

Written Statement of

Matthew Carpenter BA(Hons) DipTP MRTPI

On behalf of McDonald's Restaurants Ltd

In accordance with the

**Town and Country Planning (Referred Applications and Appeals Procedure)
(Wales) Regulations 2017, specifically Part 4 (Written Representations).**

**Appeal against the Wrexham County Borough Council refusal of
planning permission for the erection of a freestanding restaurant with
drive thru facility, car parking, landscaping, and associated works
including customer order displays**

LPA ref P/2019/0919

APPEAL BY McDonald's Restaurants Ltd

Land at Argos Car Park,

Plas Coch Retail Park

Wrexham

November V3

Table of Contents

APPENDICES.....	2
1.0 QUALIFICATIONS AND EXPERIENCE	3
2.0 INTRODUCTION	4
3.0 THE SITE, PLANNING HISTORY, AND THE APPLICATION.....	6
The Site	6
Pre-Application Discussion	6
Submission and Documentation	6
Consultation and officer's recommendation/report to panel members	7
Committee meeting	10
4.0 THE DECISION.....	12
The Reasons for Refusal	12
5.0 PLANNING POLICY	13
Planning Policy Wales	13
Wrexham Unitary Development Plan (UDP) 1996-2011	14
Local Planning Guidance Notes (LPGN)	19
Conclusion	19
6.0 ASSESSMENT OF THE PROPOSAL AGAINST THE PLANNING POLICY	20
Assessment of Sustainability	20
Social Considerations	20
Training	21
Economic considerations	23
Cultural considerations	24
Environmental Consideration	24
Reasons for refusal	26
Reason 1 - Traffic congestion	26
Reason 2 – Parking Matters	26
Reason 3 – Proximity to Plas Coch Primary School	26
Introduction	26
Guidance LGPN 9	27
General Location	27
Healthy eating	29
Proximity to schools and tertiary colleges	31
Highways Safety and Parking	33
Hours of Operation	33
Control of Odours and Cooking Smells	33
Disposal of Waste Products	33
Litter	34
7.0 CONCLUSIONS.....	37
8.0 SUMMARY.....	38

Appendices

▪	Appendix A	Photograph of the Site (September 2021)
▪	Appendix B	Committee Report
▪	Appendix C	Decision Notice
▪	Appendix D	Pre-Application Advice
▪	Appendix E	Decision Drawings
▪	Appendix F	SuDS Approving Body (SAB Approval)
▪	Appendix G	Extract from Planning Statement
▪	Appendix H	Committee Brief
▪	Appendix I	Coventry Appeal (APP/U4610/W/20/3265208)
▪	Appendix J	Transaction Breakdown
▪	Appendix K	Pedestrian Surveys

1.0 Qualifications and Experience

- 1.1 My name is Matthew Carpenter. I hold a Bachelor of Arts Town Planning Degree from Oxford Polytechnic and a Post Graduate Diploma in Planning from Oxford Brookes University.
- 1.2 I have been a member of the Royal Town Planning Institute for over twenty-eight years.
- 1.3 I am the planning Director for Planware Ltd and have been since July 2004. Previously I was employed by Anthony Bowhill and Associates in Central London reaching a position of Senior Associate (1993 – 2004). I became a Chartered Town Planner in 1995.
- 1.4 During the course of my employment I have been involved in all aspects of planning. I advise clients throughout the United Kingdom in respect of matters relating to retail, commercial, industrial, and residential schemes. My clients vary from blue chip companies (including McDonald's Restaurants Ltd, Monsoon and Primark) through to landowners with individual sites.
- 1.5 Planware Ltd is planning consultant to McDonald's Restaurants Ltd for both new stores and the re-imaging and alterations to their existing properties. I have advised McDonald's restaurants on planning matters for 28 years and am familiar with a large number of different types of their restaurants throughout the UK. I have been involved with a substantial number of new McDonald's restaurants during the course of my planning career.
- 1.7 I am familiar with the subject site.
- 1.8 The written statement which I have prepared and provided is true and based on my own views, taking account of other professional views where appropriate. It has been prepared in accordance with my professional code of conduct. I confirm that the opinions expressed are my professional opinions.

2.0 Introduction

- 2.1 The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission. This document is the appellants' written statement and the principal text is the planning evidence and appendices. Also attached and referenced herein is the proof of evidence on the Transport Assessment produced by Catherine Chapman, Director of ADL, upon which I rely as specialist advice and put before the Inspector as evidence.
- 2.2 The development proposes the reuse of an underused area of car parking currently associated with the existing Plas Coch Retail Park. The site constitutes brownfield redevelopment. The proposal is to construct a two-storey bespoke McDonald's restaurant with drive-thru facility. Appendix A includes photographs of the existing site and surrounding area.
- 2.3 The application was submitted on behalf of McDonald's Restaurants Ltd, who are the appellants.
- 2.4 The proposal will conservatively generate at least 65 full and part-time jobs (at least 45 full time equivalent) supporting the local economy.
- 2.5 The officers report to committee recommended approval of the application, subject to conditions. A copy of the report is enclosed as Appendix B. Unfortunately, members at committee on the 7th June 2021 refused the application. A copy of the decision notice dispatched on 7th June 2021 is at Appendix C.
- 2.6 There are three reasons for refusal:
1. *The existing highway network leading to and serving the Plas Coch Retail Park suffers from capacity issues during the weekday peak times and at the weekend when significant queuing/delays are experienced. The proposed development would exacerbate the existing problems and result in further traffic congestion to the detriment of the free flow of traffic on the highway. To allow the development would be contrary to Policy GDP1 (d) of the adopted Wrexham Unitary Development Plan.*
 2. *The proposed development would result in the loss of 70 parking spaces which serve the existing retail uses. This reduction in parking would result in a significant shortfall of spaces available and would fail to provide sufficient off-street parking to meet the existing retail demand, contrary to Policy T8 of the adopted Wrexham Unitary Development Plan and the adopted Local Planning Guidance Note No. 16 - Parking Standards.*

-
3. *The proposed development lies within 400m of the boundary of Plas Coch Primary School. To allow the development would be contrary to the adopted Local Planning Guidance Note No. 9 - Hot Food Takeaways.*

- 2.7 In section 3 of my statement, I provide a description of the site, the planning history and detail the proposal.
- 2.8 In section 4, I refer to and comment briefly on the reasons for refusal and set out comments on members considerations at the committee meeting.
- 2.9 Section 5 identifies relevant national and local planning policy.
- 2.10 In section 6, I consider the performance of the proposal against planning policy.
- 2.11 Section 7 concludes that there are no justifiable planning grounds for refusal and that members acted unreasonably. I therefore request the Inspector allow the appeal.
- 2.12 A summary has been included as section 8.
- 2.13 A Pre-Appeal enquiry on highways grounds has been produced as part of the appeal documents to assist with the case.

3.0 The Site, Planning History, and the Application

The Site

- 3.1 The site description and details of the surrounding area are set out in the committee report and I concur with this description.
- 3.2 In summary, the site is located within the existing Plas Coch car park, adjacent to Plas Coch Road (B5101), with the access roads to the retail park to the north and west. Access to the site is via the retail park.
- 3.3 The proposals provide the opportunity for McDonald's to meet a long-standing requirement for a restaurant to serve this catchment area, to meet customer demand and introduce additional choice in the market.
- 3.4 The site includes several TPO trees, which formed the basis of much of the original discussion and the final design was agreed with the Tree Officer. A number of residents objected, as did local members.
- 3.5 I also concur with the planning history set out in the officer's report, which includes the advertisement applications, which were refused on the same agenda.

Pre-Application Discussion

- 3.6 Pre-application advice was issued by the council on 11th April 2019 (copy attached as Appendix D). This advice confirmed that in relation to LPGN No. 9 *"Whilst there is a school (Plas Coch) nearby, this is at primary education level where children will be accompanied by an adult to and from school. The other nearby residential institution is Glyndwr University, and universities are not mentioned within the guidance. I confirm therefore that I have no concerns in this regard."*
- 3.7 The advice concluded that *"the proposed development would accord with the character of the site and would not be to the detriment of local residential amenity or the visual amenities of the area. Concerns have been raised in relation to highway safety and parking, and unless these matters can be resolved I would be unable to support a formal planning application as it would be contrary to Policies T8 and GDP1 of the UDP."* The documentation submitted with the application addressed the key points of this advice.

Submission and Documentation

- 3.8 The application subject to this appeal was submitted on the 20/11/2019 and supported by the plans, reports and documents as detailed in the committee report set out at Appendix B.

-
- 3.9 Copies of the final drawings are included in Appendix E.

[Consultation and officer's recommendation/report to panel members](#)

- 3.10 A copy of the officer's committee report is provided at Appendix B.
- 3.11 Pages 30 and 46 of the officer's report sets out the consultation responses both from statutory consultees and from residents. We will further consider issues raised in our assessment of the application in the following sections.
- 3.12 The principle of development is considered on pages 47 with the officer confirming that the proposed development accords with national and local planning policy, and supplementary planning documents. The site is located within Wrexham Town and considered acceptable in principle.
- 3.13 The report identifies the key policies that need to be reviewed, in line with highway safety, residential amenity, and the character and appearance of the area.
- 3.14 It is important to note officer's comments in the committee report in relation to the following points, and we quote:

Design (page 47/49) - *Although the building will be prominently sited, I consider it to be of a simple design and of comparatively low level in its mass. As such the building would not appear overly dominant in presence in comparison to other buildings located in and around the retail park. I am therefore satisfied that it would not appear incongruous in this location.*

Amenity (page 50/51) - *Given the separation distances and the intervening buildings and highways, the development would have only a limited visual impact when viewed from these properties, and the scale will have no impact upon residential amenity in terms of any loss of light, privacy or visual overbearance.*

The public protection team has requested planning conditions to secure the submission of ventilation and method of cooking extraction details, for further approval, which will further safeguard the public from any adverse impact of noise or odour. A condition will also be attached to secure the submission of a lighting scheme for further approval.

I am satisfied therefore that the proposed development would not have a negative impact upon the residential amenities of the area and is in accordance with UDP Policy GDP1 (a) and (f).

Highways Conclusions (page 51/57) - *The highway authority is now content that the proposed car parking provision is appropriate and in accordance with the Wrexham County Borough Parking Standards. Concerns over headlight glare have been satisfactorily addressed. The*

Service Delivery Management Plan has now been provided which has addressed all concerns regarding deliveries and waste removal.

A Stage 1 Road Safety Audit has identified where improvements are required to pedestrian crossings and the findings incorporated into the proposal. The highway improvements set out in the Designers Response to the RSA must be undertaken before the restaurant begins trading.

Accident analysis has been undertaken and has confirmed that there are no highway issues that would be directly exacerbated by the development.

All issues relating to the design of the site have been resolved. There remains some concern that the surrounding road network experiences congestion and that any additional traffic will exacerbate the issues. However, the degree to which the proposed restaurant adds to the congestion is negligible and at peak times it is likely that congestion will deter visitors to the restaurant at busy times. In addition, Welsh Government are expected to undertake improvements to the A483 Junction 5 and Berse Road Roundabout which will improve the future year operation of these junctions.

Concerns over the use of the site as a drive-thru facility on football match day could be addressed through a condition that would prevent vehicle access, but allow trading to continue for pedestrians, as at other McDonald sites in close proximity to football stadia. There is an example of this at the McDonalds close to Cardiff City Stadium where the vehicle access is blocked off and the drive through lane operates successfully as a "walk through" on match days. Anecdotal evidence has suggested that issues may arise occasionally on home Match days, so this suggestion is made as a point for consideration. I am not aware that there is a specific planning condition as it is something that is observed to happen in practice when the Cardiff City Football Stadium carpark has problems before/after any home matches. However, match day restrictions would not be necessary to make the development acceptable in highway safety terms, and though a condition would be welcomed, it is not necessary in highway safety terms to allow planning permission to be granted.

Gathering together the threads of all of the assessments made of the scheme in terms of the impact of the proposed development upon highway safety, I am satisfied that the application complies with UDP Policies GDP1 (d) and (e), T8 and T9.

LPGN No.9 – Hot Food Take-Aways: (page 57/59) - *The advice contained within this note is not planning policy, but is guidance used to amplify planning policy (GDP1), community strategies, and more broadly the Healthy Eating and Being More Active Strategy and other more recent National Strategies. It has been formally adopted by this Council and, whilst it*

doesn't carry as much weight as planning policy, it is a material consideration in the determination of this application.

Proximity of the proposal to nearby schools (page 57/58) *The site is within 400 metres of a primary school, known as Ysgol Plas Coch. Whilst pupils in primary education are not allowed out of school premises during the school day, research indicates that the most popular time for purchasing food from shops is after school. As primary school pupils will obviously not have a car, the potential harm from the temptation to overconsume fast food is limited to pupils walking to and from school, going inside the building to collect a take away along the way. Of course, parents may well use the drive thru to purchase food for their children before they drop them off at school or after collecting by car, but it is for the parents to make a judgement as to what their children consume, as is the case now when they drive past the retail park which we have already been told has a plethora of food outlets.*

Ysgol Plas Coch is one of few Welsh Medium Schools in Wrexham. This means that a large number of pupils who attend the school are unlikely to live within walking distance of the school and will arrive / leave by car. Of those that do live within walking distance, most will still be collected by parents both by car and also on foot. Again, it is for the parents to make the right choices on when and what to feed their children.

It is highly likely that the remaining small proportion of pupils who walk to and from school, unaccompanied by a responsible adult, will be limited to the older 10 or 11 year olds, and these in reality will be very few number. This small number of unaccompanied pupils already have access to a wide range of food outlet options within the retail park, which they would have to pass by to reach the application site. There are healthy options conveniently available to make good choices in these existing outlets, as there will be within the proposed restaurant. I do not therefore consider that the proposed development will result in the harm that the Guidance note seeks to safeguard against.

Opening Hours (page 58/59) *Given the distance from the properties, it is not considered necessary to restrict the hours of opening of the restaurant or drive thru facility, by planning condition. Licensing requirements apply for operational undertakings between 11.00 pm and 5.00 am. The operating hours appropriate for the site will therefore be determined by the licensing officer.*

Anti-Social Behaviour (page 59) - *The introduction of this facility into the area will increase natural surveillance, and the premises are usually also covered by security mitigation measures such as CCTV systems. The landowner (the applicant) has confirmed that he does have the necessary controls to close the retail car park and will do so if any such issues do arise.*

Litter (page 59) - *Litter bins should be placed in and around the forecourt / parking area to safeguard the appearance of the area and to deter pets and vermin, and this will be secured by planning condition.*

LPGN No.9 Summary (Page 59) *In summary, I do not consider the proposed development to conflict with the purposes of LPGN 9, nor does it conflict with any of the planning policies which the guidance seeks to amplify when the individual merits of the scheme are properly considered, and I find that the development is in accordance with the UDP Policy GDP1.*

Trees (page 59 - 60) - *The tree officer has been consulted as part of the application process and has confirmed that the amended proposal is acceptable.*

Listed Building and Archaeology (page 60) - *I can therefore confirm that there are no archaeological implications for the proposed development at this location. Further, the proposed development will not have a significant impact upon the setting of the nearby Grade II Listed Glyndwr University and the development accords with UDP Policy EC9.*

Drainage: (page 60/61) - *Both Welsh Water and NRW have been consulted as part of the applications. Neither consultee express any concerns in relation to the proposed development.*

Pollution: (page 61) – *I therefore have no reason to be concerned that the proposed use of the site will have a significant detrimental impact upon the environment, and the development of the site as proposed complies with the relevant UDP Policy GDP1 (f).*

Conclusion (page 65) - *I am satisfied that the proposal accords with the relevant UDP Policies PS1, PS2, PS3, PS4, GDP1, EC6, EC9, EC13, T8 and T9, and the advice set out in LPGNs 9, 16 and 17,*

[Committee meeting](#)

- 3.15 Members' discussion centred on traffic safety and parking confirming "local knowledge" was better than any professional officer and that they knew better than the highways specialists – despite repeated efforts of both the planning and highways specialists providing robust responses to all questions raised.
- 3.16 Discussions also related to LPGN 9 and the proximity of Plas Coch School to the development.
- 3.17 The Planning Officer and Highways specialists addressed all the comments from the debate and clarified how these had been addressed throughout the review of the application.

- 3.18 One member confirmed that he could not find any grounds to object, so would have to abstain.
- 3.19 An amendment was proposed to the recommendation for refusal to include the loss of parking, increase congestion and highways safety not in accordance with LPGN 9 – Hot Food Takeaways proximity to schools.
- 3.20 The chair concluded *“You will have heard from the Highways specialists and from the Planning Officer that the information that they have provided is based on sound surveys and so on and so obviously we need to bear in mind that if this is appealed, we could have ourselves in a bit of a problem in terms of justifying it, because whilst people are giving anecdotal evidence there has not really been any hard evidence coming forward and so I would just ask you to bear that in mind.”*
- 3.21 The amendment for refusal was voted first and the amendment was carried 9 votes for, 2 against and 3 abstentions. The permission was refused.

4.0 The Decision

The Reasons for Refusal

4.1 The application was presented to committee on the 7th June 2021 (committee report at Appendix B). The decision notice is dated 7th June 2021 (Appendix C) and was refused for the following reasons:

1. *The existing highway network leading to and serving the Plas Coch Retail Park suffers from capacity issues during the weekday peak times and at the weekend when significant queuing/delays are experienced. The proposed development would exacerbate the existing problems and result in further traffic congestion to the detriment of the free flow of traffic on the highway. To allow the development would be contrary to Policy GDP1 (d) of the adopted Wrexham Unitary Development Plan.*
2. *The proposed development would result in the loss of 70 parking spaces which serve the existing retail uses. This reduction in parking would result in a significant shortfall of spaces available and would fail to provide sufficient off-street parking to meet the existing retail demand, contrary to Policy T8 of the adopted Wrexham Unitary Development Plan and the adopted Local Planning Guidance Note No. 16 - Parking Standards.*
3. *The proposed development lies within 400m of the boundary of Plas Coch Primary School. To allow the development would be contrary to the adopted Local Planning Guidance Note No. 9 - Hot Food Takeaways.*

5.0 Planning Policy

- 5.1 I set out below the key planning policies against which I consider the appeal should be assessed.

