

WARD: Eastville **CONTACT OFFICER:** Jonathan Coombs

SITE ADDRESS: 541-551 Fishponds Road Fishponds Bristol BS16 3AF

APPLICATION NO: 14/04519/F Full Planning

EXPIRY DATE: 12 November 2014

Demolition of existing warehouse and erection of a freestanding two storey restaurant with associated basement, drive-thru, car parking and landscaping. Installation of 2 no. customer order display and canopy.

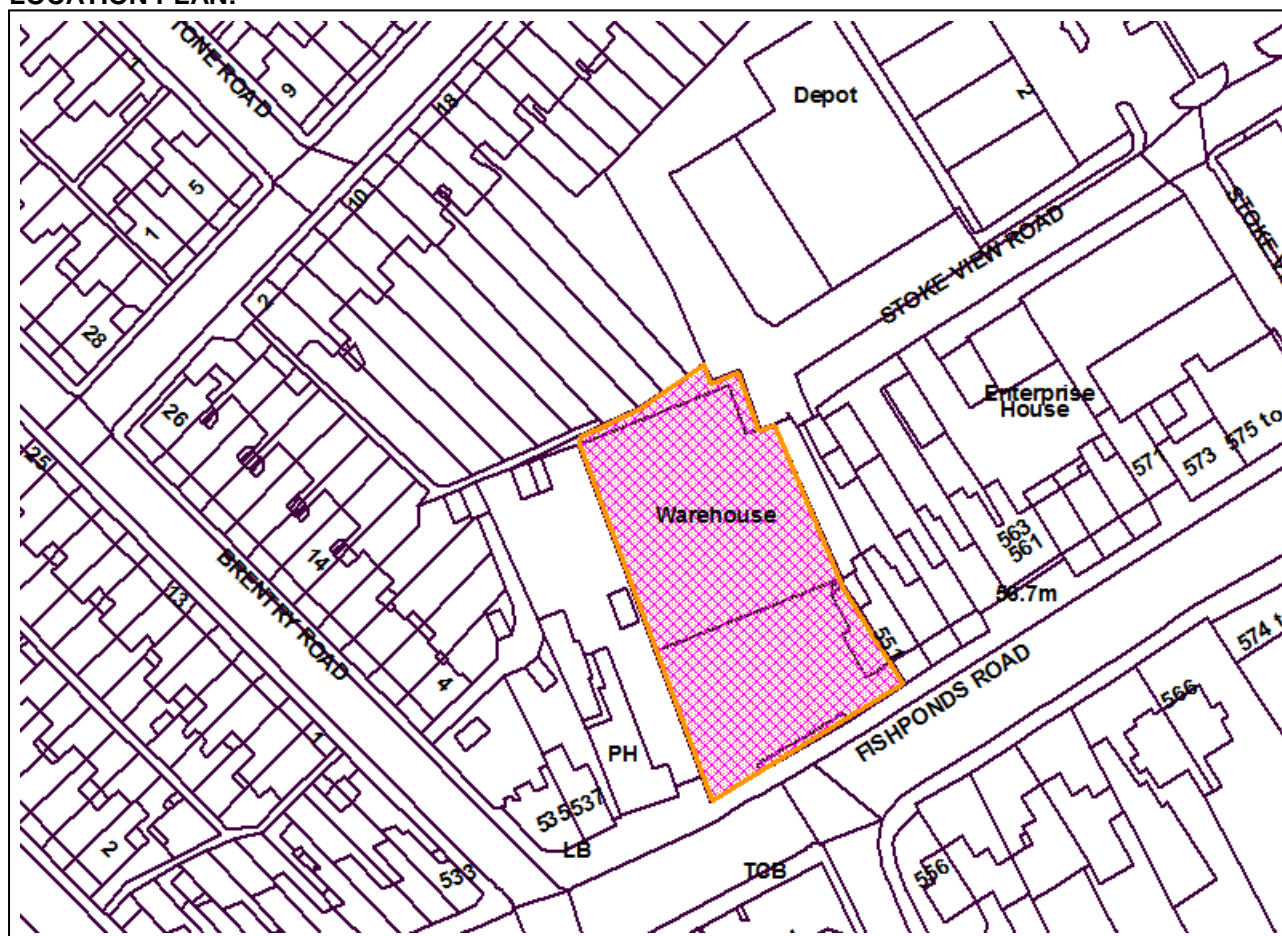
RECOMMENDATION: Refuse

AGENT: Planware Ltd
The Granary
First Floor
37 Walnut Tree Lane
Sudbury
Suffolk CO10 1BD

APPLICANT: Mcdonald's Restaurant Ltd; Salt
Developments & Buildbase
C/O AGENT

The following plan is for illustrative purposes only, and cannot be guaranteed to be up to date.

LOCATION PLAN:



Development Control Committee B – 4 February 2015**Application No. 14/04519/F: 541-551 Fishponds Road Fishponds Bristol BS16 3AF****EXECUTIVE SUMMARY**

The application relates to the demolition of a large warehouse to the north-west side of Fishponds Road of 1,183m² of floorspace that has been vacant since early 2014. This is surrounded by residential properties to the north and east and a public house to the west. The application follows on from refusal of outline application 13/03166/P for a 594.58m² retail unit and 7no. 2-bed apartments. This was refused by committee due to concern over the use of fixed shut windows in a residential use, which had been recommended to overcome air quality impacts for future occupants.

The application seeks a drive-through restaurant of 549m² over two floors, with 170m² devoted to 160 covers, operating between 0600 - 0000 (midnight). The proposed building is of a modern appearance and finish. This would be positioned to the eastern side with the drive-through wrapping around to the rear and side and 26no. parking spaces to the western side.

The application has generated 495 objections and 20 comments in support alongside 217 letters in support collated by the applicant. A petition in objection with 1,667 signatories has been received. Cllrs Threlfall and Khan have referred the item to committee. Objections have also been received from Kerry McCarthy MP, as well as Cllrs Robert Telford, Charlie Bolton and Lesley Alexander. The issues most frequently raised can be summarised as traffic/highway safety, health impacts due to the proximity to schools, air quality and litter, as well as noise and odour. The consultation response also raised concerns over the applicant and competition with local businesses, which are not material planning considerations.

Objections have been received from BCC Traffic (Development Management), BCC Pollution Control, BCC Urban Design and BCC Public Health. BCC Nature Conservation, BCC Flood Risk Management, BCC Contaminated Land, The Coal Authority and Avon and Somerset Constabulary Crime Reduction Unit have recommended conditions to address their concerns. BCC Air Quality has no objection to the proposals following clarifications.

Extensive concern has been raised about the proposed end-uses potential health impacts. While this is acknowledged, the scheme is policy compliant in that the National Planning Policy Framework defines drive-through restaurants/takeaways as 'in-centre' uses and the site is beyond 400m walking distance from the nearest school/youth facility. Air quality impacts have been found to be negligible and issues of trees, nature conservation, land stability, sustainability, land contamination and surface water run-off can be addressed subject to condition.

The proposal would offer some benefits. This includes redeveloping a derelict site that is unlikely to be re-occupied and the scheme would therefore provide some economic benefits. It would also deliver an appropriate use within this secondary shopping frontage within the Fishponds Town Centre that has the capacity to incorporate a further food and drink use in this location. While the design does fail to fully address the street and is dominated by vehicle parking/access it would create an active frontage. It would also remove the current large warehouse and the sense of enclosure and impact upon sunlight/daylight to the rear of Lodore Road.

However, the scheme also would result in highway safety harms associated with the traffic of right-turning movements, exacerbated by the excessive car parking provision, inadequate servicing arrangements and pedestrian movements. This would represent an unacceptable highway safety impact that cannot be mitigated. The proposal also fails to provide sufficient information to satisfactorily demonstrate that no unacceptable harm will arise to residential amenity from noise, odour and light pollution.

The benefits of the scheme would not outweigh these identified harms and the proposal is accordingly recommended for refusal.

Development Control Committee B – 4 February 2015**Application No. 14/04519/F: 541-551 Fishponds Road Fishponds Bristol BS16 3AF****REASON FOR REFERRAL**

The application comes before committee due to the level of interest expressed (495 objections and 20 comments in support alongside 217 letters in support collated by the applicant as well as a petition in objection of 1,667), including from the two ward councillors and local MP. The application has also been referred to committee by Cllrs Mhairi Threlfall and Mahmudur Khan for the following reasons:

“I am calling in this application due to the volume of residents (80+) who have contacted me over concern on this proposed development. They have concerns about the proximity to local schools, which undermines the Council's public health agenda as well as:

1. Impact on traffic on Fishponds road. The location is a poor choice in terms of access. Since the implementation of the highly controversial GBBN, there have been many traffic concerns on Fishponds Rd, and it has been causing a lot of extra congestion, delays and accidents. The drive-through and car parking detailed will increase further congestion on Fishponds Road and the vicinity, as cars will slow and wait to turn in at regular intervals. Even if no right turn is imposed, a rat run will be created as a result in local streets, causing additional traffic and safety issues.
2. Highways safety – the footpath is regularly used by pupils and parents on the way to school and local people visiting the shops. Any development should minimise the number of cars driving into the site. A drive-through and a car-park will increase traffic driving over the current footway, which will be a danger to pedestrians and cyclists.
3. Air pollution – this development will increase congestion and therefore impact on air quality, especially as cars will have engine's running as they pick up food. Previous application for this property 13/03166/P, for a mixed use development of homes and a supermarket was rejected on the basis of the impact on air quality due to the increase in cars driving to the supermarket and parking. This application will have a bigger impact as cars will be stationary with their engines on, as they enter the drive through, or as they queue to park. As such this application should also be rejected
4. Will use external lighting which will cause disturbance to local people, and 24 hours, 7 days a week opening times will cause noise which will disturb local people close by

As the local ward Councillor, I support these concerns and understand the current traffic problems facing my ward. This proposed development will perpetrate a lot of the problems we are currently trying to work on and resolve.”

SITE DESCRIPTION

The application site is located on the north-western side of Fishponds Road (A432). The site is occupied by a large warehouse, providing 1,183m² of employment floorspace, positioned towards the rear of the site, which is currently vacant having last been in use in early 2014 by a tile company that has since relocated elsewhere within Bristol. The site previously incorporated a petrol filling station as part of its historic use as a motor vehicle showroom and vehicle repairs centre. Some limited remnants of this can be seen to the frontage in the single-storey lean-to element to the north-eastern side as well as the expanse of hard standing and dual access.

The current building on site appears to date from the early 1960s, and it is broadly equivalent to two domestic storeys. There are a number of trees to the rear, and immediately to the west of the existing building. There is an existing access and exit on to Fishponds Road.

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The site is surrounded by a range of different land uses. North of the site are gardens of residential properties facing onto Lodore Road. To the north east is the Stoke View Business Park, which comprises of a terrace of industrial/warehouse units and a range of other units, including car repairs closest to the site. To the east of the site is a terrace of two storey properties which comprises of residential dwellings, having recently contained a three unit retail frontage converted to two flats under permission 13/00718/F. To the west of the site is The Star public house.

The site is within the secondary shopping frontage of the Fishponds Town Centre under the adopted Bristol Site Allocations and Development Management Policies (July 2014). This is also within a High Risk Coal Mining Area and Air Quality Management Area. There are no other site specific designations.

RELEVANT PLANNING HISTORY

55/00187/P_U: Outline application for demolition of existing derelict cottage and formation of petrol filling station with six pumps and tanks and attendant's office – Permission granted: 04/03/1955.

Between 1955 and 1962 a number of applications were made in respect of the use of the site in relation to a motor vehicle showroom and repair garage, with the most recent being as follows:

62/03631/U_U: Erection of a new motor showroom and garage for motor repairs – Permission granted: 30/11/1962.

Since 1962 a number of subsequent applications have been made for alterations to the building, the most relevant being as follows:

63/01201/U_U: Erection of lean-to store adjoining existing garage and showroom and conversion of existing dwelling house into offices – Permission granted: 31/07/1963.

Following this planning permission was granted for the change of use to warehouse by the following permission:

83/00365/P_N: Change of use to warehouse, with ancillary showroom and offices – Permission granted: 21/03/1983.

An application to demolish the existing warehouse and build a retail unit with 7 flats above in a two storey building was refused under the following application:

13/03166/P: Outline planning application for the demolition of an existing warehouse and the erection of a two storey building comprising 6,400 sq ft (594.58 sq m) retail unit (Use Class A1) on the ground floor with 7 x 2-bed apartments on first floor with associated access, car and cycle parking – Permission refused: 29.10.2013 for the following reason:

“The proposed development would fail to provide a high quality residential environment for future residents by virtue of the layout of the development, which would expose the proposed residential flats to sources of high levels of noise and air pollution. As such, the proposal would be contrary to policies BCS21 and BCS23 of the Bristol Core Strategy and policy ME4 of the Bristol Local Plan, 1997”

To clarify this reason for refusal it is of use to set out that the original officer report for this application recommended approval subject to a condition to secure fixed shut windows and mechanical ventilation to address this issue, but members of the committee considered this was not an acceptable approach for a residential use resulting in the refusal set out above.

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The applicant has also submitted associated advert applications 14/04527/A for 1 No. gateway (height restrictor), 8 No. freestanding signs and 3 No. information signs and 14/04528/A for 6 No. internally illuminated fascia signs, which are pending consideration. Advert application 14/04529/A for an illuminated totem sign is invalid due to awaiting a streetscene elevation.

APPLICATION DESCRIPTION

The application seeks the development of a drive-through restaurant, which falls within a mixed A3/A5 (café/restaurant and hot food takeaway) use, of 549m² over two floors with 170m² devoted to dining areas. This would be positioned to the north-eastern side of the site with car parking to the south-western side and circulation space for the drive-through facility located to the rear wrapping around the north-eastern side and front of the proposed building.

The parking provision includes 26no. spaces, including 2 disabled bays and 2no. 'grill bays' for customers waiting for items not immediately available when using the drive-through facility, as well as 2no. Sheffield stands providing for 4no. cycle parking spaces. The existing south-western access point would be retained and the north-eastern one closed. The submitted supporting documentation identifies that the proposed premises would have capacity for 160 diners at any one time (145 internally and 15 from external seating to hard standing areas). The hours of use sought are 0600 to 0000 (midnight).

The proposed built form would consist of a two storey flat roofed building arranged in a modern aesthetic. The frontage facing onto Fishponds Road comprise principally of glazing and vertical timber louvres over aluminium panels, alongside a white canopy and aluminium panel to identify the entrance. The southern-western elevation to the car park comprises of glazing also to its southern side with the remainder of this elevation finished in a combination of natural stone, and beyond this a wooden walnut effect panel system to ground floor and dark grey trespa panel cladding system to the upper floor.

This treatment is continued to the rear and flank providing the drive-through facilities, but with further emphasis on solid materials. Timber brise soleils to match the louvres alongside dark grey aluminium windows complete the palette of facing materials. The roof is finished in a dark green aluminium panel system to both awning and parapet, which would screen roof top plant and solar panels.

The proposed drive-through ordering systems are also seeking consent under associated advert applications for the displays within these and are located to the northern portion of the site to the rear of the proposed building. Some landscaping is provided to principally the north-eastern corner including the planting of two trees. A further tree is located to the western side and a new hedge along the boundary with No. 553 Fishponds Road. Some turf is also located to the corners at the frontage but this is of limited scope. The site is otherwise formed by hard standing that defines vehicle movements and parking, alongside associated markings.

The frontage of the site would be defined by a 600mm high boundary railing, with the small area of hard standing for customer dining use marked out by a railing system comprising of timber posts, galvanised steel mesh panels and hand rails and associated lamp posts. A 1.8m high acoustic fence is proposed to the rear boundary.

During the lifetime of the application the following amendments/further information has been provided in response to requests from officers:

- Clarification of air quality impacts.
- Ecology report
- Provision of lighting plan

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In addition, it was agreed at a meeting held in December 2014 that further information would be provided to address noise, lighting, odour, overlooking, some minor design changes and clarification on design approach but this has not been forthcoming.

PRE-APPLICATION CONSULTATION

The proposal contains no Statement of Community Involvement, which is not a validation requirement for 'minor' (less than 1,000m² of floorspace) applications such as this. The submitted design and access statement advises that Nos. 535-557 Fishponds Road, Nos. 4-26 Brentry Road and Nos. 2-18 Lodore Road were contacted with details of the proposed scheme. It is not made clear whether this was undertaken as a consultation exercise or merely informing residents of the applicant's intentions and no further commentary is provided on this process within the design and access statement.

RESPONSE TO CONSULTATION AND PUBLICITY

385 neighbour notification letters were issued alongside a site notice. 495 objections have been received, 1 neutral comment and 20 comments in support. Of the adjoining 9 properties 2 commented, both from Lodore Road and in objection. The most frequently raised issues of concern can be summarised as traffic/road safety and impact upon health due to proximity to schools, as well as littering and air quality. The objections include a comment on transport and health grounds from the local reverend supported by the head and chair of Fishponds C of E Academy and on health, traffic, noise, litter and odour grounds on behalf of the Steiner Academy Bristol. A joint objection has been received from Chris Harris and Steve Comer on behalf of the Liberal Democrats for the ward on the basis of traffic, noise, odour and public health (Please note that comments from Councillors and MPs are addressed further below).

