during the bird breeding season (February - August) and to be mindful of their requirements under the Wildlife and Countryside Act.

(88) Southern Water note that there is a public sewer that crosses the site (it runs parallel with the road). Their permission is necessary if development is to be within a certain distance of the sewer. They also note that it is possible that the sewer could be diverted with their permission. Although Southern Water have recommended a condition to secure details of the sewer diversion before the commencement of development, I do not consider this is a matter relevant to the determination of this planning application. Southern Water will be in a position to consider an application for the diversion of the sewer if deemed necessary. If the sewer is not diverted, the applicant will need to adhere to the required safeguarding distances or apply to Southern Water for permission not to. It is a matter for Southern Water therefore. I have recommended an informative however to draw the applicant's attention to Southern Water's comments.

(89) Kent Police have recommended that lockable swing gates are provided to secure that site in an effort to avoid antisocial behaviour when the restaurant is closed. I have recommended a suitably worded informative to suggest that the applicant consider this but do not consider that this should be a condition of the grant of planning permission as a gate is one of a number of measures that could be put in place to address the issue.

(90) Local residents have raised concerns about rodents at the application site. I understand from the submitted Planning Statement that vegetation on the bank adjacent to the car park was recently cleared in an effort to eradicate the presence of rodents. I have no reason to believe that careful management of the issue could not eradicate the problem should it arise and I also have no reason to conclude that the provision of a drive thru facility at the site would increase the likelihood of rodents being attracted to the site.

(91) The Planning Statement contains information about how McDonalds as a company are committed to reducing its carbon footprint. It also considers its positive impact in terms of providing employment and how the

## HUMAN RIGHTS IMPLICATIONS

(92) I have considered the application in the light of the Human Rights Act 1998. I am satisfied that my analysis of the issues in this case and my consequent recommendation are compatible with the Act.

## PUBLIC SECTOR EQUALITY DUTY

(93) Due regard has been had to the Public Sector Equality Duty, as set out in Section 149 of the Equality Act 2010. It is considered that the application proposals would not undermine objectives of the Duty.

## ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS

(94) In relation to the Town and Country Planning (Environmental Impact Assessment Regulations) 2017) the proposal is not Schedule 1 or Schedule 2 development. It is not considered to require a screening opinion.

## CONCLUSIONS AND REASONS FOR RECOMMENDATION

(95) Having considered the relevant planning policies and comments from consultees and local residents, I am of the view that the development would have no detriment to the impact on the character and appearance of the McDonald's building - a non-designated heritage asset and the surrounding area and would preserve the setting of the grade II listed church - St Mary's. The impacts on highway safety and amenity, air quality and residential amenity have been carefully considered with no harm identified that would warrant the refusal of this application on those grounds.

## RECOMMENDATION:

That planning permission is granted subject to the following conditions for the reasons set out in the report.

Conditions:

- 01 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 01 In pursuance of Section 91(1) of the Town and Country Planning Act 1990.
- 02 The development shall be carried out in accordance with the following plans and documents: Proposed Lighting Layout 01; Existing and Proposed HVAC Plant Elevations - GRE 8009 M 1003; Ground Floor HVAC Plant Layout - GRE 8009 M 1002; arrange cycle shelters; 15600 928 05 rev. F; 15600 928 06 rev. G; 15600 928 300 rev. V; 15600 928 50 rev. H; EDS 07-03102.01 Sheet 3 of 3 A; MK MCD ST928 01 rev. G; MK MCD ST928 02 & MK MCD ST928 03.
- 02 For the avoidance of doubt and to ensure a satisfactory form of development.
- 03 Before commencement of any building operations on site, details of the following shall be submitted to and approved by the Local Planning Authority and implemented in accordance with the details approved:
  1. archaeological field evaluation works in accordance with a specification and written timetable; and
  2. any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable.
- 03 To ensure appropriate assessment of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation in situ or by record in accordance with Policy DP12 of the adopted Dartford Local Plan.
- 04 Before commencement of the development hereby approved, details of the surface water drainage system for the development (including storage facilities where necessary) shall

be submitted to and approved by the Local Planning Authority. The details shall be implemented as approved prior to first occupation of the development.