Planning Policy Wales

- 5.2 Planning Policy Wales (PPW) was published in February 2021, which sets out the land use policies of the Welsh Government and is supplemented by various Technical Advice Notes (TANs) relevant to the specific elements relating to the development. The primary objective is to the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales.
- 5.3 Within the description of Sustainable Development, it is highlighted that *“a body must act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs”*.
- 5.4 The Key Planning Principles are highlighted in Figure 4, which provides the five dimensions to “achieving the right development in the right place”:
- **Growing our economy in a sustainable manner** - to provide long term economic well-being, making the best use of the existing infrastructure and planning for new supporting infrastructure and services.
 - **Making best use of resources** – making development resilient to climate change, decarbonising society and developing a circular economy for the benefit of both the built and natural environments.
 - **Facilitating accessible and healthy environments** – High quality places are barrier-free and inclusive to all members of society. They ensure everyone can live, work, travel and play in a way that supports good physical and mental health.
 - **Creating & sustaining communities** - Our communities need the right mix of good quality/well designed homes, jobs, services, infrastructure and facilities so that people feel content with their everyday lives.
 - **Maximising environmental protection and limiting environmental impact** - Natural, historic and cultural assets must be protected, promoted, conserved and enhanced.
- 5.5 The PPW further explores the key considerations for sustainable development and breaks down how these should be assessed, with a number of questions for Social; Economic; Cultural and Environmental Considerations in paragraph 2.28.

5.6 Chapter 3 explores design within the Strategic and Spatial Choices. This highlights the objectives of Good Design in Figure 8 and further analysed under the following headings:

- *Access and Inclusivity*
- *Environmental Sustainability*
- *Character*
- *Community Safety*
- *Movement*
- *Appraising Content*
- *Considering Design Issues*
- *Design and Access Statements*
- *Promoting Healthier Places*
- *The Welsh Language and Placemaking*
- *Climate Change, Decarbonisation, and the Sustainable Management of Natural Resources*
- *Placemaking in Rural Areas.*

5.7 Chapter 4 of PPW concentrates on Active and Social Places and a cohesive approach to development

5.8 Chapter 6 addresses distinctive and natural places, which highlights the importance of Green Infrastructure, Heritage assets, Flood Risk, Noise, Air Pollution, Lighting and Land Contamination.

[Wrexham Unitary Development Plan \(UDP\) 1996-2011](#)

5.9 The Statutory plan for the area is Wrexham UDP which was adopted on 14th February 2005.

5.10 The proposals map accompanying the plan does not allocate the subject site or the larger retail park with any site-specific proposals or restrictions. The committee report and the decision notice guide us to relevant policies, and these are detailed below. I have reviewed the plan and there are no further policies that need consideration.

5.11 The following policies support the proposal. The policies are:

Strategic Policies – The Broad Location of Development

Policy PS1 *New development for housing, employment, and community services will be directed to within defined settlement limits/employment areas.*

Policy PS2 *Development must not materially detrimentally affect countryside, landscape/townscape character, open space, or the quality of the natural environment.*

Policy PS3 *Development should use previously developed brownfield land comprising vacant, derelict or underused land in preference to the use of greenfield land, wherever possible, particularly so where greenfield land is of ecological, landscape or amenity value, or comprises agricultural land of grades 1, 2 or 3a quality.*

Policy PS4 *Development should maintain the existing settlement pattern and character and be integrated with the existing transport network to help reduce the overall need to travel and encourage the use of alternatives to the car.*

5.12 The subject site is located within the settlement boundary of Wrexham, will not detrimentally affect the countryside and relates to underused land, which will maintain the existing settlement pattern and character and be integrated with the existing transport network. The proposal accords with policies PS1, PS2, PS3 and PS4.

Development Objectives

Policy GDP1 *All new development should:-*

- a) *Ensure that built development in its scale, design and layout, and in its use of materials and landscaping, accords with the character of the site and makes a positive contribution to the appearance of the nearby locality.*
- b) *Take account of personal and community safety and security in the design and layout of development and public / private spaces.*
- c) *Make the best use of design techniques, siting and orientation in order to conserve energy and water resources.*
- d) *Ensure safe and convenient pedestrian and vehicular access to and from development sites, both on site and in the nearby locality.*
- e) *Ensure that built development is located where it has convenient access to public transport facilities, and is well related to pedestrian and cycle routes wherever possible.*
- f) *Ensure the safety and amenity of the public and safeguard the environment from the adverse effects of pollution of water, land or air, hazards from industry and quarrying, and associated noise, odour or vibration arising from development.*
- g) *Secure public services (e.g. gas, water, electricity) to development at minimum public cost.*

- h) Safeguard sites and areas of nature conservation and wildlife interest, and to provide new habitats where there is an unavoidable loss of existing habitats and areas of wildlife interest.*
- i) Ensure that development does not result in, or is subject to, flooding, soil erosion, landslides or contamination, either on or off the site.*
- j) Have regard to the need to safeguard those areas that possess a strong Welsh cultural and/or linguistic identity from development that could harm this identity.*
- k) Secure the development of sustainable communities, through the promotion of the economic, social and environmental well-being of the area.*

5.13 Criteria a), b) and c) relate to Design. In considering the design principles for this development, the design team had taken into account the site specific design background of the local environs; the proposed use of the building as a restaurant; the amount of development proposed in relation to the surroundings; how the layout proposed fits within the natural and urban grain; how the scale of the proposal sits within the site and relates to the urban form in the surroundings; and the overall appearance of the scheme including the soft landscaping proposed. During the application, the design was further developed in line with comments from various consultees and the officer has confirmed within the committee report that the final proposal was acceptable in terms of scale and mass, in relation to the backdrop of much larger units within the retail park. The landscape design was further developed in line with comments from the Tree Officer and the SuDS Approving Body (SAB) and a detailed scheme evolved.

5.14 Criteria d) and e) relate to Highways Matters and are reviewed in detail within the next section.

5.15 Criteria f) relates to amenity. The closest residential properties are located approximately 150m from the subject site. Due to the degree of separation, no further mitigation was required in relation to noise odour or vibration and the Public Protection Team recommended conditions, which were included with the officer's recommendation. (Appendix B)

18. No part of the development shall commence until details of the means of ventilation for the extraction and dispersal of cooking smells, including details of its method of construction, odour control measures, its appearance and finish have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to first use of the development and shall thereafter be permanently retained in an effective condition.

19. The rating level of any noise generated by air handling plant associated with the development shall not exceed the pre-existing background level at any time. The noise levels shall be determined at nearby noise sensitive premises, and measurements and assessment shall be made in accordance with BS4142:2014 Method for rating and assessing industrial and commercial sound.

5.16 Criteria g) is not relevant to the development.

-
- 5.17 The landscaping scheme and supplementary landscape drawings have included the existing beech hedge to boundary to be retained and enhanced in line with criteria h). (Appendix E – Drawing references 17229-VL-McD_L01 D - Landscape Plan_A1 [Planning], 17229-VL-McD_D01 B- SuDs Tree Planting Detail_A2, 17229-VL-McD_L02 - Rain Garden Planters Plan_A2 [Planning])
- 5.18 Additional information was provided during the application, in line with levels, drainage and landscape drawings which were also required for the SAB process. Furthermore, a PH1 Desk Study & Ph 2 Geo-environmental Site Investigation was submitted with the application to demonstrate that the development falls within the parameters of criteria i).
- 5.19 All signage and road markings have been included bilingually in both Welsh and English, in line with criteria j). This has also been included as a condition within the officer's recommendation.

23. Any signage shall be bilingual, and the Welsh Language shall precede the English language.

- 5.20 Criteria k) has been reviewed in further detail in the next section of the report due to the links to LPGN 9.
- 5.21 The proposal accords with all the relevant criteria of Policy GDP1, which is reinforced throughout the committee report.

Hedgerows Trees and Woodland

Policy EC4 Development proposals should provide for the conservation and management of hedgerows, trees, orchards, woodland, wildlife and other natural landscape and water features, and include new planting in order to enhance the character of the landscape and townscape. Development which results in the loss or significant damage to valuable trees, important hedgerows or ancient woodland sites will not be permitted.

Policy EC6 Development either within or close to sites of biodiversity interest will only be permitted where it can be clearly demonstrated that the need for the development outweighs the need to safeguard the intrinsic nature conservation value of the site. Where such development is permitted, damage should be kept to a minimum, and compensatory measures should be provided. Measures to improve the biodiversity value of sites and enhance their natural conservation interest and landscape quality including the establishment of local nature reserves, will be supported.

- 5.22 The appeal site is subject to two TPOs - WCBC 69/2002 and WCBC 264/0216. During the application, the site was redesigned in light of consultation comments from the Tree Officer,

who has confirmed overall acceptability for the scheme. The proposal accords with policies EC4 – Hedgerows, Trees and Woodland and EC6 – Biodiversity Conservation.

Listed Buildings of Special Architectural or Historic Interest

Policy EC9 Alterations or additions to, and development or redevelopment within the curtilage of, buildings or structures listed as of special architectural or historic interest must respect the setting and character of the listed buildings or structures.

- 5.23 During the application, Clwyd-Powys Archaeological Trust (CPAT) were consulted, due to the subject site's proximity to an area of Roman period activity. CPAT confirmed that this area was investigated in 1996 (Geophysics and evaluation trenching) and no significant archaeology was identified. They confirmed that there would be no archaeological implications for the proposed development in this location. The proposal accords with policy EC9.

Surface Water Run-Off

Policy EC13 Development which would result in an unacceptable adverse impact on the water environment due to additional surface water run-off will not be permitted.

- 5.24 Welsh Water and Natural Resource Wales were consulted during the application, who had no objection to the scheme, in line with the recommended conditions. Our client worked with the authority and in accordance with Flood and Water Management Act 2010 Schedule 3 (Wales), the Sustainable Drainage System was approved on 4th June 2021. (Appendix F) The proposal accords with policy EC13.

Parking and Walking, Cycling and Horse-Riding Routes

- ***Policy T8*** Development granted planning permission will be required to provide vehicle parking spaces either on site or nearby, in accordance with the Council's current parking standards. Special regard will be paid to the following factors, as appropriate:-

a) the availability of public transport nearby,

b) proximity to public car parking,

c) proximity to local services and facilities, d) road safety hazards and amenity considerations arising from on-street parking in the vicinity of the site.

Where implementation difficulties arise in making parking provision on-site or nearby, the Council will require a developer to make financial contributions for measures to assist public transport, or walking and cycling as appropriate.

-
- **Policy T9** *Development proposals will be required to provide walking and cycling routes, where feasible and appropriate, that link with existing or proposed walking and cycling routes, and integrate with the public transport system. Opportunities for horse riding along these routes will be secured where appropriate.*

5.25 Policy T8 and T9 relate to Highways Matters and are reviewed in detail within the next section.

Local Planning Guidance Notes (LPGN)

5.26 LPGN No. 9 - Hot Food Take-Aways was adopted in December 2011 and will be further reviewed in the next section.

5.27 LPGN No. 16 – Parking Standards was adopted in July 2018 will be further reviewed in the next section.

5.28 LPGN No. 17 – Trees and Development was adopted in September 2000 and most recently updated in December 2012. This guidance notes relates to Policy EC4, which has been considered above and shown that the development accords with this policy and subsequently this LPGN.

Conclusion

5.29 In the light of the policies detailed above, the proposal accords with the UDP and is supported by it. The contested policies are considered in the following section.

6.0 Assessment of the Proposal Against the Planning Policy

- 6.1 This section of my statement sets out my professional assessment of the relevant policy in context to the proposed development.
- 6.2 Section 5 of my statement sets out relevant planning policy in relation to the proposal and comments on those in support of the proposal and are uncontested. I consider the proposal below with reference to the policies that are referenced in the decision notice. My professional assessment of the proposal will start with a consideration in relation to national policy. This is followed by an assessment of the key policy and guidance notes referenced in the decision.

Assessment of Sustainability

- 6.3 I have set out in the preceding section of this document the key dimensions to sustainable development that are the overarching objectives running through Planning Policy Wales and as set out in adopted policy GDP 1(k). The proposed development accords with these principles.
- 6.4 In line with para 2.27 of PPW, *"Planning authorities should ensure that social, economic, environmental and cultural benefits are considered in the decision-making process and assessed in accordance with the five ways of working to ensure a balanced assessment is carried out to implement the Well-being of Future Generations Act and the Sustainable Development Principle."* The four considerations referenced in PPW are reviewed below:

Social Considerations

- 6.5 McDonald's is committed to being a valued and responsible member of the communities in which it operates. Alongside strong staff training programmes and environmental initiatives, McDonald's also supports Ronald McDonald House Charities (RMHC) and encourages young people to lead more active lives.
- 6.6 McDonald's has a track record of enabling and encouraging young people to participate in sports, including a long tradition of supporting community football and Olympic sponsorship
- 6.7 The proposal will create and attract strong social links with the local community. The planning statement submitted with the application sets out details of McDonald's local sports sponsorship, open farms programme, 'love where you live' programme and support of Ronald McDonald House Charities. In addition, the restaurant provides a family destination for local residents. Other examples include support for employees, free Wi-Fi and full accessible access.

Training

- 6.8 McDonald's commitment to employee education incorporates both internal training programmes and externally recognised qualifications. The McDonald's training philosophy centres on career long learning – "from the crew room to the boardroom". McDonald's is recognised as a "heavy lifter" by the Work Foundation as it recruits on the qualities not the qualifications of applicants.
- 6.9 McDonald's also provides an internal management training programme, which upon successful completion, allows the candidate to progress to be a Business Manager or Operations Consultant. Nine in ten of the Business Managers started with McDonald's as crew members and a third of the executive team started their career in one of their restaurants, as did many of the franchisees
- 6.10 Crew members also receive ongoing training of which regular assessment forms a part. The ratings from these assessments are then discussed at each employee's performance review. McDonald's invests over £43 million annually in training and those employed at the proposed restaurant would be given the chance to undertake training and development, including the opportunity to gain nationally recognised qualifications in hospitality, literacy and numeracy.
- 6.11 Key to delivering this is the company website for employees – ourlounge.co.uk, which acts as a support facility allowing online shift scheduling, providing career advice and an online learning programme. Critically, McDonald's was given official awarding status by the Qualifications and Curriculum Authority in 2008, which affords the ability to develop and award its own nationally recognised qualifications. The first qualification that McDonald's offered is a Level 3 Diploma in Shift Management, which over 8,700 Shift Managers have completed to date. From May 2017 McDonald's began offering a new suite of qualifications providing flexible development routes throughout an employee's career, including:
- A level Two Apprenticeship which is aligned to the entry level Crew role.
 - A level Three Apprenticeship which is aligned to the Shift Management position.
 - A Level Six (BA Hons) Chartered Manager Degree Apprenticeship at Level Six which is aligned to their career path to become a Business Manager with Manchester Metropolitan University.
 - Stand-alone Maths and English qualifications delivered by specialist teachers for Apprenticeship applicants without the necessary Maths and English skills to go straight onto an Apprenticeship.
- 6.12 McDonald's has an ambitious apprenticeship scheme and at the close of National Apprenticeship week 2020, McDonald's celebrated reaching 300 Apprentice graduates. For 2020 alone, there were over 700 apprentices in learning, and one of the programs has received extensive recognition at the 2019 School Leaver Awards.
-

-
- 6.13 Since 2018, McDonald's have offered a Chartered Business Management degree from Manchester Metropolitan University and Glasgow Caledonian University for managers and young people as part of their award-winning school-leaver apprenticeship programme. The course allows McDonald's employees to combine working in a restaurant with time spent at university learning theory and gaining a wider business perspective. The entire degree is paid for by McDonald's and students are rewarded with a competitive salary while they work in the restaurant too. There are currently have over 140 managers on their way to completing a degree apprenticeship, with a further 13 due to graduate this year.
- 6.14 Each qualification gained through the schemes offered by McDonald's adds to the employee's CVs and builds their skills, competencies and confidence. They are then able to transfer what they have learned, should they wish to take on other roles in sectors such as hospitality, retail and business management.
- 6.15 As part of the global goal to remove the barriers to work for young people, McDonald's have been working closely with Youth Employment UK and in November 2018 were awarded the YEUK Youth Friendly Employer Award. This is a quality kitemark that assesses organisations against the best practice framework. The award supports organisations to embed a youth-friendly employment culture to help create a motivated and diverse future workforce.
- 6.16 McDonald's have also continued to be recognized in 2019/20 by both the Times top 100 Graduate Employers and the Guardian UK300 Top Graduate Employers.
- 6.17 The UK 300 lists the top 300 graduate employers, as voted for by students. An independent survey of university students is conducted to capture their opinions and attitudes towards employers and job hunting - 74,746 students and graduates responded. McDonald's are listed 227th,
- 6.18 The Times Top 100 Graduate employer rankings are compiled from interviews with over 19,000 graduates who left university in 2018, who were asked: "Which employer do you think offers the best opportunities for graduates?" More than 70,000 copies of The Times Top 100 Graduate Employers directory are distributed free-of-charge to student job hunters at fifty key universities across the country. Listed 88th this year.
- 6.19 McDonald's have also been awarded at the School Leavers Awards 2019. These awards celebrate the top employers for school and college leavers who offer the best UK apprenticeships and school leaver programmes; as well as those who excel in areas such as job satisfaction, career progression, training and company culture. This year we won in the following categories:
- Top Employer for School Leavers
 - Top Employer - Small School Leaver Intake
-

-
- Top Employer - Hospitality & Tourism
 - Best Job Satisfaction
 - Best On-the-Job Training

6.20 With 90% of restaurants run as a local business by local franchisees, McDonald's takes pride in working with local communities in which they operate. McDonald's is a long-standing partner of the FAW, supporting the grassroots game in Wales for the past 18 years. Locally this has meant that McDonald's and their franchisees have supported local grassroots clubs with donations of kit and equipment. The McDonald's Football Programme has also provided free 'Fun Football' sessions at Colliers Park and The Rock Stadium (Cefn Druids FC), giving the opportunity for boys and girls aged 5 – 11 to have their first taste of football. McDonald's also supports Keep Wales Tidy and their many anti – litter campaigns and locally in Wrexham have organised a number of clean ups.