The following issues were raised in objection to the proposal [with officer commentary in square brackets]:

- Over-development of the site.
- Under-development of the site.
- Proposed use is not acceptable within a residential area
- Already enough/too many fast food uses in the area [Need is not a material planning consideration but impact from accumulation of food and drink uses is assessed within the key issues]
- Impact upon other uses within the area [Please note that direct competition is not a material planning consideration, but impact upon the vitality and viability of the centre as a whole can be taken into account and is addressed in Key Issue A]
- Impact upon traffic and safety upon Fishponds Road and surrounding areas from the level of vehicle movements. Including: will encourage rat-running in residential side streets to avoid turning right; challenges of servicing the proposed use causing further obstruction/reduction in parking, and; the proposal would encourage car use in general as a drive-through.
- Criticism of the Transport Statement submitted [These have been passed onto BCC Transport as part of their assessment – please refer to their comments and Key Issue D for detailed assessment of the Transport Statement.]
- Insufficient parking/increased on-street parking demand in surrounding side streets.
- Excessive car parking would encourage travel by car.
- Impact upon public health, including proximity to nearby schools and use of Fishponds Road for bus routes by pupils.
- Impact upon air quality from additional traffic/plant. Comments also criticised the air quality report for not assessing in detail sites to the rear.

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- Odour from proposed use/bin store.
- Increase in litter
- Bin store and litter would attract vermin.
- Noise from proposed use, including hours of use, use of drive-through away from road/adjacent to residents and noise from deliveries/servicing.
- Criticism of noise survey positioning of equipment omitting the rear of the site.
- Light pollution from proposed use
- Overlooking neighbour properties.
- Loss of sunlight to neighbouring properties.
- The proposed design is not sympathetic to the architecture of Fishponds Road.
- Increased security risk from ability to access rear boundary.
- Increase in anti-social behaviour, with some objectors referencing use of car park for congregating.
- Scheme is environmentally unsound/unsustainable.
- Proposal will impact upon the wildlife area behind it [Please note that there are no wildlife designations upon or adjoining the site and this is assumed to refer to the area of overgrown land to the rear of the site and properties on Lodore Road].
- Proposal would result in increased litter in the area
- Impact upon retained trees from new hard standing.
- Risk of land contamination and stability risks from coal mining legacy
- Impact upon human rights [Impact upon human rights are intrinsically incorporated within the various planning considerations set out within the key issues in this report]

The following issues were raised in support of the application:

- Support provision of another business with facilities for eating on the premises.
- Would encourage people to area and may visit other businesses.
- Would provide employment opportunities.
- New use sought is preferable to vacant warehouse.
- Proposed design would improve the look and feel of the area compared with the rundown warehouse.
- Would not be any increase in traffic as already alternative venues for people to go to who will travel on Fishponds Road.

The following issues were raised that are not material planning considerations:

- Concerns over business practices and menu choices of the applicant and that the applicant is a multi-national rather than a local independent [The end-user is not a material planning consideration and the application is to be assessed on the use sought]
- The proposed use should be located elsewhere or alternative uses should be put forward on the site [Only the application submitted is for assessment.]
- Would devalue properties [This is not a material planning consideration]
- Complaint over past re-engineering of Fishponds Road [Only the application is for assessment]
- Signage used by applicant is inappropriate for location [Advertising is assessed under the separate advertisement applications and not under the planning application.]
- Insufficient pre-application consultation by the agent [While this is encouraged, the nature of the pre-application consultation is not material to the assessment of the application]
- Inaccuracies in submitted design and access statement and planning statement [While a small number of apparent 'copy and paste errors' are noted, refusal on the basis of errors within the submission is only feasible where the scheme is not clear as to what is being proposed].
- Loss of views from adjacent houses [Loss of private views is not a material planning consideration.]
- Consultation carried out by the Council was inadequate [The statutory requirement is to

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consult adjacent properties and erect a site notice and this was exceeded]

It is noted that the following matters were raised in the consultation response that are not accurate:

- That the proposal seeks 24-hour opening [seeks 0600-0000].
- The site is not within a centre [the site is within the designated Fishponds Town Centre]
- The traffic survey was carried out during school holidays [The survey was completed for seven days from Monday 14th July 2014 during the last week of term time within Bristol.]
- That health is not a material planning consideration [see Key Issue C for consideration of this issue].
- The previous application on the site was refused on the basis of coal mining/sustainability/increased noise/worsened air quality from the development [The reason for refusal on this is set out above and while noise and air quality forms part of this it was in regard to harm to future residential occupiers of the development and not increased impact upon existing properties].

217 letters in support were submitted by the applicant gained from issuing requests for comments to customers of their branches in The Horsefair and Avonmeads. These raised the following comments:

- Preferable to derelict site
- Desire for further fast food/drive-through facilities
- Would help attract people to Fishponds area.
- Provide facility for meeting socially
- Provision of employment

A petition with 1,588 comments in support of the following motion was received through the Council's e-petition during the period of 4th October 2014 to 31st January 2015, with a further 79 (total 1,667) signatures collected by hand and submitted by the lead petitioner:

"Say No to McDonald's in Fishponds...

The proposed plan will:

1. Add to parking pressures on adjoining residential roads, in particular Brentry Road, where I live and Drummond Road opposite. The proposal includes plans for 38 car park spaces, which would be woefully inadequate for a restaurant of its size (1183sq m).

2. Increase traffic flow on main thoroughfare from Bristol to South Gloucestershire which is already busy at all times of the day. An additional traffic system will force people to further use Brentry road which is already very difficult to get in and out of following changes making Grove Road one way. This will create congestion in residential areas with a large volume of families. I have not got an expensive traffic consultancy to prove this as McDonalds have (based in London), but I live with existing traffic problems every day and believe that a McDonalds will only exacerbate this problem. Bristol City Council say that they are committed to keep Bristol Moving, reduce congestion and creating civilized spaces and people friendly streets with an emphasis in safety for children. This proposal is at odds with that vision.

3. Increase Noise/Light/Pollution. The current building operated as a commercial business and as such did not operate 24/7 seven days a week or late into the evening / early in the mornings. The main cliental for the old business was that of trade and as such the traffic noise in and out of the premises was not of a particularly high volume. McDonalds could be open from 6m, until 11pm. The plans show that the drive through will go very close to gardens of residents in Lodore Road, which will cause additional noise, environmental pollution and cooking fumes. Even with extractor fans you can smell McDonalds driving in a car near the St Phillips causeway branch. In short it will degrade the amenity of residents gardens in Brentry Road and Lodore Road and beyond.

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An additional concern is that the commercial property will also generate noise during deliveries and waste pick-ups to the property which may require to be in more unsociable times. Even with bins, the amount of litter to the surrounding area will increase as has been shown by other fast food outlets such as KFC and Subway.

4. Cheapen an area trying to promote independent businesses. None of the other McDonalds drive through restaurants in Bristol are located so close to residential areas. The proposed site directly neighbours residential dwellings and as I have mentioned backs onto many gardens. St Phillips, Hengrove, Abbey Wood-Filton and Brislington branches are all located in retail parks away from residential dwellings. Bedminster branch is also located some distance away from residential properties.

5. It will negatively impact on the local community, and will inevitably cause small businesses to close. There are already many independently run take-aways and restaurants.

6. Have a detrimental impact to local school children's health. I am concerned for the health of local school children if McDonalds were to be located in this area as many will walk home from school and be tempted by cheap fast food which they will choose over healthier options if it is readily available. This surely contravenes Bristol's Health and Wellbeing strategy and promoting the health of local children.

7. There has been a lack of proper consultation. The planning process should take account of local residents' views and opinions in line with Bristol City's localism agenda, to make citizens and communities have real influence of what happens in their area. The Greater Fishponds neighbourhood partnership wants to make Fishponds an area which is planned, developed and designed with due regards to the wishes of local residents. I hope that the planning department will consider our views. There has been no proper consultation with residents by Planware for McDonalds with only a handful of residents who will be directly affected receiving letters."

COUNCILLOR/MP COMMENTS

It is noted that Cllrs Khan and Threlfall (Eastville Ward) issued a joint referral with objections to the scheme set out at the beginning of this report. In addition to this the following objections were received from Councillors/MPs:

Cllr Rob Telford (Ashley Ward) made the following comments:

"I don't think this is a good site for a McDonald's. I'm pleased to see that so many local people are demonstrating against and objecting to this application.

The key material consideration is increased traffic in the area.

The key non-material consideration is that it's a McDonald's, which is not a healthy option for children or adults."

Cllr Lesley Alexander (Frome Vale Ward) made the following comments:

"Object on grounds of:

1. Highway Safety - the Fishponds Road is always busy being a major arterial route into the city and often queuing. Crossing over the pavement to gain access/exit for the volume of traffic anticipated is a dangerous safety issue.

2. Noise, smells, loss of privacy for residents in this location is detrimental to their amenity and such long opening hours will only attract antisocial behaviour and lots of litter. I suspect that it will not be long before McDonalds are back requesting 24/7 opening which is their stated preference.

3. Whilst health grounds are not a material consideration there is recent case history apparently

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where one London Borough refused planning permission because of the location near a school citing the damage to health of residents and their children. McDonalds took the Council to court but the judge sided with the Council so this should be taken into consideration. McDonalds have a habit of siting their restaurants near schools.

4. Their green credentials seem to be getting local volunteers to do their litter picking and fund raising for them!!!

Please turn down this unsuitable application.”

Cllr Charlie Bolton (Southville Ward) made the following comments:

“I’m pretty sure the hundreds of objections will list every possible reason for not having a McDonalds in Fishponds, so I will merely register my objection.”

Kerry McCarthy MP made the following comments:

“I’m writing to outline a number of reasons why this proposal should be rejected.

Proximity to residential areas and schools.

Much of McDonalds food has a very high fat, salt and calorie content.

The National Planning Policy Framework makes it clear that local authorities have a responsibility to promote healthy communities and that local planning should take account of and support local strategies to improve health, social and cultural wellbeing for all.

Furthermore approval of this application goes against advice issued by Public Health England in its March 2014 briefing entitled Obesity and the environment: regulating the growth of fast food outlets which states that an important function of Local Authorities is to modify the environment so that it does not promote sedentary behaviour or provide easy access to energy dense food.

Three of the four main strategic themes of Bristol City Councils Health and Wellbeing Strategy are unlikely to be met if this application was approved, namely that Bristol should be a place:

filled with healthy, safe and sustainable communities and places.

where health and wellbeing are improving.

where health inequalities are reducing.

It is of particular concern that the proposed site will be situated within 800 metres of three schools, namely: Metropolitan Academy, Fishponds Church of England Academy and Chester Park Junior School.

It’s likely that some students will use the restaurant on a frequent basis, particularly those allowed to leave school during lunch times. Judge J Cranstons judgement on the 11th June 2010 [(on the application of Copeland) v Tower Hamlets London Borough Council] confirms the potential impact that a further hot food takeaway in the area would have on the promotion of healthy eating at the nearby school would be a material consideration.

I’m aware that some Councils impose a distance of 400 metres (or five minute walk) as a fast food exclusion zone, however I firmly agree with Brighton and Hove Councils assessment that a 800 metre radius is better.

Traffic and congestion

There is already significant congestion on the main road. The opening of this restaurant will obviously attract more traffic, and the fact it will also have a drive-thru facility will make this much worse, with vehicles causing delays when entering and leaving the site. The additional pressure on traffic volumes will force more drivers to use Brentry Road which is already inconvenient for drivers

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given the changes to Grove Road.

The Transport Statement submitted has a number of problems:

-The study fails to take into account varying time periods, including the afternoon rush hour following the end of school. It is unclear from the statement when exactly traffic volume is at its highest and the seemingly nominal time period of 1700-1800 is unhelpful.

Similarly, no assessment seems to have been offered as to how this will affect pedestrians. The plans at present seem to disrupt the flow of pedestrian traffic. It seems that the (PICADY) model used in this application is overly simplistic for Fishponds Road, which features a number of inter-dependent junctions. Furthermore the modelling is based on the incorrect assumption that there are four indiscriminate lanes (two in each direction); there is in fact a dedicated bus and cycle lane. This discrepancy clearly skews the modelling results significantly.

Environmental impact

There are widespread concerns that the restaurant will generate significant additional noise pollution, litter and unpleasant smells. Many of my constituents are unconvinced that the measures designed to mitigate these impacts will work sufficiently. The business will not only generate litter in its immediate vicinity but in neighbouring streets and further afield, eg as those using the drive thru facility eat their takeaways in their cars and then fail to dispose of the litter in a responsible manner. The Fishponds area already has a significant problem of street litter, and keeping gardens/ drives clear of litter which is blown around the streets.

The opening hours of the restaurant are significantly longer than the previous business. These negative externalities, noise, additional traffic, pollution and unpleasant smells will be naturally greater than levels in the past and will continue for a longer amount of time each day."

STATUTORY AND INTERNAL COMMENTS

Transport (Development Management) Team has commented as follows:-

Traffic Generation

I visited the site on the afternoon of Saturday 18 October and noted the existing traffic behaviour and queues. This is predicted in the Transport Statement to be the peak time of use. Traffic levels were about 600 - 800 vehicles per hour each way, and temporary queues formed at each cycle of the lights, often reaching as far as the site entrance. It was also notable that in both directions traffic comes in bursts, due to the influence of the Lodge Causeway and Royate Hill traffic lights. I have also seen that similar behaviour tends to occur on weekdays during peak periods.

The proposed use will lead to extra trips on Fishponds Road; however I accept the developer's argument that only a proportion of the trips will be newly created on the network. This is because a large proportion will be either linked trips going to or from shops or leisure facilities, or trips by people who pass by the site on their way home. There will also be trips where the customers would have gone to another restaurant on Fishponds Road in the absence of this site. The stated proportion of new trips is a maximum of 29% of the journeys to the development on the Saturday peak, equivalent to about 28 extra vehicles in a one hour period, or about 4% of peak time traffic flow, and this seems a reasonable estimate of the expected impact.

Turning Movements

While we do not have an objection to the level of traffic that would be generated on Fishponds Road, we are concerned about turning movements, specifically the right hand turn into the site by cars coming from the Lodge Causeway direction. The reasons are as follows:

It is likely that cars will often have to wait on Fishponds Road when turning in, and this will lead those following behind to swerve to the left to get past. The bus lane has a break due to the Drummond Road junction, so cars may swerve into the path of buses, cyclists and motorcyclists using the bus lane.

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The poor location of the entrance relative to Drummond Road means that a car turning into Drummond Road could be blocked by cars turning into the site. Drummond Road leads to about 100 houses so these movements would be significant at peak times. To prevent blockage minor roads/entrances on opposite sides of a main road are best aligned to the right of each other, rather than to the left as shown here.

Cars making the right hand turn out of the site would further interfere with these two right hand turning movements, adding to the complication of the entrance.

The resumption of the bus lane after Drummond Road is exactly at the point where cars would have to stop and wait to turn right into the entrance, creating uncertainty in the minds of drivers travelling straight on along Fishponds Road.

We have had detailed discussions with our traffic engineers to find a solution to these difficulties; however we have not been able to come up with a suitable scheme and in the absence of clear proposals recommend refusal of the application.

Pedestrian Safety

The proposal does not show any means of crossing Fishponds Road. As the site is intended to attract pedestrians within a highly developed local catchment, this would have a significant impact on road safety. However it is not clear that the road in this vicinity has width to support a pedestrian island, due to the complications of the bus lane, nearby dropped kerbs and the road junction. In the absence of a suitable means for pedestrians to cross to this site we recommend refusal of the application.

Internal Queuing

The order windows are shown deep within the site, allowing about 60 m of queuing space. This allows for 14 cars which appears sufficient and, using the McDonald's outlet on Sheene Road as a comparison, I consider it most unlikely that queues would ever build up so as to overflow onto Fishponds Road.

Parking

The provision of 32 parking spaces is above the Local Plan standard for this type of development. This does help avoid parking in the nearby streets, but the provision of destination parking is known to increase car trips. This site would already be an attractor of traffic as discussed above. Even though the traffic level is not considered in its own right to overburden Fishponds Road, the purpose of the maximum standards is to help reduce driving in the city as a whole by reducing the incremental effect of each new development.

The set standard is one space per 20 sq.m., which equates to 9 spaces, to which can be added the two grill bays and one disability space. It may well be that the Planning Committee consider it suitable to go above maximum standards in order to help protect the local area but a level three times the maximum standard does seem overly high.

Two cycle stands have been shown at the front of the site, which will allow for 4 cycles to be parked, and this meets the Local Plan standard.

Servicing

A swept path drawing has been included which shows the movements of a lorry delivering from the eastern side of Fishponds Road. The manoeuvre from the west would be similar in terms of internal movements. The drawing presented is rather complex and covers a wide sweep within the car parking area.

Although it was not apparent at the pre-application stage, we recommend that manoeuvres of this

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nature should only be undertaken when the business is closed, as they tend to conflict with any movements of cars or pedestrians. It does not seem feasible to remove all cars when a delivery is due in the daytime, and prevent anyone from arriving or departing. Evidence of how other sites operate may have a bearing on this. We recommend the applicant submit a more detailed servicing strategy to reduce conflict with pedestrians and cars, if this element of the application is to meet with approval.

Refuse collection is to be made by arrangement with a commercial company, so this can be done by a vehicle smaller than a full sized refuse truck.

Highway Works

If this development were to go ahead, the pavement outside should be restored to full upstand and repaired along the entire frontage, with a footway crossover at the entrance. The low fence shown on the plan should be maintained, to ensure that drivers use the proper exit and do not have the possibility of driving straight out across the pavement. Standard Condition B1 and IO25 apply.

Summary

This site does not deal satisfactorily with the turning movements that would be created, and does not offer sufficient pedestrian facilities. The car parking levels are considered over-high for a development of this size, and we also have an objection at present to the process for making deliveries to the site.

Pollution Control have commented as follows:-

Noise

The assessment only assesses the noise as it affect the adjacent properties and no assessment has been made of whether any noise from the development will affect the residents of Lodore Road at the rear. Whilst I appreciate that these properties are further than those to the side these properties are further away from traffic on Fishponds Road and I feel that an assessment of the predicted noise at these properties should be made.