- 04 To ensure satisfactory means of surface water drainage in accordance with Policy DP2 of the adopted Dartford Local Plan and Policy CS24 of the Core Strategy
- 05 Before commencement of any building operations on site (including demolition and delivery of associated machinery or materials) tree protection measures shall be erected around all retained trees in accordance with details to be submitted to and approved by the Local Planning Authority.
- 05 To prevent damage to the trees in the interest of the visual amenities of the area in accordance with Policies DP2 and DP25 of the adopted Dartford Local Plan.
- 06 Prior to commencement of development on site, a Construction Management Plan shall be submitted to and approved by the local planning authority covering the following issues:
- (a) Routing of construction and delivery vehicles to/from the site
  - (b) Parking and turning areas for construction and delivery vehicles and site personnel
  - (c) Timing of deliveries
  - (d) Provision of wheel washing facilities
  - (e) Temporary traffic management/signage

The construction works shall be carried out in accordance with the approved details.

- 06 In the interests of highway safety and environmental amenity in accordance with Policy DP5 of the adopted Dartford Development Policies Plan (2017).
- 07 No construction work shall take place on the site outside the hours of 0800 to 1800 Mondays to Fridays inclusive, and 0800 to 1300 on Saturdays with no working on Sundays and Bank Holidays, unless otherwise agreed in writing with the Local Planning Authority.
- 07 To protect the amenities of the residents of nearby dwellings in accordance with Policies DP5 and DP20 of the adopted Dartford Local Plan.
- 08 If during any works contamination is encountered which has not previously been identified, then no further development shall be carried out (unless otherwise agreed in writing with the Local Planning Authority) until the developer has submitted and received approval of an assessment of this unsuspected contamination together with an appropriate remediation scheme that is implemented as approved.
- 08 In the interests of safety and amenity in accordance with Policy DP5 of the adopted Dartford Local Plan and/or the protection of Controlled Waters.
- 09 Prior to occupation of the development hereby approved, a Travel Plan is to be submitted to and approved by the Local Planning Authority and should cover the following issues:
- Travel Plan co-ordinator
  - Travel Surveys
  - Measures to be taken to encourage walking, cycling, use of public transport and reduce car travel by staff.
  - Monitoring and review
  - Programme for implementation.
- The approved Travel Plan shall be implemented in accordance with the approved implementation programme.