Economic considerations

6.21 The significant investment of the proposed development will support the wider Wrexham local economy. The latest figures available show that McDonald's contributed £6.0 million to the economy in Wrexham. Of this total, 60% is associated with the value of the sold in restaurants and the remaining 40% is the value of expenditure with suppliers and driven by the multiplier effect of employees in their company-owned and franchised restaurants, and employees supported by the supply chain, spending their wages in the local economy.

6.22 In 2017, McDonald's supported 287 jobs in Wrexham; 231 in their restaurants and 56 in the supply chain and in the wider economy.

6.23 McDonald's buy packaging from Welsh companies Seda UK and Transcend Packaging. Welsh farmers also benefit from £15 million worth of income from McDonald's every year for products including beef, milk, pork and animal feeds.

6.24 The appeal proposal brings the economic benefit of at least 65 full and part time jobs and excellent training programmes.

6.25 People are at the heart of the business and, as a responsible and proud employer, McDonald's are committed to investing in them. To ensure the needs of all staff are met, and so attract and retain the best talent, the range of employment options has been expanded, with the Guaranteed Minimum Hours Contracts (GMHC) rolled out to all UK restaurants.

- In the workplace, flexibility, opportunity, equality and development are promoted.

- Over 85% of McDonald's employees have said that they love the flexibility their job offers them.
- 90% of Business Managers started as Crew Members.

33% of the Executive team started their career in one of their restaurants

Cultural considerations

- 6.26 All signage and road markings within the development will be bilingual and within the restaurant are facilities for customers to order their meals in a number of different languages on the Self Order Kiosk and are proud that this has allowed members of the public to order in Welsh. The corresponding software allows this facility to be used by members of the public and enhancing the operation of the store.

Environmental Consideration

- 6.27 The restaurant will play a positive approach to its environmental role. The planning application details McDonald's approach to the environment both in terms of construction and ongoing operation of the store.
- 6.28 The development will reuse a brownfield site. It is accessible by a range of modes of transport with the provision of cycle storage for customers and staff.
- 6.29 In terms of construction, the environmental considerations include the selective use of materials and modern methods of construction to reduce waste; the inclusion of building energy management systems; 100% green energy supply generated off site; installation of waterless urinals which save 150 million litres of water per year nationally and inclusion of a sustainable drainage system (SUDS), which has been separately approved by SAB.
- 6.30 McDonald's have their own environmental standards for design and construction, details of which are set out in the planning statement submitted with the application. McDonald's assessed their existing restaurants with environmental and energy consultants ECOFYS to investigate improved performance of new restaurant buildings. This has resulted in McDonald's setting their green building guidelines.
- 6.31 In addition to the above, I have set out further details of other environmental measures McDonald's make in the Planning Statement submitted with the application. These include:
- Recycling of cooking oil to biodiesel;
 - Building management system to efficiently operate lighting and air conditioning;

-
- Use of low energy LED lighting throughout;
 - Kitchen standby reminders;
 - SUDS drainage
 - A number of photovoltaic cells provided on site
 - Use of solar gain/shielding

6.32 Substantial emphasis is placed on recycling once the restaurant is opened. This includes 100% recycling of corrugated cardboard, with 72% of packaging being from recycled resources, and items such as drink carriers, bags, napkins, and toilet paper made from 100% post-consumer material. Further details are set out in the planning statement submitted with the application (Extracts included at Appendix G). In addition, the proposed restaurant will incorporate recycling of customer waste with the provision of separated waste bins for liquid, food and paper waste.

6.33 Waste cooking oil from the restaurants is collected by the delivery vehicle and later recycled as biofuel. This is then used in the delivery fleet, providing a carbon saving of around 8,209 tonnes per annum.

6.34 A further review was carried out on transactions at a neighbouring restaurant and submitted to the authority as a Committee Brief (Appendix H) to ascertain the current trade traveling from the Wrexham area, which included: *"It is important to highlight that currently 22% of our trade at our restaurant in Chirk comes from the city of Wrexham. This represents Wrexham residents traveling in excess of 48,000 miles per year which amounts to 9.5 tons of CO2 being released into the atmosphere."*

6.35 I have demonstrated above that the key factors included for the assessment process in paragraph 2.28 have been addressed and thus the proposal is considered sustainable development. The proposal allows for *"the promotion of the economic, social and environmental well-being of the area"* and thus accords with national policy and policy GDP 1(k),

6.36 I therefore conclude that the development accords with national and local policy.

6.37 In the light of these positive conclusions, I consider below the issues raised by members in their reason for refusal.

Reasons for refusal

Reason 1 - Traffic congestion

- 6.38 Catherine Chapman has provided evidence as attached as document 1 relating to highways matters. Given the specialist nature of the subject I am reliant upon her comments in relation to this appeal. A detailed response has been included in Chapter 9.0 of this document, which reviews the proposal, including the mitigation measures to be introduced. I understand that through the analysis and conclusions of her review that it has been demonstrated that there is *“no justifiable, technical or planning basis to support the refusal of this application.”* and therefore the proposal accords with policy.

Reason 2 – Parking Matters

- 6.39 Catherine Chapman has provided evidence as attached as document 1 relating to highways matters. Given the specialist nature of the subject I am reliant upon her comments in relation to this appeal. A detailed response has been included in Chapter 10.0 of this document, which reviews the policy and shows accordance with the Parking Standards, in line with parking surveys carried out on site. I understand that through the analysis and conclusions of her review that it has been demonstrated that *“the second reason for refusal is not justifiable, technically without foundation and has no planning merit to support the refusal of this application.”* and therefore the proposal accords with policy.
- 6.40 For both reasons 1 and 2 members have relied on their own “local knowledge” of highways. This ignores evidence from both professional highway’s experts involved in the application and makes a mockery of their input. Such an approach has previously been considered at an appeal on behalf of McDonald’s in Coventry earlier this year. Appeal APP/U4610/W/20/3265208 (attached as Appendix I) and the associated costs application confirm at paragraphs 5 to 9 that without substantial highways evidence to back up any contention “local knowledge” is not robust evidence and in short was found to be unreasonable behaviour.

Reason 3 – Proximity to Plas Coch Primary School

Introduction

- 6.41 In considering reason for refusal three, I will first evaluate whether the development lies within 400m of the boundary of Plas Coch Primary School and whether the development is contrary to the adopted Local Planning Guidance Note No.9.
- 6.42 Once I have undertaken the above, for completeness I have included additional sections reviewing the rest of the guidance, to demonstrate that the spirit of LPGN 9 has been fully

reviewed, should the Inspector disagree that the proposal doesn't comply with the guidance. Each subsection of the guidance has been reviewed and addressed under the corresponding headings.

Guidance LGPN 9

- 6.43 The council have referenced Local Planning Note No. 9 (LGPN9) – Hot Food Takeaways within the reason for refusal. As stated within the committee report *"The advice contained within this note is not planning policy, but is guidance used to amplify planning policy (GDP1), community strategies, and more broadly the Healthy Eating and Being More Active Strategy and other more recent National Strategies. It has been formally adopted by this Council and, whilst it doesn't carry as much weight as planning policy, it is a material consideration in the determination of this application."* (Appendix B)
- 6.44 I concur with officers. LGPN 9 is a material consideration in determining the application. The weight attached to the guidance is for the decision maker. Whilst adopted we have not been able to establish the level of public consultation or scrutiny the guidance document underwent. We are willing, and dutifully suggest, the guidance be given reasonable weight but would hope the council could provide the relevant details.
- 6.45 The proposal accords with the guidance highlighted within LGPN 9.

General Location

- 6.46 The key point that was referenced during the committee debate relates to the general location of a new hot food takeaway, in particularly the third point cited in the reason for refusal, which states *"New hot food takeaways should not be located in:*
- *Wrexham town centre (principal shopping streets) if they are detrimental to the character, vitality or viability of the area;*
 - *predominantly residential areas;*
 - *within 400 metres of the boundary of a school or tertiary college"*
- 6.47 Wrexham Glyndwr University is located on the other side of B5101, Plas Coch Road, but University or adult education is not included in the guidance and is not considered a tertiary college.
- 6.48 The nearest school to the site is Ysgol Plas Coch, which is a Welsh medium school, with children ranging between the age of 3 – 11 years. LGPN 9 specifically highlights *"New hot food takeaways should not be located in: within 400m of the boundary of a school"*.

- 6.49 The guidance is not explicit on where the measurement within the site should be taken, whilst clear that it is to the boundary of the school. If the guidance was applied to a town centre style restaurant it would be to the door. If a supermarket with 50m of parking to the front, then it would still be to the door. One still has to walk to the entrance. The same approach should apply in this instance and the measurement should be to the entrance.
- 6.50 Table A includes all the relevant measurements. I have included the “crow flies” distance for the sake of completeness. However, the issue here is walking distances for potential customers. In my view the relevant distance measurement is to the entrance to the restaurant, since this is the distance that needs to be walked. The entrance to the McDonald's building is shown as 462m and the restaurant therefore falls outside the guidance. The planning note LGPN 9 does not bite.

Table A Distances to School from the boundary of Ysgol Plas Coch

	McDonald's Boundary	McDonald's Building Entrance	McDonald's Pedestrian Entrance
Crow Flies	304m	330m	358m
Walking Distance	337m	462m	425m

- 6.51 For the above reasons, the proposal complies with planning guidance (LPGN 9) on distances to schools, which was stated within the reason for refusal. Notwithstanding these findings, I further examine the intention behind LPGN 9, in light of the comments of the planning officer and I concur with the officer who concludes that *“I do not consider the proposed development to conflict with the purposes of LPGN 9, nor does it conflict with any of the planning policies which the guidance seeks to amplify with the individual merits of the scheme are properly considered.”*
- 6.52 Should the Inspector consider the proposal falls outside the guidance because of the distance measurement, the following sections become redundant.
- 6.53 LPGN 9 identifies Hot food takeaways as an “establishments whose primary business is the sale of hot food for consumption off the premises.” The application relates to “Erection of Free-Standing Restaurant with Drive Thru Facility, Car Parking, Landscaping and Associated Works Including Customer Order Displays.”
- 6.54 The officer confirms in the committee report *“Proposed here is a Restaurant for the consumption of hot and cold food on the premises, with a drive thru facility for the consumption of hot and cold food off the premises. The standard menu for a McDonald restaurant provides a variety of food including healthy options to allow healthy eating choices to be made. Given that the restaurant element of the proposals is not relevant to the*

guidance, it is the impact of the drive thru facility and take out option only that will be considered against this guidance.” (Appendix B)

- 6.55 From the data extrapolated by ADL for the Transport Assessment, an analysis can be made to show that on Friday and Saturday an average of 60% of food purchased at the counter is dine in customers and this split does not dip below 50% during the whole period. (Appendix J). Thus, in terms of the counter sales, the majority of customers relate to the restaurant element and not included within the parameters of LPGN 9.
- 6.56 This data further shows that the takeaway meals purchased from the counter equates to an average of 27% of all takeaways from a store on Friday and Saturday, with the greater proportion of transactions for food consumed off the premises being purchased through the drive thru facility or delivery service. (Appendix J) This demonstrates that the significant proportion of takeaway transactions could not be completed without an adult.
- 6.57 LPGN 9 provides general guidance on *“Developments which results in the loss of or significant damage to residential amenity, quality of life, community health, traffic movement or highway and pedestrian safety will not be permitted.”* These points have been addressed throughout this statement.

Healthy eating

- 6.58 During the application, additional information was submitted to support the range of options available on the McDonald's menu and extracted below.
- 6.59 McDonald's strongly believe that a business of their size has a responsibility to use its scale for good. As a consumer driven business, they work extremely hard to understand the lives of their customers, particularly families, and the role that food and drink plays for them. As a result, McDonald's are uniquely placed to help customers make informed choices and think carefully about the nutritional information provided.
- 6.60 McDonald's customers are increasingly health conscious and careful about what they eat. Therefore, McDonald's goal is to help them understand what they are consuming and to assure them that the ingredients have been sourced responsibly. When it comes to their food, they believe their role is to make it easier for customers to balance health, taste and value. That is why McDonald's have built their strategy on three core principles: choice, information and improving the nutritional profile of existing products. That means:
- Providing people with a range of food that allows them to make a choice appropriate for any occasion, whether that is a treat or a healthy everyday option.
 - Providing Information to help customers understand what they are eating.

-
- Reformulating their food products to reduce saturated fat, sugar and salt, while not compromising on flavour.
- 6.61 McDonald's are proud of the impact they have already had in helping customers better understand their choices. McDonald's have been providing customers with nutritional guidance for over 30 years and have included calorie information on their menus since 2011, at the time becoming the largest company in the sector to ensure customers have access to visible calorie information.
- 6.62 Calorie information is clearly displayed under each item on the digital screens within McDonald's restaurants and on their website and click and collect app and this information allows customers to select an order that fits with their own dietary plans and nutritional requirements. The information also allows customers to personalise the items in their order, such as replacing a hash brown with a fruit bag at breakfast or fries with a salad at lunch.
- 6.63 Reformulating existing items on the menu has been another area of investment. 54% of McDonald's menu is classified as non-HFSS (not high in fat, salt or sugar) and 89% of items on their core food and drink menu contain under 500 calories.
- 6.64 The Happy Meal has also evolved. Today, 72% of items on the Happy Meals menu are non-HFSS, and in 2014, McDonald's trialled "Free Fruit Fridays" resulting in 3.7 million portions of fruit being handed out. As a result of that trial, discounted fruit is now available with every Happy Meal and in the last 12 months over 4 million Happy Meals were sold with a Fruit Bag or Carrot Sticks.
- 6.65 Recent years have also seen the introduction of new menu items. Porridge, salads and grilled chicken wraps now sit alongside menu items McDonald's has traditionally been famous for, such as Chicken McNuggets, the Big Mac and the Fillet-O-Fish.
- 6.66 Products classified as high in fat, salt or sugar - according to the UK Nutrient Profiling Model - are never marketed to children across any media channel, at any time of day. Since 2007, adverts featuring a Happy Meal have included food and drink such as carrot sticks, fruit bags, milk or water, and we restrict out-of-home advertising to avoid being within 200 metres of a school – double the industry standard. But McDonald's also believe that advertising and marketing can play an important part in driving behaviour change. It can increase information and transparency, nudge customers towards certain food choices, and support further reformulation by driving sales.
- 6.67 A recent initiative has highlighted this potential. In December 2017, McDonald's launched their 'Meals Under' 400 calories and 600 calories offer, and in the past 12 months have seen a 102% rise in the number of side salads being purchased with a meal instead of fries. In total, there are over 400 'Meals Under' bundle options for customers to choose from.
-

- 6.68 McDonald's investment in digital self-order screens has also supported their customers in making informed choices. Since their introduction, and a review of how they present their menu, they have seen 1.3 million bottles of water purchased instead of a sugary drink and 1.4 million more Fruit Bags bought with a Happy Meal.
- 6.69 McDonald's have also changed their menu to reflect a growing desire from customers to see a greater number of vegetarian options. In 2019, they launched the Vegetarian Happy Meal Wrap and Spicy Veggie Wrap at 209 calories and 364 calories, respectively. Both items are not high in fat, sugar and salt and are Vegetarian Society Accredited. Their introduction means they are now better equipped to meet the requirements of this growing consumer trend.
- 6.70 In summary, McDonald's has very high standards and credentials and is a completely different type of restaurant to the small, independent takeaway facility of the kind that the Council's guidance appears to be aimed at.

Proximity to schools and tertiary colleges

- 6.71 As stated above, Ysgol Plas Coch is a Welsh medium school, with children ranging between the age of 3 – 11 years. The catchment area for the school is large and have been advised that most pupils will be travelling to and from school with an adult by car. Two surveys were carried out to ascertain the breakdown of school pedestrians on Friday 9th July 2021 and Friday 24th September 2021. (Appendix K)
- 6.72 Notwithstanding the fact that the proposal complies with the distance requirements set out in guidance, Table B demonstrates that there were no unaccompanied school children recorded passing the site on either date either on their way to or from school.
- 6.73 Table C and D surveyed the breakdown of pedestrians on the surrounding network in July and September. The data demonstrates that whilst there has been an overall increase in pedestrian activity in the area, the number of unaccompanied children has reduced from 4 in July to 0 in September in the morning and 5 in July to 4 in September in the afternoon. The unaccompanied school children's movements do not match AM and PM so there may be some children walk in the morning but are picked up in the afternoon or vice versa. In September 2021, the percentage of unaccompanied children relates to approximately 1% of the overall pedestrian traffic in the surrounding area.

Table B Pedestrian Movements Past Site

Plas Coch Road Road	Location Passing site	Am Peak 08:00-09:00 Hours			Pm Peak 15:30-16:30 Hours		
		Adults	Children	Unaccompanied Children	Adults	Children	Unaccompanied Children
09/07/2021		15	4	0	15	1	0
24/07/2021		16	6	0	25	3	0

Table C Pedestrian Movements To/From School – July 2021

Road	Location	Am Peak 08:00-09:00 Hours			Pm Peak 15:30-16:30 Hours		
		Adults	Children	Unaccompanied Children	Adults	Children	Unaccompanied Children
Plas Coch Road	South of Stansty Road	36	10	2	28	2	2
Plas Coch Road	East of Stansty Road	43	12	0	33	9	3
Stansty Road	North of Plas Coch Road	39	22	2	23	11	5
Colliery Road		14	6	0	13	2	0
Stansty Chain Road		8	4	2	8	0	0
Total		61	32	4	44	13	5

Table D Pedestrian Movements To/From School September 2021

Road	Location	Am Peak 08:00-09:00 Hours			Pm Peak 15:30-16:30 Hours		
		Adults	Children	Unaccompanied Children	Adults	Children	Unaccompanied Children
Plas Coch Road	South of Stansty Road	32	15	0	45	28	0
Plas Coch Road	East of Stansty Road	46	18	0	41	29	2
Stansty Road	North of Plas Coch Road	65	33	0	58	57	2
Colliery Road		10	4	0	33	17	1
Stansty Chain Road		7	1	0	7	3	0
Total		82	38	0	98	77	3

6.74 The Council's guidance note states "*Whilst pupils in primary education are not allowed out of school premises during the school day, research indicates from the most popular time for purchasing food from shops is after school.*" It is unclear which research is being referenced in this statement. However each case must be looked at on its own merits. Based on the age range of pupils and the pedestrian survey carried out, the numbers of pedestrian school children are relatively small and nearly all of them would be accompanied by an adult.