The acoustic report predicts LAmax noise levels from car doors slamming at the Star Inn are higher than the LAmax level of 45 dB internal and 60 dB external we would usually agree to for such a development between 23.00 and 07.00.

The predicted noise levels for the site are based on there being a 2m high boundary fence but I can't see any specific details of this fence.

No assessment has been made regarding noise from deliveries, collections or from customers using any outside areas.

Odour

Details of the odour abatement system are mentioned but I really need to see more detailed information.

Lighting

I am concerned about some of the overspill of light onto neighbouring properties. Whilst the predicted light spill onto surrounding properties is generally below the pre curfew levels as determined by Obtrusive Light Limitations for Exterior Lighting Installations in table 2 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01:2011 the post curfew levels (after 23.00) will potentially be above the recommended levels at 533 Fishponds Road and the Star Inn.

Overspill of light on to land at both the Star Inn and the rear of properties at Lodore Road is at levels that occupiers may feel is unreasonable onto their land but is within the above guidance due to this being based on affected windows. I would confirm with regards to lighting that my main

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concern is with lighting affecting the front of 533 Fishponds Road. The lighting plan submitted gives details of the horizontal lux levels whilst in accordance with the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2011 recommended light levels are given vertical lux levels.

In order to show that this development is in accordance with the ILE Guidelines I would really need to see details of the vertical illuminance on the windows of 533 Fishponds Road.

Conditions

If the planning committee are minded to grant this application conditions covering the following should be added to any approval:

1. Details of Extraction/Ventilation System
2. Odour Management Plan
3. Noise assessment from development to nearby occupiers and scheme of mitigation
4. Details of the boundary fence
5. Noise from plant & equipment to be at least 5 dB below the pre-existing background level
6. Time restriction on servicing/deliveries
7. Hours of opening be restricted to 07.00 to 23.00
9. Restriction of use of outside areas after 20.00.
10. Artificial Lighting (external) to meet specified standard.

Public Health have commented as follows:-

Bristol City Council has statutory responsibilities for promoting and safeguarding the public's health under the Health and Social Care Act 2012. This means that it has a duty to enact policies aimed at improving life expectancy, reducing inequalities in health, and reducing the prevalence of excess weight in both children and adults. These duties are specified in the Government's 'Public Health Outcomes Framework' for local authorities. Bristol City Council is also a member of the UK Healthy Cities Network, which means that it is committed to putting health improvement and reduced health inequalities at the core of all its local policies. Bristol City Council is a member of the Health and Wellbeing Board for Bristol which has as a key priority the achievement of 'a healthier, more sustainable, more resilient food system for the city to benefit the local economy and the environment'.

The advertising and sale of energy dense 'fast foods' that are high in calories, high in fat, sugar and salt, and relatively low in nutrients has been shown to contribute to the recent epidemic in overweight and obesity in children and adults, and to high rates of type 2 diabetes and cardiovascular disease. There is evidence that food consumed outside the home i.e. takeaway foods and carbonated sugary drinks are higher in calories than food and drink prepared at home, and that they contribute to obesity as well as to poor dental health especially in children.

The shift in recent decades to greater use of car dependant modes of travel and shopping has also contributed to worsening health and increased health inequalities, with the majority of the population now taking insufficient normal daily physical activity for the maintenance of good health.

The Department of Health's 2011 paper 'A Call to Action on Obesity' states that; "Overweight and obesity represent probably the most widespread threat to health and wellbeing in this country...Excess weight is a major risk factor for diseases such as type 2 diabetes, cancer and heart disease. Alongside the serious ill-health it provokes, it can reduce people's prospects in life, affecting individuals' ability to get and hold down work, their self-esteem and their underlying mental health. Excess weight costs the NHS more than £5bn each year. More broadly, it has a serious impact on economic development"

The Government's Public Health White Paper "Healthy Lives, Healthy People" (November 2010) states that "local planning authorities already have the ability to regulate new development of fast-food restaurants" (page 56). This was repeated in the Government's "A Call to Action on Obesity in

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England” (October 2011, page 28).

For these reasons, the provision of a chain restaurant specialising in fast food, and which includes a drive-through outlet, will be a move in the wrong direction as it will not contribute to improving health or to reducing health inequalities for people in Bristol. The key public health concerns are about healthy eating and about the promotion of a car dominated environment.

There is also concern about the adverse impact of a café/takeaway use on the living environment and amenity of the residents above and living close to the proposed café/takeaway in terms of smells, noise, disturbance, litter and traffic.

The Planning Committee therefore has a duty to consider the overall Health Impacts of this proposed development (under Health Policies DM 14) and to consider the concentration of restaurants, cafes and takeaways in the vicinity, and the proximity to schools (Development Management policy DM10).

Nature Conservation have commented as follows:-

The submitted ecology report is satisfactory provided that conditions covering the following are applied:

1. Details for four built-in bird and two built-in bat boxes to include at least two swift boxes.
2. Landscaping of the site should predominantly employ native species of local provenance.
3. The provision of a living (green/brown) roof to provide compensatory habitat for wildlife.
4. No clearance of vegetation or structures suitable for nesting birds between 1st March and 30th September without written approval
5. A badger mitigation scheme due to evidence of badgers and burrows being found nearby.
6. Measures to protect badgers during construction.
7. The careful dismantling of buildings as identified in the Preliminary Ecological Assessment dated December 2014 under the supervision of a licensed bat worker and a pre-demolition method statement should they be found to be roosting.
8. A method statement that takes account of the potential presence of protected and priority species including nesting birds, hedgehogs, amphibians and reptiles during demolition and site clearance works.

An advisory note on the legal protection of bats is recommended also.

Crime Reduction Unit has commented as follows:-

I recently viewed details of the above development. Having looked at the plans I have no concerns/comments regarding the proposed development however the only concern I have along with the local police that cover this area is the rear of the premises when it is closed. I recommend barrier or retractable bollards to stop vehicles entering this site to commit various criminal acts.

Urban Design has commented as follows:-

The proposed development represents a missed opportunity to reinforce the street frontage along this section of Fishponds Road by introducing enclosure and activity to the street. The proposed site layout positions the elongated footprint back from the highway edge and orientates it at a right angle to the highway. The result is a weak frontage, the impact of which is further reinforced by the large area covered with parking bays and vehicular routes. Some of this hard surfacing falls between the highway and the proposed building which weakens the relationship that the 'setback' building already has with the street. The architectural style appears uninspired and fails to reflect or respond successfully to local character and appearance. It appears out of character in a neighbourhood consisting largely of residential style buildings which present richly detailed facades and good quality materials. This development will not positively enhance the local townscape or street scene.

Development Control Committee B – 4 February 2015**Application No. 14/04519/F: 541-551 Fishponds Road Fishponds Bristol BS16 3AF****Contaminated Land Environmental Protection** has commented as follows:-

I recommend standard conditions B11 B12 B13 and C1 as we have not had the chance to review any site investigation reports.

Air Quality has commented as follows:-

The revised modelling gives a better and more realistic assessment of the potential impacts on air quality from the development proposal. The impacts are considered negligible and therefore not significant using the significance descriptors contained within the Environmental Protection UK Guidance: Development Control, Planning for Air Quality (2010). No exceedences of air quality strategy objectives are predicted at the modelled receptor locations as a result of this development proposal, therefore, I do not object to the development on the grounds of air quality.

Flood Risk Manager has commented as follows:-

Confirmation of drainage strategy required in which the use of SuDs is encouraged. Existing site run off rates should be reduced by 30% to comply with policy BCS16.

The Coal Authority has commented as follows:-

The Coal Authority concurs with the recommendations of the Remediation Strategy and Verification Plan; that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site.

The Coal Authority recommends that the LPA impose a Planning Condition should planning permission be granted for the proposed development requiring these site investigation works prior to commencement of development.

In the event that the site investigations confirm the need for remedial works to treat the areas of shallow mine workings to ensure the safety and stability of the proposed development, this should also be conditioned to ensure that any remedial works identified by the site investigation are undertaken prior to commencement of the development.

The Coal Authority considers that the content and conclusions of Remediation Strategy and Verification Plan are sufficient for the purposes of the planning system and meets the requirements of the NPPF in demonstrating that the application site is, or can be made, safe and stable for the proposed development. The Coal Authority therefore withdraws its objection to the proposed development subject to the imposition of a condition or conditions to secure the above.

RELEVANT POLICIES**National Planning Policy Framework – March 2012****Bristol Core Strategy (Adopted June 2011)**

BCS7	Centres and Retailing
BCS8	Delivering a Thriving Economy
BCS9	Green Infrastructure
BCS10	Transport and Access Improvements
BCS11	Infrastructure and Developer Contributions
BCS13	Climate Change
BCS14	Sustainable Energy
BCS15	Sustainable Design and Construction
BCS16	Flood Risk and Water Management
BCS20	Effective and Efficient Use of Land
BCS21	Quality Urban Design
BCS23	Pollution

Development Control Committee B – 4 February 2015**Application No. 14/04519/F: 541-551 Fishponds Road Fishponds Bristol BS16 3AF****Bristol Site Allocations and Development Management Policies (Adopted July 2014)**

DM1	Presumption in favour of sustainable development
DM7	Town centre uses
DM8	Shopping areas and frontages
DM10	Food and drink uses and the evening economy
DM12	Retaining valuable employment sites
DM14	The health impacts of development
DM15	Green infrastructure provision
DM17	Development involving existing green infrastructure
DM19	Development and nature conservation
DM23	Transport development management
DM26	Local character and distinctiveness
DM27	Layout and form
DM28	Public realm
DM29	Design of new buildings
DM32	Recycling and refuse provision in new development
DM33	Pollution control, air quality and water quality
DM34	Contaminated land
DM35	Noise mitigation
DM37	Unstable land

KEY ISSUES**(A) IS THE LOSS OF THE EXISTING EMPLOYMENT USE ACCEPTABLE?**

The lawful use of the property is as a B8 warehouse, albeit one that is outside of a designated primary industrial and warehousing area. Nonetheless, consideration needs to be given to the loss of the employment use of the site in accordance with policies BCS8 of the Bristol Core Strategy and DM12 of the Bristol Site Allocations and Development Management Policies (SADM).

Policy BCS8 states that employment land outside of the Principal Industrial and Warehousing Areas will be retained 'where it makes a valuable contribution to the economy and employment opportunities'. Policy DM12 referenced above set out that employment sites should be retained for employment use unless it can be demonstrated that:

- i. There is no demand for employment uses; or
- ii. Continued employment use would have an unacceptable impact on the environmental quality of the surrounding area; or
- iii. A net reduction in floorspace is necessary to improve the existing premises; or
- iv. It is to be used for industrial or commercial training purposes."

Of the above criteria, the first is considered the most relevant. The application includes a detailed marketing statement. The statement clarifies that the existing use is in need of substantial renovation due to poor maintenance, water ingress and an ageing asbestos single skin roof and also sets the scene for the current market for commercial premises with sufficient supply for a two year period.

The property was marketed since early 2013 on a passive basis responding to queries due to uncertainty as to whether a break clause would be exercised by the then tenant (tile warehouse). Once this was confirmed detailed marketing began in April 2013, including signage boards, advertising through various internet resources and direct mailshots to companies within the area. 33 enquiries were received in total, with 4 progressing to viewings and no offers made. The reasons for failure to pursue can be summarised

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as the quality, size and location (distance to motorway) of the premises, as well as the need for change of use for enquiries relating to various alternative uses (from car dealerships and retail to gyms and residential uses – all which fall outside of B1-B8 ‘employment uses’). As a result, the report concluded that:

“The marketing that has been carried out to date shows that there is limited demand. Looking at this objectively there are a number of reasons for this.

- a) In a difficult market conditions there is a tendency for occupiers to gravitate to better quality units in more established locations.
- b) Occupiers have concerns about the quality of the unit.
- c) The location is more suited to retail/residential uses and the proximity to housing is a major deterrent.
- d) Access to the property itself and to the motorway is difficult.”

This reflects the position accepted under the previous 13/03166/P scheme where it was concluded that the proposal satisfactorily addressed this matter. The proposed loss of employment floorspace can therefore be accepted in these circumstances. It should also be noted that the scheme would provide new employment opportunities and the applicant advises the scheme would create 35 full-time roles and 30 part-time roles for a total full-time equivalent of 45 staff.

(B) IS THE PROPOSED RESTAURANT/HOT FOOD TAKE-AWAY USE ACCEPTABLE IN LAND USE TERMS?

It is noted that some objectors consider the proposal unacceptable by virtue of being within a ‘residential area’. The site is located within a designated secondary shopping frontage within the Fishponds Town Centre as defined by the adopted SADM. Policy BCS7 states that:

“Uses which contribute to maintaining the vitality, viability and diversity of centres will be encouraged. Active ground floor uses will be maintained and enhanced throughout the centres.

Retail shop uses will predominate in the designated primary shopping areas of the City and Town Centres, supported by a wider range of appropriate uses in the other parts of these centres.”

For clarification supporting Para. 4.7.15 states that “Active ground floor uses are generally those falling within Use Classes A1 to A5”. While concerns have been expressed about the potential for competition with established traders this is not a material planning consideration beyond the overall vitality and viability of the centre. The proposal would constitute an active ground floor use upon a site that currently does not have such a use. Policy DM7 covering town centre uses states that “main town centre uses should be located within the centres identified on the Policies Map.” Drive-through restaurants are defined as a ‘main town centre use’ within the National Planning Policy Framework (NPPF). This seeks to encourage active uses to congregate for ease of access by public transport and linked trips to support one another. On this basis the proposal can only be assessed as contributing to the vitality, viability and diversity of the centre.

It is noted that while the previous refused retail development required sequential testing as a retail use outside of the ‘core shopping area’, this does not apply to main town centre uses other than retail.

Policy DM8 applies criteria for assessment of developments within secondary shopping frontages as follows:

“Within Secondary Shopping Frontages the development of retail or other related uses

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will be acceptable where they would help to maintain or enhance the function of the centre.

In all cases the proposed use will be expected:

- i. To complement the retail function of the centre and not harm it's vitality, viability or diversity; and
- ii. Not to harmfully dominate or fragment frontages; and
- iii. To maintain an appropriate balance and diversity of uses in all parts of the Secondary Shopping Frontage; and
- iv. To generate a reasonable level of footfall and be of general public interest or service; and
- v. To be compatible with a shopping area in that it includes a shopfront with a display function and would be immediately accessible to the public from the street."

The proposal must be assessed against the current use remaining. On this basis the proposal would contribute to delivery against criteria (i) as set out above; result in a reduction in the fragmentation of the current frontage through the delivery of an active ground floor use under criteria (ii); contribute to additional footfall and be of general public interest/service under criteria (iv) and incorporate a shopfront under criteria (v) in respect of the proposed design, which includes an access and glazed frontage to the customer area from the highway within the street elevation. Criteria (iii) is assessed in relation to the policy below.

Site Allocations and Development Management Policies Policy DM10 states:

"Development of food and drink uses will be acceptable provided that they would not harm the character of the area, residential amenity and/or public safety, either individually or cumulatively. Proposals which would result in a harmful concentration of food and drink uses will not be permitted.

In order to assess the impact of food and drink proposals on an area the following matters will be taken into account:

- i. The number, distribution and proximity of other food and drink uses, including those with unimplemented planning permission; and
- ii. The impacts of noise and general disturbance, fumes, smells, litter and late night activity, including those impacts arising from the use of external areas; and
- iii. The availability of public transport, parking and servicing; and
- iv. Highway safety; and
- v. The availability of refuse storage and disposal facilities; and
- vi. The appearance of any associated extensions, flues and installations."

Criteria (ii)-(vi) are assessed in detail within the key issues below. Criteria (i) effectively expands upon criteria (iii) set out in Policy DM8 above. The 2014 Bristol Town Centre Retail Analysis includes an authoritative survey of the uses for each unit within the Fishponds Town Centre carried out in May 2014. This shows that within the centre as a whole food and drink uses constitute 15% of units within the centre (comprising of 6% A3, 3% A4 and 6% A5). The proposal would increase this by 0.5% such that it would remain at 15% when rounded to the nearest whole number (from 14.9% to 15.4%). This compares to a city average of 18% (comprising of 10% A3, 3% A4 and 4% A5). The proposal would therefore not result in a harmful number of such uses.

The existing shopping frontage is fragmented at this point with a residential terrace acting as a visible break in the frontage heading north-east. To the south-west is an adjacent public house, newsagents and to the other side of Brentry Road beyond is a terrace of 10 units which has a hot-food takeaway use at either end.

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It is also noteworthy that the vacancy rate within the Fishponds Town Centre is the second highest of the designated town centres at 11% (compared to a city average of 8%) and the proposal would bring additional vitality and viability to the centre.

The proposal would therefore arguably enhance the function of the centre and not harm the character of the area in conjunction with the number, distribution and/or proximity of other food and drink uses. Officers therefore consider that the proposal addresses this key issue.

(C) WOULD THE PROPOSAL WARRANT REFUSAL ON PUBLIC HEALTH GROUNDS?

Policy DM14 sets out that “Development should contribute to reducing the causes of ill health, improving health and reducing health inequalities within the city” and that “Developments that will have an unacceptable impact on health and wellbeing will not be permitted.” It lists four criteria for consideration:

- i. Addressing any adverse health impacts; and
- ii. Providing a healthy living environment; and
- iii. Promoting and enabling healthy lifestyles as the normal, easy choice; and
- iv. Providing good access to health facilities and services.”

It is noted that concerns over the health effects of hot-food takeaways and drive-through restaurants have been raised in both the public consultation response and comments from BCC Public Health, particularly in regard to the specific end-user. The specific nature of the end-occupier is not a material planning consideration and this key issue can only focus on the proposed use in general as a drive-through restaurant/takeaway. The planning system cannot place a blanket moratorium on such uses, where the NPPF and adopted local policies actively consider these as appropriate uses within designated centres such as this site. A reason for refusal on the principal of the use without any site specific justification would therefore not be reasonable.