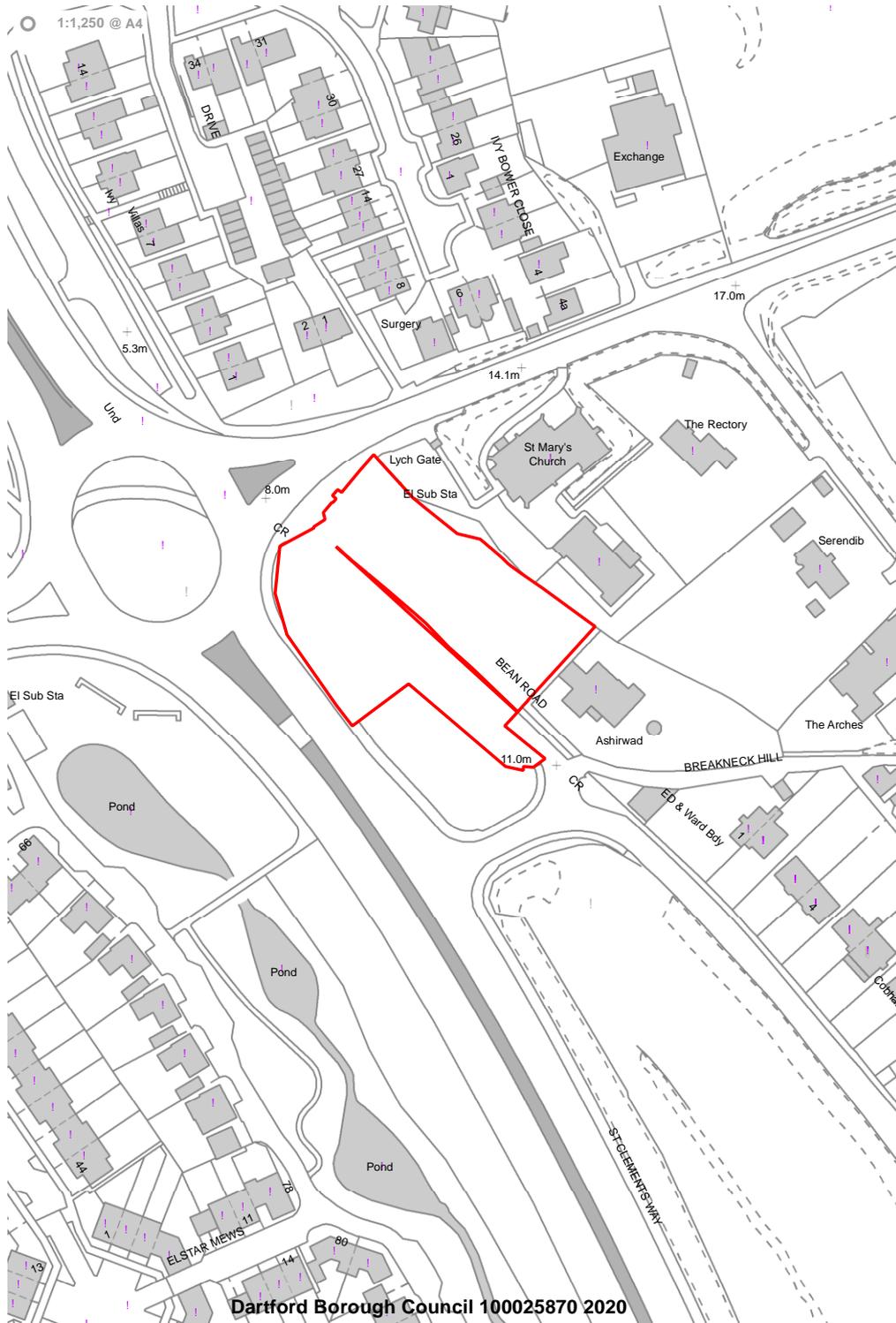
- 09 To encourage sustainable methods of transport in accordance with Policy DP4 of the adopted Dartford Local Plan.
- 10 Prior to occupation of the development hereby approved, on site facilities shall be provided within the curtilage of the site for the secure and weatherproof storage of bicycles in accordance with the approved details. Such facilities shall be maintained thereafter.
- 10 To encourage sustainable methods of transport in accordance with Policies DP2 and DP4 of the adopted Dartford Local Plan.
- 11 Prior to the first use of the drive thru hereby approved, the new ducting to the side/rear of the building shall be painted to match the colour of the render to the main building and shall thereafter be maintained at such.
- 11 In the interests of visual amenities and the character and appearance of the listed church to the rear of the site in accordance with Policies DP2 and DP13 of the adopted Local Plan.
- 12 Prior to the occupation of the development hereby approved, a Noise and Disturbance Management Plan to include details of how customers using the site will be managed to minimise disturbance to local residents, shall be submitted to the Local Planning Authority for approval in writing and shall therefore be implemented.
- 12 In the interests of safeguarding the residential amenities of the local residents in accordance with Policy DP5 of the adopted Local Plan.
- 13 Prior to the first use of the drive thru hereby approved, details of how the development will enhance biodiversity within the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details will be implemented and thereafter retained.
- 13 In the interests of protecting and enhancing ecology and biodiversity in accordance with Policy DP25 of the adopted Local Plan.
- 14 The landscaping scheme hereby approved as an integral part of the development shall, at the latest, be implemented during the first planting season (between October and March inclusive) following completion of the development and shall thereafter be maintained for a period of five years. Any trees, shrubs or grassed areas which die, are diseased or vandalised within this period shall be replaced within the next planting season.
- 14 To safeguard the visual amenities of the locality in accordance with Policies DP2 and DP25 of the adopted Dartford Local Plan.
- 15 The materials used externally shall be in accordance with those specified on the approved plans and on the application form.
- 15 In the interests of visual amenities in accordance with Policy DP2 of the adopted Dartford Local Plan.
- 16 The car parking spaces, turning areas, drive thru and means of access shown on the approved plans shall be provided prior to occupation of the building(s) hereby approved and kept available for such use at all times and no development, whether permitted by the Town and Country Planning (General Permitted Development) Order 2015 or not, shall be carried out on that area of land or to preclude vehicular access thereto.
- 16 To ensure the permanent retention of satisfactory car parking facilities in accordance with the Local Planning Authority's standards and Policies DP2 and DP4 of the adopted Dartford Local Plan.