6.75 The proposal is sited within an existing retail park, which has various other options of food available. The addition of the proposed restaurant will only add choice, including healthy options and nutritional information designed to support healthy choices by McDonald's customers.

6.76 In summary, my view is that the location of the restaurant falls outside the council's guidance note so that it does not apply to the appeal. If it does apply, then the circumstances of the site and its surroundings mean that harm the guidance intends to avoid will be avoided. Finally, it is to be noted that the key issue is whether limb (k) of development plan policy

GDP1 is complied with. This limb of policy concerns sustainability generally, and as I have explained the sustainability credentials of the proposal are very sound. Policy GDP1 is complied with. Further matters relevant to the wellbeing of the area (and hence limb (k) of GDP1) are set out below.

Highways Safety and Parking

- 6.77 This has been addressed by Catherine Chapman in Document 1 – Proof of Evidence: Transport Assessment

Hours of Operation

- 6.78 Due to the distance from any residential properties, it was not considered necessary to restrict the hours of opening of the restaurant or drive thru facility. Furthermore, any operations between 11.00pm and 5.00am would be controlled by licensing which could amend, if required.

Control of Odours and Cooking Smells

- 6.79 An Odour Control specification was submitted with the application and the Public Protection Service Manager recommended conditions for inclusion in the decision. The conditions were included on the officer's recommendation and included in the committee report. (Appendix B)

18. No part of the development shall commence until details of the means of ventilation for the extraction and dispersal of cooking smells, including details of its method of construction, odour control measures, its appearance and finish have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to first use of the development and shall thereafter be permanently retained in an effective condition.

19. The rating level of any noise generated by air handling plant associated with the development shall not exceed the pre-existing background level at any time. The noise levels shall be determined at nearby noise sensitive premises, and measurements and assessment shall be made in accordance with BS4142:2014 Method for rating and assessing industrial and commercial sound.

Disposal of Waste Products

- 6.80 There is a large corral area sited at the northeast of the site, (Drawing 73961_AEW_8014_1004C), with a refuse compactor and a number of wheeled bins and

cages for recycling waste products (Drawing 73961_AEW_8014_1006). The corral is designed to integrate with the building to maximise operations (Drawing 73961_AEW_8014_1005B). Drawings included in Appendix E.

- 6.81 A condition was included within the officer's recommendation for the inclusion of a grease trap (Appendix B)

20. Prior to first use of the development a suitable grease trap shall be provided in order to prevent entry into the public sewerage system of matter (cooking fats, oils and grease etc.) likely to interfere with the free flow of the sewer contents, or which would prejudicially affect the treatment and disposal of such contents

Litter

- 6.82 McDonald's is committed to tackling litter in as many different ways as possible. It is company policy to conduct a minimum of three daily litter patrols, whereby employees pick up not only McDonald's packaging, but also any other litter that may have been discarded in a 150m vicinity of a restaurant. This may be expanded to suit local needs.
- 6.83 Litter bins are provided outside all restaurants, and packaging carries anti-littering symbols to encourage customers to dispose of litter responsibly. Anti-littering signage is displayed within restaurants and car parks, and support is given to Keep Britain Tidy, Keep Wales Tidy, Keep Scotland Beautiful, Keep Northern Ireland Beautiful and Capital Clean-up.
- 6.84 McDonald's also supports Keep Wales Tidy and their many anti – litter campaigns and locally in Wrexham have organised a number of clean ups.
- 6.85 Since 2011, McDonald's have carried out over 3,000 events across the country involving over 80,000 volunteers. Individual restaurants also undertake their own anti-littering initiatives, such as litter picking sessions in local parks and open spaces with local community groups. It is estimated that McDonald's employees across the UK walk almost 3,000 miles a week completing litter patrols, a total of 150,000 miles a year.
- 6.86 A condition was included within the officer's recommendation for a scheme of litter bins to be submitted prior to the occupation of the development. (Appendix B)

9. No part of the development shall be occupied / used until refuse bins have been provided on site in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority. The bins shall thereafter be permanently retained in a usable condition.

Safety, Crime and Anti-Social Behaviour

- 6.87 The restaurant shall maintain a strict protocol for ensuring noise and disturbance is kept to a minimum. All shift managers shall receive conflict resolution training sufficient to ensure they can deal effectively with noise or anti-social behaviour. Good management training and practices, in combination with appropriate physical security equipment, will reduce the risk of crime and disorder.
- 6.88 Tackling Anti-Social Behaviour is a key part of delivering the best possible customer experience. Tackling Anti-Social Behaviour is also key in delivering their duty of care obligations to their people, providing a great place to work where employees feel energised, safe and valued.
- 6.89 External complaints are taken extremely seriously and in extreme cases the restaurant manager will liaise with the Council and Police to discuss noise and behavioural mitigation measures if the current proposal is not effective. The restaurant management is keen to work in partnership with the local Police in order to prevent crime and disorder in the local area, this will include such tasks as providing witness statements to the Police in the event of disorderly behaviour, as well as providing CCTV footage for evidence.
- 6.90 McDonald's succeeds in protecting customer and staff safety to the highest degree and has developed the best training in the industry, including accredited staff training to empower employees to deal effectively with issues they might face when operating at night. McDonald's is committed to supporting their communities to be safe at night, for all restaurants to have a positive impact on the area and to be a safe and welcoming place for all.
- 6.91 McDonald's understand that where they have a late-night trade, they have a responsibility to the local community and continue to go above and beyond industry practice to protect staff and customers from adverse consequences. There can be or there is a false perception by the local authorities and police forces that restaurants are hotspots for anti-social behaviour, nuisance, disorder and crime, and McDonald's takes a number of steps to manage any issues as effectively and proactively as possible, through robust and thorough systems and practices, together with partnership working with all responsible authorities.
- 6.92 McDonald's also work hard with the local community to achieve a good working relationship with their neighbours, coupled with their open and proactive approach to the introduction of voluntary and innovative measures to mitigate any issues that arise during licensable, minimises the need for a regulatory burden to be placed on restaurants that open at night.
- 6.93 The management team are trained to monitor the car park, to ensure that customers who cause any undue disruption or noise are asked to leave the premises immediately, or if

necessary, the Police will be alerted. Further to this, the restaurant operates an extensive digital CCTV system with external cameras to monitor and deter anti-social behaviour.

- 6.94 The CCTV system can also be used to capture footage of customers' vehicle registration plates, in the event that they act in an anti-social manner or litter on the site. This footage can then be passed on to the Police or local council for further action. Incidents of anti-social behaviour are kept to an absolute minimum through strategies such as staff training in dealing with issues, liaison with community police officers and use of CCTV cameras where necessary.
- 6.95 In conclusion, I have demonstrated that the proposal complies with the 400m distance requirement from the school, when measured in accordance with the guidance. I have demonstrated McDonald's responsible approach to every subsection of the guidance. Not only does the proposal accord with the requirements of LPGN9 on the ground, it also complies with the spirit of the guidance. Finally, the key question concerns compliance with the environmental and wellbeing limb of policy GDP1, which is limb (k). For the reasons given, there is ample evidence to demonstrate compliance with this aspect of the development plan.

7.0 Conclusions

- 7.1 I have demonstrated that the proposed restaurant accords with the principles of sustainable development and respects and accords with and is supported by local plan policy.
- 7.2 For the reasons given by Mrs Chapman in document 1 the issue of highways set out in reason for refusal 1 and 2 highways matters have been suitably addressed.
- 7.3 In addition, I have considered other material considerations, including the councils document LGPN9. The walking distance from the school boundary to the entrance of the proposal is 462m. The proposal complies with planning guidance.
- 7.4 I have further demonstrated my client's approach to healthy eating as far as this is material. The proposals will support healthy eating and lifestyles by providing nutrient in all information and offering healthy choices to consumers. The retail park provides a varied of food options and this proposal will only add choice.
- 7.5 The pedestrian survey showed no unaccompanied children passing the site and the overall of unaccompanied children within the surrounding area was negligible.
- 7.6 Highways Safety and Parking has been included within Document 1 – Proof of Evidence: Transport Assessment
- 7.7 All other aspects, inclusive of hours of operation, controls of odours and cooking smells, disposal of waste products, litter and antisocial behaviour have been reviewed and the inclusion of conditions included within the officer's recommendation are acceptable.
- 7.8 In the light of the above, the proposal complies with the development plan and the appeal should be allowed.

8.0 Summary

- 8.1 My name is Matthew Carpenter. I hold a Bachelor of Arts Town Planning Degree from Oxford Polytechnic and a Post Graduate Diploma in Planning from Oxford Brookes University.
- 8.2 The site description and details of the surrounding area are set out by the council in their original committee report for the site (Appendix B).
- 8.3 The proposal will conservatively generate at least 65 full and part-time jobs (at least 45 full time equivalent).
- 8.4 The application subject to this appeal was recommended to be approved by both highways and planning officers but was refused by members at planning committee on the 7th June 2021. In summary the reason for refusal relate to highways and proximity of the proposal to a school.
- 8.5 The proposed development promotes sustainable development in accordance with Planning Policy Wales and accords with local and national policy on sustainable development.
- 8.6 The principle of development accords with local planning policy.
- 8.7 Highways issues have been considered by Catherine Chapman who concludes that *“there is no technically justifiable reason why the planning application should have been refused on transport grounds. It is requested that the Inspector does not dismiss this Appeal on traffic, transport, parking or highways grounds.”*
- 8.8 The reason for refusal in relation to the proximity of schools is unjustified. The walking distance from the boundary of the school is over the 400m specified in LPGN09 and all the other factors of the guidance has been reviewed to show that the purposes of the guidance do not bite to this proposal. Furthermore, the proposal falls within all policies reference within this guidance note.
- 8.9 In the light of the above, the proposal complies with the development plan and the appeal should be allowed.
- .

APPENDIX A

APPENDIX A – Site Photographs – September 2021



APPENDIX A – Site Photographs – September 2021



APPENDIX A – Site Photographs – September 2021



APPENDIX A – Site Photographs – September 2021



APPENDIX A – Site Photographs – September 2021



APPENDIX A – Site Photographs – September 2021



APPENDIX A – Site Photographs – September 2021



APPENDIX B

APPLICATION NO:
P/2019 /0919

LOCATION:
LAND AT ARGOS CAR PARK PLAS
COCH RETAIL PARK PLAS COCH
WREXHAM
LL11 2BW

DATE RECEIVED:
12/12/2019

COMMUNITY:
Rhosddu

CASE OFFICER:
SEH

WARD:
Grosvenor

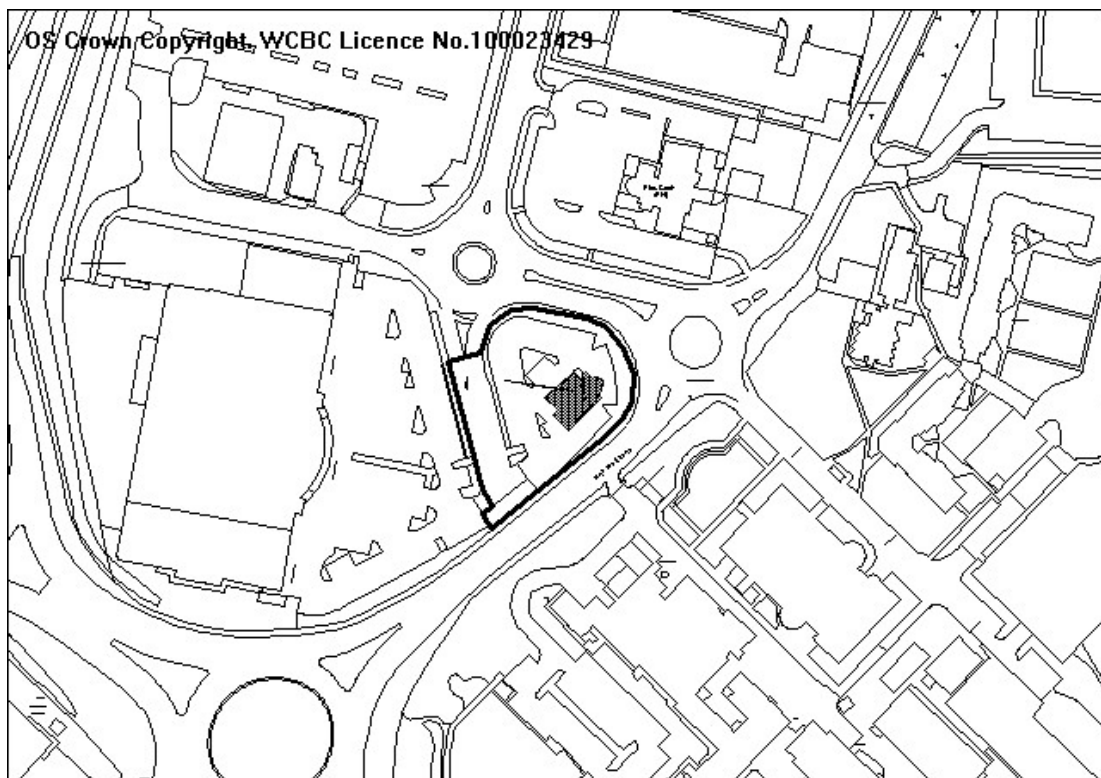
DESCRIPTION:
ERECTION OF FREE STANDING
RESTAURANT WITH DRIVE THRU
FACILITY, CAR PARKING,
LANDSCAPING AND ASSOCIATED
WORKS INCLUDING CUSTOMER
ORDER DISPLAYS

AGENT NAME:
PLANWARE LTD
MR MATTHEW
CARPENTER

APPLICANT(S) NAME:
MCDONALDS RESTAURANTS LTD

THE SITE

Car park area at the Plas Coch Retail Park. The car park serves the whole of the retail area, but is most closely associated with The Range, Argos and Iceland.



PROPOSAL

As above

RELEVANT HISTORY

P/2018/0671	Construction of 410 x 1 and 2 bed apartments, Plas Coch Road, Wrexham.
	Granted on 7 May 2020
P/2018/0672	Erection of 197 Student Apartments, Crispin Lane, Wrexham.
	Granted on 1 July 2019
P/2018/0357	Extension to Plas Coch Public House (24 Bed Lodge), Plas Coch Retail Park, Wrexham
	Granted on 3 September 2018
P/2018/0384	Drive Thru Coffee Shop, Plas Coch Retail Park, Plas Coch, Wrexham.
	Granted on 01 October 2018
P/2019/0923	Proposed 450 new dwellings on Land off Mold Road (The Circus Field) Stansty, Wrexham.
	Decision Pending
P/2021/0094	Application for Approval of Reserved Matters Pursuant to Outline Planning Permission P/2018/0671 – For 90 Houses
	Granted on 30 April 2021
P/2019/0916	1 No. Free Standing Totem Sign
	Decision Pending – also on this agenda
P/2019/0917	9 No. Internally Illuminated Signs.
	Decision Pending – also on this agenda
P/2019/0918	4 No. Freestanding Signs, 1 Digital Booth Screen, 1 No. Banner Sign and 16 No. Dot Signs
	Decision Pending – also on this agenda

DEVELOPMENT PLAN

Within Wrexham Town Centre settlement. The site is subject to two TPOs – WCBC 69/2002 and WCBC 264/0216. Policies PS1, PS2, PS3, PS4, GDP1, EC6, EC9, EC13, T8 and T9 of the Wrexham UDP apply. Local Planning Guidance Note (LPGN) Nos. 9 ‘Hot Food Take-Aways’, 16 ‘Parking Standards’ and 17 ‘Trees and Development’ are also relevant.

CONSULTATIONS

Community Council:

Objects on the following grounds:

- The planning conditions for the original planning permission for the retail park probably limited development and required a set number of parking spaces;
- The additional traffic will exacerbate an already overcrowded road system including Stansty Road, the B&Q roundabout, the railway

underpass on Stansty Road and the junction of Stansty Road with Rhosddu Road / New Road. The Glyndwr University site traffic is yet to be added to this;

- The development will increase parking demand whilst reducing on-site parking provision;
- If planning permission is granted, there ought to be a condition requiring the provision of litter bins around the site.

Adj. Community Council: Objects to the original plans on the following grounds:

- The roundabout on Plas Coch Road leading to Sainsbury's is already at capacity and heavily congested. A recent planning application for an additional 410 apartments on the Plas Coch campus will have an additional big negative effect on this roundabout. This application for a drive thru restaurant will greatly add to the traffic problems in the area and create chaos for motorists;
- The site is used for valuable additional parking spaces for the Range store which is considerably busier than the previous Homebase store on the site;
- The site is within the 400 metre exclusion zone of fast food outlets for Plas Coch School;
- Potential anti-social behaviour and litter and 24 hr illumination of the site which will disturb nearby residents on Mold Road;
- There is no pedestrian crossing facility across Mold Rd for pedestrian access;
- Gated access will be required to the main Range car park to prevent boy racers at night;
- Any illuminated signage will need to be restricted.

Objects to the amended plans on the following grounds:

- This is the wrong location for a large development of this type;
- The space available is too small for such a big development;
- There are already parking issues on the Plas Coch Retail Park with the retail park often at capacity– the loss of the parking spaces where the development is to be located will cause even more problems;
- The location is too close to the main highway. The additional traffic created by the development could severely impact the already

difficult traffic problems at busy times at the B & Q roundabout and could impact ambulance response times;

- A very big development of over 400 properties has already been approved for the University campus across the road. Traffic from there will be exiting onto the Plas Coch roundabout already at capacity. The generation of even more traffic in this area is not needed. At the McDonalds drive thru in Chirk there is often in excess of 30 cars backed up at the drive thru. If this was to happen in this location then it would impact on the main highway;
- Plas Coch School is located nearby – how does this comply with the WCBC policy on fast food outlets close to schools;
- Residents on Mold Rd are concerned about light pollution from signage which is on 24/7;
- Littering is a huge problem that is generated by premises of this nature – again not desirable in a residential area;
- Proposals appear to show the loss of the mature sycamore tree which members would strongly object to as it is a prominent feature of the area.