The health impacts of development are however a clear material planning consideration and committee members are entitled to assess the specific suitability of the location of the development on this basis. Policy DM10 provides the basis for assessing this particular point for the proposed use within the SADM in stating that “Takeaways in close proximity to schools and youth facilities will not be permitted where they would be likely to influence behaviour harmful to health or the promotion of healthy lifestyles.” Para. 2.10.5 of this document provides supporting guidance upon the application of this policy as follows:

“Where they are located close to locations where young people gather, takeaway uses (Use Class A5) have the potential to influence behaviour harmful to health or to the promotion of healthy lifestyles. Therefore, the policy takes those health considerations into account. Close proximity is defined as a distance of up to 400 metres for the purpose of these considerations.”

Some objectors have noted that the site is within 250m of the nearest school, Bristol Metropolitan Academy. This is based on a direct point to point measurement. However, the shortest travelling distance by foot is considered the most reasonable means of measuring this, as the distance that would have to be actually travelled by pupils of the relevant schools. On this basis, the site is 430m to the St Matthias Park Pupil Referral Unit on Alexandra Park and 450m to the Bristol Metropolitan Academy immediately to the north of this, which can be accessed from Grove Road. Other nearby schools such as the Fishponds Church of England Academy, Chester Park Junior School and Steiner Academy Bristol are located further afield. It is noted that a number of objectors have referred to school children utilising the nearby bus stops to Fishponds Road. While the supporting text above does reference ‘locations where young people gather’ the policy wording itself refers to ‘schools and youth facilities’. The wording within the policy takes primacy and to expand the

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application of the policy beyond this would not be reasonable. Overall, officers consider that the proposal complies with this policy.

The proposal therefore addresses this key issue.

(D) DOES THE PROPOSAL ADEQUATELY ADDRESS TRANSPORT AND MOVEMENT ISSUES?

This key issue represents the most frequently raised area of concern from the consultation response. Specifically in relation to impacts upon traffic flow along Fishponds Road, concerns over knock on-effects to nearby side streets and on-street parking demand in the locality have also been raised. Policy BCS10 and DM23 set the context for this key issue.

(i) Vehicular Access and Traffic

Policy DM23 states that “Development should not give rise to unacceptable traffic conditions and will be expected to provide... Safe and adequate access for all sections of the community within the development and onto the highway network including designs which secure low vehicle speeds; and... For appropriate transport improvements to overcome unsatisfactory transport conditions created or exacerbated by the development”.

The NPPF states that developments should “create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians”. Decisions should take account of whether “safe and suitable access to the site can be achieved for all people” and “improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”

Policy DM23 also advises that proposals should be supported by a Transport Statement where development is likely to have a significant traffic impact. The submitted application includes a Transport Statement. This is informed by:

- A 7 day traffic count of traffic volumes and speeds from Monday 14th July 2014
- A survey of the McDonalds drive-through restaurant at Sheene Road in Bedminster during peak periods for comparison (due to its location near a designated centre on an A road) and incorporated customer interviews to establish trip types.
- Accident data for the Fishponds Road locale.

The submitted assessment sets out that the peak operating times for the proposed use are 16:00-19:00 Friday and 11:00-15:00 Saturday [herein referenced as the ‘peak periods’]. Within these times the ‘Friday peak hour’ was 17:00-18:00 and ‘Saturday peak hour’ 14:00-15:00. Table 1 below sets out the background traffic movements compared for these peak times and peak hours with the proposed new movements generated using the compared Sheene Road site as the basis for informing this. This is based on interviews with customers to ascertain what proportion of trips to the compared site are ‘additional trips’ (i.e. generating new traffic that is not already passing the site), or ‘existing trips’ (i.e. where traffic is already passing the site). This concludes that 26% of traffic attending during the Friday peak period and 29% during the Saturday peak period would be ‘additional trips’. This is not broken down into individual hours.

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Table 1 – Existing traffic movements and site movements

Period	Fri 16:00- 19:00	Fri peak hour (17:00- 18:00)	Sat 11:00- 15:00	Sat peak hour (14:00- 15:00)
<i>Fishponds Rd eastbound</i>	2296	775	2704	767
<i>Fishponds Rd westbound</i>	2047	679	2611	593
<i>Total existing movements</i>	4343	1454	5315	1360
Forecasted development arrivals	184	60	309	96
Forecasted development departures	186	69	318	103
Total forecasted development movements	370	129	627	199
<i>Total new two-way traffic movements forecast along Fishponds Road generated by development</i>	96	34	182	58
<i>% increase in movements to Fishponds Rd</i>	2.21%	2.34%	3.42%	4.27%

The above table shows that existing background movements (combining east and westbound movements) during the Friday and Saturday peak periods on Fishponds Road were 4343 and 5315 respectively and for Friday and Saturday peak hours was 1454 and 1360 respectively, with traffic split relatively evenly east and west bound.

The assessment advises that during the Friday and Saturday peak periods that additional traffic movements along Fishponds Road for the proposed development are forecast to amount to 96 and 182 movements respectively and for the Friday and Saturday peak hours as 34 and 58 respectively. This would predict an increase in vehicle movements along Fishponds Road during the Friday and Saturday peak periods of 2.21% and 3.42% respectively and during Friday and Saturday peak hours of 2.34% and 4.27% respectively.

While concerns have been expressed over the methodology employed, BCC Transport have advised that the estimated traffic generation and new trip generation is a reasonable estimate of the expected impact. The Transport Statement does not break down impact for morning weekday peak traffic flows along Fishponds Road, except for the Friday PM peak for the proposed use and this is considered reasonable due to assessing the worst impact.

Accident data supplied (for the previous 5 year period between the junctions of Lodge Causeway and western junction of Alcove Road) notes 3 'slight' accidents adjacent to the site, including 1 involving turning at the junction of Drummond Road. A further 14 accidents, all 'slight' except for 1 'serious' accident are noted within this area. One involved an adult pedestrian and 8 involved turnings at junctions including the one 'serious' accident.

The proposed drive-through facility would allow space for 14 queuing cars. With a maximum queue of 11 cars at the compared premises on Sheene Road, BCC Transport consider this appropriate. Vehicular access is gained from the western side of the site through a cross-over maintaining pedestrian priority of the pavement and BCC Transport are satisfied with this arrangement.

BCC Transport and objectors have noted that due to the nearby signalled junctions that traffic comes in bursts, particularly west-bound traffic from the nearby Lodge Causeway junction. BCC Transport have advised that they do not object on the basis of the new traffic generated in principle but do have concerns about right-turning traffic. Specifically they are concerned about the site's location, where traffic commonly queues across the access in an eastbound direction, which in turn will generate queues in a westbound direction when vehicles attempt to access the site from the

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east. Due to the right turns into the site crossing the junction with Drummond Road, and the associated break in the bus lane, this will lead to through traffic diverting into this lane causing conflict with buses, taxis, motorcyclists and cyclists using the bus lane. This would also cause traffic wishing to enter Drummond Road, which serves approximately 100 houses, to be blocked by right turning traffic to the proposed development. Further to this, traffic wishing to turn right out of the site would have to contend not only with right turning traffic into the site but with traffic attempting to enter Drummond Road at a time when both of which would obscure visibility of traffic diverting into the gap in the bus lane to continue westbound along Fishponds Road.

The above potential for conflict raised is a serious and severe highway safety concern given that the development is forecasted to generate 60 arrivals and 69 departures during its Friday peak hour of operation and 96 arrivals and 103 departures during the Saturday peak hour of operation, which coincide with congestion on Fishponds Road, which commonly queues across the access. All of these arrival and departure trips result in a turning movement and these figures represent a significant increase.

Some objectors have criticised the use of Sheene Road as a comparison for the proposed development. BCC Transport have advised that whilst the drive-through operation adjacent to Sheene Road may be of use in terms of understanding trip generation and parking, they do not consider this comparable with the Fishponds Road location in respect of access/safety, given that the Sheene Road store does not directly access a major transport artery but instead a side road (St. John's Street) which benefits to some extent by the presence of signals, including pedestrian phases which regulate and halt the flow of traffic on a regular cycle, assisting safe movement in and out of the store.

The same cannot be said for the site in question where, during the weekday evening and Saturday afternoon peak hour a stationary eastbound queue occurs along Fishponds Road during the same time as free-flowing conditions in a westbound direction. Additionally, whilst the junction of East Street and St. John's Street consists of a formal bellmouth arrangement which denotes the presence and status of the junction, the same cannot be said for the access proposed. Further to this, movements into and out of this site are not compromised either by a bus lane or an existing junction serving 100 dwellings on the opposite side of the road which further serves to generate additional movements and potential conflict.

It is noted that the previous application to the site under application 13/03166/P was not refused on highway grounds and this allowed for a 595m² retail use and 7 two bedroom apartments alongside 17 spaces. The traffic generation from this scheme was predicted to be substantially less than that proposed with 43 movements predicted during the Friday peak hour for the refused scheme compared with the predicted 129 for the proposed use.

The submitted Transport Statement sets out that access can suitably be gained, detailing the removal of the existing dropped kerb access to the eastern side of the frontage, appropriate visibility for the speed of the road from the proposed access and modelling the relationship with Drummond Road during peak times. This concludes that suitable capacity exists for right turning traffic when modelled during the peak hour of operation of the proposed use and when modelled with a 175% increase in traffic and movements to/from site during the peak hour also. While this concludes that capacity may exist for the proposed vehicle movements this fails to address the potential conflicts expressed above. BCC Transport have also challenged these outputs, chiefly due to the manner in which the modelling software program used, 'PICADY', assess such matters. This assumes a situation of free-flowing traffic. It therefore has no regard to the operation of further junctions upstream and the blocking-back that occurs across the access. The program is further limited in its calculations in that it assumes that traffic is evenly spaced across the hour of assessment (e.g. – 60 vehicles per hour = 1 vehicle per minute). Experience of these scenarios and this location is clear in that this will not accurately represent the proposal in question given the nearby traffic lit junctions resulting in traffic moving in blocks.

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BCC Transport have advised that detailed internal consideration of how these problems could be addressed was undertaken and no solution could be identified that would fulfil the requirement to ensure safe and appropriate access for all user of the highway in this location. One option included a right-turn lane and another considered banning right-turns in this location. With insufficient space being available for the former as well the detriment this would cause to the operation of public transport, the latter would encourage unacceptable levels of traffic to detour onto nearby narrow side streets, to undertake right-turns elsewhere. A right-turn ban would also be impossible to design or enforce due to the needs of residents / and employees to access homes and businesses on Drummond Road.

(ii) Pedestrian and Cycle Access/Parking

The site is clearly within an accessible location being located in-centre and upon the showcase bus route along Fishponds Road. Appropriate cycle storage provision is also made in accordance with the parking appendix to Policy DM23 in the form of 4 spaces through two Sheffield stands. Suitable pedestrian/cycle access is set out within the site from a dedicated access from Fishponds Road to segregate this from vehicles. While this does incorporate a crossing over the drive-through route BCC Transport have no objection to this arrangement.

The submitted Transport Statement sets out that during the Friday and Saturday peak times 99 and 69 respective pedestrian movements (i.e. separate for arrival to and departures from site) were observed at the compared site. Such movements would originate within the local area and the assessment considers that there are sufficient crossing points along Fishponds Road so as to provide safe access to the site. It is noted that the previous refused scheme to the site for a 595m² retail use was not refused on transport grounds and contained no assessment of pedestrian trip generation within its transport assessment.

BCC Transport have advised that the volume of pedestrian movements associated with the proposed development would result in significant demand for crossing immediately adjacent to the site (it is noted that a pedestrian footway over the cycle path exists to the end of Drummond Road opposite). They consider that the road is insufficiently wide to accommodate a traffic island due to the complications of the bus lane, nearby dropped kerbs and the road junction with Drummond Road. They have therefore raised an objection on the basis of pedestrian safety.

(iii) Vehicle Parking

Policy DM23 states that the development should provide “an appropriate level of safe, secure, accessible and usable parking provision having regard to the parking standards [set out within the parking schedule in Appendix 2 of the adopted Bristol Site Allocations and Development Management Policies], the parking management regime and the level of accessibility by walking, cycling and public transport.”

The parking schedule sets out maximum provision as one parking space per 20m² dining and eating space for food and drink (A3-A5) uses and that 5% of this should be provided in disabled provision in addition with a minimum of one space of disabled parking for units over 500m². This would amount to a maximum of 9 spaces and at least 1 disabled space in addition. The proposal seeks 32 parking spaces comprising of 28 general spaces, 2 ‘grill bays’ (for customers awaiting drive-through orders) and 2 disabled spaces. The proposal therefore exceeds the specified maximum standard by three times.

BCC Transport have advised that they would discount the grill bays as not forming meaningful parking provision, but part of the drive-through. They have also acknowledged that the additional parking would help reduce any potential on-street parking impact in the surrounds and concern over such an impact has been raised in the consultation response. Such an effect has been taken into account in previous committee decisions on both the last refusal to this site and a scheme nearby to the east at 574-590 Fishponds Road (both for retail provision) where an overprovision of 1/3 was accepted. The submitted Transport Statement advised that the compared site had a maximum

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peak parking use of 27 vehicles and averages of 15 and 21 on Friday and Saturday peaks respectively and therefore argues that the scheme is designed to address parking demand.

It is noted that the Transport Statement also makes a commitment to a travel plan to encourage alternatives means of transport than the private car, but one has not been submitted at application stage. A Travel Plan should be secured by condition on any approval in accordance with Policy DM23 which expects travel plans for sites that generate significant amounts of traffic.

Policy BCS10 sets out that proposals will be determined against the priorities set out in the joint Local Transport Plan that emphasis alternatives to the private car, with para. 2.23.7 to Policy DM23 setting out that “the approach to parking aims to promote sustainable transport methods” and it is therefore implicit that the parking standards expressed as a maximum are a demand management measure.

BCC Transport have stated that “the provision of destination parking is known to increase car trips. This site would already be an attractor of traffic as discussed above. Even though the traffic level is not considered in its own right to overburden Fishponds Road, the purpose of the maximum standards is to help reduce driving in the city as a whole by reducing the incremental effect of each new development.” Reduction in parking has been raised with the agent by officers as part of potential design improvements and the parking standards set out above but not pursued by the applicant due to the operational requirements of the proposed end-use.

Officers therefore consider that the proposal provides excessive parking provision, encouraging car use. This factors into the highway safety impacts resulting from the traffic levels and movements generated by the proposals raised above. Members are however entitled to exercise their discretion in weighing up the potential nearby on-street parking impacts of a lower parking provision.

(iv) Servicing

Policy DM23 sets out that development will be expected to “Provide appropriate servicing and loading facilities.” No set standard for dedicated servicing provision is set for the proposed use at this size.

The submitted Transport Statement sets out that 3 deliveries per week by articulated lorries for times of 15 minutes to 1 hour would take place. It advises that a 2-hour delivery window is set with a 2 day advance notification to the restaurant and a 30 minute automated notification before the arrival of the vehicle. This set outs that deliveries are avoided during peak periods (i.e. meal times). It is proposed that servicing will take place from within the car park.

The submitted Transport Statement includes a swept path drawing that shows the movements of a lorry delivering from the eastern side of Fishponds Road (BCC Transport note that the manoeuvre from the west would be similar in terms of internal movements). The drawing presented covers a wide sweep within the car parking area indicating that 17 parking spaces, including the two disabled spaces and the two grill bays would need to be kept clear to provide access and turning for servicing. The spaces utilised are also those closest to the proposed building and thus the most likely to be utilised at times of lower demand.

Officers advised at the pre-application stage that manoeuvres of this kind should only be undertaken when the business is closed, as they tend to conflict with any movements of cars or pedestrians. Even accepting a 30 minute advance warning of the precise delivery time it does not seem feasible to remove all cars when a delivery is due in the daytime, and as such would restrict the ability of customers to arrive or depart, or servicing vehicles to access the site, leading to possible obstruction of the highway whilst servicing vehicles await customers leaving.

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BCC Transport have therefore requested that evidence of how other sites operate may assist in clarifying the proposed servicing strategy and recommend that the applicant submit a more detailed servicing strategy to reduce conflict with pedestrians and cars. No further details have been provided at the time of this report. In the absence of further details to demonstrate that this arrangement can be delivered without harm to pedestrian/vehicle movements, the proposal fails to demonstrate adequate servicing.

Refuse is also collected 3 times a week by private contractor. Deliveries also include collection of cooking oil for re-use as bio diesel within the contracted delivery fleet. It is noted that the previous refused scheme, where servicing was not raised as a concern, had a dedicated servicing area for the proposed retail use. BCC Transport have advised that this can be done by a vehicle smaller than a full sized refuse truck and have no objection to refuse collection arrangements.

(v) Conclusion to Key Issue

The proposal would result in highway safety harms to both pedestrians and vehicular traffic as a result of:

- The traffic generation causing queues for right-turning traffic into the site and Drummond Road encouraging vehicles to enter into the gap in the bus lane at the junction of Drummond Road and obscuring visibility of such traffic for right turning vehicles from the site resulting in vehicular conflict.
- Pedestrians seeking to cross at this location without appropriate crossing facilities.
- Parking provision over three times the maximum standard that contributes to the traffic generation and highway safety conflicts set out above.
- Servicing arrangements conflicting with pedestrian and vehicular movements within the site.

Officers therefore consider that the proposal fails to address this key issue.

