

MC/13/3021

Date Received: 21 November, 2013

Location: 76 Commercial Road, Strood, Rochester, ME2 2AD

Proposal: Refurbishment of restaurant and patio area including changes to kerb lines and associated works to the site. Alterations to the roof and booths to include additional cladding. The addition of extensions (totalling 58.4 sq m) and minor alterations to the car park and drive thru land to provide a side-by-side order point which incorporates a new island for signage. Existing bin store to be removed with a new corral; being built incorporating a covered store area. The installation of two customer order displays, height restrictor (Resubmission of MC/13/2150)

Applicant: McDonald's Restaurant Ltd

Agent: Mrs Carpenter Planware Ltd The Granary 37 Walnut Tree Lane Sudbury Suffolk CO10 1BD

Ward Strood South

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**Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 8 October, 2014.**

**Recommendation - Approval with Conditions**

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

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

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Numbers:0912-0624-01 REV A, 0912-0624-02 REV A, MCDONALDS/002/2008, MCDONALDS/132/2010, 0912-0624-02 Rev A, 0912-0624-50 REV B,BUT001 all received 21 November 2014 and Drawing Numbers: 0912-0642-300-H, MK MCD ST 01 REV B, 0912-0642-03-C, 0912-0642-05-C, 0912-0642-06-C, 0912-0642-07-C, 0912-0642-09-B, 0912-0642-301-E all received 21 August 2014.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 All materials used externally shall match those of the existing building.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in

accordance with Policy BNE1 of the Medway Local Plan 2003.

- 4 Notwithstanding the approved plans, the hedge fronting Commercial Road shown on approved drawing number MK MCD ST 01 (Rev B) shall be maintained at a height no higher than 600mm above the ground level upon which it is planted.

Reason: To ensure that the development permitted does not prejudice conditions of highway safety or efficiency in accordance with Policy T1 of the Medway Local Plan 2003.

- 5 Notwithstanding the approved plans, the replacement trees proposed along the western boundary of drawing number MK MCD ST 01 (Rev B) shall be planted using a tie and spacer system whereby the trees shall be tied to stakes no higher than 45cm above ground level.

Reason: Pursuant to condition 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality, in accordance with Policy BNE1 and BNE6 of the Medway Local Plan 2003.

- 6 Notwithstanding the approved plans, the replacement trees along the western boundary of drawing number MK MCD ST 01 (Rev B) shall either be planted without a tree root control barrier or the root barrier shall be no deeper than 45cm. Planting details shall be submitted to and approved in writing by the Local Planning Authority before development takes place and the replacement trees shall be planted in accordance with the approved details within the first planting season following completion of the development. Any trees or plants which within 5 years of planting are removed or become seriously damaged or diseased shall be replaced in the next planting season with other of a similar size and species.

Reason: Pursuant to condition 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality, in accordance with Policy BNE1 and BNE6 of the Medway Local Plan 2003.

**For the reasons for this recommendation for approval please see Planning Appraisal Section and Conclusions at the end of this report.**

## **Proposal**

This application seeks planning permission for the refurbishment of restaurant and patio area including changes to kerb lines and associated works to the site. Alterations to the roof and booths to include additional cladding. The addition of extensions (totalling 58.4 sq m) and minor alterations to the car park and drive thru land to provide a side-by-side order point, which incorporates a new island for signage. Existing bin store to be removed with a new corral being built incorporating a covered store area. The installation of two-customer order displays, height restrictor (Resubmission of MC/13/2150).

The extensions would be located in three areas around the building. The largest extension would be to the front of the building. This extension would be “L” shaped and approx. 15.44m (W) x 3.275m (D). As the extension wraps around the building the extension to the east elevation would be approx. 2m (W) x 5.8m (D). This extension would result in an increase of restaurant space for the customers.

A further extension is proposed for the north west corner of the site. This would be smaller than the extension to the front of the restaurant, but more crucially is less noticeable because the extension proposed would be under the eaves of the building. Again the extension is “L” shaped and along the western elevation the extension would be approx. 8.7m (W) x 1.2m (D). As the extension wraps around the building it would be approx. 1.4m (W) x 2.6m (D). This extension would result in a reconfiguration and upgrading of the customer toilets, managers office, staff room and staff toilets.