Local Member:

Councillor Jones objects to the application for the following reasons:

1. The Plas Coch retail park has seen several incremental developments in recent years that increase traffic, including an expanded supermarket, a new hotel, and drive-thru coffee shop, as well as a new housing development on Glyndwr University campus. Ysgol Plas Coch has expanded in recent years to 315 pupils and that also means increased traffic flows at certain times of the day. There is also a planning application for 450 new houses beyond the school (Circus Field);
2. There is an acknowledgement in the Highway Authority's assessment that the B&Q roundabout is already approaching capacity at peak times, and that it would be over-capacity by 2036 - that means we face gridlock on the main entrance to the largest town in north Wales in only 14 years time. The highways consultant seems to be saying that this is acceptable;
3. The Plas Coch area is accessed by three roads and each is already a serious pinch point. The B&Q roundabout has already been mentioned, the Mold Rd/Crispin Lane junction is in desperate need of upgrading and the Stansty underpass is avoided

by many due to being narrow. In addition, it is increasingly becoming flooded in heavy rain and will mean additional traffic being diverted to the other access roads;

4. The Highways assessment seems at odds with the lived experience of local residents who report long queues already at peak times. A new drive-thru McDonalds will make matters far worse;

5. I also have concerns that an all-night facility would lead to anti-social behaviour and claims by the developer that the car park would be gated off in such an event are unconvincing;

6. The site is within 400m as the crow flies of Ysgol Plas Coch. As a governor at the school and parent whose two children attended there, I believe Wrexham CBC's policy of not allowing fast-food outlets within 400m of a school would be breached.

7. There's no doubt there is demand for a McDonalds in the area. That's not the issue - it's whether this location is the best place for such an outlet. Even passionate fans of McDonalds acknowledge that the traffic problems would be far worse as a result of this development.

Adj. Local Member:

Councillor Phil Wynn objects to the application for the following reasons:

- I am concerned that partial loss of the car-park which currently serves Argos and the Range will result in queueing vehicles backing on to the slip road that serves these stores. The knock on impact will be vehicles accessing these stores and the drive-through restaurant quickly backing up to the mini roundabouts, thereby causing localised grid-lock at peak trading hours;
- The site appears to be relatively small when compared with other the nearby McDonald drive-through at Chirk and at the Broughton Retail Park in Flintshire. This in my opinion results to a compromised dedicated car-park as queueing cars will at times continue into the on-site car-park thereby compromising parked vehicles departing the car-park be it in first or reverse gear.
- My opinion is I believe supported by the attached "google earth" aerial photos of the above sites which have significantly longer on-site queueing lanes than this application. The photos also display better segregation of queueing and parked vehicles;

- I am informed by WCBC parking officers that car-parks work best at less than 80% capacity usage. The proposed loss of the existing parking space will place additional pressure for the existing store customers to park up at peak trading times;
- I believe recently approved planning applications on the Plas Coch retail park for the Costa Coffee drive through, a hotel extension to the Plas Coch pub, the extension to the Aldi store and the separation of the previous Homebase store to create three popular retail destinations in the Range store, Argos and Iceland store have resulted in the retail-park reaching capacity use;
- As I say I am not against drive-through restaurants and as such I would suggest the applicant should look at alternative sites even the vacant Frankie and Benny's restaurant unit on the Plas Coch retail park;
- I believe the proposed felling of a significant sycamore tree to accommodate the proposed development would be a great loss of an amenity feature;
- If you are mindful to support the application can you please consider the following conditions:
 - Trading hours do not exceed 10pm as there are residential properties which have visibility of the drive through and will otherwise be subjected to illuminated signage throughout the night. Other retail units in the locality have limited trading hours and are required to switch off their illuminated signage outside of their trading hours;
 - Have the vehicle entrance to the Range/Argos car-park gated to prevent vehicles congregating in an uncontrolled area to the annoyance of local residents. I assume the proposed development site and these stores are in common ownership;
 - The retail park will inevitably attract a greater flow of pedestrian movement from the direction of the University campus and as such the applicant should provide the necessary funding for a pedestrian crossing and central

	pedestrian island on the mini roundabout serving the retail-park.
WG Trunk Road:	No directions issued.
Highways:	No objections subject to conditions (see full response in Special Considerations below).
Public Protection:	Recommend conditions regarding noise generation from air handling plant and method of cooking extraction. Advisory notes limiting construction activities and dust management are also required.
Flood Officer:	The site is located in DAM Zone A as defined within TAN15. As you will be aware, from the 7th of January 2019 any new development of more than one dwelling or that involves construction work of more than 100m² is required to obtain approval from the SuDS Approving Body (SAB) prior to the commencement of those construction works. The applicant has applied for SAB approval for the proposed development and the SAB is currently in the process of reviewing the details of this scheme as part of the process but can advise that, in principle, it would appear a compliant scheme should be deliverable for the site. However, in the absence of the full SAB approval, there is always the possibility that additional amendments will be required to the proposed scheme that may influence layout etc. of the site. If the application were to be approved, I would request the following note to applicant be included on any permissions to re emphasis the requirement to obtain full SAB approval prior to the commencement of any construction works on site: <i>Following the commencement of Schedule 3 of the Flood and Water Management Act, the works as proposed are required to obtain approval from the SuDS Approving Body (SAB) prior to commencement of those construction works.</i> <i>Further details of the SAB, the new national standards, the pre-application advice service and the application for approval process can be found on the Wrexham CBC's SAB webpage:</i> <i>https://www.wrexham.gov.uk/english/planning_portal/sab/sab.htm or by contacting the SAB Team directly at SAB@wrexham.gov.uk.</i>
Contaminated Land:	No comments
Welsh Water:	No objections. Recommend drainage conditions.
NRW:	No objections. Recommend standard advice on pollution prevention and waste disposal.
Conservation Officer:	In this location, the proposed development will not have a significant impact upon the setting of the nearby Grade II Listed Glyndwr University.

However CPAT may wish to provide comment in relation to any potential archaeological implications given proximity to an area of Roman period activity.

CPAT:

This area was investigated in 1996 (geophysics and evaluation trenching) and no significant archaeology was identified. I can therefore confirm that there are no archaeological implications for the proposed development at this location.

Ecologist:

I defer to the tree officer to comment.

Tree Officer:

The main arboricultural concerns with the original proposal relate primarily to the spatial constraints of the site with specific regards to the detrimental influence exerted upon existing trees and the lack of suitable space to accommodate both mitigation for proposed tree and vegetation loss and any required enhancement planting. Whilst the development commendably seeks to retain the valued and protected sycamore (T11 in report), this is in contrast the requirement to fell two category 'B' trees (T7 & T9) both subject to TPO 264/2016 and the proposal to remove a number of pine trees located within G1, of which three trees are subject to the above TPO. The proposal to remove these identified trees to facilitate development is contrary to WCBC Tree & Woodland Strategy (Objective 2(1)), PPW 10 (2018: sec 6.4), LPG Note 17 'Trees & Development' (sec:3.1a) and is generally counter to the thrust of the Tree Preservation Order system which seeks to preserve trees. Two further trees (T6 and T10 in report) subject to TPO 264/2016 are recommended for root and branch pruning operations in order to facilitate the development. Whilst such work may be classed as minimal and both feasible from an engineering and arboricultural perspective, it does indicate there to be an inadequate level of space afforded for the natural development of the two trees and raises concerns regarding future direct and indirect conflict and nuisance with proposed structures.

- Comments on the amended proposal:

The removal of the sycamore tree, as proposed within the amended plans, is acceptable and the *Acer freemanii* 'Armstrong' selected as the replacement tree, proposed as compensation for the sycamore tree (T11) is acceptable. A tree with a wider spreading crown providing a greater shade-cast across the surrounding hard surface area would be preferred and therefore I would

suggest that the species selection is reconsidered by the applicant. I would also request that the planting pit specification provided is withdrawn and amended to show a more accurate soil requirement thus ensuring that the replacement tree is planted within a pit capable of providing a growing environment conducive to healthy root growth and the rapid establishment and development of the tree. I am satisfied with all other arboricultural and landscaping aspects of this proposed scheme which retains much of more the exiting vegetation and tree.

- Comments on final submission:

The landscape scheme as per drawing reference 17229-VL-McD_L01/D is acceptable with the boundary planting and two rain gardens well considered. The choice of the Turkish hazel (*Corylus colurna*) to replace the proposed Acer (compensation for the sycamore) within the hard surfaced area planting pit is agreeable and will provide a suitable level of amenity as a replacement for the protected sycamore. The Turkish hazel will automatically be subject to the TPO which affected the original sycamore. Should the scheme receive consent then all existing, retained trees and boundary features should, subject to planning condition, be afforded appropriate protection through the submission of both an approved AMS and on-site arboricultural supervision. The amended planting pit specification for the hazel (re: 17229-VLMcD_D01/Rev B) is also acceptable and should provide a suitable and protected growing environment conducive to healthy root development and the establishment of the tree overall. One final point is to ensure that any proposed below ground service routes do not come into conflict with the planting pit or any materials contained within it. A condition is required to ensure a suitable buffer zone around the tree put within which no below ground services will be permitted to run.

Site Notice:

Expired 10/01/2020

Neighbours / Residents:

83 representations received expressing the following:

- Increase in volume of traffic on and around both the retail park roundabout and also the B&Q roundabout, which are already heavily congested. This is even before the development of the approved hotel, the

flats/houses on the university and on the circus field;

- Traffic coming from the hospital, Retail Park and B&Q etc. and on match days, are an absolute nightmare. The whole thing is a toxic mix;
- Increased amounts of environmental pollution to the surrounding residential areas, and the children of Plas Coch (air, noise and littering);
- Reduced parking availability on the retail park;
- Possibility of “boy racers” using the area as experienced at Burger King on the Border Retail Park;
- There is no suitable crossing at the site. The proposal is not safe for pedestrians;
- Negative issues being so close to surrounding residential areas;
- The amount of catering establishes already available on the retail park in The Range, Sainsbury’s, Frankie and Benny’s, Costa and the Plas Coch Pub. The area is already well served by the Turf Burger Van, Turf Hotel, B&Q Burger Van and Mold Road Petrol Station. We might even be already saturated by food outlets;
- Negative impact upon the ‘Gateway to Wrexham’ WCBC initiative;
- The car park is always full and local residents already suffer parking in our streets when the football is on. We don’t want shoppers thinking they can do the same if the car park is full;
- Increased litter in the area encouraging vermin;
- Have a McDonald’s, but put in on St Giles Way on the empty land there;
- The ‘boy racers’ are already on the retail park and the loss of parking spaces, or barriers closing car parks, will mean they will move to the surrounding residential streets (Windsor Road and Belvedere Drive etc.);
- Light pollution from the building if it is operated for 24 hours;
- The Golden Arches will be a blot on the landscape;
- If planning is granted then the Councils should be ashamed of themselves. Come on Wrexham Council, have some standards and refuse this application;

- The town centre is a disgrace and we need to support local businesses not 24 hour fast food chains;
- This development will encourage anti-social behaviour – boy racers, loud car exhausts, engines revving, music from cars, engine pollution issues;
- There have been a large number of accidents on the B&Q roundabout;
- Increased noise from traffic and people during the night;
- Added congestion could delay the emergency services in the area;
- You only need to have a look at the Sealand Road, Chester where the McDonalds there causes horrendous traffic problems. The traffic backs up in the retail park and this will happen on Wrexham;
- The Sealand road McDonalds is a 90 seater restaurant and adjacent Drive Thru, situated off the A5480 and just off a small roundabout leading into a retail park. The adjacent shopping area features The Range, TX Maxx, B& M Stores, and Iceland including others. These are similar stores to Plas Coch Retail Park. There is often traffic chaos at the Sealand Road site, the Drive Thru traffic backs up into the retail park thus preventing traffic entering and leaving the car parks. The traffic subsequently backs up onto the roundabout and the main road, preventing all traffic from moving. Similar problems are experienced in Runcorn.
- It is noted that the applicant seeks approval of the McDonalds Restaurant and Drive Thru in Wrexham on the basis that Costa Coffee were granted planning permission of the Drive Thru on the Plas Coch Retail Park. Footage obtained on Saturday 13th February 2021 shows 6 vehicles queuing in the car park prior to entering the Costa Drive Thru.
These vehicles were queuing in the car park opposite empty car park spaces. As the footage was taken in lockdown the car park was empty, when all stores fully open and business is back to normal, this will cause traffic chaos. It could be commented that at this time, people only visited the

Drive Thru as all other food outlets are closed. We are creatures of habit and it is believed that the current customers of any Drive Thru will continue to do so, even after lockdown measures are eased. In the current pandemic, some may say that a Drive Thru would be the safest option to eat out, so even when lockdown restrictions are lifted, the drive thru may be the preferred option, thus increasing traffic. Therefore the location of any new Restaurant and Drive Thru building should be carefully considered alongside the increase in traffic and pollution;

- There is mention of an increase in jobs, but we should be supporting local businesses instead;
- The lights leading off the retail park onto the B&Q roundabout are not fit for purpose as the left hand filter lane gets blocked and the road is not wide enough;
- The adjacent retail store has expressed concerns that traffic queuing for McDonalds could back up on the site access road during busy trading periods, affecting access to the retail stores. This is experienced on other retail sites where McDonald's restaurants have been built. Also concerned that users of McDonald's will park in the retail parking area;
- Traffic surveys were carried out during a low activity trading period;
- This would be an over development of the site;
- The development would aid the obesity of residents;
- The development is close to a primary school;
- By allowing the planning application, you would be going against the guidance in LPGN No. 9 – Hot Food Take-Aways. As it notes, as part of your Healthy Eating and being More Active strategy to tackle obesity, it also focuses on appropriate location and concentration, highway along with community issues.

The application falls foul of your general location point in your own Guidance as the application is within 400 metres of the boundary of Ysgol Plas Coch; The guidance also mentions tertiary college, which by definition can also include a University, which is also well within 400 metres;

- The Welsh Government has launched its 'Healthy weight, Healthy Wales' strategy which states that limits should be placed on establishments for hot food take aways around schools and communities. Perhaps WCBC can begin to lead by example on this strategy;
- The Head teacher of the nearby Plas Coch School has asked the opinions of the pupils as to whether this development is acceptable. Some of the children from the school pass by twice every day. The children said that they would ask their parents to take them there for food. As this food is unhealthy, it should not be built there;
- The Mayor of London has incorporated a prohibition against the opening of fast food outlets within 400 metres of a school in response to child obesity rates. McDonald's refers to itself as 'grazing on the hoof' and 'dashboards dining'. In other words, mindless consumption of calories fuelling our epidemic of obesity;
- The impact upon the character of the area will be profound; with its ketchup and mustard colour scheme and pervasive smell of cooking fat, which would be out of keeping with the area;
- A 24-hour, drive-thru fast-food restaurant will inevitably cause overnight noise from customers and their vehicles and light pollution from the restaurant itself. Many of these vehicles will be noisy heavy goods wagons whose drivers would have spotted McDonald's highly visible and instantly recognisable signage from the busy adjacent A483;
- This development will significantly increase the number of pedestrians attempting to cross the busy B5101 junction with Mold Road. Whilst one lane can be crossed with the aid of a pedestrian crossing, the other cannot. It would be a particular challenge where those pedestrians are children, perhaps accompanied by the parent or grandparent who collected them from the primary school located less than half a mile away.
- The large mature sycamore tree on site should not be felled;
- Idling is the act of leaving a vehicle's engine running while it is stationary. Idling increases the amount of exhaust fumes in

the air. These fumes contain a number of harmful gasses including carbon dioxide, which is bad for the environment and contributes towards climate change, as well as a range of other harmful gasses including nitrogen dioxide, carbon monoxide and hydrocarbons which are linked to asthma and other lung diseases. The Welsh Government are currently trying to improve air quality along a section the A483 near to Junction 5, which is apparently the worst in Wales. This section of the A483 in Wrexham is adjacent to the proposed site of the McDonalds Drive Thru. In 2019 the Welsh Government released a report, showing that reducing the speed limit on the A483 had reduced the nitrogen dioxide limits. The introduction of a Drive Thru at the Plas Coch site, would increase the traffic but would also increase air pollution thus counteracting all the work already undertaken by the Highways and Welsh Government;

- The current situation of the pandemic has increased the need for delivery drivers. McDonalds have encouraged this area of business and use the following for McDelivery - Just Eat and Uber Eat. There will be fewer pedestrians at the site, as it is believed that delivery drivers will increase the amount of traffic, at all times of day and night. In relation to delivery personnel - consideration should be given to approaching North Wales Police under the Freedom of Information Act 2000 and requesting how many of Just Eat and Uber Eat staff have been involved in traffic related incidents whilst making deliveries.
- McDonalds now provide a 'Click & Serve' service that delivers food to the vehicle whilst you wait in the car park. Staff then deliver the food to the car. Therefore vehicles will be in the car park longer, increasing congestion and rubbish;
- The reason for putting it here is to target students from across the road. All students have cars and will not walk across, they will drive. It's all in the name 'drive thru';

- Concerned that Chirk McDonalds is at capacity, with its large car park, that this could be the same at Plas Coch within 12 months;
- A new McDonalds is a well overdue facility and Wrexham needs to become a more up to date and progressing town;
- This would reduce journeys to Chirk and sort out the congestion issues in the town centre, in an accessible location;
- The development would be better located at the Rhostyllen (adj. to Starbucks and Subway) or at the new services in Ruabon;
- This is important for the town. Wrexham is becoming a ghost town because the Council dismisses everything;
- This will enhance the retail park;
- Crash Map Data - They state 'only 6 personal injury accidents' recorded within the study area. Their survey focused on the Plas Coch roundabout which is considerably quieter than the B&Q roundabout (they call it the Mold Road roundabout but we will refer to it in this document as the B&Q roundabout). The Crash Map data only concerns accidents where people have had injuries requiring immediate medical assistance and police involvement (meaning a STAT19 form has to be completed). I sustained whiplash and the police had to be called to my accident on 6th January 2018 – at 8pm on a Saturday night the police did not wish to spend time form filling and did not wish to even file a report, something which many neighbours/ colleagues/ friends and family have also reiterated. We have requested a FOI from the Department for Transport requesting a list of all accidents necessitating police assistance. This will be forwarded when available but we suggest your Highways Department also submit a request. They also failed to include the Mold Road roundabout – another very busy roundabout;
- We understand road improvements are planned but this is also flawed. The road networks they run into i.e. A483/A5/A55 are already at capacity meaning traffic would back up. Since 2 lanes were created coming onto Berse Road from the B&Q roundabout we live in fear of someone shunting us from behind when we mirror, signal and manoeuvre into the unadopted road that leads to the parking area

behind our houses on Mold Road and Berse Road. People are too busy trying to beat each other and not paying attention to the road in front. There is also a bus stop just off the roundabout and drives for the other houses on Berse Road. People require safe access to and from their own properties. They also discuss widening the run off from B&Q roundabout to Plas Coch roundabout. As part of this land was used when Sainsbury's organised the upgrade several years ago we are concerned that the car park would once again lose spaces or do we not need the pavements?