(E) DOES THE PROPOSAL GIVE RISE TO UNACCEPTABLE HARM TO AMENITY OF NEARBY OCCUPIERS?**(i) Noise**

Noise was raised as a frequent concern from objectors. Policies BCS23, DM10 and DM35 apply. The proposal seeks operating times of 06:00 to 00:00 (midnight) across the week and the submitted application contains a noise assessment. This sets out existing background levels and utilised a comparison site of the applicant's to assess noise from customers (including vehicle noise, drive-through ordering/collection noise and vehicle doors closing).

BCC Pollution Control have reviewed this assessment and concluded that the submitted assessment fails to meaningfully assess the level of noise experienced by residents of Lodore Road. This has been identified by a number of objectors and relates to the background noise levels being assessed from a microphone placed nearby the adjacent first floor rear window of No. 553 Fishponds Road and will therefore have notably higher background levels from the nearby traffic noise when compared with the more comparatively remote rear gardens of Lodore Road that are currently also screened by the existing building to the application site. No confidence can therefore be had that the development would not give rise to unacceptable harm to the occupants of Lodore Road and in particular their private residential gardens.

BCC Pollution Control have also objected over the lack of assessment of noise from deliveries, refuse collection and outdoor customer use within the submitted noise assessment. No assurances can therefore be had that this arrangement would not result in unacceptable noise harm to surrounding residential occupiers.

No concern has been raised over noise from fixed plant by BCC Pollution Control. BCC Pollution Control have however advised that they have concerns over noise from door slamming to the Star Inn (that would exceed the levels usually considered acceptable between 23:00 and 07:00), the

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lack of a fully detailed 2m high boundary fence that is assumed within the noise assessment and that no noise from deliveries, collections or outdoor customer use has been taken into account.

With regards to the effects upon the Star Inn, this is a commercial use with a beer garden that would generate its own levels of noise and it is not considered that this would warrant a reason for refusal. The 2m high boundary fence can be secured by condition.

(ii) Light

A number of objectors also raised concerns over light pollution. Policies BCS23, DM10 and DM33 apply. BCC Pollution Control have advised that the lighting assessment submitted sets out satisfactory levels for the hours of 07:00-23:00, but higher standards are set out beyond this for night-time hours and the proposal will potentially exceed this for the Star Inn and No. 553 Fishponds Road.

This is because the lighting plan submitted is based upon 'horizontal lux levels'. This is the luminance as received at ground level and while impact to the commercial operation of the Star Inn is not problematic, concern is held that the potential luminance experienced at the first floor windows to No. 553 Fishponds Road would exceed the accepted standards. BCC Pollution Control therefore consider that details of the vertical illuminance at this level for this location are required to ensure that the lighting arrangements are acceptable. Despite a request, no further details of this have been forthcoming and as a result no confidence can be had that the proposal would not give rise to unacceptable harm to the occupiers of No. 553 Fishponds Road by way of light pollution.

It is noted that objectors have also raised concerns over light pollution to residents of Lodore Road. BCC Pollution Control have provided verbal commentary setting out that while illumination of private residential gardens is deterred the accepted standards are based upon affected windows and given the distances involved alongside the submitted lighting plan no light pollution harm to the properties of Lodore Road would occur.

(iii) Odour

Objectors also raised concerns over odour from the proposed use and Policies BCS23, DM10 and DM33 apply. The submitted application provides no details of the proposed extraction/ventilation equipment beyond the following reference within the submitted Planning Statement:

"McDonald's recognises the potential impact of noise and cooking odours on local amenity. In response to these impacts, McDonald's utilises an air extraction system which incorporates electrostatic precipitators and labyrinth systems that remove air borne grease and odours, and ensure that only purified air is expelled from the restaurant."

No details of this system have been submitted despite a request for further details. It is relatively unusual that such matters cannot be addressed and the ability to provide a solution depends on a number of factors, including height of dispersal flues, proximity to (and height of) residential uses, the numbers served, the type of food cooked (which is beyond the power of a planning permission to control) and equipment used. BCC Pollution Control advise that further information is required in order to demonstrate that odour impacts would not give rise to unacceptable harm. Given the lack of information and extent of the proposed use in such proximity to residential occupiers, combined with the likely necessary extraction/ventilation it is considered that no certainty can be had that this matter could be resolved by condition. The proposal therefore fails to address odour issues.

For issues of odour in relation to refuse storage/litter please see further below.

(iv) Privacy, loss of daylight/overshadowing and overbearing impact/sense of enclosure

Policies BCS23 and Policies DM27 and DM29 apply. The proposal would result in the removal of a large warehouse measuring approximately 10m high to ridge and 6m high to eaves that abuts the

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adjacent residential properties to Lodore Road and the Star Inn. This would therefore provide an identifiable amenity benefit in respect of overbearing impact/sense of enclosure and overshadowing to these private rear gardens, although the degree of impact to Lodore Road residents is ameliorated to some degree by the length of their rear gardens and tree planting.

To No. 553 Fishponds Road the existing building drops to the equivalent of single storey with a height of approximately 2.6m at the common boundary, with the main warehouse building set back by 6m from this boundary. The proposed building would be located up to 4.5-5.5m from No. 553 Fishponds Road and brought further forward than the current warehouse, but not extend across the entire length of its rear garden. This would have a height of 8m to the highest point of the roof and 7.5m to the roof edge.

The proposal would therefore increase the two-storey height at a greater proximity to No. 553 Fishponds Road than the existing warehouse form. However, this is of an overall reduced height and not across the whole depth of its garden. In addition, the existing single storey component along the entirety of its rear garden is removed. It should also be noted that established relationships with fronting two storey buildings to this north-western side of Fishponds Road would inevitably result in some degree of overshadowing to the rear of adjacent premises to the north-east.

A small number of objectors raised concern over loss of privacy and officers consider that this would only have a material impact with regard to the potential for overlooking into the private rear garden of No. 553 Fishponds Road or back into this neighbouring building at first floor level. The proposed two-storey development is principally finished in built form with glazing located to the southern half at both ground and first floor level. Officers had sought a plan showing the first floor translated to the site plan and a section to better demonstrate the relationship with the first floor glazing. When translating this to the eastern elevation it is considered that all but the southern-most set of windows would raise concern and the use of louvres (to obscure/direct away views), obscure glazing or removing of windows to be replaced with built form had been discussed with the agent and they had indicated that their client would be content to obscure glaze the staff room window and northern set of full height windows.

The northern-most windows would be visible from the first floor window of No. 553 Fishponds Road and members are required to take into account perception of overlooking as a material planning consideration. Concern is held over the size of these windows and the illumination that would be visible from No. 553 Fishponds Road resulting in a perception of overlooking to future occupiers as a result even if they were obscure glazed. A variation condition can secure alternative treatment to the northernmost set of full height windows and obscure glazing to the remaining relevant windows.

No objection has been received from No. 553 Fishponds Road and this arrangement is, subject to condition, overall considered to have a neutral impact upon No. 553 Fishponds Road in respect of overshadowing and sense of enclosure.

(iv) Refuse storage/litter

Policies BCS23, DM10 and DM32 apply. The matter of litter was the most regularly raised issue in objections received after transport and health considerations, with issues of odour and vermin also raised in connection with the refuse store and litter.

With regards to odour and vermin from the dedicated refuse storage, commercial operators are responsible for their own waste collection in respect of both the frequency of collection and size of store. It must be assumed that this would be managed appropriately and any vermin associated with inappropriate management would be a matter for resolution under environmental health legislation. This would not form a reasonable ground for refusal.

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Litter is a material planning consideration and is specifically set out as a consideration in criteria (ii) of Policy DM10 in respect of the impact on an area by food and drink uses. The National Planning Policy Framework and supporting National Planning Policy Guidance online make no reference to litter and Bristol City Council has no record of appeals on this matter in respect of its specific policies. There is therefore minimal guidance on the consideration of this issue. As with the health issue above, drive-through restaurants are accepted in 'in-centre' locations such as this in both national and local policy in and a reason for refusal on the grounds of litter associated with the use in principle would not be reasonable. There must therefore be a specific location based reason for refusal on grounds of litter or arising from the detailed design of the proposal.

The proposal includes significant areas for dining-in and also an external bin for the limited outdoor eating area. This would indicate a reduction in likely litter compared with if the store were to be open solely for take-away with no dedicated seating. Refuse bins can also be found along Fishponds Road as the centre continues both to the west and east, as well as adjacent to the nearby bus stop to the east where takeaway custom could potentially gather. It is not considered that a need for further litter bin provision could be justified as a result.

The submitted planning statement advises that the applicant has a policy of conducting a minimum of three daily litter patrols and objectors have queried how far this would extend. The provision of the external litter bin can be secured by condition, but 'litter patrols' is considered to fail the conditions test of being enforceable.

Overall, it is considered that given the provision of on-site dining provided and availability of litter bins, combined with the fact that the provision of a drive-through indicates that most takeaways will be driven away by car for consumption at home/in the vehicle a reason for refusal on the grounds of litter could not be supported.

(v) Key issue conclusion

The proposal fails to provide sufficient information to enable the Local Planning Authority to ensure that no harm would arise to nearby occupiers in respect of noise pollution, light pollution and odour from extract/ventilation. Refuse storage/litter, overbearing impact/sense of enclosure and loss of sunlight/daylight and loss of privacy would not result in unacceptable impacts subject to condition.

(F) IS THE PROPOSAL OF AN APPROPRIATE DESIGN?

Some objectors raised concerns over the proposal appearing out of keeping in respect of its design and/or material choice. Policies BCS20, BCS21, DM23, DM26, DM27, DM28 and DM29 apply.

(i) Layout

Officers have attempted to negotiate design improvements with the agent in response to the commentary from BCC Urban Design set out above. The chief concern of which is in attempting to have any proposed new development upon this site respond to the established building line along Fishponds Road and fully address the frontage in accordance with the site's status within a designated secondary shopping frontage 'in-centre'.

The applicant is seeking a drive-through facility and the layout of the scheme is chiefly dictated by this operational demand. In meeting the agent, he advised that the 'wrap around' solution was the only viable approach but has failed to provide information demonstrating that alternatives had been ruled out despite a request to do so. Officers agree with the BCC Urban Design officer, in that the proposal represents a missed opportunity to fully address the frontage. However, the fall-back position of the existing building and layout must be acknowledged.

The proposal would improve upon this established relationship, by significantly bringing forward the built form and introducing an active use within the centre set back less than 13m from the highway in place of the 20m of the current use. While the proposal would include extensive areas for car

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parking and a wrap-around access to serve the drive-through facility, this would replace an entire frontage dominated by car parking with multiple vehicle accesses. The dominance of the wrap-around drive-through access and 'grill-bays' can in part be relieved through appropriate high quality hard surfacing choices to break up the extent of hard surfacing and better define this as a pedestrian access direct from Fishponds Road over a vehicular access route.

While it is accepted that there is opportunity for further improvements in layout, particularly were there to be a reduction in parking or the drive-through element to be removed, members are required to assess the scheme before them. The proposal would, overall, represent an improvement in layout terms over the existing building/form. As a result a reason for refusal on this basis is not supported.

(ii) Character and appearance

BCC Urban Design have raised concern over the detailed design of the proposal failing to address the local character and appearance of residential style buildings with ground floor shopfronts with detailed facades comprised of stone and brick. Considering the fallback position of the existing single large warehouse across the site width, the form, scale and massing are considered an improvement to the site.

The proposal is unapologetically modern and other recent consents in the area for new commercial buildings have allowed simple modern forms. The materials and detailing are considered somewhat overcomplicated with a combination of dark grey tresspa and timber effect tresspa cladding, glazing, natural stone panels and timber louvre sections. However, when assessed against the existing degraded corrugated metal form it is not considered that a refusal on design grounds would be appropriate.

(iii) Landscaping

The proposed landscaping arrangement, due to the sought layout being dominated by car parking and access, is relatively weak with remaining corners being set aside for some new tree planting and a hedge along the boundary to No. 553 Fishponds Road. The site is however currently entirely comprised of built form and the proposal would represent a small improvement through the introduction of some limited soft landscaping. As referenced above high quality hard landscaping can be secured to the grill bay/drive-through access to effectively link the pedestrian access to the external seating area/frontage.

The proposed internal fixed street furniture, and specifically the fencing and integrated lighting, would benefit from some simplification given the limited space set aside for these facilities and to ensure the primacy of the building upon the site. This does however assist in defining the external seating area and in providing further active use of the frontage area.

The proposed front low timber rail is considered inappropriate within this commercial frontage and a low boundary wall should be sought to secure the pedestrian pavement and reference established front boundary walls along Fishponds Road. This can be secured by a variation condition.

(iv) Safety/security in design

Some objectors have raised concerns over the site representing a location for anti-social behaviour. Issues of noise are addressed in the key issue above. Crime and disorder however are material considerations and should be factored into the design of the proposal. The proposal would represent an improvement in natural surveillance over the current premises but would also enable a degree of improved access to the rear boundary over the existing layout.

Avon and Somerset Constabulary Crime Reduction Unit have only raised concerns over out of hours vehicular access, and sought to restrict this, to reduce ease of access to the rears of properties in this area and prevent the site becoming an informal meeting point without natural surveillance when the business was not in operation. This can be controlled by automated or

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demountable bollards that can be secured by condition. The agent has verbally indicated that their client would be accepting of this approach.

(v) Key issue conclusion

Overall, while the proposal would represent a missed opportunity to provide a high quality form that addressed the frontage properly, the application must be assessed on its merits against the current building to the site. This is a large warehouse building set far into the site that dominates the site alongside the hard standing and multiple accesses that previously served a petrol station. When assessed against this established arrangement the proposal represents a benefit in design terms. A reason for refusal on design grounds is not supported as a result.

(G) DOES THE PROPOSAL ADEQUATELY ADDRESS SUSTAINABILITY MATTERS?

Policies BCS13-BCS16 apply, with detailed guidance on their application set out in the Climate Change and Sustainability Practice Note. The submitted planning statement sets out in section 4 the applicant's approach to the environment and sustainability, this includes the use of a construction waste plan, the use of renewable energy generated power from off-site sources and assessment against the applicant's own in-house assessment tool utilised across their European premises.

These details however fail to include a detailed energy strategy to comply with the above policies. Specifically Policy BCS14 sets out the need for a 20% reduction in carbon generation from residual energy from the development to be demonstrated by the use of renewable energy. The use of off-site sources is not applicable, as set out in the supporting Practice Note, which states that allowable solutions "where the full requirements of Policy BCS14 cannot be deliver on-site... can take the form either of directly linked or near-site provision or a financial contribution to a citywide low carbon scheme or commercial renewable energy project". In meeting the agent he has advised that a BREEAM pre-assessment can be provided but this is not obligated, alongside construction waste plans, for 'minor' schemes (under 1000m² of new floorspace) and considers that the 20% mitigation required by the policy cannot be met on site. This is considered to be due to an inherent misunderstanding of 'residual energy' which is based upon 'regulated emissions'. These only apply to heating and lighting, and not for example cooking.

The above policies establish the application of the energy hierarchy seeking to reduce the energy requirement, incorporate renewable energy sources and then low-carbon sources. The policies and supporting guidance anticipate that compliance with the policies should be demonstrated at application stage to ensure that the reduction in energy requirements and incorporation of renewable energy solutions is inherently built into the design of the proposal. The submitted roof plan indicates provision of 8 solar panels and even accepting the area set aside for plant, 144m² of roof space is available for the installation of solar panels or air source heat pumps to address the 20% requirement. It is therefore considered that this requirement could be met taking into account indicative carbon demand figures for restaurant uses.

This key issue could therefore be addressed by the application of an appropriate condition.

(H) ARE THERE ANY NATURE CONSERVATION ISSUES?

The site was subject to an ecological survey under the previous application due to concerns over use of the nearby trees to the north for bat roosts and while no evidence of bats were found the findings of this were considered to no longer be up-to-date after a period of two years. This expired during the lifetime of the application and an updated ecological survey has been carried out to address this concern.

This survey has found no evidence of bats, but did identify large mammal burrows with evidence of use by badgers and foxes to the north of the application. This survey has been found satisfactory

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by BCC Nature Conservation who have advised a series of conditions covering bird and bat boxes, landscaping, site clearance during bird nesting season, a badger mitigation scheme and protection during construction works, carrying out of the development in accordance with the ecology report recommendations on bats and a method statement for protected/priority species during demolition, as well as seeking a brown/living roof.

These conditions are considered reasonable with the following exceptions:

- Bird nests are protected under the wildlife act and such a condition would not meet the conditions tests of being relevant to planning/necessary in that it would duplicate other legislation and an advice note can be attached to address this.
- The requirement for a brown/living roof, while desirable is not considered necessary to make the scheme acceptable, given the introduction of additional planting and bird/bat nesting opportunities will address the need to enhance green infrastructure.

Subject to appropriate conditions, the proposal adequately addresses this key issue.

(I) ARE IMPACTS UPON TREES ADEQUATELY ADDRESSED?

The submitted application includes a tree survey and preliminary arboricultural impact assessment. The site is bounded by a group of trees to the north-western corner located to the rear and within the beer garden to the Star Inn. The works for the new building would have no impact upon these trees, but the parking/drive-through access will lie over the root protection areas for T2-5, T7 and G1-3 (two cypress, three sycamore and groups three holly, three hawthorne and three sycamore). Some cropping will be required to facilitate demolition works. These are all C category trees and the report concludes that their root growth will likely have been heavily impeded by the existing warehouse structure such that no specialist construction is required. Tree T1 would also be impeded but this is a 'U' category tree and should therefore be removed.

The submitted report does however advise that if excavation is required to carry out these works that this must be completed by hand or with lightweight machinery under appropriate arboricultural supervision and the use of a barrier of sharp sand if roots are exposed. Tree protection will also be required for these trees in accordance with the submitted report. These details can be achieved by way of a condition securing a detailed arboricultural method statement and tree protection fencing.

