

1.0 Delegated planning report

Number: 21/0699/FUL
Applicant Name:
Proposal: Minor reconfiguration of Drive-Thru lane and Car Park with new Drive-Thru signage suite to replace existing.
Site Address: McDonald's Restaurant
Unit 8
Stone Lane Retail Park
Marsh Barton Road
Exeter
Devon
EX2 8LH

Registration Date: 23 April 2021
Case Officer: Adam Afford
Ward Members:

2.0 Summary of recommendation

Approve

3.0 Description of site

The site is located at Unit 8 on Stone Lane Retail park, being located on Marsh Barton Road. The site is located within the ward of Alphington within a retail takeaway drive through unit (McDonalds).

4.0 Description of development

The proposal seeks the minor reconfiguration of Drive-Thru lane and Car Park with new Drive-Thru signage suite to replace existing.

5.0 Supporting information provided by applicant

Location Plan - DWG No: 5262_0972_0001 - Date Received: 23/04/2021

Proposed Site Plan SBS Option - DWG No: 0912-0972-300 REV C - Date Received: 23/04/2021

Double Digital Menu board – DWG No: Sign 1 – FG-MCD-524 – Date Received: 23/04/2021

Proposed Reconnect Screen Details - Date Received: 23/04/2021

Site Signage Details - DWG No: 0912-0972-301 REV C - Date Received: 23/04/2021

Goal post height restrictor and COD/canopy - Date Received: 23/04/2021

Proposed Boundary Treatment - Date Received: 23/04/2021

Detailed Button Railing - Date Received: 23/04/2021

6.0 Relevant planning history

Reference	Proposal	Decision	Decision Date
21/0699/FUL	Minor reconfiguration of Drive-Thru lane and Car Park with new Drive-Thru signage suite to replace existing.	PCO	
21/0700/ADV	Installation of 3 no. digital freestanding signs and 1 no. 15" digital booth screen.	PCO	
16/0877/TPO	Works to various trees	WRT	14.07.2016
16/0147/ADV	Advertisement consent for new Drive Thru signage suite comprising of 5No. new freestanding signs	PER	29.03.2016
16/0146/FUL	Alterations to the existing Drive Thru lane to accommodate the installation of 2No.	PER	29.03.2016

	Customer Order Displays with associated canopies to create twin point ordering and a goal post height restrictor. Alterations to restaurant elevations to include new autom		
15/0326/ADV	Installation of a new freestanding 6.5M totem sign to replace existing sign	PER	09.04.2015
13/3894/VOC	Variation of condition two to extend opening hours to 05:00am to 00:00 midnight (Ref No 04/2092/03 granted 25 January 2005)	PER	02.10.2013
13/3115/ADV	Welcome sign, height restrictor monolith, rotating double triple unit (5), lane sign, customer order display (2) and post mounted banner signs (2)	PER	02.07.2013
13/3114/FUL	Reconfiguration of access points, drive thru lane and car park and installation of two customer order displays with canopies	PER	05.06.2013

11/0250/ADV	Wall mounted banner units (2) on north face of southern boundary wall.	PER	15.04.2011
10/1763/VOC	Variation of condition 10 to enable McDonald's Restaurant, Marsh Barton, to open 24 hours a day, seven days a week (Ref No. 93/0195/03 granted 22 April 1993).	WDN	11.01.2011
10/1104/ADV	Replacement internally illuminated fascia signs on south (2), east(1) and north(1) elevations, free standing internally illuminated totem sign on southern boundary, height restrictor monolith, rotating units(4) and customer order display unit adjacent to	PER	28.09.2010
10/1103/FUL	Ground floor extension on the east elevation, alterations to drive thru layout and extension to patio area.	PER	06.09.2010
04/2092/FUL	Variation to extend opening hours from	PER	25.01.2005

06.00 am to 12
midnight (Condition
10 of Ref. No.
93/0195/03 granted
22 April 1993)