- McDonalds calculate that many trips would be undertaken on the 'existing' or 'shared' network. The traffic impact will not be negligible and it would be interesting to know the full capacity at the Chirk drive-thru where it is a stand-alone restaurant so visitors are there for that reason ONLY. Then also calculate the existing / shared traffic = a more realistic reflection of the traffic impact. They 'assume' a lot of visitors will be on foot or cycling. They quote pedestrian access but it is already unsafe and poor. It is impossible to cross Plas Coch road from the University to that retail unit directly in front of the proposed site due to the flow of traffic and the reluctance to let pedestrians cross. Likewise after the Plas Coch roundabout you have to 'read' the traffic because you are unable to see what is coming from the B&Q direction. They state there will be pedestrian crossing facilities such as dropped kerbs and pedestrian refuges but they speculate that most pedestrians will be coming from the Range or Plas Coch. They talk about 2 x signalised crossings on the B&Q roundabout – there are 8 arms on/off this roundabout and ONLY 2 of them are true lighted pedestrian crossings (and of no use when people regularly jump the lights). The only 'advisory cycle route' is Mold Road so cyclists have to ride on the pavement or chance the road elsewhere. We do not believe they will amend the name of their restaurant to 'walk-thru', the very name suggests that it is designed for people to drive thru. Our roads are not pedestrian/ cyclist friendly before the traffic increase and lighted pedestrian crossings would need to be installed at ALL main crossing points;

- At certain times the car parks are already overstretched. They assume that people can park in the Range / Argos and they constantly highlight the ease of access from this area. How will this work when their car parks can be full to capacity. We have been advised that certain drive-thrus can be poor with their speed of food delivery i.e. wrong orders/ food unprepared and cars are asked to pull into a parking bay – using up needed spaces at busy times. No mention is made as to where their staff will park? Others have mentioned that min 2mins wait on a Friday (the average time given in their report) is not exactly true as midweek ordering at the Chirk drive thru can sometimes take 20 minutes;
- The Traffic/ parking survey was calculated Fri to Sunday and only on site and at Plas Coch Roundabout. The busiest days are actually Monday to Friday from 07.30-09.30, 15.00-18.00hrs. No work or school traffic was therefore considered, especially at the worst bottleneck which is the B&Q roundabout. We are also not told if this was taken during term time? They would not have calculated the extra traffic caused by a Wrexham FC home game. They did not consider the effect to local residents of heavy vehicles accessing it from the A483 during the early hours of the morning.
- Incorrect statement saying that retail is dying – town retail is suffering and is unsupported but out of town developments are not i.e. Broughton Park / Outlet Village. Their report infers there will be ‘no material impact’ on other roads (i.e. Berse Road / A483). Please calculate visitors to Chirk drive thru for a true reflection.
- The main irony is that this is a fast food ‘drive-thru’. Their report quotes the Welsh Government Sustainable Transport Hierarchy which seeks to encourage people to walk or cycle rather than jump in their car;
- Please go to the Mold drive-thru and imagine the impact of their lighting on all the houses in this vicinity (not just Mold Road/Berse Road). This would also be viewed by houses on Windsor Drive, Gloucester Drive and Stansty Road. There is also a legal requirement for Companies to switch off their illuminated signage during hours of darkness to limit its

impact on nearby residents (i.e. constant argument between neighbours and the B&Q signage which is incredibly bright);

- We have requested air quality monitors in the areas most polluted by standing traffic and look forward to seeing them installed in valid areas i.e. B&Q roundabout. Please see this link to a study on air pollution by BHF and their drive to combat it: <https://www.bhf.org.uk/what-we-do/our-research/risk-factor-research/air-pollution-research>;
- Litter from the Chirk drive-thru, past the car boot sale site, ending up on the Chirk road: Items of McDonald's litter all along this road including in the gateway of the WCBC waste depot! The embankment after the Halton roundabout going towards Wrexham was awash with McDonald's litter. This does not bode well for our residential streets and byways. McDonalds DO NOT clean this area as it comes under the Council's jurisdiction meaning it stays there = increased rodent population. (The traffic control box on the A483 side of the B&Q roundabout already carries the warning – DO NOT OPEN – RAT INFESTATION and we have serious reservations about the lack of vermin control;
- This is a small retail park in what was and still is primarily a residential area;
- Anti-social behaviour is our main concern. Please read the Daily Post article displaying the number of 'incidents' of anti-social behaviour at McDonalds on Regent Street: <https://www.dailypost.co.uk/news/north-wales-news/mcdonalds-burger-king-kfc-shocking-17624008>. The number was staggering (at only 0.4 of a mile from the town centre and this area being residential, the trouble will most definitely be coming this way). If this is open 24 hours they will proceed to close the Regent Street store at night. Policing is already at crisis point and we need to feel safe in our own 'residential' streets. We already have our fair share of rough sleepers and drug addicts etc. and this will be their 'go to' place at night.

SPECIAL CONSIDERATIONS / ISSUES

Background: This is a full application for the erection of a free standing restaurant with drive thru facility, within the existing Plas Coch Retail car park.

The application site is within Wrexham Town where the proposed location of the development meets with the strategic UDP Policies PS1, PS2, PS3 and PS4. The development of the site is acceptable in principle and should be supported should it be in compliance with the relevant UDP Policies GDP1, EC6, EC9, EC13, T8 and T9 of the Wrexham UDP apply. The proposed development is intended to enhance the existing facilities within the retail park and serve existing users of the site and nearby locality. The main issues to consider relate to the impact of the development upon highway safety, residential amenity, and upon the character and appearance of the area.

Design and Site Layout: Proposed is a contemporary style, two storey, flat roof building which will be located in a prominent position at the access to the retail park. Although the building will be prominently sited, I consider it to be of a simple design and of comparatively low level in its mass. As such the building would not appear overly dominant in presence in comparison to other buildings located in and around the retail park. I am therefore satisfied that it would not appear incongruous in this location.

Taking into consideration its setting within a car park set against the backdrop of much larger retail units, the building is of an appropriate scale and design for the area. The materials of construction are common to the retail park and consistent with the existing surrounding built development, and the proposed site layout demonstrates that it is possible to achieve this functional development which sits comfortably in its setting (see elevations and images below at figures 1 to 5). As mentioned above, the building will be visible outside of the retail park, though this will be for only a limited distance, and I am satisfied that it will make a positive contribution to the appearance of the nearby locality when viewed as a 'Gateway' into Wrexham. The familiar large Golden Arches are not proposed in this case, with the applicant opting for a more modest totem sign (see images 3 and 4 below) which will not be visible to drivers on the A483. The proposed signage has already been considered more fully in earlier reports (P/2019/0916, 0917 and 0918) on this agenda.

An appropriate planting scheme is proposed that, along with the existing trees and vegetation, will soften the impact of the development and break up sightlines into the development. The implementation of the planting scheme will be secured by planning conditions and the proposed development is in accordance with UDP policies GDP1 (a), PS2, EC4 and EC6.

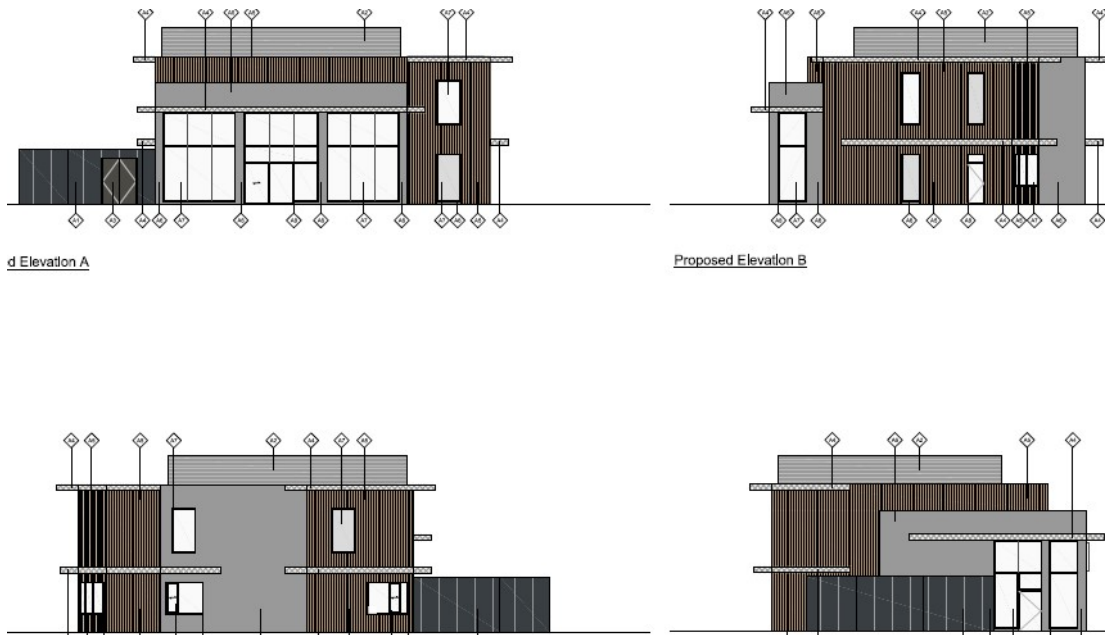


Figure 1. Proposed Elevations



Figure 2. Example Image



Figure 3. Example Image



Figure 4. Example Image

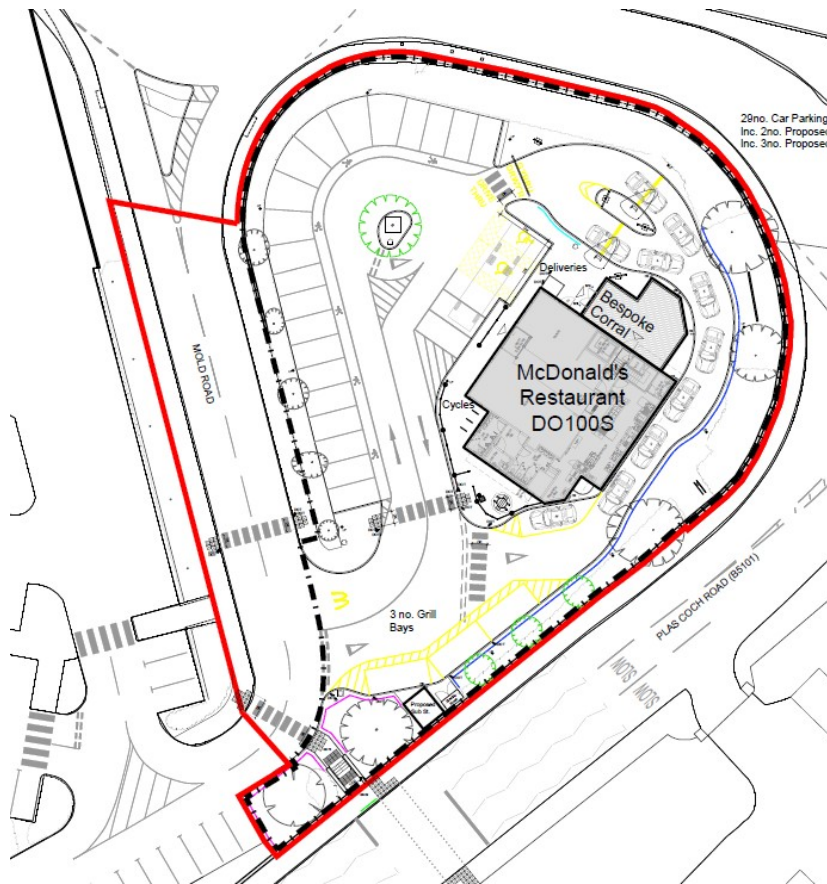


Figure 5. Site layout

Residential Amenity: The closest residential dwellings are currently approx. 150 metres away from the proposed site boundary (to the south west), beyond the retail car park, across the Plas Coch Road and the B&Q Roundabout, on Mold Road. The next nearest dwellings are approx. 200 metres away in the opposite direction (north east) beyond the Plas Coch Public House, University and Tennis Centre. Given the separation distances and the intervening buildings and highways, the development would have only a limited visual impact when viewed from these properties, and the scale will have no impact upon residential amenity in terms of any loss of light, privacy or visual overbearance.

Any potential impacts relating to noise, light pollution or cooking odour will be significantly diminished by the distance between the residential properties and the development site. The public protection team has requested planning conditions to secure the submission of ventilation and method of cooking extraction details, for further approval, which will further safeguard the public from any adverse impact of noise or odour.

A condition will also be attached to secure the submission of a lighting scheme for further approval. Further the public protection team has not expressed any concerns in relation to the siting of the development, the proposed lighting which is within an already lit area, or the proposed operating hours.

I have considered the points made by local residents in terms of the potential anti-social use of the surrounding car parks, however I have not been provided with any evidence of this or crime statistics which substantiate a significant local problem. In any event, the management of the car parks remain a matter for the landowner, and the agent for this application has confirmed that he will take action by way of closure of the retail car park outside of trading hours if a problem does arise. I am satisfied therefore that the proposed development would not have a negative impact upon the residential amenities of the area and is in accordance with UDP Policy GDP1 (a) and (f).

Highways: The proposed development site is located on the Plas Coch Retail Park, off Plas Coch Road. The existing road network leading to / serving the retail park suffers from capacity issues during weekday peak times and at the weekend when significant queuing / delays are experienced. The existing A483 / A541 junction, Plas Coch roundabout(s) and New Road / Stansty Road junction suffer from capacity issues and would not benefit from any significant increase in vehicle movements.

Parking Provision

The highway authority confirmed that the existing parking provision at the retail park is considered adequate to cater for the existing retail units in this location, which are Argos and The Range (incorporating Iceland Food).

The existing car park in this location appeared to provide a total of 231 spaces which includes 66 spaces in the area proposed for the McDonalds Restaurant. The proposed development as originally presented would therefore have appeared to displace 66 no. existing parking spaces in this area of the car park.

Further clarification has now been provided which confirms that there are currently 235 existing parking spaces, including 70 existing parking spaces within the proposed development site. These 70 spaces will be lost to the development with the remaining 165 spaces fronting the existing retail uses being retained and unaffected by the development.

29 parking spaces are provided within the application site, taking the overall parking provision across both parking areas to 194. This is loss of a 41 spaces in total across both parking areas. The applicant has amended the proposed public floor area since the original submission, reducing it from 159 m² to 118 m². LPGN 16 sets out a maximum requirement for 29 parking spaces for a development of this size. 3 of the parking spaces are 'grill waiting bays' which can be used for parking in busy periods. The proposed 29 spaces therefore accord with the Council's adopted planning guidance.

The existing retail units comprise a gross floor area of approximately 6,461m². LPGN 16 requires a maximum provision of 330 parking spaces compared with a proposed provision of 165 spaces. This represent a shortfall of 50% when compared with the maximum LPGN 16 maximum standards.

In consideration of the shortfall from the maximum parking provision, the applicant has carried out a car parking survey on Friday 17/05/2019 (between 16:00 – 18:45) and Saturday 18/05/2019 (between 11:00 – 14:45). This survey indicated that the peak occupancy was 68 vehicles on Friday (29% occupied) and 138 vehicles on a Saturday (58% occupied).

As already stated, the proposed development would provide a total of 165 spaces for the retail units. Based upon this survey the proposed level of parking provision would in theory therefore result in 84% occupancy. This would leave approximately 16% spare capacity.

The highway authority originally indicated that any parking survey should be carried out in the first few weeks of December leading up to Christmas on a Saturday and Sunday when the car park is likely to experience peak occupation or even during the Easter holidays. However, the traffic surveys undertaken on a Friday and Saturday in May cover the likely highest flows during a neutral month. March 2020 survey shows higher traffic flows than May 2019. Comparison with Focus Transport Assessment suggests the March 2020 results are robust. The parking beat surveys now submitted have shown that the surrounding retail car parking has capacity to absorb additional vehicles at busy times.

The highway authority also originally suggested that the applicant carries out a parking survey at the McDonald's drive-thru in Chirk during the week, and on a Saturday and Sunday to assess / compare parking demand with the proposed development site. This was because it was considered that the proposed Plas Coch drive thru will be as popular as the Chirk drive thru, given its proximity to the A483 and the significant catchment area of Wrexham. However, further analysis of other McDonald's restaurant sites, as now submitted, supports the estimated traffic generation for the Plas Coch site, and has confirmed that the Chirk McDonalds is not a comparable site.

The highway authority is therefore now content that the parking requirement has been adequately assessed and that the proposed number of car parking spaces is acceptable and broadly in line with the standard set out in LPGN 16.

Glare from Vehicle Headlights

The highway authority initially had some concerns with the layout of the site and the potential for customer vehicle headlights to shine directly onto the adjoining highway. The applicant has since confirmed that the retaining wall along the eastern boundary is being kept as existing. The dense hedge which surrounds the site is also being retained.

The submitted site plan now shows that the site is screened by a 1.1 metre high fence, in addition to the vegetation. This is considered adequate to prevent headlight glare affecting highway safety, and the highway authority are now satisfied that there is no safety concern in this regard.

Servicing and Turning Provision

Large delivery vehicles (i.e./16.5m HGVs) & refuse wagons will need to service the proposed development site. The submitted swept paths of such a refuse vehicle as indicated on the amended Drawing No. 4171/TR/10 are considered acceptable. Refuse is to be collected by a private contractor using a 9.6m refuse vehicle and would also occur off peak. A Delivery Management Plan has now been submitted which confirms that deliveries and waste removal can be carried out safely and outside of peak hours to avoid disruption to traffic. Vehicle tracking has been provided to confirm that the delivery and refuse vehicles to be used can enter the site, turn and exit in a forward gear. However, it is noted that the delivery vehicles could block access/egress from the disabled parking bays, but this can/will be managed on site. The delivery of this plan will be secured by planning condition.