The scheme would otherwise see the provision of some additional tree planting and the proposal would overall address this key issue.

(J) DOES THE PROPOSAL ADEQUATELY ADDRESS SURFACE WATER RUN-OFF ISSUES?

The site currently has 100% site coverage of built form and the scheme would alleviate this through the introduction of some limited landscaped areas. Policy BCS16 and the supporting Sustainability and Climate Change Practice Note sets out that run-off rates should be reduced by 30% and this can be secured by a standard sustainable urban drainage condition.

(K) DOES THE PROPOSAL ADEQUATELY ADDRESS LAND STABILITY?

The site is located within a High Risk Coal Mining Area. The application includes assessment of coal risks within the submitted method statement verification report covering principally land contamination matters. The potential coal risks upon the site include shallow coal mine workings at a depth of as little as 7m below ground level.

The Coal Authority have advised that this report acknowledges the risk of coal related subsidence and agrees with its recommendations. This includes the need for deeper rotary boreholes to

Development Control Committee B – 4 February 2015**Application No. 14/04519/F: 541-551 Fishponds Road Fishponds Bristol BS16 3AF**

identify any necessary remedial measures. Subject to a condition to secure these additional site investigation works and any appropriate remedial measures The Coal Authority have no objection and this key issue is addressed.

(L) IS THE RISK FROM LAND CONTAMINATION APPROPRIATELY ADDRESSED?

The report referenced above also refers to the need for further investigations and a standard suite of conditions has been recommended by BCC Contaminated Land. This is considered reasonable.

(M) DOES THE PROPOSAL ADEQUATELY ADDRESS AIR QUALITY ISSUES?

A number of objectors raised impacts upon air quality. The site is within an Air Quality Management Area. Policies BCS23 and DM33 apply. The submitted application contains an air quality report in accordance with these policies. Following advice from the City Council's Air Quality officer an update was issued to provide more useable data taking into account opening hours and modelling of new trips compared with the original assessment based upon all trips generated being new trips and so was not considered meaningfully realistic for assessment. This revised information was assessed and the increase in air quality impacts was agreed as negligible by the BCC Air Quality officer.

One objector has expressed concern within the consultation response on the basis of the submitted report failing to include a receptor site to the rear of the application site and so not assess the impact upon residents to the rear of the site fully. BCC Air Quality have advised that:

"The receptor locations selected for assessment are suitable. The emissions from idling cars on-site going through the drive through have been accounted for in the modelling and incorporated into the results for the selected receptors. Air quality does improve rapidly with distance from its source, which in this case is predominantly Fishponds Road, such that concentrations of NO₂ will be considerably lower at the garden locations to the north of the development site and at the gardens behind houses facing onto Fishponds Road. In addition, only the hourly air quality objective for NO₂ would apply in gardens, not the annual objective which applies to the façade of residential buildings. Air quality has to be pretty bad for the hourly objective to be exceeded (in the region of an annual NO₂ concentration of 60µg/m³). For reference, the maximum modelled NO₂ concentration in the report was around 33µg/m³ so I can be confident that hourly objectives, which apply to gardens, will not be close to being exceeded."

The proposal therefore addresses this key issue.

(N) WHAT IS THE COMMUNITY INFRASTRUCTURE LEVY?

While the proposed end-use is liable to the Community Infrastructure Levy there is no new floorspace created over and above that associated with the existing lawful warehouse use. The CIL liability is therefore £0.

CONCLUSION

Extensive concern has been raised about the proposed end-uses potential health impacts. While this acknowledged, the scheme is policy compliant in that the National Planning Policy Framework defines drive-through restaurants/takeaways as 'in-centre' uses and the site is beyond 400m walking distance from the nearest school/youth facility. Air quality impacts have been found to be negligible and issues of trees, nature conservation, land stability, sustainability, land contamination and surface water run-off can be addressed subject to condition.

Development Control Committee B – 4 February 2015**Application No. 14/04519/F: 541-551 Fishponds Road Fishponds Bristol BS16 3AF**

The proposal would offer some benefits. This includes bringing back into use a derelict site that is unlikely to return to active use and the scheme would therefore provide some economic benefits. It would also deliver an appropriate use within this secondary shopping frontage within the Fishponds Town Centre that has the capacity to incorporate a further food and drink use in this location. While the design does fail to fully address the street and is dominated by vehicle parking/access it would create an active frontage. It would also remove the current large warehouse and remove the sense of enclosure and impact upon sunlight/daylight to the rear gardens of properties to Lodore Road.

However, the scheme also would result in highway safety harms associated with the traffic of right-turning movements, exacerbated by the excessive car parking provision, inadequate servicing arrangements and pedestrian movements. This would represent an unacceptable highway safety impact that cannot be mitigated.

The proposal also fails to provide sufficient information to satisfactorily demonstrate that no unacceptable harm will arise to residential amenity from noise, odour and light pollution.

The benefits of the scheme would not outweigh these identified harms and the proposal is accordingly recommended for refusal.

RECOMMENDED REFUSE

The following reason(s) for refusal are associated with this decision:

Reason(s)

1. The proposed development, due to the site's location, and the failure to provide appropriate arrangements for access and turning by servicing vehicles without conflict with designated parking spaces and the resulting traffic and pedestrian movements associated with the proposed development and its excessive parking provision, will result in unacceptable highway safety conflicts between users of the bus lane, general vehicular traffic, servicing vehicles and pedestrians, contrary to Policy BCS10 of the adopted Bristol Core Strategy (June 2011) and Policy DM23 of the adopted Bristol Site Allocations and Development Management Policies (July 2014) as well as section 4 of the National Planning Policy Framework (March 2012).
2. The proposed development, due to insufficient information in respect of a lack of details of extract and ventilation equipment, provision of vertical illuminance details to the first floor windows to No. 553 Fishponds Road and assessment of background noise levels to the rear of the site as well as the failure to assess noise from deliveries, refuse collection and outdoor customer use within the submitted noise assessment, fails to demonstrate that the proposal will not have an unacceptably harmful impact upon adjacent residential occupiers by virtue of odour, light and noise pollution contrary to Policies BCS23 of the adopted Bristol Core Strategy (June 2011) and Policies DM10, DM33 and DM35 of the adopted Bristol Site Allocations and Development Management Policies (July 2014) as well as section 11 of the National Planning Policy Framework (March 2012).

Advice(s)

1. Refused Applications Deposited Plans/Documents

The plans that were formally considered as part of the above application are as follows:-

6675-AL-001A Site location plan, received 17 September 2014

6675-PL-002A Block plan, received 17 September 2014

6675-AL-003A Existing site layout plan, received 17 September 2014

Development Control Committee B – 4 February 2015**Application No. 14/04519/F: 541-551 Fishponds Road Fishponds Bristol BS16 3AF**

6675-PL-004A Proposed site layout plan, received 17 September 2014
 6675-PL-005A Proposed elevations and section, received 17 September 2014
 6675-PL-006A Proposed floor and roof plans, received 17 September 2014
 Landscaping plan, received 17 September 2014
 Tree Survey Plan, received 17 September 2014
 Typical barrier and lamp post details, received 17 September 2014
 Air Quality Assessment, received 17 September 2014
 Marketing Report, received 17 September 2014
 Furniture details, received 17 September 2014
 Canopy details, received 17 September 2014
 Noise Assessment, received 17 September 2014
 Transport Statement, received 17 September 2014
 Tree Survey, Arboricultural Impact Assessment, Preliminary Arboricultural Method Statement and Tree Protection Plan, received 17 September 2014
 Remediation Strategy and Verification Plan, received 17 September 2014
 Proposed Lighting layout, received 14 October 2014
 Luma light, received 14 October 2014
 Proposed lighting product, received 15 October 2014
 Addendum Air Quality Assessment, received 14 October 2014
 Ecological Assessment, received 23 December 2014
 Proposed Visual, received 15 December 2014

BACKGROUND PAPERS

Crime Reduction Unit	12 November 2014
Nature Conservation Officer	9 October 2014
Urban Design	10 November 2014
Public Health Bristol	17 December 2014
Contaminated Land Environmental Protection	29 October 2014
The Coal Authority	3 October 2014
	6 January 2015
Air Quality	15 October 2014
	8 December 2014
Flood Risk Manager	26 September 2014



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

Application Boundary:



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REV.	DATE.	DRAWING REVISIONS.	BY.	CHECKED
A	01.09.14	Planning Issue.	MR	JK

GENERAL NOTES:
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PROPOSED DEVELOPMENT AT
Fishponds Road
BRISTOL

STORE No :-
8645

ON BEHALF OF :-
McDonald's Restaurants Ltd

DRAWING TITLE :-
Location Plan

DRAWN BY	CHECKED BY	DRAWING No.	REV. No.
MR	JK	6675-AL-001	A
SCALE & SIZE	DATE		
1:1250@A	Aug 2014		



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Case Officer Site Photographs

Application No: 14/04519/F Site Address: 541-551 Fishponds Road
Fishponds
Bristol
BS16 3AF

Date of photo: 20th October 2014



Aerial view looking north (© BlomPictometry 2012)



View of site from Drummond Road directly opposite



View of site from south-west along Fishponds Road



View of site from east along Fishponds Road



Existing northern portion of warehouse terminates view along Stoke View Road



Rear of warehouse and rear gardens of Lodore Road as seen from car MOT and repairs business to Stoke View Road



View along site boundary with No. 553 Fishponds Road.

Abbreviations:

ACU	Air Conditioning Unit	IRS	Illuminated Road Sign
AL	Access Ladder	KO	Kerb Outlet
AR	Assumed Route	LB	Litter Bin
AV	Air Valve	LP	Lamp Post
BB	Beisha Beacon	MH	Manhole
BH	Borehole	MK	Marker Post
BL	Basement Light	MS	Multi-Stemmed Tree
BO	Bollard	NB	Notice Board
BP	Block Paving	NP	Street Name Plate
BRW	Brick Retaining Wall	OW	Overhead Wire
BS	Bus Stop	OSBM	OS Bench Mark
BSh	Bus Shelter	P	Pillar
BW	Brick Wall	PB	Post Box
BWF	Barbed Wire Fence	PC	Pedestrian Crossing
CB	Control Box	PCF	Post & Chain Fence
CBF	Close Board Fence	PF	Palisade Fence
CCTV	Closed Circuit Television	PK	Portakabin
CIF	Corrugated Iron Fence	PI	Planter
CL	Cover Level	PL	Plinth
CLF	Chain Link Fence	PM	Parking Meter
CLSF	Chain Link Security Fence	PO	Post
Conc	Concrete	PRF	Post & Rail Fence
Co	Column	PSF	Palisade Security Fence
CPS	Concrete Paving Slabs	PWF	Post & Wire Fence
CPF	Chestnut Paving Fence	RE	Rodding Eye
CP	Concrete Plinth	RH	Road Hump
CR	Cycle Rack	RL	Ridge Level
CRW	Concrete Retaining Wall	RS	Road Sign
CS	Cobbles	RW	Retaining Wall
CT	Cable TV IC	SEP	Service Entry Point
CW	Concrete Wall	SL	Soffit Level
DC	Dust Covers	SM	Sump Level
DCh	Drainage Channel	SP	Stand Pipe
DK	Drop Kerb	SRW	Stone Retaining Wall
DP	Down Pipe	SW	Stone Wall
DPC	Damp-Proof Course Level	SWMH	Surface Water Manhole
EIC	Electricity IC	SY	Stay Wire
EL	Eaves Level (at Drip Edge)	TCB	Telephone Call Box
EP	Electricity Pole	TDR	Traffic Direction Restrictor
ER	Earthing Rod	THL	Threshold Level
FB	Flower Bed	TK	Top of Kerb level
FFL	Finished Floor Level	TL	Traffic Light
FH	Fire Hydrant	TM	Ticket Machine
FL	Flood Light	TP	Telegraph Pole
FP	Fuel Pump	TPS	Traffic Paving Slabs
FWMH	Foul Water Manhole	TW	Top of Wall
GA	Gate	UTL	Unable To Lift
GB	Gift Box	UTL(1)	Covered
GC	Grasscrete	UTL(2)	Immovable
GP	Gate Post	UTL(3)	Damaged
GR	Guard Rail	UTL(4)	Bolled Down
GU	Gully	UTL(5)	Traffic Management
GV	Gas Valve	VP	Vent Pipe
HW	Head Wall	WB	Wheel Barrier
IB	Illuminated Bollard	WL	Water Level
IC	Inspection Cover	WM	Water Meter
IL	Invert Level	WO	Washout
IV	Iron Railing Fence	WV	Water Valve
IRF	Iron Railing Fence	VDL	Vehicle Detector Loop

Control Station Information:

STATION	EASTING	NORTHING	LEVEL	TYPE
ST01	500.000	1000.000	57.050	Nail
ST02	492.372	1048.177	55.821	Peg (Temp)
ST03	531.831	983.737	57.010	Nail

REV.	DATE.	DESCRIPTION.	REV.	DATE.	DESCRIPTION.
A	01.08.14	Planning Issue.	MR	JK	

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All risks assessed to comply with the designer's responsibility under the Construction (Design Management) Regulations 2007.

PROPOSED DEVELOPMENT AT	STORE No. :-
Fishponds Road	8645
BRISTOL	

ON BEHALF OF :-
McDonald's Restaurants Ltd

DRAWING TITLE :-
Existing Site Plan

DRAWN BY	CHECKED BY	DRAWING No.	REV. No.
MR	JK	6675-AL-003	A
SCALE & SIZE	DATE		
1:200@A1	Aug 2014		



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

Proposed Site Finishes:

- Tarmacadam - Car park and footpaths as indicated.
- Charcoal imprinted concrete - Drive thru lane.
- Marshalls 200 x 100mm Charcoal Keyblok paving - Patio & footpaths as indicated.
- Charcoal brushed concrete - delivery route.
- Tactile blister paving.
- Soft landscaping - see landscape architect drawing for details.

External Fixtures & Fittings:

- Rectangle Table - 4 seats, TA 315T 1480mm X 1200mm X 780mm high galvanised steel frame with laminated timber effect table top and seats.
- St Up - 2 seats, ST 310T 1200mm x 632mm x 1100mm high galvanised steel frame with laminated timber effect table top and seat.
- Trash Bin, PF 303T 492mm x 492mm x 1217mm high galvanised steel frame with laminated timber effect finish.
- Ash Bin, CE 302T 297mm x 297mm x 891mm high galvanised steel frame with laminated timber effect finish.
- Cycle Stand Stainless steel Sheffield cycle stands @ (min) 700mm centres.
- Pedestrian Guarding 1500mm or 600mm long x 1100mm high in galvanised steel and timber finish.
- Cranked Bollard McDonald's standard cranked bollard, painted white.

General Site Proposal Notes:

- Golden arch road markings to be yellow thermoplastic.
- Drive thru related road markings to be yellow thermoplastic.
- Accessible parking bays to be lined in yellow thermoplastic - to current Part M standards.
- Parked order bays and numbers to be lined in yellow thermoplastic.
- All other road markings to be white thermoplastic material unless otherwise stated.
- DK Drop kerb - Adjacent to accessible parking, pedestrian crossings and along delivery routes.
- 6m Indicative lighting column - position to be confirmed by M&E consultant.
- Retaining wall - see structural engineers drawing for details.