The final extension would be at the rear of the restaurant and would measure approx. 5.53m (W) x 2.335m (D). This extension would result in the installation of a new freezer and chiller.

The development proposes a new roof . However it is not a new roof as such, only in appearance is it a new roof. The existing roof would remain in place and the “new” roof would be placed on top and fixed into place. All equipment already on the roof e.g. air conditioning units, vents etc would remain in their current location.

As a result of the proposed extension to the front of the restaurant, it is proposed that the customer seating area and the 'drive-thru' is moved closer to Commercial Road. Three new pedestrian crossings are proposed across the 'drive-thru' to the front of the restaurant. The remaining part of the “drive-thru” that runs parallel to the western elevation of the restaurant would also be moved closer to Commercial Road due to the proposed extension to the north west corner of the restaurant. It is also proposed that the 'drive-thru' divides into 2 lanes in the north western corner. Each lane would be approx. 3m wide with an island of approx. 1.815m separating the 2 lanes. Beyond the proposed island the 'drive-thru' would then merge into one lane and follow the existing route.

The alterations to the 'drive-thru' would result in the loss of 2 parking spaces.

It is also proposed that the height restrictor currently used be retained on site but moved towards the entrance of the 'drive-thru'.

Finally, a new bin storage area is also proposed within the car park adjacent to the northern boundary. This would replace the existing bin store. The proposed bin store would be approx. 9m in width and 3.5m in depth and this would also result in the creation of an approx. 2.045m concrete path being built which would link the bin store to the rear of the restaurant. It should be noted that this path would cross the 'drive-thru'.

## Relevant Planning History

MC/13/3031  
MC/13/2151) Advertisement consent for the installation of 3 white 'McDonalds' fascia signs and 4 yellow 'Golden Arch' fascia signs all internally illuminated (Resubmission of

**Decision** Currently under consideration

MC/13/3022 Reconfiguration of existing signage suite including the retention and relocation of signs plus additional signage 1x internally illuminated welcome sign; 2x rotating single 3 sided units ; 2x rotating double 3 sided units and 1 x side by side any lane/any time directional (Resubmission of MC/13/2204)

**Decision** Currently under consideration

MC/13/2150 Refurbishment of restaurant and patio area including changes to kerb lines and associated works to the site. Alterations to the roof and booths to include additional cladding. The addition of extensions (totalling 58.4 sq m) and minor alterations to the car park and drive thru land to provide a side-by-side order point which incorporates a new island for signage. Existing bin store to be removed with a new corral; being built incorporating a covered store area. The installation of two customer order displays, height restrictor.

**Decision** Withdrawn by Applicant

**Decided** 21 October, 2013

MC/08/1242 Minor works including to roof and associated elevational treatment and minor amendments to site layout to improve disabled parking

**Decision** Approval with Conditions

**Decided** 15 September, 2008

97/0268 Extension to front elevation and part side elevations beneath overhanging eaves to provide additional customer seating.

**Decision** Approval with Conditions

**Decided** 29/08/1997

97/0267 Extension to front elevation and part side elevations beneath overhanging eaves to provide additional customer seating.

**Decision** Approval with Conditions

**Decided** 29/08/1997

## **Representations**

The application has been advertised on site and by individual neighbour notification to the owners and occupiers of neighbouring properties.

Two letters have been received. One from the Strood Town Centre Forum who asked that their comments from applications MC/13/2150, MC/13/51 and MC/13/2204 be transferred to this application (MC/13/3022) and applications MC/13/3021 and MC/13/3031.

The representation from Strood Town Centre Forum raised concerns as summarised below:

- The moving of the outside eating area closer to Commercial Road creates an unnecessary and dangerous complication for drivers.
- There is a need for visual de-cluttering following the initiative of Eric Pickles MP, The Secretary of State.
- Any totems or other standing advertising should be reduced at the front of the site so that it does not create any further complications for drivers.
- The reduction in on site green space provisions and trees will be lost.
- Should the fencing around the North and East boundaries be replaced, they should not be replaced with metal railings or similar.

The Strood Town Centre Forum advise that having spoken to the planning agent they understand a revised plan might be submitted which may address the points they raise in their letter and they request to be consulted if amended plans are received so they can consider any revised comments they may wish to make. Consultation on amended plans has taken place and no response from the Strood Town Centre Forum has been received.