Transport Assessment - Committed Development / Traffic Analysis

The originally submitted Transport Assessment (TA) did not appear to have taken account of the committed developments as follows:-

P/2018/0671	Construction of 410 1 and 2 bed apartments, Plas Coch Road, Wrexham.
P/2018/0672	Erection of 197 Student Apartments, Crispin Lane, Wrexham.
P/2018/0357	Extension to Plas Coch Public House (24 Bed Lodge), Plas Coch Retail Park, Wrexham
P/2018/0384	Drive Thru Coffee Shop, Plas Coch Retail Park, Plas Coch, Wrexham.
P/2019/0923	Proposed 450 new dwellings on Land off Mold Road, Stansty, Wrexham.

The highway authority requested that a revised TA be submitted which takes these developments into account. Further, the TA concentrated on the Plas Coch Retail Park roundabout and the Plas Coch Road roundabout and so it was requested to be expanded to include:

- 1) A483 Junction 5;
- 2) A541 B&Q Roundabout;
- 3) Plas Coch Roundabout;
- 4) Plas Coch Retail Roundabout;
- 5) Junction of Stansty Road / New Road.

A revised TA has been submitted which has assessed the above listed committed developments, and also provided additional analysis of the Berse Road roundabout. The modelled queues have been validated against observed queue length data and are agreed to validate well, in fact in many instances the modelled queue lengths are slightly higher than observed.

The modelling in support of this application was undertaken by ADL. The modelling is based on traffic data collected in 2019 and on 13th/14th March 2020. This was before the advice issued in the UK on 16th March to reduce travel and the lockdown on 23rd March, so is unaffected by the pandemic.

The 410 apartments and the 450 homes on the circus field were not considered in the 2021 models because neither are expected to be built by this time. However, the 2036 modelling does include the expected traffic flows for 410 apartments at Plas Coch Road (this development is now expected to be 90 houses, which will produce fewer trips than 410 apartments) and 455 dwellings on Land off Mold Road (Circus Field).

The Arcady results show that the Plas Coch Retail Park roundabout has a maximum ratio of flow capacity (RFC) of 0.86 in 2036 with a queue of 5 vehicles in the Saturday peak when base, committed development and McDonald's traffic are included. Queues are not anticipated on the slip road off the Plas Coch Retail Roundabout towards the Drive-thru.

In 2021, Plas Coch roundabout has a maximum RFC of 0.86 with 5 queuing vehicles, in the Saturday peak. In 2036, the Plas Coch roundabout is close to theoretical capacity without the McDonalds development (maximum RFC 0.90) with a queue of 8 vehicles. When the McDonalds trips are included the maximum RFC is 0.95, with queues up to 14 vehicles. However, these would not block back to the Berse Road roundabout (meaning the signalised roundabout by B&Q - Berse Rd/Mold Rd/B5101). The 14 vehicle queue is on the B5101 approaching the roundabout from the Berse Road (B&Q) Roundabout. The approach to the roundabout from the retail park/Plas Coch pub has a maximum queue of 2 vehicles, as does the approach to the Plas Coch Retail roundabout from the Plas Coch roundabout.

This roundabout is shown to be already close to capacity in the peak periods. In 2036 the roundabout reaches capacity and is likely to experience problems. However, the addition of the McDonalds traffic has a negligible impact on the Degree of Saturation and has no impact on queue lengths on most arms. On the worst affected arm queues are increased by only 3 vehicles. Further, the development traffic is a negligible addition to A483 Junction 5. The junction modelling has shown that the proposed restaurant will have a negligible impact on the roundabouts. In addition, by 2036 it is likely that Welsh Government improvements to A483 junction 5 and Berse Road roundabout will have taken place.

Following on from recent capacity assessments by Capita and Mott McDonald the Welsh Government are currently undertaking their own capacity assessments to identify preferred options which will include mitigation proposals for the Stansty development site. Given the proximity of the site and potential implications for the A483 (T), the highway authority considered it appropriate for the views of the Welsh Government / NMWTRA to be sought on the proposals.

The views of WG have now been sought and the response confirmed that there were no WG directions to be issued or comments to make.

It is noted that the Minster has made a formal announcement confirming that next stage of the A483 Junction 3-6 improvements is to be progressed. WG has confirmed that it is now currently procuring designers to progress Junction 4 through the preliminary design and statutory process, and Junctions 3, 5 & 6 through to completion of detailed design.

Transport Assessment - Pedestrian Crossing Facilities

The proposed development is likely to attract a significant number of pedestrian movements particularly given the proximity of the Glyndwr University. The highway authority recommended that the applicant reviewed the adequacy of the existing pedestrian crossing facilities including a Stage 1 Safety Audit in order to demonstrate the adequacy of existing facilities in this area to serve such a development.

Future occupants of the houses in the University site are likely to use the existing splitter island located north east of the Plas Coch roundabout if they were walking to the retail park. Any local residents walking to the McDonalds restaurant from the Mold Road area are likely to cross Plas Coch Road at the junction with the B&Q roundabout. This pedestrian crossing only has a pedestrian crossing phase on its southern approach.

A Stage 1 Road Safety Audit of pedestrian crossing facilities in the vicinity of the development site has been undertaken and its recommendations incorporated into the proposed highway improvements where they can be achieved within McDonalds land or the adopted highway. A condition will be required to secure implementation of the crossing facilities shown the plan, and the highway authority has confirmed that there are no highway safety concerns in this regard.

Transport Assessment - Accident Analysis

The originally submitted accident analysis reviewed a relatively small study area which includes 6 personal injury accidents occurring between 2014 and 2018. The highway authority requested that the accident analysis extend further up to and including the A541 B & Q Roundabout and section of Plas Coch Road.

The submitted additional accident analysis has now been provided for the Retail Park Access Roundabout, the Plas Coch Roundabout, Berse Road Roundabout and the connecting links between them. From the information provided, there would not appear to be any issues that would be directly exacerbated by the development.

Construction Traffic Management Plan

The application states that an updated Construction Traffic Management Plan (CTMP) was to be submitted. Only the plan received in December 2019 has been seen, but the updates are expected to be minor. The submission of a CTMP for future approval will be secured by planning condition.

Highway Authority Summary

The TA has taken a reasonable approach to future traffic forecasts and accounts for committed development in the area. The traffic generation estimates for the restaurant itself have been based on analysis of other comparable restaurants and are considered acceptable.

The traffic assessment has shown that while the Berse Road roundabout (the signalised roundabout by B&Q - Berse Rd/Mold Rd/B5101) is already experiencing some congestion, the expected additional traffic relating to the proposed restaurant will have a negligible impact. Plas Coch roundabout is approaching capacity and may experience problems in the modelled future year 2036, but the restaurant will still have only a negligible impact. The Retail Park roundabout will be approaching capacity by 2036 but again, the impact of the restaurant traffic is small. Previous concerns over the validity of the junction modelling have been addressed by validation with observed queue length data.

The highway authority is now content that the proposed car parking provision is appropriate and in accordance with the Wrexham County Borough Parking Standards. Concerns over headlight glare have been satisfactorily addressed. The Service Delivery Management Plan has now been provided which has addressed all concerns regarding deliveries and waste removal.

A Stage 1 Road Safety Audit has identified where improvements are required to pedestrian crossings and the findings incorporated into the proposal. The highway improvements set out in the Designers Response to the RSA must be undertaken before the restaurant begins trading.

Accident analysis has been undertaken and has confirmed that there are no highway issues that would be directly exacerbated by the development.

Highway Conclusions

All issues relating to the design of the site have been resolved. There remains some concern that the surrounding road network experiences congestion and that any additional traffic will exacerbate the issues. However, the degree to which the proposed restaurant adds to the congestion is negligible and at peak times it is likely that congestion will deter visitors to the restaurant at busy times. In addition, Welsh Government are expected to undertake improvements to the A483 Junction 5 and Berse Road Roundabout which will improve the future year operation of these junctions.

Concerns over the use of the site as a drive-thru facility on football match day could be addressed through a condition that would prevent vehicle access, but allow trading to continue for pedestrians, as at other McDonald sites in close proximity to football stadia. There is an example of this at the McDonalds close to Cardiff City Stadium where the vehicle access is blocked off and the drive through lane operates successfully as a “walk through” on match days. Anecdotal evidence has suggested that issues may arise occasionally on home Match days, so this suggestion is made as a point for consideration. I am not aware that there is a specific planning condition as it is something that is observed to happen in practice when the Cardiff City Football Stadium carpark has problems before/after any home matches. However, match day restrictions would not be necessary to make the development acceptable in highway safety terms, and though a condition would be welcomed, it is not necessary in highway safety terms to allow planning permission to be granted.

Gathering together the threads of all of the assessments made of the scheme in terms of the impact of the proposed development upon highway safety, I am satisfied that the application complies with UDP Policies GDP1 (d) and (e), T8 and T9.

LPGN No.9 – Hot Food Take-Aways: The advice contained within this note is not planning policy, but is guidance used to amplify planning policy (GDP1), community strategies, and more broadly the Healthy Eating and Being More Active Strategy and other more recent National Strategies. It has been formally adopted by this Council and, whilst it doesn't carry as much weight as planning policy, it is a material consideration in the determination of this application.

Hot food takeaways are defined as establishments whose primary function is the sale of hot food for consumption off the premises. Proposed here is a Restaurant for the consumption of hot and cold food on the premises, with a drive thru facility for the consumption of hot and cold food off the premises. The standard menu for a McDonald restaurant provides a variety of food including healthy options to allow healthy eating choices to be made. Given that the restaurant element of the proposals is not relevant to the guidance, it is the impact of the drive thru facility and take out option only that will be considered against this guidance.

General Location

The guidance recommends that new hot food takeaways should not be located within Wrexham Town Centre Principal Shopping Streets. As this site is not on a principal shopping street, the proposed location meets with the guidance in this respect. Further, it recommends that new hot food takeaways should not be located within a predominantly residential area. The site is within an established retail centre and as such cannot be considered to be a predominantly residential area and the proposed location meets with the guidance in this respect.

The guidance also advises that takeaways should not be located within 400 metres of a boundary of a school or tertiary college. The definition of a tertiary college is a facility for further education (sixth form). Since the University is not tertiary, as it is a facility for higher education, the guidance is not relevant to the University, and the proposed location meets with the guidance in this respect.

The site is within 400 metres of a primary school, known as Ysgol Plas Coch. Whilst pupils in primary education are not allowed out of school premises during the school day, research indicates that the most popular time for purchasing food from shops is after school. As primary school pupils will obviously not have a car, the potential harm from the temptation to overconsume fast food is limited to pupils walking to and from school, going inside the building to collect a take away along the way. Of course, parents may well use the drive thru to purchase food for their children before they drop them off at school or after collecting by car, but it is for the parents to make a judgement as to what their children consume, as is the case now when they drive past the retail park which we have already been told has a plethora of food outlets.

Ysgol Plas Coch is one of few Welsh Medium Schools in Wrexham. This means that a large number of pupils who attend the school are unlikely to live within walking distance of the school and will arrive / leave by car. Of those that do live within walking distance, most will still be collected by parents both by car and also on foot. Again, it is for the parents to make the right choices on when and what to feed their children.

It is highly likely that the remaining small proportion of pupils who walk to and from school, unaccompanied by a responsible adult, will be limited to the older 10 or 11 year olds, and these in reality will be very few number. This small number of unaccompanied pupils already have access to a wide range of food outlet options within the retail park, which they would have to pass by to reach the application site. There are healthy options conveniently available to make good choices in these existing outlets, as there will be within the proposed restaurant. I do not therefore consider that the proposed development will result in the harm that the Guidance note seeks to safeguard against.

Amenity

As already mentioned above, there are residential properties approximately 150 metres away from the site and the public protection officer has requested that details of extraction/odour control measures are required for further approval, in order to ensure that the impact of cooking odour and noise upon the surrounding dwellings is limited. The guidance notes advises that where there is no housing adjacent to or in close proximity to the premises, it is unlikely that any restrictions will be placed on the hours and days of operation. Given the distance from the properties, it is not considered necessary to restrict the hours of opening of the restaurant or drive thru facility, by planning condition.

Planning permission has been granted (P/2021/0094) for 90 houses on the University which may be the closest houses to the application site in the future (approx. 50 metres), should the development come forward. A condition (No.6) was attached to the 2018 Outline planning permission which requires the submission of a noise survey together with proposed noise mitigation measures to be implemented as part of the construction of the new houses. This will ensure that the amenities of the future occupiers of this development are protected from any adverse impact in relation to noise generated by the surrounding non-residential uses.

Licensing requirements apply for operational undertakings between 11.00 pm and 5.00 am. The operating hours appropriate for the site will therefore be determined by the licensing officer.

Anti-Social behaviour

Insufficient evidence has been submitted to corroborate suggestions that the proposal would lead to an increase in anti-social behaviour, or that there is an existing problem in the area, supported by crime figures locally. I have been made aware of instances of anti-social behaviour within the town centre McDonalds, however the application site context is different and I have no reason to think an edge of town site would be as popular late at night. I would expect any such issues to be managed by the end user, along with any issues relating to 'boy racers'. The introduction of this facility into the area will increase natural surveillance, and the premises are usually also covered by security mitigation measures such as CCTV systems. The landowner (the applicant) has confirmed that he does have the necessary controls to close the retail car park, and will do so if any such issues do arise.

Litter

Litter bins should be placed in and around the forecourt / parking area to safeguard the appearance of the area and to deter pets and vermin, and this will be secured by planning condition.

LPGN 9 Summary

In summary, I do not consider the proposed development to conflict with the purposes of LPGN 9, nor does it conflict with any of the planning policies which the guidance seeks to amplify when the individual merits of the scheme are properly considered, and I find that the development is in accordance with the UDP Policy GDP1.

Trees: The tree officer has been consulted as part of the application process and has confirmed that the amended proposal is acceptable. In determining the acceptability of the proposed landscaping scheme, the starting point must be that character of the site will change, but the retention of the boundary vegetation, mitigation boundary planting and two rain gardens have all been well considered and limit the visual impact of the built development.

The choice of the Turkish Hazel (*Corylus colurna*) for the hard surfaced area planting pit is acceptable and should provide a suitable level of amenity as a replacement for the protected sycamore. The Turkish Hazel will automatically be subject to the TPO which affected the original sycamore. Should the scheme receive consent then all existing, retained trees and boundary features should, subject to planning condition, be afforded appropriate protection through the submission of both an approved AMS and on-site arboricultural supervision. The amended planting pit specification for the Hazel is also acceptable and will provide a suitable and protected growing environment conducive to healthy root development and the establishment of the tree overall.

One final point is to ensure that any proposed below ground service routes do not come into conflict with the planting pit or any materials contained within it. A condition is required to ensure a suitable buffer zone of 5 Metres in diameter, around the tree pit within which no below ground services will be permitted to run. I confirm therefore that the development is in accordance with the UDP Policy EC4.

Listed Building and Archaeology: Given its proximity to an area of Roman period activity, CPAT has been consulted and asked to provide comment in relation to any potential archaeological implications. CPAT has since confirmed that this area was investigated in 1996 (geophysics and evaluation trenching), and no significant archaeology was identified. I can therefore confirm that there are no archaeological implications for the proposed development at this location. Further, the proposed development will not have a significant impact upon the setting of the nearby Grade II Listed Glyndwr University and the development accords with UDP Policy EC9.

Drainage: Both Welsh Water and NRW have been consulted as part of the applications. Neither consultee express any concerns in relation to the proposed development. The site lies within the Wrexham Town and is served by Five Fords Wastewater Treatment Works (WwTW) which has Phosphate consent, and the capacity for additional wastewater flows within the existing consent. I am therefore satisfied that no further assessment is required in respect of phosphate levels in the River Dee Special Areas of Conservation (SAC).

The site is located in DAM Zone A as defined within TAN15. As from the 7th of January 2019 any new development which involves construction work of more than 100m² is required to obtain approval from the SuDS Approving Body (SAB) prior to the commencement of those construction works. I can confirm that the applicant has made an application for SAB approval for the proposed development and the SAB is currently in the process of reviewing the details of this scheme. At this stage I am advised by SAB that it would appear that a compliant scheme should be deliverable for the site.

As such, I am satisfied that the surface water generated at the site can be properly managed at source and that it will not result in an unacceptable adverse impact on the water environment or compound any exiting off-site flooding issues. The development of the site as proposed therefore complies with the relevant UDP Policies GDP1 (i) and EC13.

Pollution: Concern has been raised in relation to the potential increase in the pollution of the environment from vehicle emissions. I have also considered the comments received about the speed reduction to 50 mph on the A483 designed to reduce emissions. The initiative on the A483 was not to reduce the number of vehicles on the road, but reduce vehicle speeds to reduce emissions. The speeds around the retail area are also limited to well below 50 mph, and the development is unlikely to negate any benefits from the A483 initiative.

The proposed development is intended to serve the vehicles already in the area and is not expected to attract a large number of additional vehicles. Most modern vehicles engines cut out when vehicles are idling and motorists often switch off their engines whilst stationary. With the move to all electric vehicles in the future, and a large number of hybrids and electric vehicles already replacing petrol and diesel models on the road, emissions are on a steady decrease.

The retention of the existing vegetation and compensation / mitigation planting on the periphery of the site boundary will serve to assist in capturing and reducing levels of vehicular emissions, providing benefits for all users of the area (Air Pollution Abatement Performances of Green Infrastructure in Open Road and Built-up Street Canyon Environments – GCARE Uni. of Surrey 2017). I therefore have no reason to be concerned that the proposed use of the site will have a significant detrimental impact upon the environment, and the development of the site as proposed complies with the relevant UDP Policy GDP1 (f).

Applicant's Statement: The Applicant has provided the following statement in response to some of the concerns expressed by the local residents, local councillors and the community councils.

Highways and Parking

During the application process, there were a number of correspondences with the highway authority the final formal response received, dated 22nd March 2021 confirms that all issues relating to the design of the site have been resolved subject to recommended conditions.

Concerns expressed that site is too small and not located in the right area

The Drive Thru is located in the best position to complement the existing tenants on the Retail Park and encourage linked trips. The proposed site has sufficient parking to serve the McDonalds operation, but with the added benefit of a legal right to share the neighbouring car park should it be required.