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PROPOSED DEVELOPMENT AT Fishponds Road BRISTOL

STORE No 8645

ON BEHALF OF McDonald's Restaurants Ltd

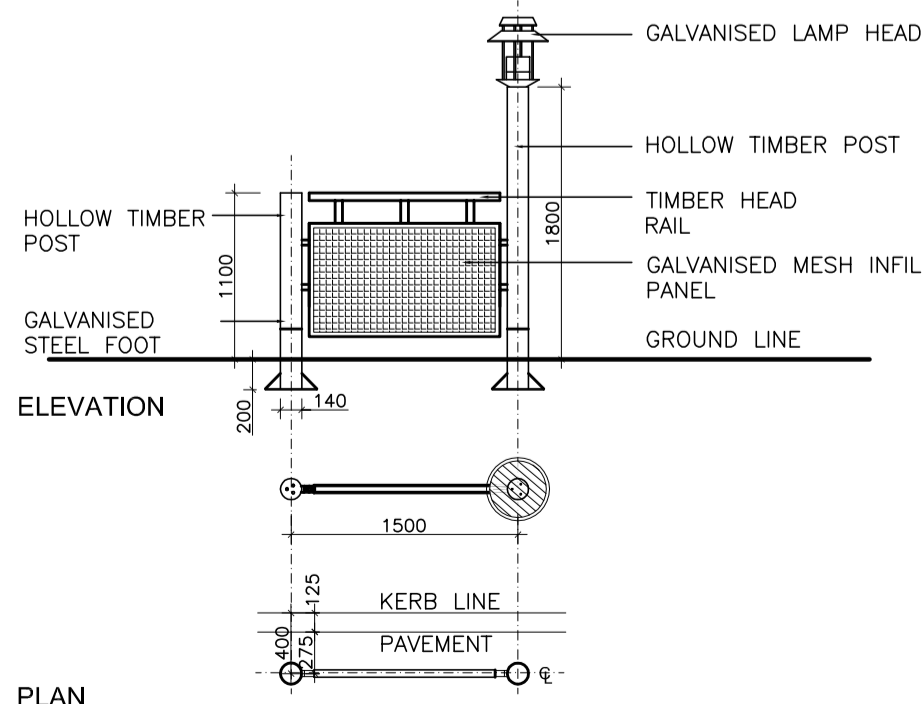
DRAWING TITLE Proposed Site Layout Plan

DRAWN BY MR **CHECKED BY** JK **DRAWING No.** 6675-PL-004 **REV No.** A

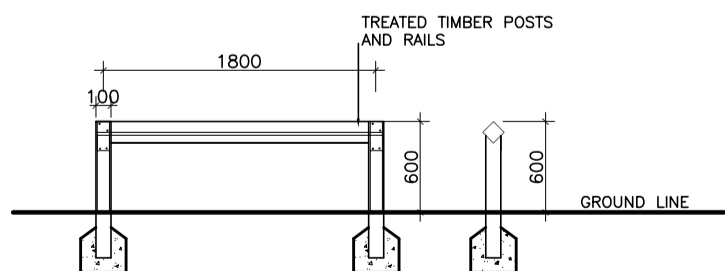
SCALE & SIZE 1:200@A1 **DATE** Aug 2014



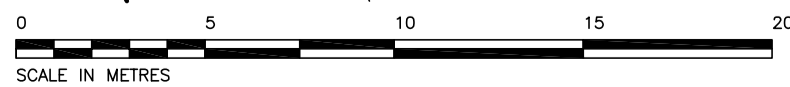
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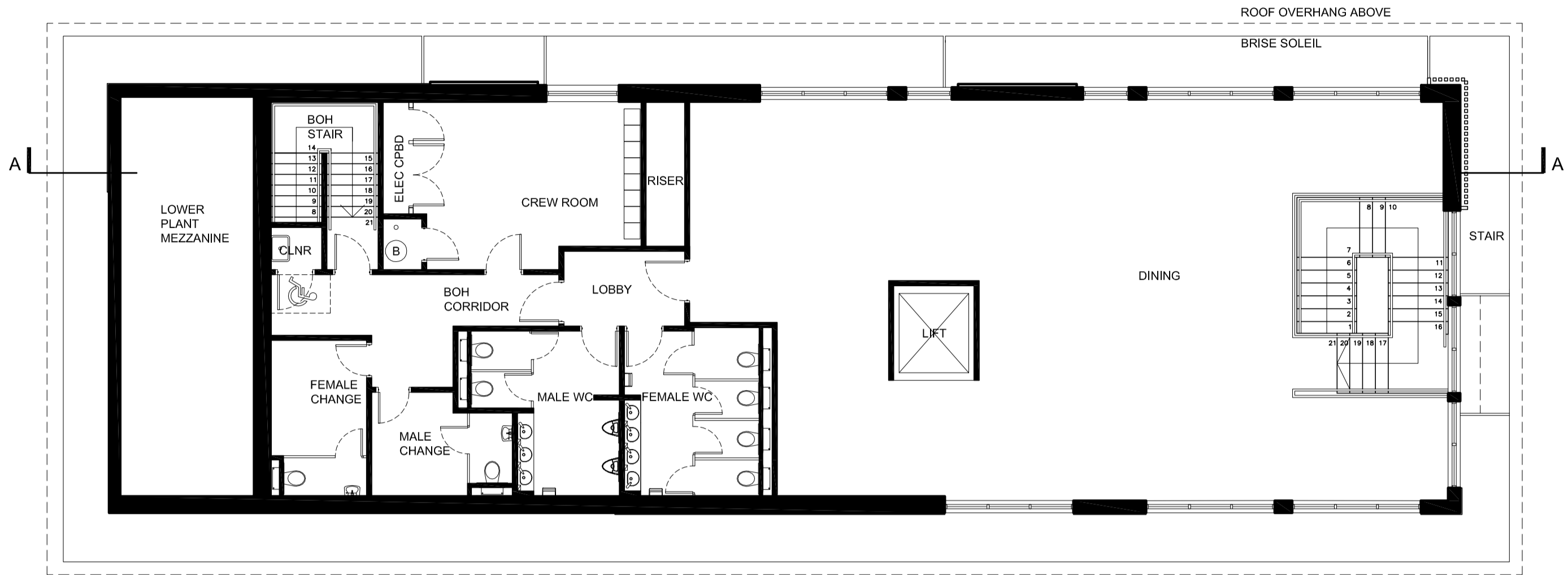
TYPICAL BARRIER AND LAMP POST DETAILS @1:50



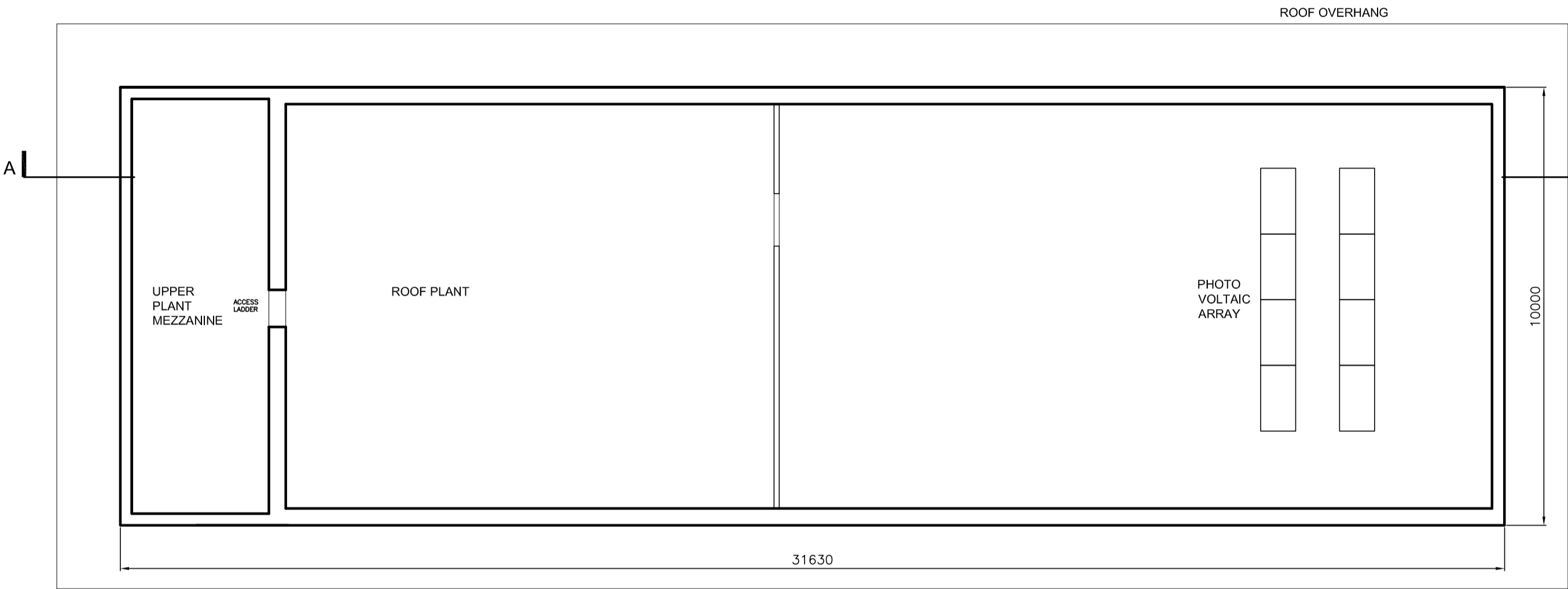
TYPICAL KNEE RAIL FENCE @ 1:50



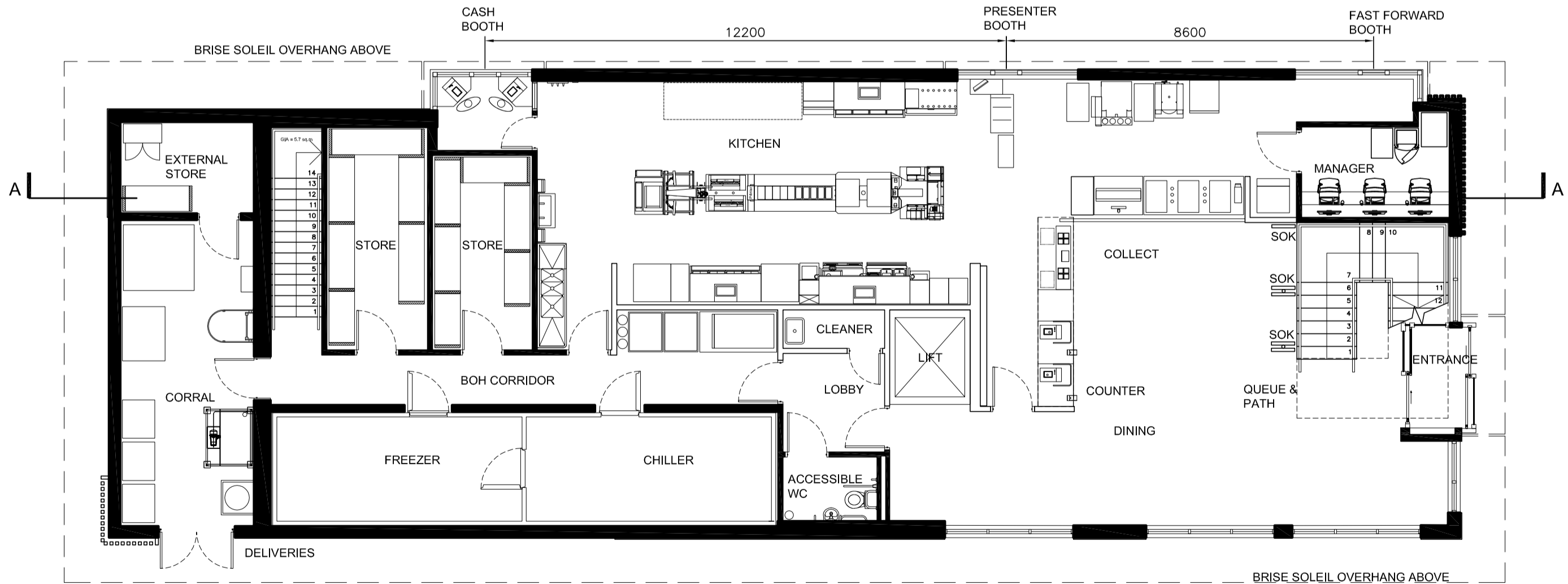
Notes:
All drawings to be read in conjunction with all other drawings as noted on issue sheet.



FIRST FLOOR



ROOF PLAN



GROUND FLOOR

REV.	DATE	DESCRIPTION	BY	CHECKED
A	01.08.14	Planning Issue	MR	JK

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PROPOSED DEVELOPMENT AT
Fishponds Road
BRISTOL

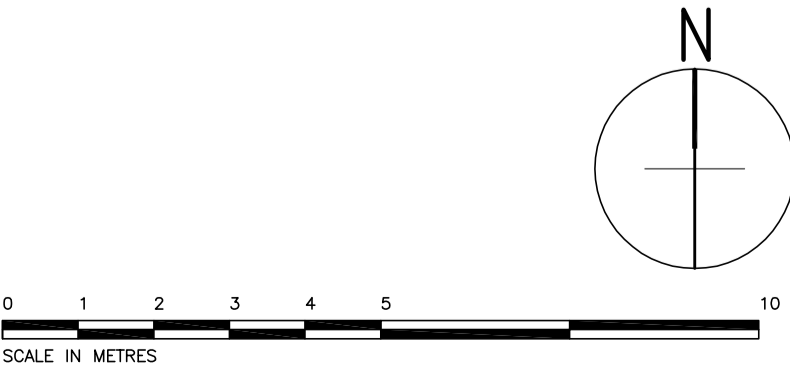
ON BEHALF OF :-
McDonald's Restaurants Ltd
DRAWING TITLE :-
Proposed Floors and Roof Plans

DRAWN BY
MR
SCALE & SIZE
1:100@A1

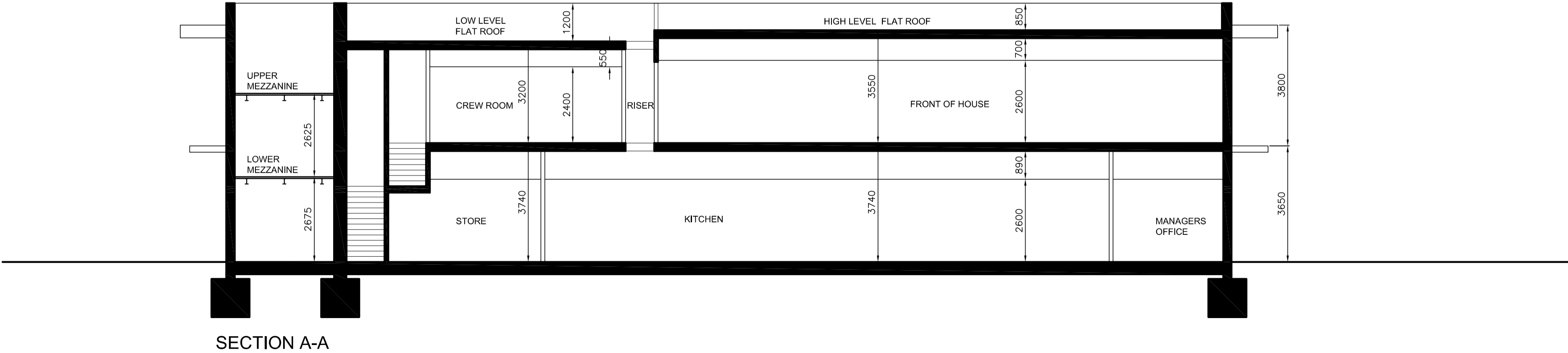
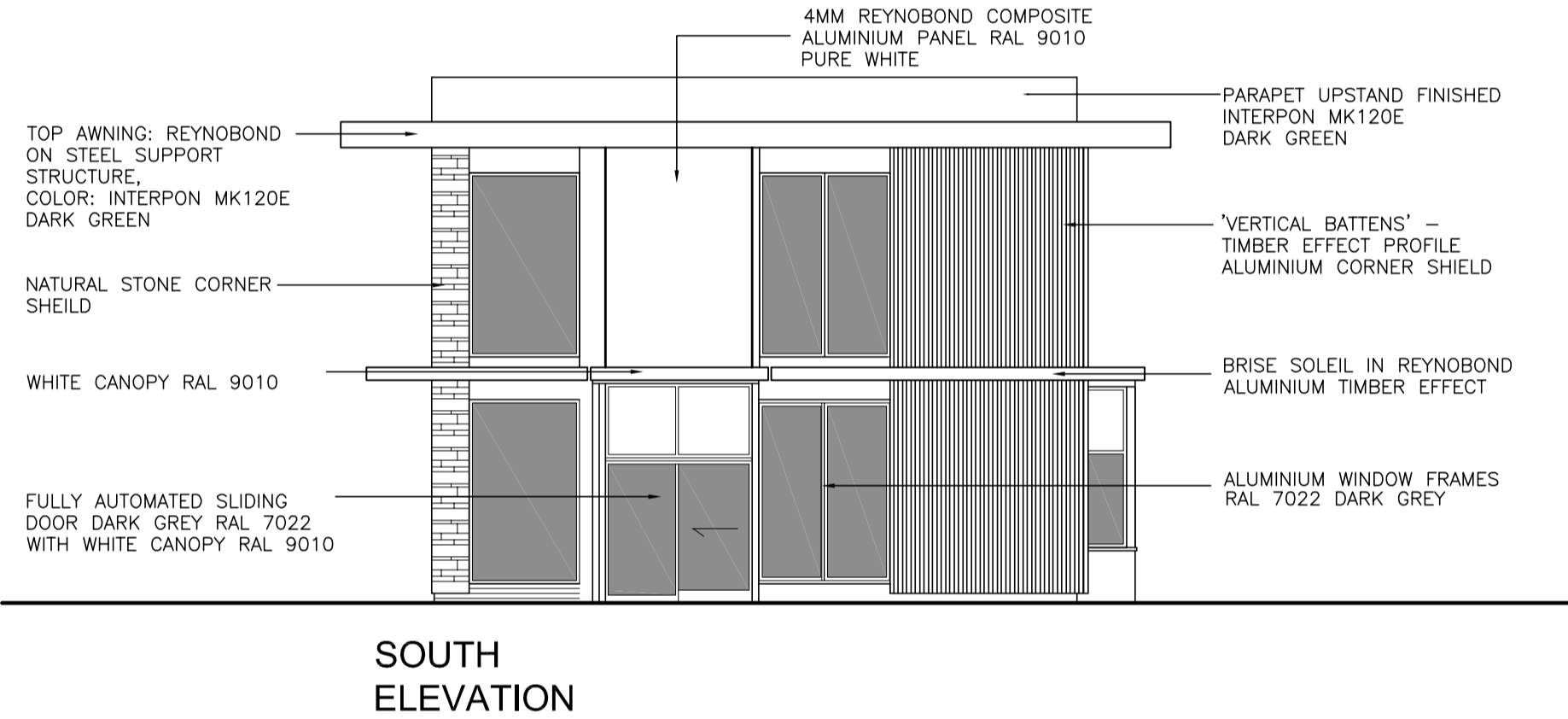
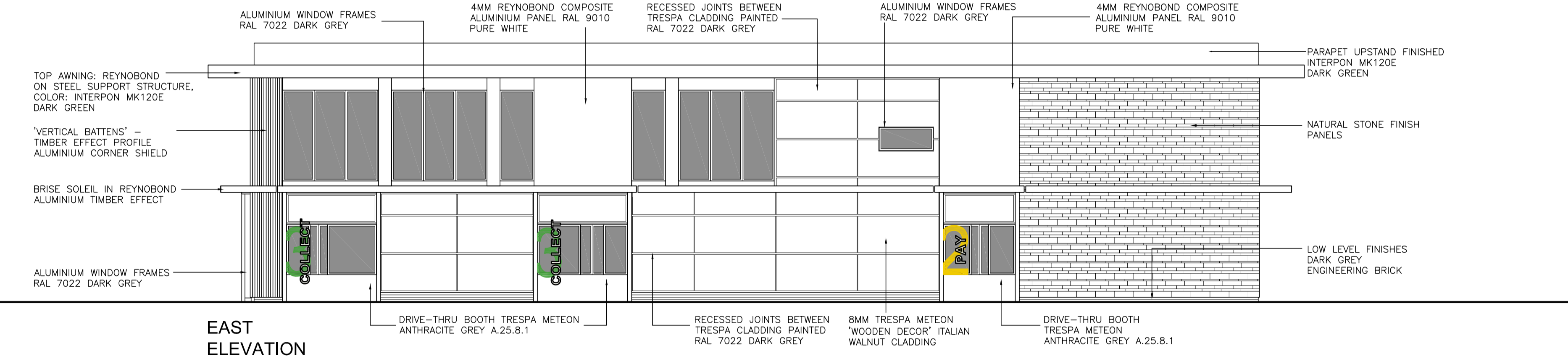
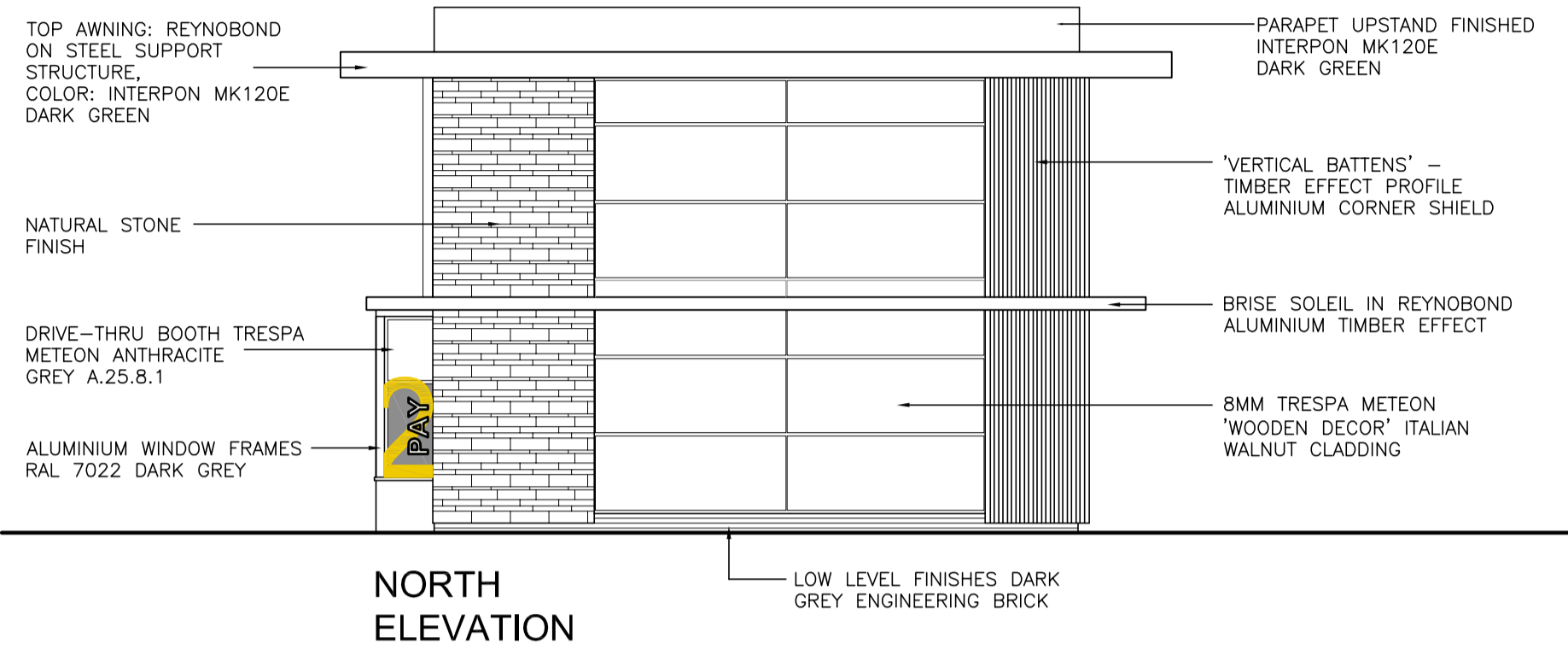
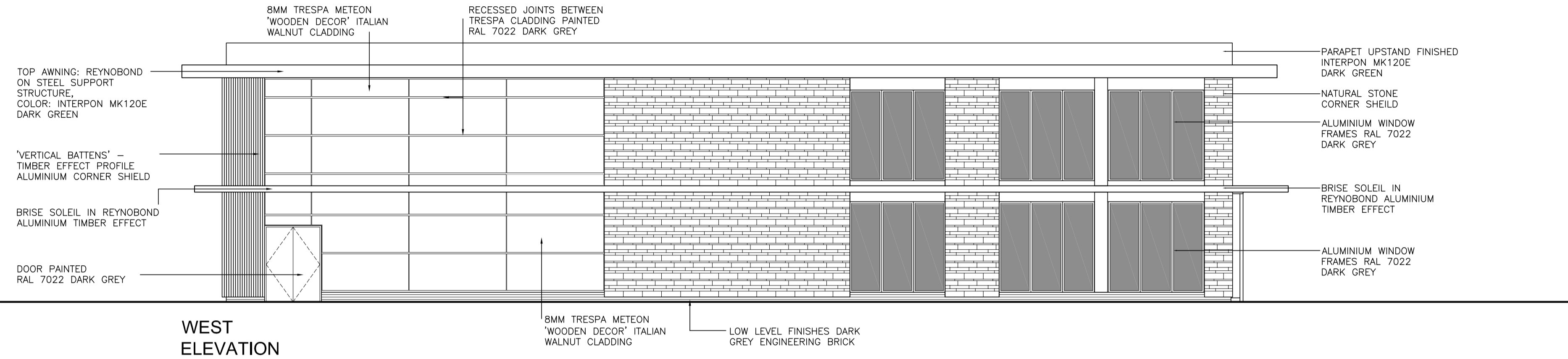
CHECKED BY
JK
DATE
Aug 2014