The second representation received took the form of two letters from one address / writer. The latter letter stated that they were pleased to see the green screen around part of the boundary along with the planting of some trees, which they consider improves the sites appearance. The other letter from this writer related to concerns in regard to the proposed advertising (applications MC/13/3022 and MC/13/3031). The concerns regarding the proposed advertisements have been considered under the relevant applications.

## **Development Plan**

The Development Plan for the area comprises the Medway Local Plan 2003. The policies referred to within this document and used in the processing of this application have been assessed against the National Planning Policy Framework, 2012 and are considered to conform.

## **Planning Appraisal**

### *Principle*

The McDonald's restaurant is located within the urban area and within the Town Centre of Strood as identified on the proposals map to the Medway Local Plan 2003. Due to the site being within Strood Town Centre, it is a part of a core retail area. The proposal is for the extension and refurbishment of the existing restaurant building and its surroundings. The development is considered acceptable in principle and will be subject to the consideration of matters of detail.

### *Design*

The proposed extensions would be visible within the street scene but are relatively small and have been designed to complement the appearance of the existing restaurant building. As such, it is considered that the extensions would be in accordance with Policy BNE1 of the Medway Local Plan 2003.

### *Amenity*

The application site is located within the core retail area of Strood and is a standalone building set in its own grounds. As such it is located some distance away from any residential properties and therefore it is considered that the proposed development would not result in any detrimental impact on residential amenity in terms of loss of outlook, daylight, privacy, overshadowing, noise and disturbance. The proposal is considered to be in accordance with Policy BNE2 of the Medway Local Plan 2003.

### *Highways and Landscaping*

The proposed extensions to both the front and north western elevation of the restaurant would result in the moving of the 'drive-thru' closer to Commercial Road. On the existing site there is a green buffer that runs along the front (south) and west boundaries. This green buffer provides a visual break between the 'drive-thru' and the public highway. At its greatest depth the green buffer is approx. 4.5m (along the South boundary) and at its least, the depth is approx. 2.5m (along the west boundary). The proposals would result in the green buffer decreasing in size to approx. 1m on the south boundary and no green buffer along the west boundary. The buffer is considered necessary as a visual break and to obscure the rear lights of vehicles should a queue form within the 'drive-thru'. This being necessary to reduce the risk of confusion to drivers on Commercial Road by the brake lights of those using the 'drive-thru'.

Amended landscaping plans have been submitted showing the planting of a hedge along the southern boundary. This hedge would be approx. 38m in length and continue around the corner of Commercial road. Whilst this plan shows minimal change to what was originally proposed, the solution is considered acceptable

subject to the hedge being no higher than 600mm so as to not obstruct the line of sight of drivers. It is recommended that a condition be applied to limit the height of the hedge.

Amended plans also show the 'drive-thru' being moved slightly closer to the restaurant along the western side and the planting of three trees, which would replace the three being removed. It is recommended that conditions be applied to any forthcoming planning permission to remove the use of tree root control barriers and that tree stakes are replaced with a tie and spacer system.

In terms of the loss of the two parking spaces as a result of the proposed changes to the 'drive-thru', these spaces were only used by customers waiting for special order items and therefore, it is considered that their loss would not result in increased parking pressure for the users of the restaurant. The proposal is considered to be in accordance with Policies BNE6 and T1 of the Medway Local Plan 2003.

#### *Local Finance Considerations*

None relevant to this application.

#### **Conclusions and Reasons for Approval**

The proposed development is a part of McDonald's rebranding and as such the design of the building follows that corporate design. The proposed extensions are modest and with the revised landscaping plan are considered acceptable in visual and highway safety terms. As such it is considered that this application conforms to Policies BNE1, BNE2, BNE6 and T1 of the Medway Local Plan 2003 and is therefore recommended for approval.

This application would normally fall to be determined under delegated powers but has been referred to Committee due to the representation received from Strood Town Centre Forum (being taken to represent the views of 3 or more people) contrary to officer's recommendation.

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#### **Background Papers**

The relevant background papers relating to the individual applications comprise: the applications and all supporting documentation submitted therewith; and items identified in any Relevant History and Representations section within the report.

Any information referred to is available for inspection in the Planning Offices of Medway Council at Gun Wharf, Dock Road, Chatham ME4 4TR and here <http://planning.medway.gov.uk/dconline/AcolNetCGI.gov>