03/0274/ADV	Internally illuminated fascia signs and projecting sign on front and side elevations.	PER	15.04.2003
00/0773/CAT	Works to tree	PER	16.06.2000
99/0465/ADV	Three internally illuminated freestanding entrance canopy signs	PER	27.07.1999
99/0464/ADV	Retention of internally illuminated directional sign; 2 no. menu signs; 2 no. sign cases; 3 no. parking signs; 3 no. no entry signs and 2 no. disabled signs	PER	26.08.1999
99/0463/ADV	Internally illuminated freestanding pole sign	PER	17.09.1999
95/0435/FUL	Use of part restaurant/take away (Class A3) premises for retail purposes (Class A1)	PDV	29.06.1995

93/0519/ADV

Internally
illuminated pole
sign

REF

07.12.1993

7.0 Consultations

Devon County Council Highways – No Objection

8.0 Representations

None

9.0 Relevant policies

National Planning Policy Framework (NPPF)

9. Promoting Sustainable Transport

12. Achieving well-designed places

16. Conserving and Enhancing the historic environment

Planning Practice Guidance (PPG)

Core Strategy (Adopted February 2012)

Core Strategy Objectives

CP1 - Retail

Exeter Local Plan First Review 1995-2011 (Adopted 31 March 2005)

DG1 - Objectives of Urban Design

DG3 - Commercial development

10.0 Human rights

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property

The consideration of the application in accordance with Council procedures will ensure that views of all those interested are considered. All comments from interested parties have been considered and reported within this report in summary with full text available via the Council's website.

Any interference with property rights is in the public interest and in accordance with the Town and Country planning Act 1990 regime for controlling the development of

land. This recommendation is based on the consideration of the proposal against adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

11.0 Public sector equalities duty

As set out in the Equality Act 2010, all public bodies, in discharging their functions, must have “due regard” to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard in particular to the need to:

- a) removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of other persons who do not share it
- c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has had due regard to the matters set out in section 149 of the Equality Act 2010.

12.0 Planning assessment

This planning application relates in tandem to the application for advertisements (21/700/ADV) which has already been approved.

The proposals to create a dual lane for the drive-through are seen to be acceptable in terms of design, the dual lanes will not create any severe negative impact to the surrounding character of the area and is therefore acceptable.

In terms of highways safety the proposal is to provide two separate drive- thru lanes for ordering. From a highways perspective the reconfiguration of the internal layout is expected to help speed up the ordering process as the current arrangement only

enables one single vehicle to order at one time. This can result in queues in the car park at peak times.

To accommodate the dual lanes, the applicant is proposing to remove 6 No parking spaces and relocate the disabled parking bays in the vicinity of the drive-thru lanes. The existing footpath which connects the car park to the Retail Park entrance has been adjusted and a new pedestrian crossing with dropped kerbs and tactile paving has been provided to connect the pedestrian access to the store.

By having independent ordering kiosks, there should be a net positive impact on traffic flows through the Retail Park. Therefore, the highway authority has no objections to this proposal.

There are no impacts to any neighbours associated with this application.

Therefore in conclusion the proposal is seen to be in accordance with policy and therefore is acceptable.

13.0 Recommendation

Approve with conditions

Conditions:

1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: To ensure compliance with sections 91 and 92 of the Town and Country Planning Act 1990.

2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority, these details and drawings are as follows;

Location Plan - DWG No: 5262_0972_0001 - Date Received: 23/04/2021

Proposed Site Plan SBS Option - DWG No: 0912-0972-300 REV C - Date Received: 23/04/2021

Double Digital Menu board - DWG No: Sign 1 - FG-MCD-524 - Date Received: 23/04/2021

Proposed Reconnect Screen Details - Date Received: 23/04/2021

Site Signage Details - DWG No: 0912-0972-301 REV C - Date Received: 23/04/2021

Goal post height restrictor and COD/canopy - Date Received: 23/04/2021

Proposed Boundary Treatment - Date Received: 23/04/2021

Detailed Button Railing - Date Received: 23/04/2021

Reason: In order to ensure compliance with the approved drawings.

INFORMATIVES

1) In accordance with the Conservation of Habitats and Species Regulations 2017, this development has been screened in respect of the need for an Appropriate Assessment (AA) and given the nature and scale of the development it has been concluded that the proposal does not require an AA.

2) In accordance with Paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way and has imposed planning conditions to enable the grant of planning permission.