DRAWING No.
6675-PL-006

REV No.
A



Notes:
All drawings to be read in conjunction with all other drawings as noted on issue sheet.
See drawing No.6675-PL-006 for location of section line.



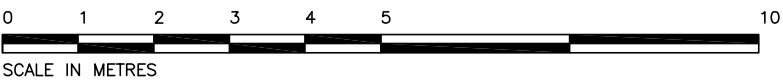
A	01.08.14	Planning Issue.	MR	JK
REV.	DATE	DRAWING REVISIONS	BY	CHECKED

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PROPOSED DEVELOPMENT AT	STORE No. :-
Fishponds Road	8645
BRISTOL	

ON BEHALF OF :-
McDonald's Restaurants Ltd
DRAWING TITLE :-
Proposed Elevations & Section

DRAWN BY	CHECKED BY	DRAWING No.	REV No.
MR	JK	6675-PL-005	A
SCALE & SIZE	DATE		
1:100@A1	Aug 2014		







Landscaping Schedule

Trees					
Species	Height	Girth	Pot Size	Number of Plants	
Pyrus calleryana 'Chanticleer'	400-450cm	14-16cm	Container	3 No.	

Shrubs					
Species	Density	Height	Diameter	Pot Size	Number of Plants
Buxus sempervirens 'Sphere'	Counted		40cm	10L	10 No.
Hebe 'Green Globe'	Counted	30-40cm		10L	2 No.
Pittosporum tenuifolium 'Tom Thumb'	Counted	30-40cm		10L	2 No.

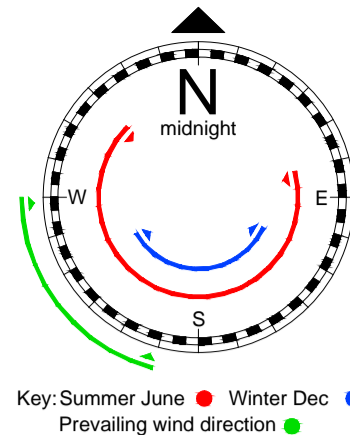
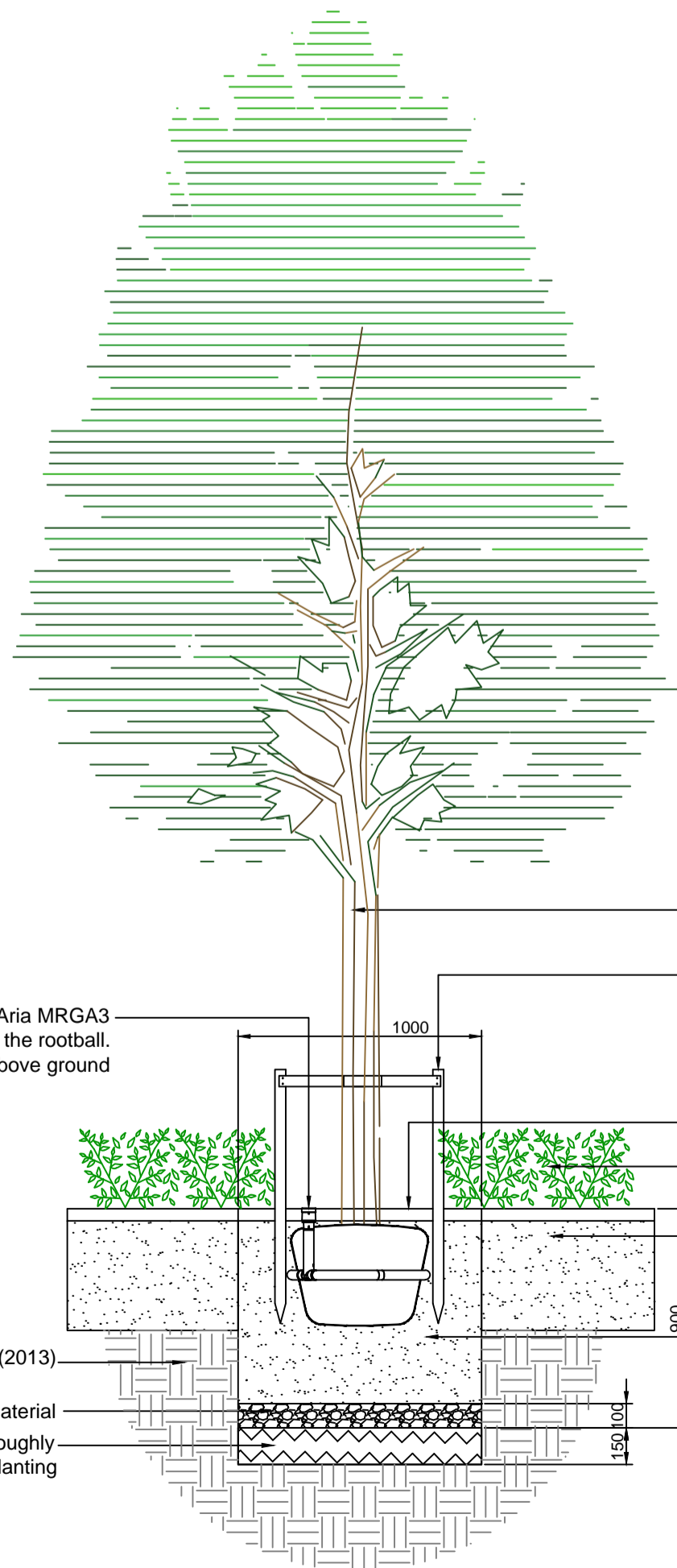
- DRAWING INFORMATION
 - This Mansfield King drawing is based upon **Scurr Architects Drawing: 6675-PL-004 Rev A (01.09.14) 'Proposed Site Layout Plan'**
 - These drawing notes are intended for guidance only and must be read in conjunction with our Full NBS Landscape Specification
- SITE PREPARATION
 - All topsoiled areas to be cleared of rocks larger than 50mm diameter and any other debris that may interfere with the planting establishment.
 - Prior to planting all landscaped areas shall be cultivated to 200 depth mm (min) and maintained in a weed free condition.
 - Tree planting in relation to manhole covers and statutory runs is to be co-ordinated with main contractor and in accordance with statutory guidelines for approval by the landscape designer.
- TOPSOILING
 - All subsoil prior to topsoiling should conform to BS 8601 (2013) specification
 - All topsoiling operations are to be carried out to BS 3882 (2007) specification for topsoil and requirements for use.
 - Prior to topsoiling all sub soil is to be thoroughly 'ripped' mechanically with excavator to relieve compaction.
 - All topsoiling to be carried out to the following depths:

Ornamental Planting Beds:	450mm min depth
Lawned Areas	150mm min depth
Specimen Shrub:	0.5m x 0.5m diameter x 450mm depth
- PLANTING
 - All plants and planting to comply with the requirements of all current / relevant British Standard
 - Specifications including BS 3936: Part1 (1992) and part 4 (1984) and BS 5326 (1975) where applicable, BS4428 (1989) and the BALI / Nursery Trade Tender Document (5th Edition 1986).
 - During cultivation, a 50mm depth of **PAS 100 compost and Enmag (6:20:10) granular fertilizer** is to be incorporated into the top 150mm depth of topsoil.
 - Supply and spread Ornamental Grade Bark Mulch at 50mm depth, to all hedge and ornamental planting beds.
 - All shrubs are to be planted at the specified densities as shown on the planting schedule.
 - All plants are to be thoroughly watered prior to and following planting.
 - Planting adjacent to car park area road kerbs is to be set back 250mm min from the back of kerb to allow room for the plants to establish and reduce damage to cars, with the unplanted area mulched only.
 - All hedges to be planted at specified densities as shown in the planting schedule. Excavate continuous trench to suitable depth in relation to container size and the nursery line of the plant, ensure plants are equally spaced in straight lines. Add PAS 100 grade compost and fertilizer to topsoil prior to backfilling.

- TREE PLANTING
 - All trees to be planted as shown ensuring a minimum of 5 meters from buildings and 3 meters from drainage. A suitable method of foundation allowing for existing ground conditions is provided to accommodate the proposed tree planting.
- WATERING
 - Watering shall be carried out as necessary to maintain the healthy growth of all plants and trees.
- LANDSCAPE MAINTENANCE
 - Regular landscape maintenance visits are required throughout the growing season. All areas are to be kept in a weed and litter free condition using a combination of chemical spray and hand weeding.
 - Maintenance preparations to include watering, formative pruning and disease control and re-mulching. Mowing is to be carried out to maintain grass sward to maximum 50mm height and all arising's are to be removed from site.
 - All newly planted shrubs to be maintained below 1.8m in height.
 - All tree stakes and underground guys are to be checked monthly and adjusted as appropriate.
 - Landscape maintenance is to be carried out for a period of 12 months following completion, with replacement required for failed stock
 - The Landscape Contractor should make allowance to top up bark mulch to required depth at 12 months following completion.
- DRAWING REFERENCE
 - Haydens Arboricultural Consultants - Tree Survey, Arboricultural Impact Assessment, Preliminary Arboricultural Method Statement & Tree Protection Plan. Project No. 4181 (30.06.14)

Green - Tech Mona Relief Grande Aria MRGA3
Irrigation System installed around the rootball.
Ensure inlet is flush with or slightly above ground

Subsoil to conform with BS8601 (2013)
100mm depth inert free draining material
Sub soil to base of tree pit to be thoroughly broken up to depth of 150 prior to planting



DISCLAIMER:
It is the responsibility of the developer to design foundations to accommodate all proposed and existing tree and shrub planting. The developers engineers should satisfy themselves that the trees are safe distances from drainage runs and services and that no planting falls in service strips. If any planting should be considered to be compromising services or underground structures in anyway, they should contact the landscape designer as soon as possible so that the drawing can be revised.

The Client / Employer is obliged to take due care in ensuring that only competent contractors who have an adequate health and safety policy are employed.

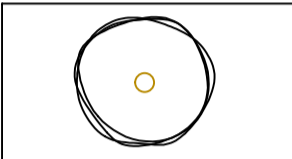
A suitable method of foundation must be provided allowing for existing ground conditions. Any suspect or fluid ground, contaminates within the ground should be further investigated by a suitable expert. Any earthwork constructions shown indicate typical slopes for guidance only and should be further investigated by a suitable expert.

Where existing trees are to be retained they should be subject to a full arboricultural inspection for safety. All trees are to be planted so as to ensure they are a minimum of 5 metres from buildings and 3 metres from drainage and services. A suitable method of construction is to be provided to accommodate the proposed tree planting.

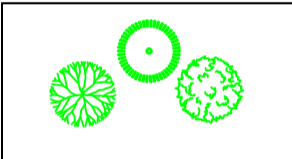
KEY



Existing Trees to be Retained and Protected



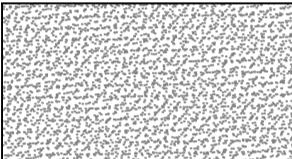
Proposed New Tree Planting



Proposed Specimen Shrub Planting



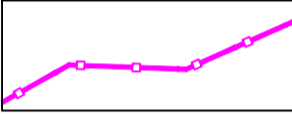
Proposed Cultivated Turf



Proposed Plum Slate Finish Over Geotextile Membrane @ 50mm Depth



600mm High Timber Knee Rail (See Scurr Architects Detail)



1.8m High Acoustic Fencing (See Scurr Architects Detail)

Rev:	Comments:	Date:
A	Changed as per clients comments	10.9.14

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Landscape Design, Management & Consultancy

Title:	Landscaping Plan
Client:	McDonald's Restaurant Ltd
Project:	McDonald's St 8645 43-551 Fishponds Road Bristol BS16 3AF

DWG No. (Rev A) MK MCD BF 01

Status;	For Approval	Date;	04.09.14
Drawn;	JG	Office;	Knoll
Checked;	JK	Scale;	1:200 @ A1

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APPENDIX 8.3
DELIVERY VEHICLE TRACK ANALYSIS