- 17 Prior to the first use of the drive thru hereby approved, underground ducting shall be provided to all car parking spaces within the application site for potential future use as part of Electric Vehicle Charging Point provision. In addition, two Electric Vehicle Charging Points shall be provided within the car park as shown on the approved plans and the associated parking spaces and charging points shall be retained as such in perpetuity.
- 17 In the interests of reducing air pollution in accordance with Policy DP5 of the adopted Local Plan.
- 18 All loading/unloading of goods and servicing to the premises shall take place within the curtilage of the site.
- 18 In the interests of highway safety and Policies DP4 and DP5 of the adopted Dartford Local Plan.
- 19 The measures set out in the submitted McDonald's Litter Management Plan (Greenhithe ST0928) shall be implemented upon the first use of the drive thru facility hereby approved and shall continue to be implemented thereafter.
- 19 In the interests of ensuring that the development does not increase instances of littering within the surrounding area in accordance with Policy DP2 and DP5 of the adopted Local Plan.
- 20 The make and model of the service plant shall be as set out in the table on page 19 of the Environment Noise Assessment (4th April 2019).
- 20 To ensure that the noise associated with such plant is not harmful to local residents in accordance with Policy DP5 of the adopted Local Plan.
- 21 The use shall not be carried on outside the hours of 5am to Midnight Mondays to Fridays with the exception of Saturdays and Sundays when the use may be carried out for 24 hours each day unless otherwise agreed in writing by or on behalf of the Local Planning Authority.
- 21 To avoid unreasonable disturbance outside normal working hours to nearby residential properties contrary to Policy DP5 of the adopted Dartford Local Plan.

## **INFORMATIVES**

- 01 The applicant is reminded of the need to ensure that a Stopping Up Order has been obtained prior commencement of the development hereby approved.
- 02 The applicant's attention is drawn to the comments of Southern Water in respect of the public sewer that passes through the site. Their permission is required for a sewer diversion if deemed necessary and safeguarding distances are required if the sewer is to remain in place.
- 03 The applicant is advised to consider the content of the letter from Kent Police in respect of measures that could be put in place at the site to prevent crime and antisocial behaviour, including the use of lockable swing gates.
- 04 Care should be taken to consider nesting birds between March and September as in accordance with the Wildlife and Countryside Act 1981 (as amended) and also the need to consider the protection of any roosting or foraging bats afforded protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations (2017) (as amended).
- 05 Care should be taken during and after construction to ensure that all fuels, oils and any other potentially contaminating materials should be stored (for example in bunded areas

secured from public access) so as to prevent accidental/unauthorised discharge to ground. The areas for storage should not drain to any surface water system.



<b>Application No.:</b>	20/00140/FUL
<b>Address :</b>	McDonalds London Road Greenhithe Kent DA9 9HY
<b>Date:</b> 28 May 2020	<b>Scale:</b> Not to Scale