Anti-social behaviour

The restaurant shall maintain a strict protocol for ensuring noise and disturbance is kept to a minimum. All shift managers shall receive conflict resolution training sufficient to ensure they can deal effectively with noise or anti-social behaviour. Good management training and practices, in combination with appropriate physical security equipment, will reduce the risk of crime and disorder. Tackling Anti-Social Behaviour is a key part of delivering the best possible customer experience and helping McDonald's to be the UK's best-loved restaurant company. Tackling Anti-Social Behaviour is also key in delivering their duty of care obligations to their people, providing a great place to work where employees feel energised, safe and valued.

External complaints are taken extremely seriously and in extreme cases the restaurant manager will liaise with the Council and Police to discuss noise and behavioural mitigation measures if the current proposal is not effective. The restaurant management is keen to work in partnership with the local Police in order to prevent crime and disorder in the local area, this will include such tasks as providing witness statements to the Police in the event of disorderly behaviour, as well as providing CCTV footage for evidence.

McDonald's succeeds in protecting customer and staff safety to the highest degree and has developed the best training in the industry, including accredited staff training to empower employees to deal effectively with issues they might face when operating at night. McDonald's is committed to supporting their communities to be safe at night, for all restaurants to have a positive impact on the area and to be a safe and welcoming place for all.

McDonald's understand that where they have a late-night trade, they have a The CCTV system can also be used to capture footage of customers' vehicle registration plates, in the event that they act in an anti-social manner or litter on the site. This footage can then be passed on to the Police or local council for further action. Incidents of anti-social behaviour are kept to an absolute minimum through strategies such as staff training in dealing with issues, liaison with community police officers and use of CCTV cameras where necessary.

Litter and Bins

McDonald's is committed to tackling litter in as many different ways as possible. It is company policy to conduct a minimum of three daily litter patrols, whereby employees pick up not only McDonald's packaging, but also any other litter that may have been discarded in a 150m vicinity of a restaurant. This may be expanded to suit local needs.

Litter bins are provided outside all restaurants, and packaging carries anti-littering symbols to encourage customers to dispose of litter responsibly. Anti-littering signage is displayed within restaurants and car parks, and support is given to Keep Britain Tidy, Keep Wales Tidy, Keep Scotland Beautiful, Keep Northern Ireland Beautiful and Capital Clean-up.

Proximity to residents/Noise/Air Pollution

The Public Protection Officer was consulted on the application and responded on 31st December 2019, with no issues with the development, with a recommendation of conditions in relation to installation of the approved Odour Extraction details; Control of the noise levels of the Air Handling Plant, Advisory notes on Construction Noise, Dust Management and Burning of Waste.

Healthy Eating

The guidance references the national research carried out in 2009, in relation to overweight and obese individuals and the efforts by the Council and its partners in supporting the Healthy Schools and Appetite for Life Programmes to ensure that young people have access to healthy options. McDonald's strongly believe that a business of their size has a responsibility to use its scale for good. As a consumer driven business, they work extremely hard to understand the lives of their customers, particularly families, and the role that food and drink plays for them. As a result, McDonald's are uniquely placed to help customers make informed choices and think carefully about the nutritional information we provide.

McDonald's customers are increasingly health conscious and careful about what they eat. Therefore, McDonald's goal is to help them understand what they are consuming and to assure them that the ingredients have been sourced responsibly. When it comes to their food, they believe their role is to make it easier for customers to balance health, taste and value. That is why McDonald's have built their strategy on three core principles: choice, information and improving the nutritional profile of existing products. That means:

- Providing people with a range of food that allows them to make a choice appropriate for any occasion, whether that is a treat or a healthy everyday option.
- Providing Information to help customers understand what they are eating.
- Reformulating their food products to reduce saturated fat, sugar and salt, while not compromising on flavour.

McDonald's are proud of the impact they have already had in helping customers better understand their choices. McDonald's have been providing customers with nutritional guidance for over 30 years and have included calorie information on their menus since 2011, at the time becoming the largest company in the sector to ensure customers have access to visible calorie information. Calorie information is clearly displayed under each item on the digital screens within McDonald's restaurants and on their website and click and collect app and this information allows customers to select an order that fits with their own dietary plans and nutritional requirements. The information also allows customers to personalise the items in their order, such as replacing a hash brown with a fruit bag at breakfast or fries with a salad at lunch.

Reformulating existing items on the menu has been another area of investment. 54% of McDonald's menu is classified as non-HFSS (not high in fat, salt or sugar) and 89% of items on their core food and drink menu contain under 500 calories.

The Happy Meal has also evolved. Today, 72% of items on the Happy Meals menu are non-HFSS, and in 2014, McDonald's trialled "Free Fruit Fridays" resulting in 3.7 million portions of fruit being handed out. As a result of that trial, discounted fruit is now available with every Happy Meal and in the last 12 months over 4 million Happy Meals were sold with a Fruit Bag or Carrot Sticks.

Recent years have also seen the introduction of new menu items. Porridge, salads and grilled chicken wraps now sit alongside menu items McDonald's has traditionally been famous for, such as Chicken McNuggets, the Big Mac and the Fillet-O-Fish.

Products classified as high in fat, salt or sugar - according to the UK Nutrient Profiling Model - are never marketed to children across any media channel, at any time of day. Since 2007, adverts featuring a Happy Meal have included food and drink such as carrot sticks, fruit bags, milk or water, and we restrict out-of-home advertising to avoid being within 200 metres of a school – double the industry standard. But McDonald's also believe that advertising and marketing can play an important part in driving behaviour change. It can increase information and transparency, nudge customers towards certain food choices, and support further reformulation by driving sales.

A recent initiative has highlighted this potential. In December 2017, McDonald's launched their 'Meals Under' 400 calories and 600 calories offer, and in the past 12 months have seen a 102% rise in the number of side salads being purchased with a meal instead of fries. In total, there are over 400 'Meals Under' bundle options for customers to choose from.

McDonald's investment in digital self-order screens has also supported their customers in making informed choices. Since their introduction, and a review of how they present their menu, they have seen 1.3 million bottles of water purchased instead of a sugary drink and 1.4 million more Fruit Bags bought with a Happy Meal.

McDonald's have also changed their menu to reflect a growing desire from customers to see a greater number of vegetarian options. In 2019, they launched the Vegetarian Happy Meal Wrap and Spicy Veggie Wrap at 209 calories and 364 calories, respectively. Both items are not high in fat, sugar and salt and are Vegetarian Society Accredited. Their introduction means they are now better equipped to meet the requirements of this growing consumer trend.

Loss of the trees

Throughout the application, there has been many discussions working with the Tree Officer and Ecologist, which has led to the overall redesign of the whole site, to ensure that an acceptable scheme could progress. The tree officer's confirmed that the final scheme was acceptable and the revisions had addressed all the comments highlighted throughout the application.

CONCLUSION

The proposed development is acceptable in terms of scale and design. The appearance of the built form and the associated landscaping of the site will adequately assimilate the development into the wider context of the area. The development of the site would not be detrimental to the residential or visual amenities of the locality and would make a positive contribution to the area as 'Gateway' into Wrexham.

The highway authority has confirmed that the level of parking provision for the proposed restaurant and existing retail units is acceptable to serve the users of the site, and that safe vehicular and pedestrian access has been secured. The increased in traffic generation is not significant and is considered to be negligible in terms of its impact upon the existing highway network.

The development of the site would not be detrimental to the amenity of the public and the quality of the environment would not suffer from adverse impacts of pollution or noise etc. Surface and foul / waste water can be managed appropriately and I am satisfied that the development of the site will not contribute to any surface water flooding issues locally.

I am satisfied that the proposal accords with the relevant UDP Policies PS1, PS2, PS3, PS4, GDP1, EC6, EC9, EC13, T8 and T9, and the advice set out in LPGNs 9, 16 and 17, and I recommend accordingly.

RECOMMENDATION: That permission be GRANTED

CONDITION(S)

1. The development hereby permitted shall be commenced before the expiry of five years from the date of this permission.
2. The development shall only be carried out in strict accordance with the details shown on the approved drawings nos. 7391_AEW_8104_1002 Rev C, 7391_AEW_8104_1004 Rev C, 7391_AEW_8104_1006, 7391_AEW_8104_1005, C7391_AEW_8104_1007 Rev B, 7391_AEW_8104_1010, 7391_AEW_8104_1018, Goal Post Height Restrictor and COD / Canopy, 17229-VL-McD_L01 Rev D, 17299-VL-McD_L02 and 17229-VL-McD_D01 Rev B, and as contained within the application documentation.
3. No facing or roofing materials shall be used other than those detailed on the application form and within the approved application documentation.

4. Prior to first use of the development the site shall be laid out in strict accordance with layout plans nos. 7391_AEW_8104_1002 Rev C and 7391_AEW_8104_1004 Rev C.
5. No part of the development shall be occupied / first used until the following have been submitted to and approved in writing by the Local Planning Authority:
 - 1) Modifications to the access road / splitter island serving the development site.The scheme as may be approved shall be fully implemented prior to first use of the development.
6. No part of the development shall commence until a Construction Traffic Management Plan including provisions for contractor parking has been submitted to and approved in writing by the Local Planning Authority and the Plan as is approved has been fully implemented.
7. No part of the development shall commence until a Service and Delivery Management Plan (SDMP) to include (but not be limited to) the details of frequency of deliveries, type of delivery vehicles to be used, and management of car parking to facilitate delivery vehicles has been submitted to and approved in writing by the Local Planning Authority. The SDMP as agreed shall be implemented in strict accordance with the approved details.
8. The vehicular parking and turning areas as shown on approved drawing 7391_AEW_8104_1004 Rev C, shall be fully laid out, surfaced and drained prior to first use of the development. These areas shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking and turning of motor vehicles at all times.
9. No part of the development shall be occupied / used until refuse bins have been provided on site in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority. The bins shall thereafter be permanently retained in a usable condition.
10. Prior to first use of the development hereby approved, an external lighting scheme shall be implemented on site in strict accordance with a scheme which shall be submitted to and approved in writing by, the local planning authority. No other lighting shall otherwise be installed on any external part of the site.
11. All signage and road markings hereby approved shall be presented bilingually in both Welsh and English, and the Welsh shall precede the English.
12. The development shall be carried out in strict accordance with the Tree Survey, Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan prepared by Hayden's Arboricultural Consultants, Project No. 7215 Rev E, Dated 29/01/2021. No development or other operations shall take place except in strict accordance with the report as approved.
13. No part of the development shall commence until full details for the arboricultural supervision of tree protection measures and any ground works within retained tree(s) Root Protection Areas, as specified by BS5837:2012 or as shown on a Tree Protection Plan have been submitted to and approved in writing by the Local Planning Authority. The supervisory works shall be carried out in strict accordance with the details as approved.

14. The landscaping, planting and boundary treatment scheme approved as part of this application shall be fully implemented in strict accordance with approved drawing nos. 17229-VL-McD_L01 Rev D, 17299-VL-McD-L02 and 17229-VL-McD_D01 Rev B within three months of the first use of the development with the exception of soft landscaping which shall be carried out in the first planting season (November to March) or seeding season (April to September) following the first use.

15. The planting scheme implemented in connection with condition no. 14 shall be permanently retained. Any planting which becomes severely damaged or seriously diseased, or is in poor physiological condition and/or are removed without the written permission of the Local Planning Authority shall be replaced within the next available planting season by trees or shrubs of similar size and species to those originally required to be planted.

16. The existing trees, shrubs and hedges shown on drawing nos. 17229-VL-McD_L01 Rev D to be permanently retained shall not be cut down, grubbed out, lopped or uprooted. Any trees, shrubs or hedges removed or being severely damaged or becoming diseased shall be replaced with trees, shrubs or hedging plants of the equivalent size and species.

17. There shall be no below-ground service routes within a radial buffer-zone of 2.5 metres all round (5 metres in diameter) measured from the centre of the proposed tree planting.

18. No part of the development shall commence until details of the means of ventilation for the extraction and dispersal of cooking smells, including details of its method of construction, odour control measures, its appearance and finish have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to first use of the development and shall thereafter be permanently retained in an effective condition.

19. The rating level of any noise generated by air handling plant associated with the development shall not exceed the pre-existing background level at any time. The noise levels shall be determined at nearby noise sensitive premises, and measurements and assessment shall be made in accordance with BS4142:2014 Method for rating and assessing industrial and commercial sound.

20. Prior to first use of the development a suitable grease trap shall be provided in order to prevent entry into the public sewerage system of matter (cooking fats, oils and grease etc.) likely to interfere with the free flow of the sewer contents, or which would prejudicially affect the treatment and disposal of such contents.

21. No part of the development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the disposal of foul water. The scheme as approved shall be implemented in accordance with approved details prior to first occupation of the development and no further foul water shall be allowed to connect directly or indirectly to the public sewerage system.

22. Prior to first use of the development, the highway improvement as shown on approved plan refs: 7391_AEW_8104_1004C and Proposed Local Improvements 4171-08 Rev A, including the proposed pedestrian crossing, shall be fully implemented to highway adoptable standards.
23. Any signage shall be bilingual, and the Welsh Language shall precede the English Language.

REASON(S)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.
3. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
4. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
5. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
6. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
7. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
8. To provide for the parking and turning of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety in accordance with Policies GDP1 and T8 of the Wrexham Unitary Development Plan
9. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and to protect amenities and deter pests/vermin in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
10. To ensure a satisfactory standard of appearance of the development in the interests of the visual and residential amenities of the area in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
11. To comply with TAN 20: The Welsh Language.
12. To protect trees which are of significant amenity value to the area in accordance with Policies GDP1, PS2 and EC4 of the Wrexham Unitary Development Plan.
13. To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s) in accordance with Policies GDP1, PS2 and EC4 of the Wrexham Unitary Development Plan.
14. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
15. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.

16. To ensure the amenity afforded by the trees is continued into the future in accordance with Policies GDP1, PS2 and EC4 of the Wrexham Unitary Development Plan.
17. To protect trees which are of significant amenity value to the area in accordance with Policies GDP1, PS2 and EC4 of the Wrexham Unitary Development Plan.
18. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
19. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
20. To prevent pollution of the water environment in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
21. To ensure that effective drainage facilities are provided for the proposed development, and that no adverse impact occurs to the environment or the existing public sewerage system in accordance with Policies GDP1 and EC13 of the Wrexham Unitary Development Plan.
22. In the interests of pedestrian safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
23. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.

NOTE(S) TO APPLICANT

This planning permission requires that development be carried out in accordance with the approved plans, including the construction of an estate road intended for adoption by the Council under the Highways Act 1980. It is essential therefore that the detailed proposals are submitted to the Highway Authority and confirmed as acceptable BEFORE development commences. Please contact the Highway Authority on telephone no. 01978 729690 for further guidance.

The written consent of the Highway Authority (as required by section 38 of the Highways Act 1980) must be obtained before any work is carried out on private land that is intended for adoption by the Highway Authority in connection with condition nos.2, 5 and 22. All works shall be constructed to a safe and usable condition and completed to an adoptable standard. Further guidance can be obtained from the Highway Authority of Wrexham County Borough Council.

The scheme of arboricultural supervision required in connection with condition no. 13 above shall make provision for a pre-commencement site meeting between the Local Planning Authority's Arboriculturist, the Developer / Applicant / Agent and their appointed Arboricultural Supervisor to agree matters of detail. It shall specify the frequency of arboricultural monitoring and reporting to the Local Planning Authority on the status of all tree protection measures throughout the course of the development and make provision for the submission and approval of a satisfactory arboricultural completion statement.

The permission hereby granted does not authorise encroachment upon, or interference with, the adjoining property.

All works relating to this development which are audible beyond the site boundary should be carried out only between 7.30 and 18.00 hrs Monday to Friday, and 08.00 to 14.00 hrs on a Saturday, and at no time on a Sunday or a Bank Holiday. Outside these times, any works which are audible beyond the site boundary have the potential to cause unreasonable disturbance to neighbouring premises. The applicant is advised that the Council has the option to control construction noise by serving a Control of Pollution Act 1974, Section 60, Notice where deemed necessary, and failure to comply with such a Notice can result in prosecution.

The applicant is further advised that any complaints received relating to noise of any type from the development may also be investigated using the Council's Standardised Procedure for Dealing with Noise Nuisance Complaints. This is done under the Statutory Nuisance provisions provided within the Environmental Protection Act 1990, and legal action may be taken where appropriate.

The applicant must adhere to the times given above wherever possible. If however there are urgent or unavoidable circumstances requiring works outside of the specified times, permission to proceed may be sought by contacting Environmental Health and Housing Standards at: heathandhousng@wrexham.gov.uk or 01978 292040. Please use the same contact details for any other enquiries regarding construction / demolition site noise.

The Applicant is advised that under the Environmental Protection Act 1990, dust from construction and/or demolition activities can be judged to be causing a statutory nuisance to neighbouring properties. A legal notice can be served requiring that any dust nuisance is abated and failure to comply with the requirements of the notice can result in prosecution. The applicant should contact the Council's Planning & Regulatory Department on 01978 292040 for further advice and information.

Burning of waste generated from construction activities is not considered to be an appropriate method of disposal and action may be taken as follows:

- Under the Environmental Protection Act 1990 anyone found disposing of construction site waste by burning is likely to be in breach of their duty of care with regard to waste disposal;
- Under the same Act an abatement notice may be served where smoke is judged to be causing a nuisance to neighbouring properties. Failure to comply with the requirements of the notice can result in prosecution;
- Under the Clean Air Act 1993 it is an offence for a commercial activity to burn anything that gives rise to dark smoke.

To prevent offences under the above named Acts there should be no bonfires on the site, to include the prohibition of the burning of cleared vegetation. The applicant should contact the Council's Planning & Regulatory Department on 01978 292040 for further advice and information.

If the development will give rise to a new discharge (or alter an existing discharge) of trade effluent, directly or indirectly to the public sewerage system, then a Discharge Consent under Section 118 of the Water Industry Act 1991 is required from Dwr Cymru / Welsh Water. Please note that the issuing of a Discharge Consent is independent of the planning process and a consent may be refused although planning permission is granted.

The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication ""Sewers for Adoption""- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

Following the commencement of Schedule 3 of the Flood and Water Management Act, the works as proposed are required to obtain approval from the SuDS Approving Body (SAB) prior to commencement of those construction works. Further details of the SAB, the new national standards, the pre-application advice service and the application for approval process can be found on the Wrexham CBC's SAB webpage:

https://www.wrexham.gov.uk/english/planning_portal/sab/sab.htm or by contacting the SAB Team directly at SAB@wrexham.gov.uk
